A concurrent resolution establishing the Joint Rules of the Florida Legislature for the 2014-2016 term.

Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:

That the following joint rules shall govern the Florida Legislature for the 2014-2016 term:

JOINT RULES

Joint Rule One—Lobbyist Registration and Compensation Reporting

1.1—Those Required to Register; Exemptions; Committee Appearance Records

(1) All lobbyists before the Florida Legislature must register with the Lobbyist Registration Office in the Office of Legislative Services. Registration is required for each principal represented.

(2) As used in Joint Rule One, unless the context otherwise requires, the term:

   (a) “Compensation” means payment, distribution, loan, advance, reimbursement, deposit, salary, fee, retainer, or anything of value provided or owed to a lobbying firm, directly or indirectly, by a principal for any lobbying activity.

   (b) “Legislative action” means introduction, sponsorship, testimony, debate, voting, or any other official action on any measure, resolution, amendment, nomination, appointment, or report of, or any matter that may be the subject of action by,
either house of the Legislature or any committee thereof.

(c) "Lobby" or "lobbying" means influencing or attempting
to influence legislative action or nonaction through oral or
written communication or through an attempt to obtain the
goodwill of a member or employee of the Legislature.

(d) "Lobbying firm" means any business entity, including an
individual contract lobbyist, that receives or becomes entitled
to receive any compensation for the purpose of lobbying and
where any partner, owner, officer, or employee of the business
entity is a lobbyist. "Lobbying firm" does not include an entity
that has employees who are lobbyists if the entity does not
derive compensation from principals for lobbying or if such
compensation is received exclusively from a subsidiary or
affiliate corporation of the employer. As used in this
paragraph, an affiliate corporation is a corporation that
directly or indirectly shares the same ultimate parent
corporation as the employer and does not receive compensation
for lobbying from any unaffiliated entity.

(e) "Lobbyist" means a person who is employed and receives
payment, or who contracts for economic consideration, for the
purpose of lobbying or a person who is principally employed for
governmental affairs by another person or governmental entity to
lobby on behalf of that other person or governmental entity. An
employee of the principal is not a lobbyist unless the employee
is principally employed for governmental affairs. The term
"principally employed for governmental affairs" means that one
of the principal or most significant responsibilities of the
employee to the employer is overseeing the employer’s various
relationships with government or representing the employer in
its contacts with government. Any person employed by the Governor, the Executive Office of the Governor, or any executive or judicial department of the state or any community college of the state who seeks to encourage the passage, defeat, or modification of any legislation by personal appearance or attendance before the House of Representatives or the Senate, or any member or committee thereof, is a lobbyist.

(f) “Lobbyist Registration and Compensation Reporting System (LRCRS)” means the online application that serves as the system of record for the Lobbyist Registration Office in the Office of Legislative Services and consists of the electronic registration system and the electronic filing system.

(g) “LRO” means the Lobbyist Registration Office in the Office of Legislative Services.

(h) “Office” means the Office of Legislative Services.

(i) “Payment” or “salary” means wages or any other consideration provided in exchange for services but does not include reimbursement for expenses.

(j) “Principal” means the person, firm, corporation, or other entity that has employed or retained a lobbyist. When an association has employed or retained a lobbyist, the association is the principal; the individual members of the association are not principals merely because of their membership in the association.

(k) “Unusual circumstances,” with respect to any failure of a person to satisfy a filing requirement, means uncommon, rare, or sudden events over which the person has no control and which directly result in the failure to satisfy the filing requirement.
(3) For purposes of Joint Rule One, the terms “lobby” and “lobbying” do not include any of the following:

(a) A response to an inquiry for information made by any member, committee, or staff of the Legislature.

(b) An appearance in response to a legislative subpoena.

(c) Advice or services that arise out of a contractual obligation with the Legislature, a member, a committee, any staff, or any legislative entity to render the advice or services where such obligation is fulfilled through the use of public funds.

(d) Representation of a client before the House of Representatives or the Senate, or any member or committee thereof, when the client is subject to disciplinary action by the House of Representatives or the Senate, or any member or committee thereof.

(4) For purposes of registration and reporting, the term “lobbyist” does not include any of the following:

(a) A member of the Legislature.

(b) A person who is employed by the Legislature.

(c) A judge who is acting in that judge’s official capacity.

(d) A person who is a state officer holding elective office or an officer of a political subdivision of the state holding elective office and who is acting in that officer’s official capacity.

(e) A person who appears as a witness or for the purpose of providing information at the written request of the chair of a committee, subcommittee, or legislative delegation.

(f) A person employed by any executive or judicial
department of the state or any community college of the state
who makes a personal appearance or attendance before the House
of Representatives or the Senate, or any member or committee
thereof, while that person is on approved leave or outside
normal working hours and who does not otherwise meet the
definition of a lobbyist.

(5) When a person, regardless of whether the person is
registered as a lobbyist, appears before a committee of the
Legislature, that person must submit a Committee Appearance
Record as required by the respective house.

