



When a Governing Body Wants to Change Its Mind

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After a lousy shot, some golfers wish to take a “mulligan” that allows one to hit another ball in hopes of a better result. (Others avoid a mulligan, not wanting to lose two golf balls on the same hole.) Likewise, a governing body or committee (collectively, “body”) may wish to take a mulligan on some action it has taken. Can a body redo a previous action?

Robert’s Rules of Order, Newly Revised, 12th Edition (RONR)¹ provides four Motions That Bring a Question Again Before the Assembly, sometimes known as “bring-back motions.” RONR provides four ways for a body to change its mind: 1) motion to Take From the Table, 2) motion to Reconsider, 3) motion to Rescind, or 4) motion to Amend Something Previously Adopted.

These motions share common requirements. Each applies to a previously decided original motion and requires a second. When made, seconded, and passed, the approval brings the original motion back for discussion and action. Finally, each motion requires a majority vote to pass.

Generally, once a body acts on a motion, RONR prohibits the individual who made the motion from bringing the

same motion (or subject matter) again at the same meeting.² However, suppose after the body decides a motion, a member realizes that newly available facts require changing the acted upon motion. A motion to Reconsider is a common remedy. For example, the body decided to purchase a new computer for the treasurer’s office. Later during the meeting, the treasurer reminds the body s/he asked for *two* computers for the treasurer’s office. When the floor is available, the member can seek the chair’s recognition and say: “I move to reconsider the approved motion to purchase one computer for the treasurer’s office (perhaps noting the oversight). I was a member of the majority voting in favor of this motion.” The individual making the motion must have been part of the majority that voted in favor of or against the original motion. Making the motion to Reconsider takes precedence over everything else when made. Once passed, the original motion starts anew on the floor, allowing for an amendment to purchase *two* computers. Under RONR, a motion to Reconsider can only occur during the same meeting, is debatable but is not subject to amendment. Many local governments have modified the rule to allow a motion

suppose the original motion’s subject item has vested rights (a signed contract for example) or is already partially or fully completed (and cannot be changed). In that case, the body cannot rescind or amend the motion.

Finally, RONR acknowledges Renewal, which allows the maker of a failed motion to bring the same motion (or subject matter) to the body at its next meeting.³ The prohibition against bringing a failed motion back before the body ends with the original meeting.

to reconsider to also be made at the next meeting.

Suppose the body is discussing a motion but votes to Lay it on the Table due to a more pressing matter. Later in the same meeting, a member wants to take up the tabled motion. If no other business is on the floor, the member moves to Take the (tabled motion) From the Table. This motion is NOT debatable or amendable. Thus, the body must vote after the chair hears a second and repeats the motion. If approved, the body then considers the formerly tabled motion.

For subsequent meetings, to undo or change a previously acted upon motion, the motion to Rescind or Amend Something Previously Adopted are used. A motion to Reconsider is not timely unless it is at the same meeting or the next meeting if the governing body has modified the rule. Also, remember that all agenda items must be properly noticed under the Open Meetings Law. When the body reaches that part of the agenda, the motion asks the body to either rescind the entire motion or amend a part of it. Unlike a motion to reconsider, any member can move to amend or rescind. If passed, the original motion is undone or amended accordingly. However,

Since RONR has no rules about renewal at a subsequent meeting, some bodies adopt local rules prohibiting, limiting, or stating conditions for renewing motions. The best practice is to consider a motion carefully while realizing RONR has tools for taking a second look.