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House Resolution

A resolution establishing the Rules of the House of Representatives of the State of Florida for the 2010-2012 term.

Be It Resolved by the House of Representatives of the State of
Florida:

That the following rules shall govern the House of
Representatives of the State of Florida for the 2010-2012 term:

RULES OF THE FLORIDA HOUSE OF REPRESENTATIVES

RULE ONE—LEGISLATIVE ORGANIZATION

1.1-Officers of the House

(a) CONSTITUTIONAL OFFICERS. Pursuant to Section 2 of Article III of the Florida Constitution:

(1) The House shall choose a permanent presiding officer designated Speaker.

(2) The House hereby designates as its clerk the Clerk of the House (hereinafter "Clerk"), to be appointed and serve in accordance with these rules.

(b) HOUSE LEADERSHIP. In addition to the Speaker, the House shall choose a Speaker pro tempore, who shall serve in accordance with Rule 2.5. The Speaker shall appoint a Majority Leader from among the members of the Majority Conference to serve at the pleasure of the Speaker. The Minority Conference

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29 shall select a Minority Leader from among the members of the
30 Minority Conference.

31 (c) OTHER OFFICERS. The Speaker shall appoint a Clerk and
32 a Sergeant at Arms, who shall be employees of the House.

33
34 1.2—Political Party Conferences

35 Conference rules shall be interpreted and enforced solely by the
36 respective caucuses.

37
38 1.3—Seating Challenges

39 In the case of a contest for a seat in the House, notice setting
40 forth the specific grounds of such contest and the supporting
41 evidence must have been received by the Clerk not less than 5
42 days before the organization session of the Legislature. No
43 motion to disqualify a member shall be in order at the
44 organization session until a Speaker has been elected in
45 accordance with the Florida Constitution. In the case of a
46 special election, notice must have been received by the Clerk
47 not less than 5 days before the next regular or special session
48 convenes. If the election is during a session or less than 5
49 days before the next session, the notice must have been received
50 on the next legislative day following the receipt of certified
51 election results. A contest setting forth facts sufficient to
52 warrant review shall be referred by the Speaker to an
53 appropriate committee or subcommittee. The committee or
54 subcommittee shall conduct hearings as required and report its
55 findings and recommendations to the House. Upon receipt of the

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56 | committee or subcommittee report, the House shall convene with
57 | all dispatch to determine the contest by a majority vote.

58 |
59 | RULE TWO—POWERS, DUTIES, AND RIGHTS OF THE SPEAKER
60 |

61 | 2.1—Presiding

62 | The Speaker shall take the chair and call the House to order at
63 | the hour appointed for meeting and, if a quorum is present,
64 | shall proceed with the order of business.

65 |
66 | 2.2—Interpreting Rules

67 | The Speaker shall interpret, apply, and enforce the Rules of the
68 | House.

69 |
70 | 2.3—Deciding Questions of Order

71 | (a) DETERMINATION BY THE SPEAKER. All questions of order
72 | shall be presented to the Speaker for determination. The Speaker
73 | may require the member raising a point of order to cite the rule
74 | or other authority in support of the question. The Speaker may
75 | decide the question of order, put such question to the House, or
76 | refer such question to the Chair of the Rules & Calendar
77 | Committee for a recommendation to the Speaker. Any decision of
78 | the Speaker on a point of order is subject to an appeal to the
79 | House made timely and separately by any five members.

80 | (b) QUESTIONS OF ORDER ARISING IN COMMITTEE OR
81 | SUBCOMMITTEE. A question of order may be certified by a
82 | committee or subcommittee chair to the Speaker for determination
83 | as any other question of order. A question of order decided in

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84 | committee or subcommittee may be appealed to the Speaker,
85 | provided the appeal is announced in the committee or
86 | subcommittee meeting, presented in writing, signed by two
87 | members of the committee or subcommittee, and delivered to the
88 | applicable chair prior to 4:30 p.m. the next day (excluding
89 | Saturdays, Sundays, and official state holidays). The appeal
90 | must then be immediately certified by the chair to the Speaker,
91 | who shall decide the question as any other question of order.
92 | The certification or appeal of a question arising in committee
93 | or subcommittee does not constitute an automatic stay of further
94 | action on the measure to which the question relates.

95 | (c) APPEAL TO THE HOUSE. When a decision of the Speaker on
96 | a question of order is appealed, the Speaker shall put the
97 | appeal to the House. No member may speak more than once, or for
98 | more than 3 minutes, on an appeal unless given leave by the
99 | House by majority vote.

100 | (d) DECISIONS NOT SUBJECT TO APPEAL. Responses to
101 | parliamentary inquiries and decisions of recognition made by the
102 | Speaker may not be appealed.

103 |
104 | 2.4-Execution of Documents

105 | The Speaker shall sign all bills and all writs, warrants, and
106 | subpoenas issued by order of the House, all of which shall be
107 | attested to by the Clerk. The Speaker may delegate the authority
108 | to sign papers authorizing payments or other papers of an
109 | administrative nature.

110 |
111 | 2.5-Appointment of a Temporary Presiding Officer

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(a) The Speaker may appoint any member to perform the duties of presiding officer for a temporary period of time not to extend beyond a single legislative day.

(b) If the Speaker is absent and has not appointed a presiding officer pursuant to subsection (a), the Speaker pro tempore shall act as presiding officer during the Speaker's absence. However, if the Speaker pro tempore is also absent and has not appointed a presiding officer pursuant to subsection (a), the Chair of the Rules & Calendar Committee shall act as presiding officer during the absence of both the Speaker and Speaker pro tempore.

(c) Upon the Speaker's incapacity or other inability to serve, the Speaker pro tempore shall exercise the duties, powers, and prerogatives of the Speaker during the period of such incapacity or other inability to serve.

(d) The Speaker pro tempore shall exercise the duties, powers, and prerogatives of the Speaker in the event of the Speaker's death or resignation until the Speaker's successor is elected.

2.6—Protecting the Interests of the House

The Speaker may initiate, defend, intervene in, or otherwise participate in any suit on behalf of the House, a committee or subcommittee of the House, a member of the House (whether in the legal capacity of member or otherwise), a former member of the House, or an officer, employee, or agent of the House when the Speaker determines that such suit is of significant interest to the House.

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2.7—Control of House Facilities

The Speaker shall have administrative control of the Chamber when the House is not in session and of every other room, lobby, and gallery of the House.

RULE THREE—MEMBERS

3.1—Membership

The House shall exercise its right to be the sole judge of the qualifications, elections, and returns of its members.

3.2—Voting Obligation

Except when abstention is required, every member shall have an obligation to vote on all matters that come before the House in session or before any committee or subcommittee to which the member is appointed. A member may not vote by proxy. A member may register an electronic vote in the Chamber for another member at the other member's specific request and direction, provided the requesting member is in the Chamber during the vote.

(a) ABSTENTION ON MATTERS OF SPECIAL PRIVATE GAIN OR LOSS.

A member may not vote on any measure that the member knows or believes would inure to the member's special private gain or loss. The member must disclose the nature of the member's interest in the matter from which the member is required to abstain.

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(b) DISCLOSURE ON MATTERS OF SPECIAL PRIVATE GAIN OR LOSS
TO FAMILY OR PRINCIPALS.

(1) When voting on any measure that the member knows or
believes would inure to the special private gain or loss of:

a. Any principal by whom the member or the member's
spouse, parent, or child is retained or employed;

b. Any parent organization or subsidiary of a corporate
principal by which the member is retained or employed; or

c. A relative or business associate of the member,

the member must disclose the nature of the interest of such
person in the outcome of the vote.

(2) For the purpose of this rule, the term:

a. "Relative" means any father, mother, son, daughter,
husband, wife, brother, sister, father-in-law, mother-in-law,
son-in-law, or daughter-in-law.

b. "Business associate" means any person or entity engaged
in or carrying on a business enterprise with the member as a
partner, joint venturer, corporate shareholder where the shares
of such corporation are not listed on any national or regional
stock exchange, or co-owner of property.

(c) METHODS OF DISCLOSURE. If the vote is taken on the
floor, disclosure under this rule or under any related law shall
be accomplished by filing with the Clerk, within 15 days after
the vote occurs, a memorandum the substance of which shall be
printed in the *Journal*. If the vote is taken in a committee or
subcommittee, the memorandum shall be filed, within 15 days
after the vote occurs, with the committee or subcommittee

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administrative assistant, who shall file such memorandum in the committee or subcommittee files and with the Clerk.

3.3-Attendance Obligation

(a) COMMITTEE AND SUBCOMMITTEE MEETING ATTENDANCE. A member shall attend all meetings of committees and subcommittees to which appointed unless excused by the chair or by the Speaker. Excuse from a House session shall constitute excuse from that day's meetings. Failure to attend two consecutive meetings, unless excused, shall constitute automatic removal from the committee or subcommittee and create a vacancy. Upon notification of automatic removal, the Speaker may make an appointment to fill such vacancy.

(b) SESSION ATTENDANCE.

(1) A member may not be absent from the sessions of the House without approval from the Speaker. Upon written request of a member submitted in a timely manner, the Speaker may, by written notice to the Clerk, excuse the member from attendance for any stated period. It shall be the responsibility of the excused member to advise the Clerk when leaving and returning to the Chamber.

(2) Any member who has answered roll call, either orally or by electronic means, at the opening of any daily session, or who enters after the initial quorum call and informs the Clerk of the member's presence, shall thereafter be presumed present unless necessarily prevented or leave of absence is obtained from the Speaker. The Speaker shall make any determination as to whether a member was necessarily prevented.

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224 3.4—Open Meetings

225 (a) Subject to order and decorum, each member shall
226 provide reasonable access to members of the public to any
227 meeting between such member and more than one other member of
228 the Legislature, if such members of the public have requested
229 admission and such meeting has been prearranged for the purpose
230 of agreeing to take formal legislative action on pending
231 legislation or amendments at such meeting or at a subsequent
232 time.

233 (b) Subject to order and decorum, a member of the public
234 requesting admission shall have reasonable access to any meeting
235 between the Speaker, the Senate President, or the Governor, if
236 such meeting has been prearranged for the purpose of agreeing to
237 take formal legislative action on pending legislation or
238 amendments at a subsequent time.

239 (c) No meeting required by these rules to be open to
240 members of the public shall be conducted in the Members' Lounge,
241 at any location that is closed to the public, or at any location
242 that a participating member knows prohibits admission on the
243 basis of race, religion, gender, national origin, physical
244 disability, or similar classification.

245 (d) Meetings conducted in the Chamber of either the House
246 or the Senate while such body is in session shall be considered
247 to be held at a location providing reasonable access to, and to
248 be reasonably open to, the public.

249 (e) When the number of persons attending a meeting subject
250 to this rule must be limited because of space considerations or

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otherwise for the maintenance of order or decorum, at least one representative each of the print, radio, and television media shall be included among the members of the public admitted, if such persons have requested admission.

(f) For the purpose of this rule, and as used in Section 4 of Article III of the Florida Constitution, legislation shall be considered pending if filed with the Clerk. An amendment shall be considered pending if it has been delivered to the administrative assistant of a committee or subcommittee in which the legislation is pending or to the Clerk, if the amendment is to a bill that has been reported favorably by each committee or subcommittee of reference, and the term "formal legislative action" shall include any vote of the House or Senate, or of a committee or subcommittee of either house, on final passage or on a motion other than a motion to adjourn or recess.

RULE FOUR—DUTIES OF CLERK,
SERGEANT AT ARMS, AND EMPLOYEES

4.1—The Clerk

(a) The Clerk serves at the pleasure of the Speaker. The Clerk shall:

(1) Be the custodian of all bills, resolutions, and memorials. No member or other person may take possession of an original bill, after filing, with the intention of depriving the Legislature of its availability for consideration.

(2) Provide for the keeping of a complete record of introduction and action on all bills, resolutions, and

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memorials, including each number, each sponsor, each cosponsor, a brief description of the subject matter, and each committee and subcommittee reference.

(3) Keep a correct journal of proceedings of the House. The *Journal* shall be numbered serially and published from the first day of each session of the Legislature.

(4) Superintend the engrossing and transmitting of bills, resolutions, and memorials and approve the enrolling of all House bills.

(5) Sign and receive necessary papers in the name of the House between a general election and election of the Speaker.

(6) Perform any other duties assigned by the Speaker.

(b) It shall be a ministerial duty of the Clerk to attest to all writs issued by order of the House and to the passage of all legislative measures.