(6) The responsibilities of the Office and of the LRO under
Joint Rule One may be assigned to another entity by agreement of
the President of the Senate and the Speaker of the House of
Representatives for a contract period not to extend beyond
December 1 following the Organization Session of the next
biennium, provided that the powers and duties of the President,
the Speaker, the General Counsel of the Office of Legislative
Services, and any legislative committee referenced in Joint Rule
One may not be delegated.

1.2—Method of Registration

(1) Each person required to register with the LRO must
register through the LRCRS and attest to that person’s full
legal name, business address, e-mail address, and telephone
number; the name, business address, e-mail address, and
telephone number of each principal that person represents; and
the extent of any direct business association or partnership
that person has with any member of the Legislature. In addition,
if the lobbyist is a partner, owner, officer, or employee of a
lobbying firm, the lobbyist must state the name, address, and telephone number of each lobbying firm to which the lobbyist belongs and the e-mail address of the employee responsible for the submission of compensation reports. Registration is not complete until the LRCRS receives the principal’s authorization and the registration fee. Any changes to the information existing in the LRCRS must be updated online in the LRCRS within 15 days from the effective date of the change.

(2) Any person required to register must do so with respect to each principal prior to commencement of lobbying on behalf of that principal. The LRCRS will request authorization from the principal with the principal’s name, business address, e-mail address, and telephone number to confirm that the registrant is authorized to represent the principal. The principal or principal’s representative shall also identify and designate the principal’s main business pursuant to a classification system approved by the Office, which shall be the North American Industry Classification System (NAICS) six-digit numerical code that most accurately describes the principal’s main business.

(3) Any person required to register must renew the registration annually for each calendar year through the LRCRS.

(4) A lobbyist shall promptly cancel the registration for a principal upon termination of the lobbyist’s representation of that principal. A cancellation takes effect the day it is received by the LRCRS. Notwithstanding this requirement, the LRO may remove the name of a lobbyist from the list of registered lobbyists if the principal notifies the LRO in writing that the lobbyist is no longer authorized to represent that principal.

(5) The LRO shall retain registration information submitted
(6) A person required to register under Joint Rule One shall be considered a lobbyist of the Legislature for the purposes of ss. 11.045, 112.3148, and 112.3149, Florida Statutes.

1.3—Registration Costs; Exemptions

(1) To cover the costs incurred for the administration of Joint Rule One, each person who registers under Joint Rule 1.1 must pay an annual registration fee to the LRO. The annual period runs from January 1 to December 31. These fees must be paid at the time of registration.

(2) The following persons are exempt from paying the fee, provided they are designated in writing by the agency head or person designated in this subsection:

(a) Two employees of each department of the executive branch created under chapter 20, Florida Statutes.

(b) Two employees of the Fish and Wildlife Conservation Commission.

(c) Two employees of the Executive Office of the Governor.

(d) Two employees of the Commission on Ethics.

(e) Two employees of the Florida Public Service Commission.

(f) Two employees of the judicial branch designated in writing by the Chief Justice of the Florida Supreme Court.

(3) The annual fee is up to $50 per each house for a person to register to represent one principal and up to an additional $10 per house for each additional principal that the person registers to represent. The amount of each fee shall be established annually by the President of the Senate and the
Speaker of the House of Representatives. The fees set must be adequate to ensure operation of the lobbyists’ registration, compensation, and reporting functions. The fees collected by the LRO under this rule shall be deposited into the State Treasury and credited to the Legislative Lobbyist Registration Trust Fund specifically to cover the costs incurred in administering Joint Rule One.

1.4—Reporting of Lobbying Firm Compensation

(1)(a) Each lobbying firm shall file a compensation report with the LRO through the LRCRS for each calendar quarter during any portion of which one or more of the firm’s lobbyists were registered to represent a principal. The report must include the:

1. Full name, business address, and telephone number of the lobbying firm;
2. Registration name of each of the firm’s lobbyists; and
3. Total compensation provided or owed to the lobbying firm from all principals for the reporting period, reported in one of the following categories: $0; $1 to $49,999; $50,000 to $99,999; $100,000 to $249,999; $250,000 to $499,999; $500,000 to $999,999; or $1 million or more.

(b) For each principal represented by one or more of the firm’s lobbyists, the lobbying firm’s compensation report must also include the:

1. Full name, business address, and telephone number of the principal; and
2. Total compensation provided or owed to the lobbying firm for the reporting period, reported in one of the following
(c) If the lobbying firm subcontracts work from another lobbying firm and not from the original principal:
   1. The lobbying firm providing the work to be subcontracted shall be treated as the reporting lobbying firm’s principal for reporting purposes under this paragraph; and
   2. The reporting lobbying firm shall, for each lobbying firm identified as the reporting lobbying firm’s principal under paragraph (b), identify the name, business address, and telephone number of the principal originating the lobbying work.

