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1  
2 A concurrent resolution establishing the Joint Rules  
3 of the Florida Legislature for the 2014-2016 term.

4  
5 Be It Resolved by the Senate of the State of Florida, the House  
6 of Representatives Concurring:

7  
8 That the following joint rules shall govern the Florida  
9 Legislature for the 2014-2016 term:

10  
11 JOINT RULES

12 Joint Rule One—Lobbyist Registration and Compensation Reporting

13  
14 1.1—Those Required to Register; Exemptions; Committee Appearance  
15 Records

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

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

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

26 (b) "Legislative action" means introduction, sponsorship,  
27 testimony, debate, voting, or any other official action on any  
28 measure, resolution, amendment, nomination, appointment, or  
29 report of, or any matter that may be the subject of action by,

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30 either house of the Legislature or any committee thereof.

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

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

48 (e) "Lobbyist" means a person who is employed and receives  
49 payment, or who contracts for economic consideration, for the  
50 purpose of lobbying or a person who is principally employed for  
51 governmental affairs by another person or governmental entity to  
52 lobby on behalf of that other person or governmental entity. An  
53 employee of the principal is not a lobbyist unless the employee  
54 is principally employed for governmental affairs. The term  
55 "principally employed for governmental affairs" means that one  
56 of the principal or most significant responsibilities of the  
57 employee to the employer is overseeing the employer's various  
58 relationships with government or representing the employer in

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59 its contacts with government. Any person employed by the  
60 Governor, the Executive Office of the Governor, or any executive  
61 or judicial department of the state or any community college of  
62 the state who seeks to encourage the passage, defeat, or  
63 modification of any legislation by personal appearance or  
64 attendance before the House of Representatives or the Senate, or  
65 any member or committee thereof, is a lobbyist.

66 (f) "Lobbyist Registration and Compensation Reporting  
67 System (LRCRS)" means the online application that serves as the  
68 system of record for the Lobbyist Registration Office in the  
69 Office of Legislative Services and consists of the electronic  
70 registration system and the electronic filing system.

71 (g) "LRO" means the Lobbyist Registration Office in the  
72 Office of Legislative Services.

73 (h) "Office" means the Office of Legislative Services.

74 (i) "Payment" or "salary" means wages or any other  
75 consideration provided in exchange for services but does not  
76 include reimbursement for expenses.

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

83 (k) "Unusual circumstances," with respect to any failure of  
84 a person to satisfy a filing requirement, means uncommon, rare,  
85 or sudden events over which the person has no control and which  
86 directly result in the failure to satisfy the filing  
87 requirement.

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88 (3) For purposes of Joint Rule One, the terms "lobby" and  
89 "lobbying" do not include any of the following:

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

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

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

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

103 (4) For purposes of registration and reporting, the term  
104 "lobbyist" does not include any of the following:

105 (a) A member of the Legislature.

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

107 (c) A judge who is acting in that judge's official  
108 capacity.

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

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

116 (f) A person employed by any executive or judicial

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117 department of the state or any community college of the state  
118 who makes a personal appearance or attendance before the House  
119 of Representatives or the Senate, or any member or committee  
120 thereof, while that person is on approved leave or outside  
121 normal working hours and who does not otherwise meet the  
122 definition of a lobbyist.

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

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

136  
137 1.2-Method of Registration

138 (1) Each person required to register with the LRO must  
139 register through the LRCRS and attest to that person's full  
140 legal name, business address, e-mail address, and telephone  
141 number; the name, business address, e-mail address, and  
142 telephone number of each principal that person represents; and  
143 the extent of any direct business association or partnership  
144 that person has with any member of the Legislature. In addition,  
145 if the lobbyist is a partner, owner, officer, or employee of a

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146 lobbying firm, the lobbyist must state the name, address, and  
147 telephone number of each lobbying firm to which the lobbyist  
148 belongs and the e-mail address of the employee responsible for  
149 the submission of compensation reports. Registration is not  
150 complete until the LRCRS receives the principal's authorization  
151 and the registration fee. Any changes to the information  
152 existing in the LRCRS must be updated online in the LRCRS within  
153 15 days from the effective date of the change.

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

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

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

174 (5) The LRO shall retain registration information submitted

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175 under this rule.

176 (6) A person required to register under Joint Rule One  
177 shall be considered a lobbyist of the Legislature for the  
178 purposes of ss. 11.045, 112.3148, and 112.3149, Florida  
179 Statutes.

180

181 1.3-Registration Costs; Exemptions

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

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

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

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

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

195 (d) Two employees of the Commission on Ethics.