4.2-The Sergeant at Arms

The Sergeant at Arms (hereinafter "Sergeant") serves at the pleasure of the Speaker. The Sergeant shall attend the House during its sittings and maintain order under the direction of the Speaker or other presiding officer. In case of any disturbance or disorderly conduct within the Chamber, corridors, passages, lobby, galleries, and rooms of the House, whether in the Capitol or elsewhere, the Speaker may order the Sergeant to suppress the same and may order the Sergeant to remove any person creating any disturbance. The Sergeant will ensure that no person is admitted to the Chamber except in accordance with these rules. The Sergeant shall oversee the security of the

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House and its members when engaged in their constitutional duties and perform other duties under the command and supervision of the Speaker.

4.3—The Employees

The Speaker shall employ all employees of the House and shall determine their qualifications, duties, hours of work, and compensation, including perquisites and other benefits. All employees work for and serve at the pleasure of the Speaker. The Speaker has the right to dismiss any employee of the House without cause, and the pay of such employee shall stop on the designated day of dismissal. Except when operating under direction from a member with authority over the designated employee, no House employee shall seek to influence the passage or rejection of proposed legislation.

RULE FIVE—FORM AND INTRODUCTION OF BILLS

5.1—"Bill" Stands for All Legislation

Except when the context otherwise indicates, "bill," as used in these rules, means a bill, joint resolution, concurrent resolution, resolution, memorial, or other measure upon which a committee or subcommittee may be required to report.

5.2—Member Bill Filing Deadline

Filing deadlines for member bills shall be as follows:

(a) No general bill, local bill, joint resolution, concurrent resolution (except one relating to extension of a

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session or legislative organization or procedures), substantive House resolution, or memorial shall be given first reading unless approved for filing with the Clerk no later than noon of the first day of the regular session.

(b) No ceremonial resolution shall be given first reading unless approved for filing with the Clerk prior to the 46th day of regular session.

5.3-Limitation on Member Bills Filed

(a) A member may not file more than six bills for a regular session. For purposes of this rule, the member considered to have filed a bill is the first-named sponsor of the bill.

(1) Of the six bills for the 2011 regular session, at least two must be approved for filing with the Clerk no later than noon of the 6th Tuesday prior to the first day of that regular session.

(2) Of the six bills for the 2012 regular session, at least two must be approved for filing with the Clerk no later than noon of the 5th Tuesday prior to the first day of that regular session.

(b) Bills not counted toward these limits include:

(1) Local bills, including local claim bills.

(2) Ceremonial House resolutions.

(3) Memorials.

(4) Concurrent resolutions relating to extension of a session or legislative organization or procedures.

(5) Trust fund bills adhering to another bill.

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(6) Public records or public meetings exemption bills adhering to another bill.

(7) General bills adhering to a joint resolution.

(8) Bills that only repeal or delete, without substantive replacement, provisions of the Florida Statutes or Laws of Florida.

(9) Bills withdrawn from further consideration prior to the applicable filing deadline.

(c) A member may file an additional bill after the first committee or subcommittee of reference reports a repealer bill as described in paragraph (b) (8) favorably or favorably as a committee or subcommittee substitute. The additional bill must be approved for filing with the Clerk by noon of the 21st day of regular session. No more than three additional bills may be filed under this subsection.

5.4—Forms of Measures; Sponsorship Transactions

(a) To be acceptable for introduction, all bills shall be produced in accordance with standards approved by the Speaker.

(b) No member may be added or deleted as a sponsor or cosponsor of a bill without the member's consent. A member desiring to be a cosponsor must submit to the Clerk a cosponsorship request agreed to by the first-named sponsor. A member may withdraw as a cosponsor by submitting a request to the Clerk.

(c) Bills that propose to amend existing provisions of law shall contain the full text of the section, subsection, or paragraph to be amended. Joint resolutions that propose to amend

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the Florida Constitution shall contain the full text of the section to be amended. As to those portions of general bills and joint resolutions that propose to amend existing provisions of the Florida Statutes or the Florida Constitution, words to be added shall be inserted in the text underlined and words to be deleted shall be lined through with hyphens. If the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it is not necessary to use the coded indicators of words added or deleted, but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the affected section of the bill: "Substantial rewording of section. See s. . . . , F.S., for present text." When such a notation is used, the notation, as well as the substantially reworded text, shall be underlined. The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and do not constitute a part of the bill under consideration. Numerals in the margins of the line-numbered pages do not constitute a part of the bill and are shown on each page only for convenience in identifying lines. Section catchlines of existing text shall not be underlined, nor shall any other portion of a bill covered by this rule other than new material.

5.5—Local Bills

(a) If the substance of a local bill may be enacted into law by ordinance of a local governing body without the legal

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need for a referendum, no committee or subcommittee may report the bill favorably.

(b) A local bill that provides an exemption from general law may not be placed on the Special Order Calendar in any section reserved for the expedited consideration of local bills.

(c) All local bills, including local claim bills, must either, as required by Section 10 of Article III of the Florida Constitution, embody provisions for a ratifying referendum (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement, securely attached to the original bill ahead of its first page.

5.6-Claim Bills

(a) The Speaker may appoint a Special Master to review a claim bill or conduct a hearing, if necessary. The Special Master may administer an oath to all witnesses, accept relevant documentary and tangible evidence offered as deemed necessary, and record the hearing. The Special Master may prepare a final report containing findings of fact, conclusions of law, and recommendations. The report shall be signed by the Special Master, who shall be available, in person, to explain his or her report to any committee or subcommittee of reference.

(b) Stipulations entered into by the parties are not binding on the Special Master or the House or any of its committees or subcommittees.

(c) The hearing and consideration of a claim bill shall be held in abeyance until all available administrative and judicial remedies have been exhausted, except that the hearing and

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consideration of a claim that is still within the judicial or administrative system may proceed when the parties have executed a written settlement agreement.

5.7—Reviser's Bills

Reviser's bills shall be introduced by the Rules & Calendar Committee, which may request prior review by another committee or subcommittee.

5.8—Legislative Reapportionment and Congressional Redistricting Bills and Amendments

Bills and amendments proposing any reapportionment or redistricting of the state's legislative or congressional districts shall be submitted to the Redistricting Committee in the form prescribed by the Speaker. The committee staff of the Redistricting Committee shall submit such proposals to the House Bill Drafting Service as requested by the sponsor. After final drafting, approval for filing shall be in the ordinary manner.

5.9—Memorials

A memorial expresses the opinion of the Legislature to the federal government. All memorials shall contain the resolving clause "Be It Resolved by the Legislature of the State of Florida:".

5.10—House Resolutions; Concurrent Resolutions; Tributes

(a) All House resolutions and all concurrent resolutions originating in the House shall contain a title and a resolving

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474 clause. In the case of House resolutions, the resolving clause
475 shall be "Be It Resolved by the House of Representatives of the
476 State of Florida:". In the case of concurrent resolutions
477 originating in the House, the resolving clause shall be "Be It
478 Resolved by the House of Representatives of the State of
479 Florida, the Senate Concurring:". Concurrent resolutions
480 originating in the House shall present only questions pertaining
481 to extension of a session, enactment of joint rules,
482 ratification of federal constitutional amendments,
483 communications with the judiciary, actions taken pursuant to
484 federal law not requiring gubernatorial approval, or other
485 exclusively legislative matters.

486 (b) All ceremonial House resolutions shall be reviewed and
487 approved by the Chair of the Rules & Calendar Committee before
488 introduction.

489 (c) Copies of House resolutions shall be furnished by the
490 Clerk. The Secretary of State shall be requested to prepare
491 certified copies of concurrent resolutions after their adoption.

492 (d) Any matter commemorating local achievement,
493 condolences, or other recognition shall be prepared in
494 accordance with standards approved by the Speaker as an
495 individual tribute for the member sponsoring the measure.

496
497 5.11-Bills Filed During an Interim

498 During the period between the organization session and the
499 convening of the first regular session of the legislative
500 biennium and during the period between the first and second
501 regular sessions of the legislative biennium, members may file

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for introduction bills that have been prepared or reviewed by the House Bill Drafting Service.

5.12—Requirements for Introduction

(a) All bills (other than an appropriations bill, concurrent resolutions relating to organization of the Legislature, resolutions relating to organization of the House, concurrent resolutions pertaining to extension of a session, reviser's bills, bills proposing any reapportionment or redistricting of the state's legislative or congressional districts, and recall of acts from the Governor) shall either be prepared or, in the case of local bills, reviewed by the House Bill Drafting Service. After completion and delivery by the House Bill Drafting Service, no change may be made in the text or title of the bill without returning the bill to the House Bill Drafting Service prior to filing.

(b) The House Bill Drafting Service shall notify any member proposing a bill of any identical or substantially similar bill that has been filed and the name of the sponsor of such bill.

5.13—Identification

Each bill shall be given a number and filed with the Clerk by the House Bill Drafting Service. Bills shall be serially numbered in an odd-numbered sequence, except that bills of a similar type may be serially numbered separately. The Clerk shall validate the original copy of each bill, and each page thereof, to ensure its identification as the item introduced in

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order to prevent unauthorized or improper substitutions
therefor.

5.14—Companion Measures

A companion Senate bill must be substantially similar in wording, and identical as to specific intent and purpose, to the House bill for which it is being substituted. Whenever a House bill is reached on the floor for consideration, either on second or third reading, and there is also pending on the Calendar of the House a companion bill already passed by the Senate, it shall be in order to move that the Senate companion bill be substituted and considered in lieu of the House bill. Such motion may be adopted by a majority vote, provided the Senate bill is on the same reading; otherwise, the motion shall be to waive the rules by a two-thirds vote and substitute such Senate bill. At the moment the House substitutes the Senate companion bill or takes up a Senate bill in lieu of a House bill, the House bill so replaced shall be automatically tabled.

RULE SIX—REFERENCE

6.1—Speaker to Refer Legislation

The authority to make bill referrals rests with the Speaker, except as otherwise provided in these rules.

6.2—Reference: Generally

(a) Bills, upon filing or introduction, whether House or Senate, may be referred by the Speaker to one or more committees

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or subcommittees or any combination thereof or to the Calendar of the House. The order of reference shall be determined by the Speaker.

(b) References of bills and the nature of any documents referred shall be recorded in the *Journal*.

6.3-Reference: Exception

A Senate bill with a House companion may be paired with the companion House bill at whatever its stage of consideration, provided both bills are on the same reading.

6.4-Reference of Resolutions, Concurrent Resolutions: Exception
Resolutions on House organization and concurrent resolutions pertaining to extension of the session may be taken up upon motion and adopted at the time of introduction without reference.

6.5-Appropriations or Tax Measures: Withdrawal from a Fiscal Committee or Subcommittee; Additional Reference

(a) A bill in the possession of a fiscal committee or subcommittee that has been amended by report from a committee or subcommittee of previous reference to remove its fiscal impact may be withdrawn from the fiscal committee or subcommittee on a point of order raised by the committee chair of the fiscal committee having possession of the bill or jurisdiction over the subcommittee having possession of the bill.

(b) If an amendment adopted on the floor of the House affects an appropriation or a tax matter, upon a point of order

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made by the chair or vice chair of a fiscal committee, the bill may be referred by the Speaker, with the amendment, to an appropriate committee or subcommittee. If the bill, as amended on the floor, is reported favorably without further amendment, it shall be returned to the same reading as when referred. If the bill, as amended on the floor, is reported favorably with further amendment, it shall be returned to second reading.

6.6—Reference of Veto Messages

The Speaker may refer veto messages to the appropriate committee or subcommittee for a recommendation.

RULE SEVEN—COMMITTEES AND SUBCOMMITTEES

PART ONE—Organization

7.1—Standing Committees and Subcommittees

(a) The following standing committees, and the standing subcommittees within their respective jurisdictions, are established:

(1) Appropriations Committee.

a. Agriculture & Natural Resources Appropriations Subcommittee.

b. Government Operations Appropriations Subcommittee.

c. Health Care Appropriations Subcommittee.

d. Higher Education Appropriations Subcommittee.

e. Justice Appropriations Subcommittee.

f. PreK-12 Appropriations Subcommittee.

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- 614 g. Transportation & Economic Development Appropriations
- 615 Subcommittee.
- 616 (2) Economic Affairs Committee.
- 617 a. Business & Consumer Affairs Subcommittee.
- 618 b. Community & Military Affairs Subcommittee.
- 619 c. Economic Development & Tourism Subcommittee.
- 620 d. Insurance & Banking Subcommittee.
- 621 e. Transportation & Highway Safety Subcommittee.
- 622 (3) Education Committee.
- 623 a. K-20 Competitiveness Subcommittee.
- 624 b. K-20 Innovation Subcommittee.
- 625 (4) Finance & Tax Committee.
- 626 (5) Health & Human Services Committee.
- 627 a. Health & Human Services Access Subcommittee.
- 628 b. Health & Human Services Quality Subcommittee.
- 629 (6) Judiciary Committee.
- 630 a. Civil Justice Subcommittee.
- 631 b. Criminal Justice Subcommittee.
- 632 (7) Redistricting Committee.
- 633 a. Congressional Redistricting Subcommittee.
- 634 b. House Redistricting Subcommittee.
- 635 c. Senate Redistricting Subcommittee.
- 636 (8) Rules & Calendar Committee.
- 637 a. Rulemaking & Regulation Subcommittee.
- 638 (9) State Affairs Committee.
- 639 a. Agriculture & Natural Resources Subcommittee.
- 640 b. Energy & Utilities Subcommittee.
- 641 c. Federal Affairs Subcommittee.