(d) The senior partner, officer, or owner of the lobbying firm shall certify to the veracity and completeness of the information submitted pursuant to this rule; certify that no compensation has been omitted from this report by deeming such compensation as “consulting services,” “media services,” “professional services,” or anything other than compensation; and certify that no officer or employee of the firm has made an expenditure in violation of s. 11.045, Florida Statutes.

(2) For each principal represented by more than one lobbying firm, the Office shall aggregate the reporting-period and calendar-year compensation reported as provided or owed by the principal. Compensation reported within a category shall be aggregated as follows:

<table>
<thead>
<tr>
<th>Category (dollars)</th>
<th>Dollar amount to use aggregating</th>
</tr>
</thead>
</table>

CODING: Words 

are deletions; words 

are additions.
(3) The compensation reports shall be filed no later than 45 days after the end of each reporting period. The four reporting periods are from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31, respectively. The reports shall be rendered in the identical form provided by the respective houses and shall be open to public inspection.

(4) A report filed pursuant to this rule must be completed and filed through the LRCRS not later than 11:59 p.m. of the day designated in subsection (3). A report not filed by 11:59 p.m. of the day designated is a late-filed report and is subject to the penalties under Joint Rule 1.5(1).

(5) Each person given secure sign-on credentials in the LRCRS is responsible for protecting the credentials from

<table>
<thead>
<tr>
<th>Range</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>1-9,999</td>
<td>5,000</td>
</tr>
<tr>
<td>10,000-19,999</td>
<td>15,000</td>
</tr>
<tr>
<td>20,000-29,999</td>
<td>25,000</td>
</tr>
<tr>
<td>30,000-39,999</td>
<td>35,000</td>
</tr>
<tr>
<td>40,000-49,999</td>
<td>45,000</td>
</tr>
<tr>
<td>50,000 or more</td>
<td>Actual amount reported</td>
</tr>
</tbody>
</table>
disclosure and is responsible for all filings made by use of such credentials, unless and until the Office is notified that the person’s credentials have been compromised. Each report filed by electronic means pursuant to this rule shall be deemed certified in accordance with paragraph (1)(d) by the person given the secure sign-on credentials and, as such, subjects the person and the lobbying firm to the provisions of s. 11.045(8), Florida Statutes, as well as any discipline provided under the rules of the Senate or House of Representatives.

(6) If the President of the Senate and the Speaker of the House of Representatives jointly declare that the electronic system is not operable, the reports shall be filed in accordance with instructions on the LRCRS website which will be posted for a reasonable period of time.

1.5—Failure to File Timely Compensation Report; Notice and Assessment of Fines; Appeals

(1) Upon determining that the report is late, the LRCRS shall immediately notify the lobbying firm by e-mail as to the failure to timely file the report and that a fine is being assessed for each late day. The fine shall be $50 per day per report for each late day, not to exceed $5,000 per report.

(2) Upon submittal of the late-filed report by the lobbying firm, the LRCRS shall determine the amount of the fine based on the submittal date shown in the electronic receipt issued by the LRCRS.

(3) Such fine shall be paid within 30 days after the notice of payment due is transmitted by the LRCRS, unless an appeal is made to the LRO. The moneys shall be deposited into the
(4) A fine may not be assessed against a lobbying firm the first time the report for which the lobbying firm is responsible is not timely filed. However, to receive the one-time fine waiver, the report for which the lobbying firm is responsible must be filed within 30 days after the notice of failure to file is transmitted by the LRCRS. A fine shall be assessed for all subsequent late-filed reports.

(5) Any lobbying firm may appeal or dispute a fine, based upon unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the General Counsel of the Office of Legislative Services, who shall recommend to the President of the Senate and the Speaker of the House of Representatives, or their respective designees, that the fine be waived in whole or in part for good cause shown. The President of the Senate and the Speaker of the House of Representatives, or their respective designees, may, by joint agreement, concur in the recommendation and waive the fine in whole or in part. Any such request shall be made within 30 days after the notice of payment due is transmitted by the LRCRS. In such case, the lobbying firm shall, within the 30-day period, notify the LRO in writing of the firm’s intention to request a hearing.

(6) A lobbying firm may request that the filing of a report be waived upon good cause shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services, who shall make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of
the Senate and the Speaker of the House of Representatives may, by joint agreement, grant or deny the request.

(7)(a) All lobbyist registrations for lobbyists who are partners, owners, officers, or employees of a lobbying firm that fails to timely pay a fine are automatically suspended until the fine is paid or waived and all late reports have been filed or waived. The LRO shall promptly notify all affected principals, the President of the Senate, and the Speaker of the House of Representatives of any suspension or reinstatement. All lobbyists who are partners, owners, officers, or employees of a lobbying firm are jointly and severally liable for any outstanding fine owed by a lobbying firm.

