

1 **SENATE RULES RESOLUTION - AMENDMENTS TO SENATE RULES**

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

2
3 **LONG TITLE**

4 **General Description:**

5 This resolution modifies Senate Rules.

6 **Highlighted Provisions:**

7 This resolution:

- 8 ▶ updates inconsistent terminology;
- 9 ▶ removes obsolete language;
- 10 ▶ incorporates certain language from existing provisions of the Utah Code;
- 11 ▶ for the first day of an annual general session, removes the requirement that legislation
- 12 placed on the third reading calendar stay on the third reading calendar until at least the
- 13 following day;
- 14 ▶ amends the requirements for a Senate standing committee's disposition of legislation; and
- 15 ▶ addresses remote participation in a Senate committee meeting.

16 **Other Special Clauses:**

17 None

18 **Legislative Rules Affected:**

19 AMENDS:

20 **SR1-4-302**

21 **SR1-7-101**

22 **SR3-2-201**

23 **SR3-2-302**

24 **SR3-2-402**

25 **SR3-2-403**

26 **SR3-2-405**

27 **SR3-4-101**

28 **SR3-4-102**

29 **SR4-3-102**

30 **SR4-4-202**

31

32 *Be it resolved by the Senate of the state of Utah:*

33 Section 1. **SR1-4-302** is amended to read:

34 **SR1-4-302 . Duties of the secretary of the Senate.**

35 Subject to the chief of staff's direction, the secretary of the Senate shall perform the
36 following duties:

37 (1) certify and transmit legislation to the [~~Senate~~] House and inform the [~~Senate~~] House of
38 all [~~House~~] Senate action;

39 (2) assist in the preparation of the Senate journal and certify it as an accurate reflection of
40 Senate action;

41 (3) make the following technical corrections to legislation either before or following final
42 passage:

43 (a) correct the spelling of words;

44 (b) correct the erroneous division and hyphenation of words;

45 (c) correct mistakes in numbering sections and their references;

46 (d) capitalize words or change capitalized words to lower case;

47 (e) change numbers from words to figures or from figures to words;

48 (f) underscore or remove underscoring in legislation without a motion to amend; or

49 (g) any combination of Subsections (3)(a) through (f);

50 (4) modify the long title of a piece of legislation to ensure that the long title accurately
51 reflects any changes to the legislation made by amendment or substitute;

52 (5) act as custodian of all official documents related to legislation;

53 (6) receive all numbered legislation from the Office of Legislative Research and General
54 Counsel;

55 (7) record the number, title, sponsor, each action, and final disposition of each piece of
56 legislation on the back of the legislation;

57 (8) prepare and distribute the daily order of business each day;

58 (9) advise the president on parliamentary procedure, Joint Rules, and Senate Rules;

59 (10) read, or cause to be read, the title of all bills and other materials as requested by the
60 president;

61 (11) receive committee reports and present them to the Senate;

62 (12) assist with amendments to legislation;

63 (13) record votes and present the results to the president;

- 64 (14) transmit all enrolled Senate bills and Senate concurrent resolutions to the governor;
65 (15) maintain all calendars for the Senate floor; and
66 (16) other duties as assigned by the chief of staff.

67 Section 2. **SR1-7-101** is amended to read:

68 **SR1-7-101 . Commendation or condolence citations -- Types of citations -- Use of**
69 **citations.**

70 (1) As used in this chapter:

- 71 (a) (i) "Citation" means a certificate issued to honor or commend an individual or
72 group, or to express condolences to the family of a deceased individual.
73 (ii) "Citation" includes a legislator citation, a Senate citation, and a Utah Legislature
74 citation.
- 75 (b) "Legislator citation" means a citation issued on behalf of an individual senator.
76 (c) "Senate citation" means a citation issued on behalf of the Senate.
77 (d) "Utah Legislature citation" means a citation issued on behalf of both [houses]
78 chambers of the Legislature.

79 (2) Senators shall use a citation to express the commendation or condolence of a senator,
80 the Senate, or the Legislature.