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d. Government Operations Subcommittee.

(b) For purposes of these rules, the term "committee" includes subcommittee, except where the context indicates otherwise.

7.2—Committee and Subcommittee Appointments

The Speaker may appoint the chair, the vice chair, and any co-chairs as he or she deems necessary, as well as all members, for each standing House committee and subcommittee. The Speaker may appoint the House chair and all House members of each conference committee, joint committee, and joint select committee created by agreement of the House and Senate or of the Speaker and the Senate President. The Speaker shall give written notice of each such appointment to the Clerk for publication. After the Speaker has made committee and subcommittee appointments, the Minority Leader may name a Minority Conference member of any committee or subcommittee as "ranking member" of that committee or subcommittee, subject to the approval of the Speaker.

7.3—Powers of the Chair

A committee or subcommittee chair has authority to sign all notices, vouchers, and reports required or permitted by these rules. The chair has authority, subject to approval by the Speaker, to sign all subpoenas issued under these rules. The chair has all authority necessary to ensure the orderly operation of the committee or subcommittee, including, but not limited to, presiding over meetings, establishing each meeting agenda, determining the order in which matters are to be taken

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up, recognizing or not recognizing non-member presenters, and deciding questions of order. Decisions on questions of order may be appealed pursuant to Rule 2.3(b), but there shall be no appeal of the chair's recognition.

7.4—Absence of the Chair

In the absence of the chair and all co-chairs, the vice chair, if any, shall assume the duty to convene and preside over meetings and such other duties as the Speaker may assign, unless a temporary chair has been appointed by the Speaker. During a meeting properly convened, the presiding chair, vice chair, or temporary chair may temporarily assign the duty to preside at that meeting to another committee or subcommittee member until the assignment is relinquished or revoked.

7.5—Term of Appointment

All standing committee or subcommittee chairs, vice chairs, and members serve at the pleasure of the Speaker. All standing committee and subcommittee appointments made by the Speaker in accordance with Rule 7.2 shall be made prior to the convening of each regular session and shall expire on July 1 of odd-numbered years or, if the Legislature is convened in special or extended session on that date, upon adjournment *sine die* of such session.

7.6—Creation of Select Committees

At any time, the Speaker may create a select committee and shall appoint the membership and name the chair and vice chair. A select committee may include the entire membership of the House.

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A select committee has the jurisdiction, authority, and powers and duties assigned to it by the Speaker and exists for the period of time specified by the Speaker. The Speaker shall give written notice of the creation of a select committee to the Clerk for publication.

7.7—*Ex officio* Members

The Speaker may designate the Speaker pro tempore or the Majority Leader as an *ex officio*, voting member of any committee or subcommittee. In addition, the Speaker may designate a committee chair as an *ex officio*, voting member of any subcommittee within the committee's jurisdiction. The designation shall be made in writing and addressed to the chair of the committee or subcommittee. Prior to the start of the committee or subcommittee meeting, a copy of the designation shall be provided to the Minority Leader. Only one *ex officio* member may sit and vote at a time on any one committee or subcommittee.

7.8—Meetings of Committees and Subcommittees

Committees and subcommittees shall meet only within the dates, times, and locations designated or authorized by the Speaker. Committees and subcommittees shall meet at the call of the chair.

7.9—Consideration of Proposed Committee and Subcommittee Bills

Before a standing committee or subcommittee may consider a proposed committee or subcommittee bill, the chair shall submit

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a written request to the Speaker for approval. A request for approval to consider a proposed subcommittee bill shall be cosigned by the chair of the committee with jurisdiction over the subcommittee. In introducing a proposed committee or subcommittee bill, the chair must designate a member of the committee or subcommittee as first-named cosponsor, with the approval of such member.

7.10—Conference Committees

(a) The Speaker shall determine the number of House managers needed for all conference committees. A conference committee report shall require the affirmative votes of a majority of the managers on the part of each house. Such reports may recommend action on amendments previously adopted by the House or Senate, recommend action on additional compromise amendments, or offer an amendment deleting everything after the enacting clause. New amendments recommended by the conference committee shall accompany the report.

(b) The receiving of conference committee reports shall always be in order, except when the House is voting on any proposition. When a conference committee report is presented to the House, the procedure shall be:

(1) First to vote on a motion to accept the report in its entirety. The motion shall not be subject to amendment. If this vote fails, the report shall be automatically recommitted to the conference committee.

(2) If the report is accepted, the final vote shall be a roll call on the passage of the bill as amended by the report.

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The bill as amended by the report is not subject to further amendment.

(c) When House managers report inability of a conference committee to agree, no action of the House taken prior to such appointment shall preclude further action by the House as the House may determine.

PART TWO—Procedures in Committees and Subcommittees

7.11—Scheduling Committee and Subcommittee Meetings

(a) NOTICE OF COMMITTEE AND SUBCOMMITTEE MEETINGS. Any committee or subcommittee meeting to be held for the purpose of considering legislation must be noticed. The committee or subcommittee administrative assistant shall provide electronic or paper copies of the notice to the Clerk for publication and to the House Majority Office, the House Minority Office, the members of the committee or subcommittee, and the first-named sponsor of each bill noticed.

(b) CONTENT OF MEETING NOTICE. The notice shall state the date, time, and place of the meeting and, for each bill to be considered, the bill or proposed bill number and a portion of the title sufficient for identification. Except with respect to bills retained on reconsideration under Rule 7.16 and committee or subcommittee substitutes under Rule 7.19, only such bills as are included on the notice of a committee or subcommittee meeting may be considered at that meeting.

(c) PROPOSED BILLS TO BE AVAILABLE. A copy of each proposed bill noticed for consideration must be available to

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each committee or subcommittee member no later than the time of providing notice of the meeting.

(d) NOTICE DEADLINE BETWEEN SESSIONS. During the period when the Legislature is not in session, before any committee or subcommittee holds a meeting for the purpose of considering legislation a notice of such meeting shall be provided no later than 4:30 p.m. of the 7th day before the meeting.

(e) NOTICE DEADLINES DURING SESSIONS. During the first 45 days of a regular session, notice shall be provided no later than 4:30 p.m. of the 2nd day (excluding Saturdays, Sundays, and official state holidays) before the committee or subcommittee meeting for the purpose of considering legislation. After the 45th day of a regular session and during any extended session, the notice shall be provided no later than 4:30 p.m. on the day (including Saturdays, Sundays, and official state holidays) before the committee or subcommittee meeting. During any special session, the notice shall be provided no later than 2 hours before the committee or subcommittee meeting.

(f) NOTICE OF NOT MEETING. If a committee or subcommittee is authorized and scheduled for a meeting by the Speaker but does not plan to meet, a notice stating that no meeting will be held shall be provided in the time and manner of noticing a meeting.

(g) AMENDED NOTICE AND CANCELLATION. At any time prior to a noticed meeting, a bill or other item may be removed from a meeting notice or the meeting may be canceled by providing an amended notice.

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(h) CLERK DUTIES. The Clerk shall promptly publish the content of meeting notices in accordance with policies approved by the Speaker.

(i) CONTINUATION AFTER NOTICED TIME. If the majority of committee or subcommittee members present agree, a committee or subcommittee may continue the consideration of properly noticed legislation after the expiration of the time called for the meeting or may temporarily recess to continue the meeting at a time and place certain on the same day. However, a committee or subcommittee may not meet beyond the time authorized or in a place not authorized by the Speaker without special leave granted by the Speaker.

(j) RULES & CALENDAR COMMITTEE EXEMPT FROM NOTICE DEADLINE. The Rules & Calendar Committee shall be exempt from the notice deadlines of this rule except when meeting to consider the substance of legislation.

7.12—Amendment Deadlines in Committee and Subcommittee

(a) Amendments may be offered in any committee or subcommittee by any member of the House, subject to the following deadlines:

(1) For the period when the Legislature is not in session, and during the first 45 days of a regular session, an amendment by a member who is not a member of the committee or subcommittee considering the bill shall be filed by 6 p.m. of the day (excluding Saturdays, Sundays, and official state holidays) prior to the committee or subcommittee meeting.

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(2) After the 45th day of a regular session and during any extended session, an amendment by a member who is not a member of the committee or subcommittee considering the bill shall be filed by 6 p.m. of the day (including Saturdays, Sundays, and official state holidays) prior to the committee or subcommittee meeting.

(3) During any special session, an amendment by a member who is not a member of the committee or subcommittee considering the bill shall be filed no later than 1 hour prior to the committee or subcommittee meeting.

(b) Notwithstanding the foregoing, subject to approval by a majority vote of the House, the Rules & Calendar Committee may establish special amendment deadlines and procedures for appropriations bills, implementing bills, and conforming bills, as defined in Rule 12.5, as well as for bills proposing any reapportionment or redistricting of the state's legislative or congressional districts.

7.13—Quorum of Committee or Subcommittee

A majority of any committee's or subcommittee's members shall constitute a quorum necessary for the transaction of business. An *ex officio* member shall not be counted for purposes of determining a quorum.

7.14—Meeting during House Sessions

No committee or subcommittee shall meet while the House is in session without special leave of the Speaker.

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864 7.15—Voting in Committee or Subcommittee

865 (a) Every vote on final consideration of a bill in
866 committee or subcommittee shall be taken by the yeas and nays,
867 and the names of the members voting for and against, as well as
868 the names of members absent, shall be recorded on the committee
869 or subcommittee report. Upon the request of any two members, the
870 vote of each member shall be recorded on any other question and
871 all such votes shall be reported with the committee or
872 subcommittee report.

873 (b) An absent member may submit an indication of how the
874 member would have voted had the member been present, but this
875 shall not be counted on a roll call. If submitted after the
876 committee or subcommittee report has been filed, such votes
877 after roll call shall be filed with the committee or
878 subcommittee administrative assistant, who shall file them in
879 the committee or subcommittee files and with the Clerk.

880
881 7.16—Reconsideration in Committee or Subcommittee

882 A motion for reconsideration in committee or subcommittee shall
883 be treated in the following manner:

884 (a) When a main question has been decided by a committee
885 or subcommittee, any member voting with the prevailing side, or
886 any member when the vote was a tie, may move for
887 reconsideration.

888 (b) Any member voting on the prevailing side on passage or
889 defeat of a bill may, as a matter of right, serve notice that
890 the bill be retained through the next committee or subcommittee
891 meeting for the purpose of reconsideration. Such notice by an

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individual member may be set aside by adoption of a motion to report the bill immediately, which shall require a two-thirds vote. No bill may be retained under this provision after the 40th day of a regular session or during any extended or special session.

(c) A motion to reconsider a collateral matter must be disposed of during the course of consideration of the main subject to which it is related.

(d) If a bill has been retained under subsection (b), any member may move for its reconsideration at the next meeting of the committee or subcommittee. The retained bill is not required to be included on the committee or subcommittee meeting notice.

(e) If the committee or subcommittee refuses to reconsider or, upon reconsideration, confirms its prior decision, no further motion to reconsider shall be in order except upon unanimous consent of the committee or subcommittee members present.

(f) If a bill is not retained under subsection (b), it shall be promptly reported to the Clerk.

7.17—Reports on Bills

A committee or subcommittee may report a House bill unfavorably, favorably, or favorably with a committee or subcommittee substitute. A committee or subcommittee may report a Senate bill favorably, favorably with one or more amendments, or unfavorably. A bill may not be reported without recommendation. A motion to lay a bill on the table shall be construed as a motion to report the bill unfavorably.

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7.18-Bill Reported Unfavorably by a Committee or Subcommittee
A bill reported unfavorably by a committee or subcommittee shall
be laid on the table.

7.19-Committee and Subcommittee Substitutes

(a) A standing committee or subcommittee may introduce a
committee or subcommittee substitute embracing the same general
subject matter of one or more bills in possession of the
committee or subcommittee. If the original bill or bills are
noticed, no further notice is required. If a proposed committee
or subcommittee substitute is noticed in the manner required for
a proposed committee or subcommittee bill, the original bill or
bills need not be noticed. Upon the reporting of a committee or
subcommittee substitute, the original bill or bills shall be
laid on the table of the House.

(b) Committee and subcommittee substitutes shall be
prepared by the House Bill Drafting Service and filed with the
Clerk.