(b) Such lobbyist may not be reinstated in any capacity representing any principal until the fine is paid and all late reports have been filed or waived or until the fine is waived as to that lobbyist and all late reports for that lobbyist have been filed or waived. A suspended lobbyist may request a waiver upon good cause shown, based on unusual circumstances. The request must be filed with the General Counsel of the Office of Legislative Services who shall, as soon as practicable, make a recommendation concerning the waiver request to the President of the Senate and the Speaker of the House of Representatives. The President of the Senate and the Speaker of the House of Representatives may, by joint agreement, grant or deny the request.

(8) The LRO shall notify the coordinator of the Office of the failure of a lobbying firm to file a report after notice or of the failure of a lobbying firm to pay the fine imposed.
1.6—Open Records; Internet Publication of Registrations and Compensation Reports

(1) All of the lobbyist registration forms and compensation reports received by the LRO shall be available for public inspection and for duplication at reasonable cost.

(2) The LRO shall make information filed pursuant to Joint Rules 1.2 and 1.4 reasonably available on the Internet in an easily understandable and accessible format through the LRCRS. The LRCRS must include, but not be limited to including, the names and business addresses of lobbyists, lobbying firms, and principals; the affiliations between lobbyists and principals; and the classification system designated and identified with respect to principals pursuant to Joint Rule 1.2.

1.7—Records Retention and Inspection and Complaint Procedure

(1) Each lobbying firm and each principal shall preserve for a period of 4 years all accounts, bills, receipts, computer records, books, papers, and other documents and records necessary to substantiate compensation reports and registration documentation.

(2) Upon receipt of a complaint based on the personal knowledge of the complainant made pursuant to the Senate Rules or the Rules of the House of Representatives, any such documents and records may be inspected when authorized by the President of the Senate or the Speaker of the House of Representatives, as applicable. The person authorized to perform the inspection shall be designated in writing and shall be a member of The Florida Bar or a certified public accountant licensed in Florida. Any information obtained by such an inspection may only
be used for purposes authorized by law, Joint Rule One, the
Senate Rules, or the Rules of the House of Representatives,
which purposes may include the imposition of sanctions against a
person subject to Joint Rule One, the Senate Rules, or the Rules
of the House of Representatives. Any employee who uses that
information for an unauthorized purpose is subject to
discipline. Any member who uses that information for an
unauthorized purpose is subject to discipline under the
applicable rules of each house.

(3) The right of inspection may be enforced by appropriate
writ issued by any court of competent jurisdiction.

1.8—Questions Regarding Interpretation of Joint Rule One

(1) A person may request in writing an informal opinion
from the General Counsel of the Office of Legislative Services
as to the application of Joint Rule One to a specific situation
involving that person’s conduct. The General Counsel shall issue
the opinion within 10 days after receiving the request. The
informal opinion may be relied upon by the person who requested
the informal opinion. A copy of each informal opinion that is
issued shall be provided to the presiding officer of each house.
A committee of either house designated pursuant to section
11.045(5), Florida Statutes, may revise any informal opinion
rendered by the General Counsel through an advisory opinion to
the person who requested the informal opinion. The advisory
opinion shall supersede the informal opinion as of the date the
advisory opinion is issued.

(2) A person in doubt about the applicability or
interpretation of Joint Rule One with respect to that person’s
conduct may submit in writing the facts for an advisory opinion to the committee of either house designated pursuant to s. 11.045(5), Florida Statutes, and may appear in person before the committee in accordance with s. 11.045(5), Florida Statutes.

1.9—Effect of Readoption and Revision
All obligations existing under Joint Rule One as of the last day of the previous legislative biennium are hereby ratified, preserved, and reimposed pursuant to the terms thereof as of that date. The provisions of Joint Rule One are imposed retroactively to the first day of the present legislative biennium except that provisions new to this revision are effective on the date of adoption or as otherwise expressly provided herein.

Joint Rule Two—General Appropriations Review Period

2.1—General Appropriations and Related Bills; Review Periods
(1) A general appropriations bill shall be subject to a 72-hour public review period before a vote is taken on final passage of the bill in the form that will be presented to the Governor.
(2) If a bill is returned to the house in which the bill originated and the originating house does not concur in all the amendments or adds additional amendments, no further action shall be taken on the bill by the nonoriginating house, and a conference committee shall be established by operation of this rule to consider the bill.
(3) If a bill is referred to a conference committee by
operation of this rule, a 72-hour public review period shall be provided prior to a vote being taken on the conference committee report by either house.

(4) A copy of the bill, a copy of the bill with amendments adopted by the nonoriginating house, or the conference committee report shall be furnished to each member of the Legislature, the Governor, the Chief Justice of the Supreme Court, and each member of the Cabinet. Copies for the Governor, Chief Justice, and members of the Cabinet shall be furnished to the official’s office in the Capitol or Supreme Court Building.

(5) (a) Copies required to be furnished under subsection (4) shall be furnished to members of the Legislature as follows:

1. A printed copy may be placed on each member’s desk in the appropriate chamber; or

2. An electronic copy may be furnished to each member. The Legislature hereby deems and determines that a copy shall have been furnished to the members of the Legislature when an electronic copy is made available to every member of the Legislature. An electronic copy is deemed to have been made available when it is accessible via the Internet or other information network consisting of systems ordinarily serving the members of the Senate or the House of Representatives.