81 Section 3. **SR3-2-201** is amended to read:

82 **SR3-2-201 . Standing committees -- Creation.**

83 There are created the following standing committees to consider legislation during an
84 annual general or special session:

- 85 (1) Business and Labor;
86 (2) Economic Development and Workforce Services;
87 (3) Education;
88 (4) Government Operations and Political Subdivisions;
89 (5) Health and Human Services;
90 (6) Judiciary, Law Enforcement, and Criminal Justice;
91 (7) Natural Resources, Agriculture, and Environment;
92 (8) Revenue and Taxation;
93 (9) Rules; and
94 (10) Transportation, Public Utilities, Energy, and Technology.

95 Section 4. **SR3-2-302** is amended to read:

96 **SR3-2-302 . Chair to set agenda -- Requirements.**

97 The chair shall:

- 98 (1) set the agenda for a standing committee meeting;
 99 [~~(2) ensure that legislation referred to the committee is considered by the committee within~~
 100 ~~a reasonable time;~~]
 101 [~~(3)~~ (2) ensure that legislation tabled by a standing committee is listed on a standing
 102 committee agenda as required by SR3-2-408; and
 103 [~~(4)~~ (3) ensure that legislation placed on the time certain calendar in the Senate is listed on
 104 a standing committee agenda before it is scheduled to be heard by the Senate.

105 Section 5. **SR3-2-402** is amended to read:

106 **SR3-2-402 . Standing committee review of legislation with a fiscal impact.**

107 Except as provided in SR3-2-401, a standing committee in one or both [~~houses~~]
 108 ~~chambers~~ shall review legislation before the legislation is held in the opposite [~~house~~]
 109 ~~chamber~~ because of [~~its~~] the legislation's fiscal impact.

110 Section 6. **SR3-2-403** is amended to read:

111 **SR3-2-403 . Standing committee actions to dispose of legislation.**

- 112 [~~(1) As required by SR3-2-302(2), a chair shall ensure that legislation referred to the~~
 113 ~~committee is considered by the committee within a reasonable time. (2) When a committee~~
 114 ~~has complied with the requirements of SR3-2-302(2), a] A standing committee shall
 115 dispose of the legislation by:
 116 [~~(a)~~] (1) returning the legislation to the Senate Rules Committee;
 117 [~~(b)~~] (2) tabling the legislation, subject to the requirements of SR3-2-408;
 118 [~~(c)~~] (3) recommending the legislation to the second reading calendar; or
 119 [~~(d)~~] (4) referring the legislation to a different standing committee.~~

120 Section 7. **SR3-2-405** is amended to read:

121 **SR3-2-405 . Consent calendar.**

- 122 [~~(1)~~] A standing committee may recommend that legislation in [~~its~~] the standing committee's
 123 possession be placed on the consent calendar if:
 124 [~~(a)~~] (1) the committee approves a motion, by a unanimous vote, to send the legislation to
 125 the second reading calendar;
 126 [~~(b)~~] (2) immediately subsequent to that action, the chief sponsor or the chief sponsor's
 127 designee under SR3-2-306(3) requests that the legislation be placed on the consent
 128 calendar; and
 129 [~~(c)~~] (3) in a separate motion and vote, the committee unanimously approves the sponsor's
 130 request to place the legislation on the consent calendar instead of the second reading
 131 calendar.

132 [~~(2) If, in accordance with SR3-1-102, the Senate Rules Committee forwards a summary~~
133 ~~report from the Occupational and Professional Licensure Review Committee in~~
134 ~~conjunction with legislation referred to a standing committee, the chair shall ensure that~~
135 ~~the summary report is read orally to the committee before action is taken by the~~
136 ~~committee on the legislation that is related to the summary report.]~~

137 Section 8. **SR3-4-101** is amended to read:

138 **SR3-4-101 . Chair to preserve order and decorum.**

139 (1) The chair shall preserve order and decorum during a Senate committee meeting by:

- 140 (a) ensuring nothing obstructs a walkway or the view of a meeting attendee;
- 141 (b) ensuring the meeting is free from any audible or visual disturbance;
- 142 (c) protecting state property from damage or disarray;
- 143 (d) prohibiting speech likely to incite or produce imminent lawless action, fighting
- 144 words, or obscenity; and
- 145 (e) prohibiting any activity or item that poses a danger to the safety of a meeting
- 146 attendee.