(c) No later than the day (excluding Saturdays, Sundays,
and official state holidays) after it is filed by the committee
or subcommittee, a committee or subcommittee substitute shall be
read a first time and be subject to referral by the Speaker.

7.20-Subpoena Powers

The standing committees and subcommittees of the House may
exercise subpoena power and issue other necessary legal process
pursuant to Rule 16.

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948
949 7.21—Administration of Oaths

950 Whenever desired by a committee or subcommittee, the chair or
951 any other member of the committee or subcommittee may administer
952 oaths and affirmations in the manner prescribed by law to any
953 witness appearing before such committee or subcommittee for the
954 purpose of testifying in any matter about which such committee
955 or subcommittee may require sworn testimony, provided the record
956 of a statement made under oath in committee or subcommittee may
957 not be used to controvert a factual determination of the
958 Legislature.

959
960 7.22—Procedure in Conference Committees

961 Conference committee meeting notices shall be published not less
962 than 1 hour prior to the time scheduled for the meeting. Each
963 conference committee may determine its own procedures and select
964 a member to preside, provided a majority of managers of each
965 house agree.

966
967 7.23—Open Meetings; Decorum

968 (a) All meetings of committees and subcommittees shall be
969 open to the public at all times, subject always to the authority
970 of the chair to maintain order and decorum; however, when
971 reasonably necessary for security purposes or the protection of
972 a witness, a chair, with the concurrence of the Speaker and the
973 Minority Leader, may close a meeting or portion thereof, and the
974 record of such meeting may not disclose the identity of any

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witness appearing before the committee or subcommittee during a closed session.

(b) The chair shall exercise all authority necessary to maintain order and decorum, including the authority to impose time limitations on testimony and presentations by non-members and to require all persons attending a committee or subcommittee meeting to silence all audible electronic equipment.

PART THREE—Oversight Powers and Responsibilities

7.24—Oversight Powers and Responsibilities of Standing Committees and Subcommittees

(a) Each standing committee or subcommittee is authorized to exercise all powers authorized for committees pursuant to s. 11.143, Florida Statutes, to carry out oversight responsibilities within its respective subject matter jurisdiction. For purposes of this rule, the Speaker shall determine the subject matter jurisdiction of each committee or subcommittee.

(b) Select committees shall exercise committee powers authorized by s. 11.143, Florida Statutes, whenever specifically authorized in writing by the Speaker.

(c) Each committee or subcommittee shall exercise other oversight powers and responsibilities vested in the House whenever specifically authorized by the Speaker.

(d) Each committee or subcommittee shall conduct other business as directed by the Speaker.

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1003 RULE EIGHT—DEBATE AND CHAMBER PROTOCOL
10041005 PART ONE—Privilege of the Floor
1006

1007 8.1—Privilege of the Floor

1008 (a) MEMBERS' ACCESS. Members of the House shall have the
1009 exclusive right to enter the Chamber during sessions, and no
1010 other person shall be admitted unless granted privilege of the
1011 floor as provided below.

1012 (b) PRIVILEGED GUESTS. The Governor, the Lieutenant
1013 Governor, the Chief Financial Officer, the Attorney General, the
1014 Commissioner of Agriculture, members of the Senate, Justices of
1015 the Supreme Court, former members of the House, the Doctor of
1016 the Day, and the Guest Chaplain are granted the privilege of the
1017 floor; however, no registered lobbyist may be so admitted.

1018 (c) EMPLOYEES' ADMISSION. House employees may be admitted
1019 to the Chamber as determined by the Speaker.

1020 (d) OTHER GUESTS. Other guests may be granted the
1021 privilege of the floor by the Speaker or by the House.

1022 (e) RESTRICTIONS ON NON-MEMBERS. Persons granted the
1023 privilege of the floor may not lobby the members while the House
1024 is in session, unless granted leave to address the House.

1025 (f) SESSION ATTIRE. When the House is in session, all
1026 persons in the Chamber shall be dressed in proper business
1027 attire.

1028
1029 PART TWO—Speaking
1030

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1031 8.2—Addressing the House; Requirements to Spread Remarks upon
1032 the *Journal*

1033 (a) When a member desires to speak or deliver any matter
1034 to the House, the member shall rise and respectfully address the
1035 Speaker as "Mr. (or Madam) Speaker" and shall confine all
1036 remarks to the question under debate, avoiding personalities.
1037 Once recognized, a member may speak from the member's desk or
1038 may, with the Speaker's permission, speak from the well.

1039 (b) Any motion to spread remarks upon the *Journal*, except
1040 those of the Governor or the Speaker, shall be referred to the
1041 Chair of the Rules & Calendar Committee for recommendation
1042 before being put to the House.

1043
1044 8.3—When Two Members Rise at Once

1045 When two or more members rise at once, the Speaker shall name
1046 the one who is to speak first. This decision shall be final and
1047 not open to debate or appeal.

1048
1049 8.4—Recognition of Members

1050 There shall be no appeal of the Speaker's recognition, but the
1051 Speaker shall be governed by the rules and usage in priority of
1052 entertaining motions from the floor. When a member seeks
1053 recognition, the Speaker may ask, "For what purpose does the
1054 member rise?" or "For what purpose does the member seek
1055 recognition?"

1056
1057 8.5—Recognition of Gallery Visitors and Doctor of the Day

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On written request by a member, on a form approved by the Clerk, the Speaker may recognize or permit the member to recognize any person or persons in the gallery. After granting a request for recognition, the Speaker shall afford that recognition at a convenient place in the order of business, considering the need for order and decorum and the need for continuity of debate. At an appropriate time during proceedings on the floor, the Speaker may recognize a Doctor of the Day.

PART THREE—Debate

8.6—Decorum

The members shall attend to the debates unless necessarily prevented, and no member shall stand between the Speaker and a member recognized to speak.

8.7—Speaking and Debate; Right to Close

(a) A member may not speak more than once nor occupy more than 15 minutes in debate on any question.

(b) A member who has the floor may not be interrupted by another member for any purpose, save the privilege of the House, unless he or she consents to yield to the other member. A member desiring to interrupt another in debate should first address the Speaker for the permission of the member speaking. The Speaker shall then ask the member who has the floor if he or she wishes to yield and shall then announce the decision of that member. Whether to yield shall be entirely within the speaking member's discretion. This subsection shall not, however, deprive the

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first-named sponsor or mover of the right to close when the effect of an amendment or motion would be to foreclose favorable action on the bill, amendment, or motion.

8.8—Asking Questions of Members

It is entirely within a speaking member's discretion whether to yield to a question. The proper purpose of a question is to obtain information in good faith, not for the questioner to supply information to the body. Neither a question nor an answer to a question may contain arguments or debate.

8.9—Right to Open and Close Debate

The member presenting a motion shall have the right to open and close the debate and, for this purpose, may speak each time up to 10 minutes, unless otherwise limited by majority vote of the House, notwithstanding the limitation in Rule 8.7.

PART FOUR—Materials and Meals in Chamber

8.10—Distribution of Materials in Chamber; Meals in Chamber

(a) The following constitutes policy regarding material distributed to the general membership through the Sergeant at Arms' Office and pages:

(1) All material prior to such distribution must be approved by the Chair of the Rules & Calendar Committee.

(2) The following official materials are approved: House and Senate bills, resolutions, memorials, and amendments thereto, and official calendars and journals; committee and

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subcommittee meeting notices; communications from the Speaker and Clerk and official communications from the Senate; and official staff reports of standing or select committees or subcommittees or of the majority or minority party.

(b) While members may consume nonalcoholic beverages on the floor, meals will not be allowed on the floor without concurrence of a majority vote.

PART FIVE—Miscellaneous Papers

8.11—Miscellaneous Papers

Papers of a miscellaneous nature addressed to the House may, at the discretion of the Speaker, be read, noted in the *Journal*, or filed with the appropriate committee or subcommittee. When the reading of a paper other than one upon which the House is called to give a final vote is demanded and such reading is objected to by any member, whether the paper shall be read shall be determined without debate by the House by a majority vote.

RULE NINE—VOTING

9.1—Members Shall Vote

Every member shall be within the Chamber during its sittings, unless excused or necessarily prevented, and shall vote on each question put, unless required to abstain under Rule 3.2.

9.2—Taking the Yeas and Nays

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1141 The Speaker shall declare all votes, but if any member rises to
1142 doubt a vote, upon a showing of hands by five members, the
1143 Speaker shall take the sense of the House by oral or electronic
1144 roll call. When taking the yeas and nays on any question, the
1145 electronic roll-call system may be used and when so used shall
1146 have the force and effect of a roll call taken as provided in
1147 these rules. This system likewise may be used to determine the
1148 presence of a quorum. When the House is ready to vote upon a
1149 question requiring roll call, and the vote is by electronic roll
1150 call, the Speaker shall say, "The question now recurs on
1151 (designating the matter to be voted upon). The Clerk will unlock
1152 the machine and the House will proceed to vote." When sufficient
1153 time has elapsed for each member to vote, the Speaker shall ask,
1154 "Have all members voted?" After a short pause, the Speaker shall
1155 say, "The Clerk will lock the machine and record the vote." When
1156 the vote is completely recorded, the Speaker shall announce the
1157 result to the House, and the Clerk shall record the action upon
1158 the *Journal*.

1159
1160 9.3—Vote of the Speaker or Temporary Presiding Officer

1161 The Speaker or temporary presiding officer is not required to
1162 vote in legislative proceedings other than on final passage of a
1163 bill, except when the Speaker's or temporary presiding officer's
1164 vote would be decisive. In all yea and nay votes, the Speaker's
1165 or temporary presiding officer's name shall be called last. With
1166 respect to voting, the Speaker or temporary presiding officer is
1167 subject to the same disqualification and disclosure requirements
1168 as any other member.

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9.4-Votes After Roll Call; Finality of a Roll Call Vote

(a) After the result of a roll call has been announced, a member may submit to the Clerk an indication of how the member would have voted or would have voted differently. The Clerk shall provide forms for the recording of these actions. When timely submitted, the vote after roll call shall be shown beneath the roll call in the *Journal*. Otherwise, the vote after roll call shall be shown separately in the *Journal*.

(b) In no instance, other than by reason of an electronic or mechanical malfunction, shall the result of a voting machine roll call on any question be changed.

9.5-No Member to Vote for Another except by Request and Direction

(a) No member may vote for another member except at the other member's specific request and direction. No member may vote for another member who is absent from the Chamber, nor may any person who is not a member cast a vote for a member.

(b) In no case shall a member vote for another on a quorum call.

(c) Any member who votes or attempts to vote for another member in violation of this rule or who requests another member to vote for the requesting member in violation of this rule may be disciplined in such a manner as the House may deem proper.

(d) Any person who is not a member and who votes in the place of a member shall be subject to such discipline as the House may deem proper.

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9.6-Explanation of Vote

A member may not explain his or her vote during a roll call but may reduce his or her explanation to writing in not more than 200 words in an electronic format approved by the Clerk. Upon submission to the Clerk, this explanation shall be spread upon the *Journal*.

RULE TEN-ORDER OF BUSINESS AND CALENDARS

PART ONE-Order of Business

10.1-Daily Sessions

The House shall meet each legislative day at 9 a.m. or as stated in the motion adjourning the House on the prior legislative day on which the House met.

10.2-Daily Order of Business

(a) When the House convenes on a new legislative day, the daily order of business shall be as follows:

- (1) Call to Order.
- (2) Prayer.
- (3) Roll Call.
- (4) Pledge of Allegiance.
- (5) Correction of the *Journal*.
- (6) Communications.
- (7) Messages from the Senate.
- (8) Reports of Standing Committees and Subcommittees.

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1225 (9) Reports of Select Committees.

1226 (10) Motions Relating to Committee and Subcommittee

1227 References.

1228 (11) Matters on Reconsideration.

1229 (12) Bills and Joint Resolutions on Third Reading.

1230 (13) Special Orders.

1231 (14) House Resolutions.

1232 (15) Unfinished Business.

1233 (16) Introduction and Reference.

1234 (b) During special sessions, the order of business of

1235 Introduction and Reference shall be called for immediately

1236 following the order of business of Correction of the *Journal*.

1237 (c) Within each order of business, matters shall be

1238 considered in the order in which they appear on the daily

1239 printed Calendar of the House.

1240 (d) After the 45th day of a regular session, by a majority

1241 vote, the House may, on motion of the Chair or Vice Chair of the

1242 Rules & Calendar Committee, move to Communications, Messages

1243 from the Senate, Bills and Joint Resolutions on Third Reading,

1244 or Special Orders. The motion may provide which matter on such

1245 order of business may be considered.