(b) An official other than a member of the Legislature who is to be furnished a copy of a general appropriations bill under subsection (4) may officially request that an electronic copy of the bill be furnished in lieu of a printed copy, and, if practicable, the copy may be furnished to the official in the manner requested.

(6) The Secretary of the Senate shall be responsible for
furnishing copies under this rule for Senate bills, House bills 
as amended by the Senate, and conference committee reports on 
Senate bills. The Clerk of the House shall be responsible for 
furnishing copies under this rule for House bills, Senate bills 
as amended by the House, and conference committee reports on 
House bills.

(7) The 72-hour public review period shall begin to run 
upon completion of the furnishing of copies required to be 
furnished under subsection (4). The Speaker of the House of 
Representatives and the President of the Senate, as appropriate, 
shall be informed of the completion time, and such time shall be 
announced on the floor prior to vote on final passage in each 
house and shall be entered in the journal of each house. 
Saturdays, Sundays, and holidays shall be included in the 
computation under this rule.

(8) An implementing or conforming bill recommended by a 
conference committee shall be subject to a 24-hour public review 
period before a vote is taken on the conference committee report 
by either house, if the conference committee submits its report 
after the furnishing of a general appropriations bill to which 
the 72-hour public review period applies.

(9) With respect to each bill that may be affected, a 
member of the Senate or the House of Representatives may not 
raise a point of order under this rule after a vote is taken on 
the bill. Except as may be required by the Florida Constitution, 
noncompliance with any requirement of this rule may be waived by 
a two-thirds vote of those members present and voting in each 
house.
2.2—General Appropriations and Related Bills; Definitions

As used in Joint Rule Two, the term:

(1) “Conforming bill” means a bill that amends the Florida Statutes to conform to a general appropriations bill.

(2) “General appropriations bill” means a bill that provides for the salaries of public officers and other current expenses of the state and contains no subject other than appropriations. A bill that contains appropriations that are incidental and necessary solely to implement a substantive law is not included within this term. For the purposes of Joint Rule Two and Section 19(d) of Article III of the Florida Constitution, the Legislature hereby determines that, after a general appropriations bill has been enacted and establishes governing law for a particular fiscal year, a bill considered in any subsequent session that makes net reductions in such enacted appropriations or that makes supplemental appropriations shall not be deemed to be a general appropriations bill unless such bill provides for the salaries of public officers and other current expenses of the state for a subsequent fiscal year.

(3) “Implementing bill” means a bill, effective for one fiscal year, implementing a general appropriations bill.

Joint Rule Three—Joint Legislative Offices and Policies

3.1—Joint Legislative Offices

(1) The following offices of the Legislature are established:

(a) Office of Economic and Demographic Research.

(b) Office of Legislative Information Technology Services.
(c) Office of Legislative Services.

(d) Office of Program Policy Analysis and Government Accountability.

(2) Offices established under this rule shall provide support services to the Legislature that are determined by the President of the Senate and the Speaker of the House of Representatives to be necessary and that can be effectively provided jointly to both houses and other units of the Legislature. Each office shall be directed by a coordinator selected by and serving at the pleasure of the President of the Senate and the Speaker of the House of Representatives. Upon the initial adoption of these joint rules in a biennium, each coordinator position shall be deemed vacant until an appointment is made.

(3) Within the monetary limitations of the approved operating budget, the salaries and expenses of the coordinator and the staff of each office shall be governed by joint policies.

(4) The Office of Legislative Services shall provide legislative support services other than those prescribed in subsections (5)-(7).

(5) The Office of Legislative Information Technology Services shall provide support services to assist the Legislature in achieving its objectives through the application of cost-effective information technology.

(6) The Office of Economic and Demographic Research shall provide research support services, principally regarding forecasting economic and social trends that affect policymaking, revenues, and appropriations.
(7) The Office of Program Policy Analysis and Government Accountability shall:

(a) Perform independent examinations, program reviews, and other projects as provided by general law, as provided by concurrent resolution, as directed by the Legislative Auditing Committee, or as directed by the President of the Senate or the Speaker of the House and shall provide recommendations, training, or other services to assist the Legislature.

(b) Transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by office reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues.

3.2–Joint Policies

(1) The President of the Senate and the Speaker of the House of Representatives shall jointly adopt policies they consider advisable to carry out the functions of the Legislature. Such policies shall be binding on all employees of joint offices and joint committees.

(2) The employees of all joint committees and joint legislative offices shall be under the exclusive control of the Legislature. No officer or agency in the executive or judicial branch shall exercise any manner of control over legislative employees with respect to the exercise of their duties or the terms and conditions of their employment.
4.1—Standing Joint Committees

(1) The following standing joint committees are established:

(a) Administrative Procedures Committee.
(b) Committee on Public Counsel Oversight.
(c) Legislative Auditing Committee.