147 (2) To preserve order and decorum in accordance with Subsection (1), the chair may:

- 148 (a) prohibit the following:
 - 149 (i) standing, waving, yelling, or clapping;
 - 150 (ii) loud noises;
 - 151 (iii) food or drink, other than water in a closed container;
 - 152 (iv) musical instruments;
 - 153 (v) any item that may require excessive cleanup; or
 - 154 (vi) to the extent necessary to preserve order and decorum, any other item or activity
 - 155 the chair determines necessary;
- 156 (b) clear the meeting room of one or more individuals;
- 157 (c) recess the meeting without a motion; or
- 158 (d) request assistance from:
 - 159 (i) the sergeant-at-arms; or
 - 160 (ii) the Utah Highway Patrol.

161 (3) To the extent reasonably applicable, any action by a chair under this rule applies to a
162 member of the public participating in the meeting via video conference.

163 Section 9. **SR3-4-102** is amended to read:

164 **SR3-4-102 . Prohibited items and activities in Senate committee meetings.**

165 (1) A member of the public attending a meeting of a Senate committee may not:

166 [(1)] (a) bring into the meeting room, or possess while in the meeting room, any of the
 167 following:

168 [(a)] (i) a sign, poster, banner, or placard;

169 [(b)] (ii) glitter or confetti;

170 [(c)] (iii) a laser pointer;

171 [(d)] (iv) paint;

172 [(e)] (v) an open flame;

173 [(f)] (vi) an incendiary device;

174 [(g)] (vii) a noise maker;

175 [(h)] (viii) flammable liquid; or

176 [(i)] (ix) any harmful or hazardous substance; or

177 [(2)] (b) engage in any of the following while in the meeting room:

178 [(a)] (i) commercial solicitation;

179 [(b)] (ii) leafletting;

180 [(c)] (iii) throwing an item; or

181 [(d)] (iv) adhering any item to a furnishing, wall, or other state property.

182 (2) A member of the public participating in a Senate committee meeting via video
 183 conference may not:

184 (a) use a virtual background other than one that is simple and free from distracting
 185 visuals; or

186 (b) engage in any behavior that if performed in the meeting room would violate
 187 Subsection (1).

188 Section 10. **SR4-3-102** is amended to read:

189 **SR4-3-102 . Consideration of bills.**

190 (1) Except for the 1st, 43rd, 44th, and 45th day of the annual general session, [~~a piece of~~]
 191 legislation may not be read for the third time until at least the day after it is placed on the
 192 third reading calendar.

193 (2) Legislation on the third reading calendar shall be considered in the order that it appears
 194 on the calendar unless a constitutional majority vote of the members of the Senate
 195 directs other action.

196 Section 11. **SR4-4-202** is amended to read:

197 **SR4-4-202 . Disposition of legislation voted on third reading.**

198 [(1) Except as provided in Subsection (2), the] The secretary of the Senate or the
 199 secretary's designee shall:

200 [(a)] (1) [~~for a piece of~~] for Senate legislation passed by the Senate on third reading but not
 201 yet acted upon by the House, transmit the Senate legislation to the House for its further
 202 action;

203 [(b)] (2) [~~for a piece of~~] for Senate legislation that fails to pass the Senate on third reading,
 204 file the legislation;

205 [(e)] (3) [~~for a piece of~~] for Senate legislation that has passed both [~~houses~~] chambers in the
 206 same form, follow the procedures and requirements of JR4-5-101;

207 [(d)] (4) [~~for a piece of~~] for House legislation passed by the Senate on third reading and not
 208 amended or substituted in the Senate, transmit the House legislation to the presiding
 209 officer of the House for the presiding officer's signature;

210 [(e)] (5) [~~for a piece of~~] for House legislation passed by the Senate on third reading that was
 211 amended or substituted in the Senate, transmit the legislation to the House with the
 212 amendment or substitute for further action by the House; and

213 [(f)] (6) [~~for a piece of~~] for House legislation that fails to pass the Senate on third reading,
 214 transmit the legislation to the House with notice of the Senate's action.

215 [(2) ~~When a senator gives notice of intention to move for reconsideration, the secretary of~~
 216 ~~the Senate shall:]~~

217 [(a) ~~record the notice in the journal; and]~~

218 [(b) ~~keep possession of the bill until:]~~

219 [(i) ~~the time for reconsideration has expired as provided in Title 4, Chapter 9,~~
 220 ~~Reconsideration of Senate Action; or]~~

221 [(ii) ~~the bill has been reconsidered.]~~

222 Section 12. **Effective date.**

223 This resolution takes effect upon a successful vote for final passage.