1246

1247 10.3—Chaplain to Offer Prayer

1248 A chaplain shall attend at the beginning of each day's sitting

1249 of the House and open the same with prayer. In the absence of a

1250 chaplain, the Speaker may designate someone else to offer

1251 prayer.

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1253 10.4—Quorum

1254 A majority of the membership of the House shall constitute a
1255 quorum to conduct business.

1257 10.5—Consideration of Senate Messages: Generally

1258 Senate messages may be considered by the House at the time and
1259 in the order determined by the Speaker.

1261 PART TWO—Readings

1263 10.6—"Reading" Defined

1264 "Reading" means the stage of consideration of a bill,
1265 resolution, or memorial after reading of a portion of the title
1266 sufficient for identification, as determined by the Speaker.

1268 10.7—Reading of Bills and Joint Resolutions

1269 Each bill and each joint resolution shall be read on 3 separate
1270 days prior to a vote upon final passage unless this rule is
1271 waived by a two-thirds vote, provided the publication of a bill
1272 or joint resolution by its title in the *Journal* shall satisfy
1273 the requirements of first reading.

1275 10.8—Reading of Concurrent Resolutions and Memorials

1276 Concurrent resolutions and memorials shall be read on 2 separate
1277 days prior to a voice vote upon adoption, except that concurrent
1278 resolutions extending a legislative session or involving other
1279 procedural legislative matters may be read twice without motion
1280 on the same legislative day.

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10.9—Reading of House Resolutions

(a) A House resolution shall receive two readings by title only prior to a voice vote upon adoption.

(b) Ceremonial resolutions may be shown as read and adopted by publication in full in the *Journal* in accordance with Rule 10.17.

10.10—Measures on Third Reading

(a) Bills on third reading shall be taken up in the order in which the House concluded action on them on second reading.

(b) Before any bill shall be read the third time, whether amended or not, it shall be referred without motion to the Engrossing Clerk for examination and, if amended, the engrossing of amendments. In the case of any Senate bill amended in the House, the amendment adopted shall be reproduced and attached to the bill amended in such manner that it will not be lost therefrom.

(c) A bill shall be deemed on its third reading when it has been read a second time on a previous day and has no motion left pending.

PART THREE—Calendars

10.11—Special Order Calendar

(a) REGULAR SESSION.

(1) The Rules & Calendar Committee shall periodically submit, as needed, a Special Order Calendar determining the

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sequence for consideration of legislation. The Special Order Calendar may include bills on second reading, bills on unfinished business, resolutions, and specific sections for local bills, trust fund bills, and bills to be taken up at a time certain. Upon adoption of a Special Order Calendar, no other bills shall be considered for the time period set forth for that Special Order Calendar, except that any bill appearing on that Special Order Calendar may be stricken from it by a majority vote or any bill may be added to it pursuant to Rule 10.13. A previously adopted Special Order Calendar shall expire upon adoption by the House of a new Special Order Calendar.

(2) Any committee, subcommittee, or member may apply in writing to the Chair of the Rules & Calendar Committee to place a bill on the Special Order Calendar. The Rules & Calendar Committee may grant such requests by a majority vote.

(3) During the first 55 days of a regular session, the Special Order Calendar shall be published in two Calendars of the House, and it may be taken up on the day of the second published Calendar. After the 55th day of a regular session, the Special Order Calendar shall be published in one Calendar of the House and may be taken up on the day the Calendar is published.

(b) EXTENDED OR SPECIAL SESSION.

(1) If the Legislature extends a legislative session, all bills on the Calendar of the House at the time of expiration of the regular session shall be placed in the Rules & Calendar Committee.

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(2) During any extended or special session, all bills upon being reported favorably by the last committee or subcommittee of reference shall be placed in the Rules & Calendar Committee.

(3) During any extended or special session, the Rules & Calendar Committee shall establish a Special Order Calendar and only those bills on such Special Order Calendar shall be placed on the Calendar of the House.

(4) During any extended or special session, the Special Order Calendar shall be published in one Calendar of the House and bills thereon may be taken up on the day the Calendar is published.

10.12—Special Floor Procedures

The Rules & Calendar Committee may recommend special floor procedures for the management of amendments and debate on a particular bill, on second and third readings, which procedures may include limitations on amendments and debate. Such procedures may not be implemented unless approved by a majority vote in session.

10.13—Consideration of Bills Not on Special Order Calendar

A bill not included on the Special Order Calendar may be considered by the House upon a two-thirds vote.

10.14—Consent Calendar

The Rules & Calendar Committee may submit Consent Calendar procedures to expedite the consideration of noncontroversial legislation.

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10.15—Requirements for Placement on Special Order Calendar
No measure may be placed on a Special Order Calendar until it has been reported favorably by each committee and subcommittee of reference and is available for consideration on the floor.

10.16—Informal Deferral of Bills

Whenever the member who introduced a bill or the first-named member sponsor of a committee and subcommittee bill is absent from the Chamber when the bill has been reached in the regular order on second or third reading, consideration shall be informally deferred until such member's return, unless another member consents to offer the bill on behalf of the original member. The bill shall retain its position on the Calendar of the House during the same legislative day. The member shall have the responsibility of making the motion for its subsequent consideration.

PART FOUR—Ceremonial Resolutions

10.17—Ceremonial Resolutions Published in *Journal*

Upon approval of the Chair of the Rules & Calendar Committee, a ceremonial resolution may be shown as read and adopted by publication in full in the *Journal*. The Rules & Calendar Committee shall distribute a list of such resolutions 1 day (excluding Saturdays, Sundays, and official state holidays) prior to the day of their publication, during which time any member may file with the Rules & Calendar Committee an objection

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to any resolution listed. Each resolution for which an objection has been filed shall be removed from the list and placed on the Calendar of the House. All resolutions without objections shall be printed on the next legislative day in the *Journal* and considered adopted by the House.

PART FIVE—Procedural Limitations in Final Week

10.18—Consideration Limits to Bills after Day 55

After the 55th day of a regular session, no House bills on second reading may be taken up and considered by the House.

10.19—Consideration Limits after Day 58

After the 58th day of a regular session, the House may consider only:

- (a) Returning messages.
- (b) Conference reports.
- (c) Concurrent resolutions.

RULE ELEVEN—MOTIONS

11.1—Motions; How Made

Every motion shall be made orally, except when requested by the Speaker to be reduced to writing.

11.2—Precedence of Motions During Debate

(a) When a question is under debate, the Speaker shall receive no motion except:

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- 1419 (1) To adjourn at a time certain.
- 1420 (2) To adjourn.
- 1421 (3) To recess to a time certain.
- 1422 (4) To lay on the table.
- 1423 (5) To reconsider.
- 1424 (6) For the previous question.
- 1425 (7) To limit debate.
- 1426 (8) To temporarily postpone.
- 1427 (9) To postpone to a time or day certain.
- 1428 (10) To refer to or to recommit to committee or
- 1429 subcommittee.
- 1430 (11) To amend.
- 1431 (12) To amend by removing the enacting or resolving
- 1432 clause.
- 1433 (b) Such motions shall have precedence in the descending
- 1434 order given.

1435

1436 11.3—Questions of Order Decided without Debate

1437 The Speaker shall decide, without debate, all procedural

1438 questions of order that arise when a motion is before the House

1439 or on appeal.

1440

1441 11.4—Division of Question

1442 If a question before the House is susceptible of separation into

1443 two or more parts, any member may call for a division of the

1444 question so that each part may be voted on separately. However,

1445 a motion to remove and insert cannot be divided.

1446

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11.5—Motion to Recess to a Time Certain

A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that the motion is debatable when no business is before the House and can be amended as to the time to recess and duration of the recess. It yields only to a motion to adjourn.

11.6—Motion to Lay on the Table

(a) A motion to lay on the table is not debatable and cannot be amended; however, before the motion is put to a vote, the first-named sponsor of a bill or the mover of a debatable motion shall be allowed 5 minutes within which to discuss the same and may divide the time with, or waive this right in favor of, some other member.

(b) A motion to lay an amendment on the table, if adopted, does not carry with it the measure to which it adheres.

11.7—Motion to Reconsider; Immediate Certification of Bills

(a) When a motion or main question has been made and carried or lost, it shall be in order at any time as a matter of right on the same or succeeding legislative day for a member voting with the prevailing side, or for any member in the case of a voice or tie vote, to move for reconsideration thereof.

(b) When a majority of members vote in the affirmative but the proposition is lost because it is one in which the concurrence of a greater number than a majority is necessary for adoption or passage, any member may move for a reconsideration.

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(c) The motion to reconsider shall require a majority vote for adoption.

(d) If the House refuses to reconsider or upon reconsideration confirms its prior decision, no further motion to reconsider shall be in order except upon unanimous consent of the members present.

(e) Debate shall be allowed on a motion to reconsider only when the question that it is proposing to reconsider is debatable. When debate upon a motion to reconsider is in order, no member shall speak thereon more than once or for more than 5 minutes.

(f) The adoption of a motion to reconsider a vote upon any secondary matter shall not remove the main subject under consideration from consideration of the House.

(g) A motion to reconsider a collateral matter must be disposed of at once during the course of the consideration of the main subject to which it is related, and such motion shall be out of order after the House has passed to other business.

(h) No bill referred or recommitted to a committee or subcommittee by a vote of the House shall be brought back into the House on a motion to reconsider.

(i) The Clerk shall retain possession of all bills and joint resolutions for the period after passage during which reconsideration may be moved, except that local bills, concurrent resolutions, and memorials shall be transmitted to the Senate without delay.

(j) The adoption of a motion to waive the rules and immediately certify any bill to the Senate shall be construed as

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releasing the measure from the Clerk's possession for the period of reconsideration.

(k) Unless otherwise directed by the Speaker, during the last 14 days of a regular session or any extension thereof and during any special session, all measures acted on by the House shall be transmitted to the Senate without delay.

11.8—Motion for the Previous Question

(a) The previous question may be asked and ordered upon any debatable single motion, series of motions, or amendment pending and the effect thereof shall be to conclude all action on the same day. If third reading is reached on another day, the order for the previous question must be renewed on that day.

(b) The motion for the previous question shall be decided without debate. If the motion prevails, the sponsor of a bill or debatable motion and an opponent shall be allowed 3 minutes each within which to debate the pending question, and each may divide the time with, or waive this right in favor of, some other member. On second reading, the final available question is the main amendment; on third reading, it is the bill.

(c) When the motion for the previous question is adopted on a main question, the sense of the House shall be taken without delay on pending amendments and such question in the regular order.

(d) The motion for the previous question may not be made by the first-named sponsor or mover.

11.9—Motion to Limit Debate

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When there is debate by the House, it shall be in order for a member to move to limit debate and such motion shall be decided without debate, except that the first-named sponsor or mover of the question under debate shall have 5 minutes within which to discuss the motion and may divide the allotted time with, or waive it in favor of, some other member. If, by majority vote, the question is decided in the affirmative, debate shall be limited to 10 minutes for each side, unless a greater time is stated in the motion, such time to be apportioned by the Speaker; however, the first-named sponsor or mover shall have an additional 5 minutes within which to close the debate and may divide the allotted time with, or waive it in favor of, some other member.

11.10—Motion to Temporarily Postpone

(a) The motion to temporarily postpone shall be decided without debate and shall cause a measure to be set aside but retained on the desk.

(b) If a main question has been temporarily postponed after having been debated or after motions have been applied and is not brought back before the House on the same legislative day, it shall be placed under the order of unfinished business on the Calendar of the House. If a main question is temporarily postponed before debate has commenced or motions have been applied, its reading shall be considered a nullity and the bill shall retain its original position on the order of business on the same legislative day; otherwise, the bill reverts to the status of bills on second or third reading, as applicable.

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(c) The motion to return to consideration of a temporarily postponed main question shall be made under the proper order of business when no other matter is pending.

(d) If applied to a collateral matter, the motion to temporarily postpone shall not cause the main question to be carried with it. After having been temporarily postponed, if a collateral matter is not brought back before the House in the course of consideration of the adhering or main question, it shall be deemed abandoned.

11.11-Motion to Withdraw or Refer a Bill

(a) A motion to withdraw a bill from a committee or subcommittee shall require a two-thirds vote on the floor.

(b) Any member may, no later than under the order of business of Motions Relating to Committee and Subcommittee References on the legislative day following reference of a bill, move for reference from one committee or subcommittee to a different committee or subcommittee, which shall be decided by a majority vote.

(c) A motion to refer a bill from one committee or subcommittee to another committee or subcommittee, other than as provided in subsection (b), may be made during the regular order of business and shall require a two-thirds vote.

(d) A motion to refer a bill to an additional committee or subcommittee may be made during the regular order of business and shall require a two-thirds vote.

(e) A motion to refer shall be debated only as to the propriety of the reference.