(2) No other joint committee shall exist except as agreed to by the presiding officers or by concurrent resolution approved by the Senate and the House of Representatives.

(3) Appointments to each standing joint committee shall be made or altered and vacancies shall be filled by the Senate and the House of Representatives in accordance with their respective rules. There shall be appointed to each standing joint committee no fewer than five and no more than seven members from each house.

(4)(a) The President of the Senate shall appoint a member of the Senate to serve as the chair, and the Speaker of the House of Representatives shall appoint a member of the House of Representatives to serve as the vice chair, for:

1. The Legislative Auditing Committee and the Committee on Public Counsel Oversight, for the period from the Organization Session until noon on December 1 of the calendar year following the general election.

2. The Administrative Procedures Committee for the period from noon on December 1 of the calendar year following the general election until the next general election.

(b) The Speaker of the House of Representatives shall appoint a member of the House of Representatives to serve as the
chair, and the President of the Senate shall appoint a member of
the Senate to serve as the vice chair, for:

1. The Legislative Auditing Committee and the Committee on
Public Counsel Oversight, for the period from noon on December 1
of the calendar year following the general election until the
next general election.

2. The Administrative Procedures Committee for the period
from the Organization Session until noon on December 1 of the
calendar year following the general election.

(c) A vacancy in an appointed chair or vice chair shall be
filled in the same manner as the original appointment.

4.2—Procedures in Joint Committees
The following rules shall govern procedures in joint committees
other than conference committees:

(1) A quorum for a joint committee shall be a majority of
the appointees of each house. No business of any type may be
conducted in the absence of a quorum.

(2)(a) Joint committees shall meet only within the dates,
times, and locations authorized by both the President of the
Senate and the Speaker of the House of Representatives.

(b) Joint committee meetings shall meet at the call of the
chair. In the absence of the chair, the vice chair shall assume
the duty to convene and preside over meetings and such other
duties as provided by law or joint rule. During a meeting
properly convened, the presiding chair may temporarily assign
the duty to preside at that meeting to another joint committee
member until the assignment is relinquished or revoked.

(c) Before any joint committee may hold a meeting, a notice
of such meeting shall be provided to the Secretary of the Senate and the Clerk of the House of Representatives no later than 4:30 p.m. of the 7th day before the meeting. For purposes of effecting notice to members of the house to which the chair does not belong, notice to the Secretary of the Senate shall be deemed notice to members of the Senate and notice to the Clerk of the House shall be deemed notice to members of the House of Representatives. Noticed meetings may be canceled by the chair with the approval of at least one presiding officer.

(d) If a majority of its members from each house agree, a joint committee may continue a properly noticed meeting after the expiration of the time called for the meeting. However, a joint committee may not meet beyond the time authorized by the presiding officers without special leave granted by both presiding officers.

(3) The presiding officers shall interpret, apply, and enforce rules governing joint committees by agreement when the rule at issue is a joint rule. Unless otherwise determined or overruled by an agreement of the presiding officers, the chair shall determine all questions of order arising in joint committee meetings, but such determinations may be appealed to the committee during the meeting.

(4) Each question, including any appeal of a ruling of the chair, shall be decided by a majority vote of the members of the joint committee of each house present and voting.

4.3–Powers of Joint Committees
(1) A joint committee may exercise the subpoena powers vested by law in a standing committee of the Legislature. A
subpoena issued under this rule must be approved and signed by
the President of the Senate and the Speaker of the House of
Representatives and attested by the Secretary of the Senate and
the Clerk of the House.

(2) A joint committee may adopt rules of procedure that do
not conflict with the Florida Constitution or any law or joint
rule, subject to the joint approval of the President of the
Senate and the Speaker of the House of Representatives.

(3) A joint committee may not create subcommittees or
workgroups unless authorized by both presiding officers.

4.4—Administration of Joint Committees

(1) Within the monetary limitations of the approved
operating budget, the expenses of the members and the salaries
and expenses of the staff of each joint committee shall be
governed by joint policies adopted under Joint Rule 3.2. Within
such operating budget, the chair of each joint committee shall
approve all authorized member expenses.

(2) Subject to joint policies adopted under Joint Rule 3.2,
the presiding officers shall appoint and remove the staff
director and, if needed, a general counsel and any other staff
necessary to assist each joint committee. All joint committee
staff shall serve at the pleasure of the presiding officers.

Upon the initial adoption of these joint rules in a biennium,
each joint committee staff director position shall be deemed
vacant until an appointment is made.

4.5—Special Powers and Duties of the Legislative Auditing
Committee
(1) The Legislative Auditing Committee may direct the Auditor General or the Office of Program Policy Analysis and Government Accountability to conduct an audit, review, or examination of any entity or record described in s. 11.45(2) or (3), Florida Statutes.

(2) The Legislative Auditing Committee may receive requests for audits and reviews from legislators and any audit request, petition for audit, or other matter for investigation directed or referred to it pursuant to general law. The committee may make any appropriate disposition of such requests or referrals and shall, within a reasonable time, report to the requesting party the disposition of any audit request.

(3) The Legislative Auditing Committee may review the performance of the Auditor General and report thereon to the Senate and the House of Representatives.

4.6—Special Powers and Duties of the Administrative Procedures Committee

The Administrative Procedures Committee shall:

(1) Maintain a continuous review of the statutory authority on which each administrative rule is based and, whenever such authority is eliminated or significantly changed by repeal, amendment, holding by a court of last resort, or other factor, advise the agency concerned of the fact.

(2) Maintain a continuous review of administrative rules and identify and request an agency to repeal any rule or any provision of any rule that reiterates or paraphrases any statute or for which the statutory authority has been repealed.

(3) Review administrative rules and advise the agencies...
(4) Exercise the duties prescribed by chapter 120, Florida Statutes, concerning the adoption and promulgation of rules.

(5) Generally review agency action pursuant to the operation of chapter 120, Florida Statutes, the Administrative Procedure Act.

(6) Report to the President of the Senate and the Speaker of the House of Representatives at least annually, no later than the first week of the regular session, and recommend needed legislation or other appropriate action. Such report shall include the number of objections voted by the committee, the number of suspensions recommended by the committee, the number of administrative determinations filed on the invalidity of a proposed or existing rule, the number of petitions for judicial review filed on the invalidity of a proposed or existing rule, and the outcomes of such actions. Such report shall also include any recommendations provided to the standing committees during the preceding year under subsection (11).

(7) Consult regularly with legislative standing committees that have jurisdiction over the subject areas addressed in agency proposed rules regarding legislative authority for the proposed rules and other matters relating to legislative authority for agency action.

(8) Subject to the approval of the President of the Senate and the Speaker of the House of Representatives, have standing to seek judicial review, on behalf of the Legislature or the citizens of this state, of the validity or invalidity of any administrative rule to which the committee has voted an objection and that has not been withdrawn, modified, repealed,
or amended to meet the objection. Judicial review under this subsection may not be initiated until the Governor and the head of the agency making the rule to which the committee has objected have been notified of the committee’s proposed action and have been given a reasonable opportunity, not to exceed 60 days, for consultation with the committee. The committee may expend public funds from its appropriation for the purpose of seeking judicial review.

(9) Maintain a continuous review of the administrative rulemaking process, including a review of agency procedure and of complaints based on such agency procedure.

(10) Establish measurement criteria to evaluate whether agencies are complying with the delegation of legislative authority in adopting and implementing rules.

(11) Maintain a continuous review of statutes that authorize agencies to adopt rules and shall make recommendations to the appropriate standing committees of the Senate and the House of Representatives as to the advisability of considering changes to the delegated legislative authority to adopt rules in specific circumstances.

4.7—Special Powers and Duties of the Committee on Public Counsel Oversight

(1) The Committee on Public Counsel Oversight shall appoint a Public Counsel.

(2) The Committee on Public Counsel Oversight may file a complaint with the Commission on Ethics alleging a violation of chapter 350, Florida Statutes, by a current or former public service commissioner, an employee of the Public Service
Commission, or a member of the Public Service Commission Nominating Council.

(3) Notwithstanding Joint Rule 4.4(2), the Committee on Public Counsel Oversight shall not have any permanent staff but shall be served as needed by other legislative staff selected by the President of the Senate and the Speaker of the House of Representatives.

Joint Rule Five—Auditor General

5.1—Rulemaking Authority
The Auditor General shall make and enforce reasonable rules and regulations necessary to facilitate audits that he or she is authorized to perform.

5.2—Budget and Accounting
(1) The Auditor General shall prepare and submit annually to the President of the Senate and the Speaker of the House of Representatives for their joint approval a proposed budget for the ensuing fiscal year.

(2) Within the limitations of the approved operating budget, the salaries and expenses of the Auditor General and the staff of the Auditor General shall be paid from the appropriation for legislative expense or any other moneys appropriated by the Legislature for that purpose. The Auditor General shall approve all bills for salaries and expenses for his or her staff before the same shall be paid.

5.3—Audit Report Distribution
(1) A copy of each audit report shall be submitted to the Governor, to the Chief Financial Officer, and to the officer or person in charge of the state agency or political subdivision audited. One copy shall be filed as a permanent public record in the office of the Auditor General. In the case of county reports, one copy of the report of each county office, school district, or other district audited shall be submitted to the board of county commissioners of the county in which the audit was made and shall be filed in the office of the clerk of the circuit court of that county as a public record. When an audit is made of the records of the district school board, a copy of the audit report shall also be filed with the district school board, and thereupon such report shall become a part of the public records of such board.

(2) A copy of each audit report shall be made available to each member of the Legislative Auditing Committee.