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(f) A motion to withdraw a bill from further consideration of the House shall require a two-thirds vote.

(1) The Chair or Vice Chair of the Rules & Calendar Committee, at the request of the first-named member sponsor, may move for the withdrawal of a bill from further consideration.

(2) The first-named member sponsor of a bill may, prior to its introduction and provided no substantive action has been taken on it, withdraw the bill by written notice to the Clerk.

(3) In moving for the withdrawal of a bill from further consideration by floor motion, the introducer shall be required to identify the nature of the bill.

11.12-Motion to Refer or Recommit

(a) Any bill on the Calendar of the House may be referred or recommitted by the House to a committee or subcommittee by a majority vote.

(b) A motion to refer or recommit a bill that is before the House may be made during the regular order of business. The motion shall be debatable only as to the propriety of that reference and shall require an affirmative majority vote.

(c) If a bill on third reading is referred or recommitted to a committee or subcommittee that subsequently reports the bill favorably with a committee or subcommittee substitute or with one or more amendments, the bill shall return to second reading.

(d) Referral or recommitment of a House bill shall automatically carry with it a Senate companion bill then on the Calendar of the House.

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1614
1615 11.13—Dilatory Motions
1616 Dilatory or delaying motions shall not be in order as determined
1617 by the Speaker.

1618
1619 11.14—Withdrawal of Motion
1620 The mover of a motion may withdraw the motion at any time before
1621 it has been amended or a vote on it has commenced.

1622
1623 RULE TWELVE—AMENDMENTS
1624

1625 12.1—Form
1626 Floor amendments shall be prepared by the House Bill Drafting
1627 Service and filed with the Clerk.

1628
1629 12.2—Filing Deadlines for Floor Amendments

1630 (a) During the first 55 days of a regular session:

1631 (1) Main floor amendments must be approved for filing with
1632 the Clerk by 2 p.m. of the first day a bill appears on the
1633 Special Order Calendar in the Calendar of the House; and

1634 (2) Amendments to main floor amendments and substitute
1635 amendments for main floor amendments must be approved for filing
1636 by 5 p.m. of the same day.

1637 (b) After the 55th day of a regular session and during any
1638 extended or special session:

1639 (1) Main floor amendments must be approved for filing with
1640 the Clerk not later than 2 hours before session is scheduled to

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convene on the day a bill appears on the Special Order Calendar in the Calendar of the House; and

(2) Amendments to main floor amendments and substitute amendments for main floor amendments must be approved for filing not later than 1 hour after the main floor amendment deadline.

(c) A late-filed floor amendment may be taken up for consideration only upon motion adopted by a two-thirds vote.

(d) Notwithstanding the foregoing, subject to approval by a majority vote of the House, the Rules & Calendar Committee may establish special amendment deadlines and procedures for appropriations bills, implementing bills, conforming bills, and bills proposing any reapportionment or redistricting of the state's legislative or congressional districts.

12.3—Presentation and Consideration

(a) Amendments shall be taken up only as sponsors gain recognition from the Speaker to move their adoption, except that the chair of the committee or subcommittee (or any member thereof designated by the chair) reporting the measure under consideration shall have preference for the presentation of committee or subcommittee amendments to Senate bills.

(b) An amendment to a pending main amendment may be received, but until it is disposed of no other motion to amend will be in order except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:

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(1) Amendments to the amendment are voted on before the substitute is taken up. Only one amendment to the amendment is in order at a time.

(2) Amendments to the substitute are next voted on.

(3) The substitute then is voted on. The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

[INSERT GRAPHIC ON AMENDMENT LEVELS]

(c) The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order.

(d) For the purpose of this rule, an amendment shall be deemed pending only after its proposer has been recognized by the Speaker and has moved its adoption.

(e) Reviser's bills may be amended only by making deletions.

12.4—Second and Third Reading; Vote Required on Third Reading

(a) A motion to amend is in order during the second or third reading of any bill.

(b) Amendments proposed on third reading shall require a two-thirds vote for adoption, except that technical amendments introduced in the name of the Rules & Calendar Committee shall require a majority vote for adoption. Amendments on third reading, other than technical amendments introduced in the name

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of the Rules & Calendar Committee, must be approved for filing not later than the earlier of the following deadlines:

(1) Nine a.m. on the day session is scheduled to convene on the day the bill is reached on third reading; or

(2) One hour before session is scheduled to convene on the day the bill is reached on third reading.

(c) A motion for reconsideration of an amendment on third reading requires a two-thirds vote for adoption.

12.5—Amendment of Appropriations Bills, Implementing Bills, and Conforming Bills

(a) For purposes of these rules:

(1) An "appropriations bill" is a general appropriations bill or any other bill the title text of which begins "An act making appropriations," "An act making special appropriations," or "An act making supplemental appropriations."

(2) An "implementing bill" is a bill, effective for one fiscal year, implementing an appropriations bill.

(3) A "conforming bill" is a bill designated as such by the Speaker that amends the Florida Statutes to conform to an appropriations bill.

(b) Whether on the floor or in any committee or subcommittee, whenever an amendment is offered to an appropriations bill that would either increase any state appropriation or decrease any state revenue for any fund, such amendment shall show the amount of the appropriation increase or revenue decrease for a fund by line item and by section and shall decrease an appropriation from within the same

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appropriations allocation and sub-allocation (as determined by the Speaker) or increase a revenue to the fund in an amount equivalent to or greater than the corresponding appropriation increase or revenue decrease required by the amendment.

(c) Whether on the floor or in any committee or subcommittee, an amendment offered to an implementing bill or to a conforming bill shall not increase a state appropriation to a level that is in excess of the allocations or sub-allocations determined by the Speaker for a fund.

(d) Whether on the floor or in any committee or subcommittee, any amendment offered to an implementing bill or to a conforming bill that reduces revenues supporting appropriations must raise the equivalent or greater revenue for the same fund from other sources.

12.6—Consideration of Senate Amendments

(a) After the reading of a Senate amendment to a House bill, the following motions shall be in order and shall be privileged in the order named:

(1) Amend the Senate amendment.

(2) Concur in the Senate amendment.

(3) Refuse to concur and ask the Senate to recede.

(4) Request the Senate to recede and, if the Senate refuses to recede, to appoint a conference committee to meet with a like committee appointed by the Speaker.

(b) If the Senate refuses to concur in a House amendment to a Senate bill, the following motions shall be in order and shall be privileged in the order named:

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1751 (1) That the House recede.

1752 (2) That the House insist and ask for a conference
1753 committee.

1754 (3) That the House insist.

1755 (c) The Speaker may, upon determining that a Senate
1756 amendment substantially changes the bill as passed by the House,
1757 refer the Senate message, with the bill and Senate amendment or
1758 amendments, to the appropriate House committee or subcommittee
1759 for review and report to the House. The Speaker, upon such
1760 reference, shall announce the date and time for the committee or
1761 subcommittee to meet. The committee or subcommittee shall report
1762 to the House the recommendation for disposition of the Senate
1763 amendment or amendments under one of the four options presented
1764 in subsection (a). The report shall be furnished to the Clerk
1765 and to the House, in writing, by the chair of the reporting
1766 committee or subcommittee.

1767
1768 12.7—Motion to Amend by Removing Enacting or Resolving Clause
1769 An amendment to remove the enacting clause of a bill or the
1770 resolving clause of a resolution or memorial shall, if carried,
1771 be considered equivalent to rejection of the bill, resolution,
1772 or memorial by the House.

1773
1774 12.8—Germanity of House Amendments

1775 (a) GERMANITY.

1776 (1) Neither the House nor any committee or subcommittee
1777 shall consider an amendment that relates to a different subject
1778 or is intended to accomplish a different purpose than that of

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the pending question or that, if adopted, would require a title amendment for the bill that is substantially different from the bill's original title or that would unreasonably alter the nature of the bill.

(2) The Speaker, or the chair in the case of an amendment offered in committee or subcommittee, shall determine the germanity of any amendment when the question is timely raised.

(3) An amendment of the second degree or a substitute amendment must be germane to both the main amendment and the measure to which it adheres.

(b) AMENDMENTS THAT ARE NOT GERMANE. House amendments that are not germane include:

(1) A general proposition amending a specific proposition.

(2) An amendment amending a statute or session law when the purpose of the bill is limited to repealing such law, or an amendment repealing a statute or session law when the purpose of the bill is limited to amending such law.

(3) An amendment that substantially expands the scope of the bill.

(4) An amendment to a bill when legislative action on that bill is by law or these rules limited to passage, concurrence, or nonconcurrence as introduced.

(c) AMENDMENTS THAT ARE GERMANE. Amendments that are germane include:

(1) A specific provision amending a general provision.

(2) An amendment that accomplishes the same purpose in a different manner.

(3) An amendment limiting the scope of the proposal.

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(4) An amendment providing appropriations necessary to fulfill the original intent of a proposal.

(5) An amendment that changes the effective date of a repeal, reduces the scope of a repeal, or adds a short-term nonstatutory transitional provision to facilitate repeal.

(d) WAIVER OF RULE. Waiver of this rule shall require unanimous consent of the House.

12.9—Floor Amendments Out of Order

A floor amendment is out of order if it is the principal substance of a bill that has:

(a) Received an unfavorable committee or subcommittee report,

(b) Been withdrawn from further consideration, or

(c) Not been reported favorably by at least one committee or subcommittee of reference,

and may not be offered to a bill on second or third reading. Any amendment that is substantially the same, and identical as to specific intent and purpose, as the measure residing in a committee or subcommittee of reference is covered by this rule.

12.10—Printing of Amendments in *Journal*

All amendments taken up, unless withdrawn, shall be printed in the *Journal*, except that an amendment to an appropriations bill constituting an entirely new bill shall not be printed except upon consideration of the conference committee report.

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RULE THIRTEEN—RULES

13.1—Parliamentary Authorities

In all cases not provided for by the Florida Constitution, the Rules of the House, or the Joint Rules of the Senate and House, the guiding, but nonbinding, authority shall be first the Rulings of the Speaker and then the latest edition of *Mason's Manual of Legislative Procedure*.

13.2—Standing Rules Amendment

Any standing rule may be rescinded or changed by a majority vote of the members, provided that the proposed change or changes be submitted at least 1 day in advance by the Rules & Calendar Committee in writing to the members together with notice of the consideration thereof. Any standing rule may be suspended temporarily by a two-thirds vote of the members present, except as otherwise provided in these rules.

13.3—Rules Apply for Term

The standing rules adopted after the beginning of the term govern all acts of the House during the course of the term unless amended or repealed.

13.4—Joint Rules

The House shall be governed by joint rules approved by the House and Senate during the term. Such joint rules may not be waived except by agreement of both the House and Senate. A majority vote of the House is required for such agreement.

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1863
1864 13.5—Authority and Interpretation

1865 These rules are adopted pursuant to the specific authority
1866 granted and the inherent powers vested in the House of
1867 Representatives by the Florida Constitution. These rules are
1868 intended to facilitate the orderly, practical, and efficient
1869 completion of legislative work undertaken by the House. These
1870 rules shall govern procedures in the House notwithstanding any
1871 inconsistent parliamentary tradition and notwithstanding any
1872 joint rule or any statute enacted by a prior Legislature.
1873 Adoption of these rules constitutes the determination of the
1874 House that they do not violate any express regulation or
1875 limitation contained in the Florida Constitution. These rules
1876 may not be construed to limit any of the powers, rights,
1877 privileges, or immunities vested in or granted to the House by
1878 the Florida Constitution or other organic law.

1879
1880 13.6—Majority Action

1881 Unless otherwise indicated by these rules, all action by the
1882 House or its committees or subcommittees shall be by majority
1883 vote of those members present and voting. When the body is
1884 equally divided, the question is defeated.

1885
1886 13.7—Extraordinary Action

1887 Unless otherwise required by these rules or the Florida
1888 Constitution, all extraordinary votes shall be by vote of those
1889 members present and voting.

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1891 13.8—"Days" Defined

1892 Wherever used in these rules, a "legislative day" means a day
1893 when the House convenes and a quorum is present. All other
1894 references to a "day" mean a calendar day.

1895
1896 RULE FOURTEEN—MISCELLANEOUS PROVISIONS

1897
1898 PART ONE—Public Records
1899

1900 14.1—Legislative Records

1901 There shall be available for public inspection, whether
1902 maintained in Tallahassee or in a district office, the papers
1903 and records developed and received in connection with official
1904 legislative business, except as provided in s. 11.0431, Florida
1905 Statutes, or other provision of law. Any person who is denied
1906 access to a legislative record and who believes that he or she
1907 is wrongfully being denied such access may appeal to the Speaker
1908 the decision to deny access.

1909
1910 14.2—Legislative Records; Maintenance, Control, Destruction,
1911 Disposal, and Disposition

1912 (a) Records that are required to be created by these rules
1913 or that are of vital, permanent, or archival value shall be
1914 maintained in a safe location that is easily accessible for
1915 convenient use. No such record need be maintained if the
1916 substance of the record is published or retained in another form
1917 or location. Whenever necessary, but no more often than annually

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1918 | or less often than biennially, records required to be maintained
1919 | may be archived.

1920 | (b) Other records that are no longer needed for any
1921 | purpose and that do not have sufficient administrative, legal,
1922 | or fiscal significance to warrant their retention shall be
1923 | disposed of systematically.

1924 | (c) (1) The administrative assistant for each existing
1925 | committee or subcommittee shall ensure compliance with this rule
1926 | for all records created or received by the committee or
1927 | subcommittee or for a former committee or subcommittee whose
1928 | jurisdiction has been assigned to the committee or subcommittee.

1929 | (2) The Speaker, the Speaker pro tempore, the Minority
1930 | Leader, the Majority Leader, and the Sergeant at Arms shall
1931 | ensure compliance with this rule for all records created or
1932 | received by their respective offices and their predecessors in
1933 | office.

1934 | (3) Each member shall ensure compliance with this rule for
1935 | all records created or received by the member or the member's
1936 | district office.

1937 | (4) The director of an ancillary House office shall ensure
1938 | compliance with this rule for all records created or received by
1939 | the director's office.

1940 | (5) The Clerk shall ensure compliance with this rule for
1941 | all other records created or received by the House of
1942 | Representatives.

1943 | (d) If a committee, subcommittee, or office is not
1944 | continued in existence, the records of such committee,
1945 | subcommittee, or office shall be forwarded to the committee,

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subcommittee, or office assuming the jurisdiction or responsibility of the former committee, subcommittee, or office, if any. Otherwise, such records shall be forwarded to the Clerk.

(e) The Clerk shall establish a schedule of reasonable and appropriate fees for copies of legislative records and documents.

PART TWO—Distribution of Documents; Display of Signs

14.3—Distribution of Documents

Documents required by these rules to be printed or published may be produced and distributed on paper or in electronic form.

14.4—Display of Signs, Placards, and the Like

Signs, placards, or other objects of similar nature shall be permitted in the rooms, lobby, galleries, or Chamber of the House only upon approval of the Chair of the Rules & Calendar Committee.

PART THREE—House Seal

14.5—House Seal

(a) REQUIREMENT. There shall be an official seal of the House of Representatives. The seal shall be used only by or on behalf of a member or officer of the House in conjunction with his or her official duties or when specifically authorized in writing by the Chair of the Rules & Calendar Committee.

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(b) CONFIGURATION. The seal shall be a circle having in the center thereof a view of the sun's rays over a highland in the distance, a sabal palmetto palm tree, a steamboat on the water, and a Native American female scattering flowers in the foreground, encircled by the words "House of Representatives."

(c) USE. Unless a written exception is otherwise granted by the Chair of the Rules & Calendar Committee:

(1) Material carrying the official seal shall be used only by a member, officer, or employee of the House or other persons employed or retained by the House.

(2) The use, printing, publication, or manufacture of the seal, or items or materials bearing the seal or a facsimile of the seal, shall be limited to official business of the House or official legislative business.

(d) CUSTODIAN. The Clerk shall be the custodian of the official seal.

RULE FIFTEEN—ETHICS AND CONDUCT OF MEMBERS

15.1—Legislative Ethics and Official Conduct

Legislative office is a trust to be performed with integrity in the public interest. A member is respectful of the confidence placed in the member by the other members and by the people. By personal example and by admonition to colleagues whose behavior may threaten the honor of the lawmaking body, the member shall watchfully guard the responsibility of office and the responsibilities and duties placed on the member by the House. To this end, each member shall be accountable to the House for

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violations of this rule or any provision of the House Code of Conduct contained in Rules 15.1-15.7.

15.2-The Integrity of the House

A member shall respect and comply with the law and shall perform at all times in a manner that promotes public confidence in the integrity and independence of the House and of the Legislature. Each member shall perform at all times in a manner that promotes a professional environment in the House, which shall be free from unlawful employment discrimination.

15.3-Improper Influence; Solicitation of Campaign Contributions

(a) A member may neither solicit nor accept anything that reasonably may be construed to improperly influence the member's official act, decision, or vote.

(b) A member may neither solicit nor accept any campaign contribution during the 60-day regular legislative session or any extended or special session on the member's own behalf, on behalf of a political party, on behalf of any organization with respect to which the member's solicitation is regulated under s. 106.0701, Florida Statutes, or on behalf of a candidate for the House of Representatives; however, a member may contribute to the member's own campaign.

15.4-Ethics; Conflicting Employment

A member shall:

(a) Scrupulously comply with the requirements of all laws related to the ethics of public officers.

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(b) Not allow personal employment to impair the member's independence of judgment in the exercise of official duties.

(c) Not directly or indirectly receive or agree to receive any compensation for any services rendered or to be rendered either by the member or any other person when such activity is in substantial conflict with the duties of a member of the House.

15.5—Use of Official Position

A member may not corruptly use or attempt to use the member's official position or any property or resource which may be within the member's trust in a manner contrary to the trust or authority placed in the member, either by the public or by other members, for the purpose of securing a special privilege, benefit, or exemption for the member or for others.

15.6—Use of Information Obtained by Reason of Official Position

A member may engage in business and professional activity in competition with others but may not use or provide to others, for the member's personal gain or benefit or for the personal gain or benefit of any other person or business entity, any information that has been obtained by reason of the member's official capacity as a member and that is unavailable to members of the public as a matter of law.

15.7—Representation of Another Before a State Agency

A member may not personally represent another person or entity for compensation before any state agency other than a judicial

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tribunal. For the purposes of this rule, "state agency" means any entity of the legislative or executive branch of state government over which the Legislature exercises plenary budgetary and statutory control.

15.8—Advisory Opinions

(a) A member, when in doubt about the applicability and interpretation of the House Code of Conduct or ethics laws to the member's conduct, may convey the facts of the situation to the House general counsel for an advisory opinion. The general counsel shall issue the opinion within 10 days after receiving the request. The advisory opinion may be relied upon by the member requesting the opinion. Upon request of any member, the committee or subcommittee designated by the Speaker to have responsibility for the ethical conduct of members may revise an advisory opinion rendered by the House general counsel through an advisory opinion issued to the member who requested the opinion.

(b) An advisory opinion rendered by the House general counsel or the committee or subcommittee shall be numbered, dated, and published. Advisory opinions from the House general counsel or the committee or subcommittee may not identify the member seeking the opinion unless such member so requests.

15.9—Penalties for Violations

Separately from any prosecutions or penalties otherwise provided by law, any member determined to have violated the requirements of these rules relating to ethics or member conduct shall be

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2085 fined, censured, reprimanded, placed on probation, or expelled
2086 or have such other lesser penalty imposed as may be appropriate.
2087 Such determination and disciplinary action shall be taken by a
2088 two-thirds vote of the House, except that expulsions shall
2089 require two-thirds vote of the membership, upon recommendation
2090 of the Rules & Calendar Committee pursuant to Rule 18.

2091
2092 15.10—Felony Indictment or Information of a Member

2093 (a) If an indictment or information for a felony of any
2094 jurisdiction is filed against a member of the House, the member
2095 indicted or informed against may request the Speaker to excuse
2096 the member, without pay, from all privileges of membership of
2097 the House pending final adjudication.

2098 (b) If the indictment or information is either *nolle*
2099 *prossed* or dismissed, or if the member is found not guilty of
2100 the felonies charged, or lesser included felonies, then the
2101 member shall be paid all back pay and other benefits retroactive
2102 to the date the member was excused.

2103
2104 15.11—Felony Guilty Plea of a Member

2105 A member who enters a plea of guilty or *nolo contendere* to a
2106 felony of any jurisdiction may, at the discretion of the
2107 Speaker, be suspended immediately, without a hearing and without
2108 pay, from all privileges of membership of the House through the
2109 remainder of that member's term.

2110
2111 15.12—Felony Conviction of a Member

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2112 (a) A member convicted of a felony of any jurisdiction
2113 may, at the discretion of the Speaker, be suspended immediately,
2114 without a hearing and without pay, from all privileges of
2115 membership of the House pending appellate action or the end of
2116 the member's term, whichever occurs first.

2117 (b) A member suspended under the provisions of this rule
2118 may, within 10 days after such suspension, file a written
2119 request for a hearing, setting forth specific reasons contesting
2120 the member's suspension. Upon receipt of a written request for a
2121 hearing, the Speaker shall appoint a select committee, which
2122 shall commence a hearing on the member's suspension within 30
2123 days and issue a report to the House within 10 days after the
2124 conclusion of the hearing. The report of the select committee
2125 shall be final unless the member, within 10 days after the
2126 issuance of the report, requests in writing that the Speaker
2127 convene the full House to consider the report of the select
2128 committee. Upon receipt of a request for such consideration, the
2129 Speaker shall timely convene the House for such purpose.

2130 (c) If the final appellate decision is to sustain the
2131 conviction, then the member's suspension shall continue to the
2132 end of the member's term. If the final appellate decision is to
2133 vacate the conviction and there is a rehearing, the member shall
2134 be subject to Rule 15.10. If the final appellate decision is to
2135 vacate the conviction and no felony charges remain against the
2136 member, the member shall be entitled to restitution of back pay
2137 and other benefits retroactive to the date of suspension.
2138

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RULE SIXTEEN—PROCEDURES FOR CONDUCTING INVESTIGATIVE AND
ENFORCEMENT PROCEEDINGS

16.1—Issuance of Subpoenas

(a) In order to carry out its duties, each standing or select committee, whenever required, may issue subpoenas and other necessary process to compel the attendance of witnesses before such committee or the taking of a deposition pursuant to these rules. The chair of the committee shall issue such process on behalf of the committee after a majority of the committee votes to approve issuance and the Speaker has provided written approval. The chair or any other member of such committee may administer all oaths and affirmations in the manner prescribed by law to witnesses who shall appear before such committee for the purpose of testifying in any matter about which such committee may require evidence.

(b) Each standing or select committee, whenever required, may also compel by subpoena *duces tecum* the production of any books, letters, or other documentary evidence it may need to examine in reference to any matter before it. The chair of the standing or select committee shall issue process on behalf of the standing or select committee after a majority of the committee votes to approve issuance and the Speaker has provided written approval.

16.2—Contempt Proceedings

(a) The House may punish, by fine or imprisonment, any person who is not a member and who is guilty of disorderly or

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2167 contemptuous conduct in its presence or of a refusal to obey its
2168 lawful summons.

2169 (b) A person shall be deemed in contempt if the person:

2170 (1) Fails or refuses to appear in compliance with a
2171 subpoena or, having appeared, fails or refuses to testify under
2172 oath or affirmation;

2173 (2) Fails or refuses to answer any relevant question or
2174 fails or refuses to furnish any relevant book, paper, or other
2175 document subpoenaed on behalf of such committee; or

2176 (3) Commits any other act or offense against such
2177 committee that, if committed against the Legislature or either
2178 house thereof, would constitute contempt.

2179 (c) During a legislative session, a standing or select
2180 committee may, by majority vote of all of its members, apply to
2181 the House for contempt citation. The application shall be
2182 considered as though the alleged contempt had been committed in
2183 or against the House itself. If such committee is meeting during
2184 the interim, its application shall be made to the circuit court
2185 pursuant to Rule 16.6.

2186 (d) A person guilty of contempt under this rule may be
2187 fined not more than \$500 or imprisoned not more than 90 days or
2188 both, or may be subject to such other punishment as the House
2189 may, in the exercise of its inherent powers, impose prior to and
2190 in lieu of the imposition of the aforementioned penalty.

2191 (e) The sheriffs in the several counties shall make such
2192 service and execute all process or orders when required by
2193 standing or select committees. Sheriffs shall be paid as
2194 provided for in s. 30.231, Florida Statutes.

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2195
2196 16.3—False Swearing

2197 Whoever willfully affirms or swears falsely in regard to any
2198 material matter or thing before any standing or select committee
2199 is guilty of false swearing in an official proceeding, which is
2200 a felony of the second degree and shall be punished as provided
2201 in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.

2202
2203 16.4—Rights of Witnesses

2204 (a) All witnesses summoned before any standing or select
2205 committee shall receive reimbursement for travel expenses and
2206 per diem at the rates provided in s. 112.061, Florida Statutes.
2207 However, the fact that such reimbursement is not tendered at the
2208 time the subpoena is served shall not excuse the witness from
2209 appearing as directed therein.