(3) The Auditor General shall transmit a copy of each audit report to the appropriate substantive and fiscal committees of the Senate and House of Representatives.

(4) Other copies may be furnished to other persons who, in the opinion of the Auditor General, are directly interested in the audit or who have a duty to perform in connection therewith.

(5) The Auditor General shall transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by audit reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues. The Auditor General may also transmit recommendations at other times.
(6) A copy required to be provided under this rule may be provided in an electronic or other digital format if the Auditor General determines that the intended recipient has appropriate resources to review the copy. Copies to members, committees, and offices of the Legislature shall be provided in electronic format as may be provided in joint policies adopted under Joint Rule 3.2.

Joint Rule Six—Joint Legislative Budget Commission

6.1—General Responsibilities

(1) The commission, as provided in chapter 216, Florida Statutes, shall receive and review notices of budget and personnel actions taken or proposed to be taken by the executive and judicial branches and shall approve or disapprove such actions.

(2) Through its chair, the commission shall advise the Governor and the Chief Justice of actions or proposed actions that exceed delegated authority or that are contrary to legislative policy and intent.

(3) To the extent possible, the commission shall inform members of the Legislature of budget amendments requested by the executive or judicial branches.

(4) The commission shall consult with the Chief Financial Officer and the Executive Office of the Governor on matters as required by chapter 216, Florida Statutes.

(5) The President of the Senate and the Speaker of the
(6) The commission shall develop policies and procedures necessary to carry out its assigned responsibilities, subject to the joint approval of the President of the Senate and the Speaker of the House of Representatives.

(7) The commission, with the approval of the President of the Senate and the Speaker of the House of Representatives, may appoint subcommittees as necessary to facilitate its work.

6.2—Organizational Structure

(1) The commission is not subject to Joint Rule Four. The commission shall be composed of seven members of the Senate appointed by the President of the Senate and seven members of the House of Representatives appointed by the Speaker of the House of Representatives.

(2) The commission shall be jointly staffed by the appropriations committees of both houses. The Senate shall provide the lead staff when the chair of the commission is a member of the Senate. The House of Representatives shall provide the lead staff when the chair of the commission is a member of the House of Representatives.

6.3—Notice of Commission Meetings

Not less than 7 days prior to a meeting of the commission, a notice of the meeting, stating the items to be considered, date, time, and place, shall be filed with the Secretary of the Senate when the chair of the commission is a member of the Senate or...
with the Clerk of the House when the chair of the commission is a member of the House of Representatives. The Secretary of the Senate or the Clerk of the House shall distribute notice to the Legislature and the public, consistent with the rules and policies of their respective houses.

6.4—Effect of Adoption; Intent
This Joint Rule Six replaces all prior joint rules governing the Joint Legislative Budget Commission and is intended to implement constitutional provisions relating to the Joint Legislative Budget Commission existing as of the date of the rule’s adoption.

Joint Rule Seven—Qualifications of Members

7.1—Residency
(1) A member shall be a legal resident and elector of his or her district at the time of election and shall maintain his or her legal residence within that district for the duration of his or her term of office. While a member may have multiple residences, he or she shall have only one legal residence. The legal residence of a member at a designated location is demonstrated by a totality of the circumstances. Factors to be considered include, but are not limited to:
   (a) Where one claims to reside, as reflected in statements to others or in official documents;
   (b) The abandonment of a prior legal residence, as evidenced by moving from or selling a prior legal residence;
   (c) The abandonment of rights and privileges associated
with a prior legal residence;

(d) Where one is registered as a voter;

(e) Where one claims a legal residence for a homestead exemption;

(f) Where one claims a legal residence for a driver license or other government privilege or benefit;

(g) The transfer of one’s bank accounts to the district where one maintains a legal residence;

(h) Where one’s spouse and minor children maintain a legal residence, work, and attend school;

(i) Where one receives mail and other correspondence;

(j) Where one customarily resides;

(k) Where one conducts business affairs;

(l) Where one rents or leases property; and

(m) Where one plans the construction of a new legal residence.

(2) In accordance with Section 3 of Article X of the Florida Constitution, a vacancy in office occurs when a member fails to maintain a legal residence within his or her district as required at the time of election.

(3) In accordance with Section 2 of Article III of the Florida Constitution, each house of the Legislature shall be the sole judge of the qualifications of its members, including whether a member no longer satisfies his or her qualifications for office.

(4) Each member shall affirm in writing that he or she is a legal resident and elector of his or her district based on the provisions of this Joint Rule. Each member shall file the written affirmation with the Secretary of the Senate or the
Clerk of the House of Representatives before the convening of Organization Session following each general election. For a member who is elected pursuant to a special election, the member must execute the written affirmation before or concurrent with taking the oath of office and provide such affirmation to the Secretary of the Senate or the Clerk of the House of Representatives. The form of the written affirmation shall be prescribed by the Secretary of the Senate and the Clerk of the House of Representatives for members of their respective house of the Legislature.