2210 (b) Service of a subpoena requiring the attendance of a
2211 person at a meeting of a standing or select committee shall be
2212 made in the manner provided by law for the service of subpoenas
2213 in a civil action at least 7 days prior to the date of the
2214 meeting unless a shorter period of time is authorized by
2215 majority vote of all the members of such committee. If a shorter
2216 period of time is authorized, the persons subpoenaed shall be
2217 given reasonable notice of the meeting, consistent with the
2218 particular circumstances involved.

2219 (c) Any person who is served with a subpoena to attend a
2220 meeting of any standing or select committee also shall be served
2221 with a general statement informing the person of the subject
2222 matter of such committee's investigation or inquiry and a notice

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2223 that the person may be accompanied at the meeting by private
2224 counsel.

2225 (d) Upon the request of any party and the approval of a
2226 majority of the standing or select committee, the chair shall
2227 instruct all witnesses to leave the meeting room and retire to a
2228 designated place. The witness shall be instructed by the chair
2229 not to discuss the testimony of the witness or the testimony of
2230 any other person with anyone until the meeting has been
2231 adjourned and the witness has been discharged by the chair. The
2232 witness shall be further instructed that if any person discusses
2233 or attempts to discuss the matter under investigation with the
2234 witness after receiving such instructions, the witness shall
2235 bring such matter to the attention of such committee. No member
2236 of such committee or representative thereof may discuss any
2237 matter or matters pertinent to the subject matter under
2238 investigation with any witness to be called before such
2239 committee from the time that these instructions are given until
2240 the meeting has been adjourned and the witness has been
2241 discharged by the chair. Any person violating this subsection
2242 shall be in contempt of the House.

2243 (e) Any standing or select committee taking sworn
2244 testimony from witnesses as provided herein shall cause a record
2245 to be made of all proceedings in which testimony or other
2246 evidence is demanded or adduced, which record shall include
2247 rulings of the chair, questions of such committee and its staff,
2248 the testimony or responses of witnesses, sworn written
2249 statements submitted to the committee, and such other matters as
2250 the committee or its chair may direct.

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2251 (f) A witness at a meeting, upon advance request and at
2252 the witness's own expense, shall be furnished a certified
2253 transcript of the witness's testimony at the meeting.

2254
2255 16.5—Right of Other Persons to be Heard

2256 (a) Any person who, in the opinion of the committee, is
2257 adversely affected as a result of being mentioned or otherwise
2258 identified during a meeting being conducted for the purpose of
2259 taking sworn testimony from witnesses of any standing or select
2260 committee may, upon the request of the person or upon the
2261 request of any member of such committee, appear personally
2262 before such committee and testify on the person's own behalf,
2263 or, with such committee's consent, file a sworn written
2264 statement of facts or other documentary evidence for
2265 incorporation into the record of the meeting. Any such witness,
2266 however, shall, prior to filing such statement, consent to
2267 answer questions from such committee regarding the contents of
2268 the statement.

2269 (b) Upon the consent of a majority of the members present,
2270 a quorum having been established, any standing or select
2271 committee may permit any other person to appear and testify at a
2272 meeting or submit a sworn written statement of facts or other
2273 documentary evidence for incorporation into the record. No
2274 request to appear, appearance, or submission shall limit in any
2275 way the committee's power of subpoena. Any such witness,
2276 however, shall, prior to filing such statement, consent to
2277 answer questions from any standing or select committee regarding
2278 the contents of the statement.

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2279
2280 16.6—Enforcement of Subpoena Out of Session

2281 If any witness fails to respond to the lawful subpoena of any
2282 standing or select committee at a time when the Legislature is
2283 not in session or, having responded, fails to answer all lawful
2284 inquiries or to turn over evidence that has been subpoenaed,
2285 such committee may file a complaint before any circuit court of
2286 the state setting up such failure on the part of the witness. On
2287 the filing of such complaint, the court shall take jurisdiction
2288 of the witness and the subject matter of the complaint and shall
2289 direct the witness to respond to all lawful questions and to
2290 produce all documentary evidence in the possession of the
2291 witness that is lawfully demanded. The failure of any witness to
2292 comply with such order of the court shall constitute a direct
2293 and criminal contempt of court, and the court shall punish such
2294 witness accordingly.

2295
2296 16.7—Definition

2297 Pursuant to Rule 7.1(b) and for purposes of Rule 16, the term
2298 "committee" includes the House and any subcommittee thereof.

2299
2300 RULE SEVENTEEN—ETHICS AND CONDUCT OF LOBBYISTS2301
2302 17.1—Obligations of a Lobbyist

2303 (a) A lobbyist shall supply facts, information, and
2304 opinions of principals to legislators from the point of view
2305 that the lobbyist openly declares. A lobbyist shall not offer or
2306 propose anything that may reasonably be construed to improperly

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influence the official act, decision, or vote of a legislator, nor shall a lobbyist attempt to improperly influence the selection of officers or employees of the House. A lobbyist, by personal example and admonition to colleagues, shall maintain the honor of the legislative process by the integrity of the lobbyist's relationship with legislators as well as with the principals whom the lobbyist represents.

(b) A lobbyist shall not knowingly and willfully falsify, conceal, or cover up, by any trick, scheme, or device, a material fact; make any false, fictitious, or fraudulent statement or representation; or make or use any writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry.

(c) During a regular session, or any extended or special session, a lobbyist may not contribute to a member's campaign.

(d) A lobbyist may not make any expenditure prohibited by s. 11.045(4)(a), Florida Statutes.

(e) No registered lobbyist shall be permitted upon the floor of the House while it is in session.

17.2-Advisory Opinions; Compilation Thereof

A lobbyist, when in doubt about the applicability and interpretation of Rule 17.1 in a particular context related to that lobbyist's conduct, or any person when in doubt about the applicability and interpretation of s. 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, as such statute or statutes may apply to that person, may request an advisory opinion under this rule. Such request shall be in writing, addressed to the

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2335 Speaker, and shall contain the relevant facts. The Speaker shall
2336 either refer the issue to the House general counsel for review
2337 and drafting of an advisory opinion of the Speaker or refer the
2338 issue to a committee designated by the Speaker to have
2339 responsibility for the ethical conduct of lobbyists, and the
2340 person requesting the advisory opinion may appear in person
2341 before such committee. The Speaker or this committee shall
2342 render advisory opinions to the person who seeks advice as to
2343 whether the facts as described in the request and any
2344 supplemental communication would constitute a violation of such
2345 rule or statute by that person. Such opinion, until amended or
2346 revoked, shall be binding upon the House in any proceeding upon
2347 a subsequent complaint concerning the person who sought the
2348 opinion and acted on it in good faith, unless material facts
2349 were omitted or misstated in the request for the advisory
2350 opinion. Upon request of the person who requested the advisory
2351 opinion or any member, the committee designated by the Speaker
2352 to have responsibility for the ethical conduct of lobbyists may
2353 revise any advisory opinion issued by the Speaker or may revise
2354 any advisory opinion issued by the general counsel of the Office
2355 of Legislative Services under Joint Rule 1.8. The House general
2356 counsel or this committee shall make sufficient deletions to
2357 prevent disclosing the identity of persons in the decisions or
2358 opinions. All advisory opinions of the Speaker or this committee
2359 shall be numbered, dated, and published in an annual publication
2360 of the House. The Clerk shall keep a compilation of all advisory
2361 opinions.
2362

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2363 17.3—Penalties for Violations

2364 Separately from any prosecutions or penalties otherwise provided
2365 by law, any person determined to have violated the foregoing
2366 requirements of Rule 17, any provision in Joint Rule One, or s.
2367 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, may be
2368 reprimanded, censured, prohibited from lobbying for all or any
2369 part of the legislative biennium during which the recommended
2370 order is proposed, or have such other penalty imposed as may be
2371 appropriate. Such determination shall be made by a majority of
2372 the House, upon recommendation of the Rules & Calendar Committee
2373 pursuant to Rule 18. Any prohibition or other limitation imposed
2374 by the House may be continued for up to a total of 2 years by a
2375 determination made by a majority of the House at or following
2376 the Organization Session following the biennium during which
2377 such prohibition or other limitation was imposed.

2378
2379 RULE EIGHTEEN—COMPLAINTS AGAINST MEMBERS AND
2380 OFFICERS OF THE HOUSE, LOBBYISTS, AND OTHER PERSONS
2381

2382 18.1—Complaints against Members and Officers of the House,
2383 Lobbyists, and Other Persons; Procedure
2384 Rule 18 governs proceedings on all complaints under the
2385 jurisdiction of the House. Such complaints include:

2386 (a) Those alleging violation of law, violation of the
2387 House Code of Conduct, or improper conduct of a member or
2388 officer that may reflect upon the House; or

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(b) Violations of Joint Rule One or s. 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, by any lobbyist or person other than a member of the House.

18.2—Violations; Investigations

(a) Any person may file a sworn complaint with the Chair of the Rules & Calendar Committee alleging a violation as provided in Rule 18.1. The complaint shall be based on personal knowledge of the complainant, shall state detailed facts, shall specify the actions of the named respondent which form the basis for the complaint, and shall identify each specific rule or law alleged by the complainant to have been violated.

(b) Upon a determination by the Chair of the Rules & Calendar Committee that the complaint states facts supporting a finding of probable cause, the Speaker shall refer the complaint to a special master or to a select committee. Upon a determination by the Chair of the Rules & Calendar Committee that the complaint fails to state facts supporting a finding of probable cause, the complaint shall be dismissed.

(c) Upon referral by the Speaker of a complaint under subsection (b), the special master or select committee shall conduct an investigation, shall give reasonable notice to the respondent, and shall grant the respondent an opportunity to be heard unless the investigation fails to reveal facts supporting a finding of probable cause. A special master's or select committee's report and recommendation is advisory only and shall be presented to the Chair of the Rules & Calendar Committee as soon as practicable after the close of the investigation. If the

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2417 | report and recommendation conclude that the facts do not support
2418 | a finding of probable cause, the complaint shall be dismissed by
2419 | the Chair of the Rules & Calendar Committee.

2420 | (d) If the complaint is not dismissed by the special
2421 | master or the select committee, the Rules & Calendar Committee
2422 | shall consider the report and recommendation, shall grant the
2423 | respondent an opportunity to be heard, and shall develop its own
2424 | recommendation. If the complaint is against the Chair of the
2425 | Rules & Calendar Committee, the chair is excused and the vice
2426 | chair shall conduct the deliberation. If the Rules & Calendar
2427 | Committee votes to dismiss the complaint, the Chair of the Rules
2428 | & Calendar Committee or vice chair shall dismiss the complaint.
2429 | Otherwise, the special master's or select committee's report and
2430 | recommendation and the recommendation of the Rules & Calendar
2431 | Committee shall be presented to the Speaker.

2432 | (e) The Speaker shall present the committee's
2433 | recommendation, along with the special master's report and
2434 | recommendation, to the House for final action.

2435 | (f) Nothing in this rule prohibits the Chair of the Rules
2436 | & Calendar Committee from correcting or preventing the alleged
2437 | violation by informal means if the chair determines that a
2438 | violation is inadvertent, technical, or otherwise *de minimis*.

2439 | (g) Nothing in this rule prohibits the respondent and the
2440 | Chair of the Rules & Calendar Committee, the special master, or
2441 | a select committee from agreeing to a consent decree, which
2442 | shall state findings of fact, and such penalty as may be
2443 | appropriate. If the House accepts the consent decree, the
2444 | complaint pursuant to these rules shall be resolved.

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(h) The House may move forward with disciplinary proceedings without waiting for the outcome of a criminal case.

18.3—Confidentiality

Any material provided to the House in response to a complaint filed under Rule 18 that is confidential under applicable law shall remain confidential and shall not be disclosed except as authorized by applicable law. Except as otherwise provided in this rule, a complaint and the records relating to a complaint shall be available for public inspection upon the dismissal of a complaint, a determination as to probable cause, informal resolution of a complaint, or the receipt by the Speaker of a request in writing from the respondent that the complaint and other records relating to the complaint be made public records.

18.4—Conflict

If a complaint is filed against the Chair of the Rules & Calendar Committee, the initial review of the complaint shall be managed by the Speaker or, if designated by the Speaker, the Speaker pro tempore. If a complaint is filed against the Speaker, the duties of the Speaker pursuant to Rule 18 shall be transferred to the Speaker pro tempore.

18.5—Time Limitations

(a) A complaint must be filed with the Speaker within 2 years after the alleged violation.

(b) A violation of the House Code of Conduct is committed when every element necessary to establish a violation of the

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2473 | rule has occurred, and time starts to run on the day after the
2474 | violation occurred.

2475 | (c) The applicable period of limitation is tolled on the
2476 | day a sworn complaint against the member or officer is filed
2477 | with the Speaker.