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

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

199 (3) The annual fee is up to \$50 per each house for a person  
200 to register to represent one principal and up to an additional  
201 \$10 per house for each additional principal that the person  
202 registers to represent. The amount of each fee shall be  
203 established annually by the President of the Senate and the

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204 Speaker of the House of Representatives. The fees set must be  
205 adequate to ensure operation of the lobbyists' registration,  
206 compensation, and reporting functions. The fees collected by the  
207 LRO under this rule shall be deposited into the State Treasury  
208 and credited to the Legislative Lobbyist Registration Trust Fund  
209 specifically to cover the costs incurred in administering Joint  
210 Rule One.

211  
212 1.4-Reporting of Lobbying Firm Compensation

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

218 1. Full name, business address, and telephone number of the  
219 lobbying firm;

220 2. Registration name of each of the firm's lobbyists; and

221 3. Total compensation provided or owed to the lobbying firm  
222 from all principals for the reporting period, reported in one of  
223 the following categories: \$0; \$1 to \$49,999; \$50,000 to \$99,999;  
224 \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to  
225 \$999,999; or \$1 million or more.

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

229 1. Full name, business address, and telephone number of the  
230 principal; and

231 2. Total compensation provided or owed to the lobbying firm  
232 for the reporting period, reported in one of the following



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233 categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to  
234 \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or  
235 more. If the category "\$50,000 or more" is selected, the  
236 specific dollar amount of compensation must be reported, rounded  
237 up or down to the nearest \$1,000.

238 (c) If the lobbying firm subcontracts work from another  
239 lobbying firm and not from the original principal:

240 1. The lobbying firm providing the work to be subcontracted  
241 shall be treated as the reporting lobbying firm's principal for  
242 reporting purposes under this paragraph; and

243 2. The reporting lobbying firm shall, for each lobbying  
244 firm identified as the reporting lobbying firm's principal under  
245 paragraph (b), identify the name, business address, and  
246 telephone number of the principal originating the lobbying work.

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

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

260

Category (dollars)	Dollar amount to use aggregating
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261

0 0

262

1-9,999 5,000

263

10,000-19,999 15,000

264

20,000-29,999 25,000

265

30,000-39,999 35,000

266

40,000-49,999 45,000

267

50,000 or more Actual amount reported

268

269 (3) The compensation reports shall be filed no later than  
270 45 days after the end of each reporting period. The four  
271 reporting periods are from January 1 through March 31, April 1  
272 through June 30, July 1 through September 30, and October 1  
273 through December 31, respectively. The reports shall be rendered  
274 in the identical form provided by the respective houses and  
275 shall be open to public inspection.

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

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

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283 disclosure and is responsible for all filings made by use of  
284 such credentials, unless and until the Office is notified that  
285 the person's credentials have been compromised. Each report  
286 filed by electronic means pursuant to this rule shall be deemed  
287 certified in accordance with paragraph (1)(d) by the person  
288 given the secure sign-on credentials and, as such, subjects the  
289 person and the lobbying firm to the provisions of s. 11.045(8),  
290 Florida Statutes, as well as any discipline provided under the  
291 rules of the Senate or House of Representatives.

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

297  
298 1.5--Failure to File Timely Compensation Report; Notice and  
299 Assessment of Fines; Appeals

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

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

309 (3) Such fine shall be paid within 30 days after the notice  
310 of payment due is transmitted by the LRCRS, unless an appeal is  
311 made to the LRO. The moneys shall be deposited into the

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312 Legislative Lobbyist Registration Trust Fund.

313 (4) A fine may not be assessed against a lobbying firm the  
314 first time the report for which the lobbying firm is responsible  
315 is not timely filed. However, to receive the one-time fine  
316 waiver, the report for which the lobbying firm is responsible  
317 must be filed within 30 days after the notice of failure to file  
318 is transmitted by the LRCRS. A fine shall be assessed for all  
319 subsequent late-filed reports.

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

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

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341 the Senate and the Speaker of the House of Representatives may,  
342 by joint agreement, grant or deny the request.

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

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

366 (8) The LRO shall notify the coordinator of the Office of  
367 the failure of a lobbying firm to file a report after notice or  
368 of the failure of a lobbying firm to pay the fine imposed.  
369

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370 1.6—Open Records; Internet Publication of Registrations and  
371 Compensation Reports

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

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

383

384 1.7—Records Retention and Inspection and Complaint Procedure

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

390 (2) Upon receipt of a complaint based on the personal  
391 knowledge of the complainant made pursuant to the Senate Rules  
392 or the Rules of the House of Representatives, any such documents  
393 and records may be inspected when authorized by the President of  
394 the Senate or the Speaker of the House of Representatives, as  
395 applicable. The person authorized to perform the inspection  
396 shall be designated in writing and shall be a member of The  
397 Florida Bar or a certified public accountant licensed in  
398 Florida. Any information obtained by such an inspection may only

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399 be used for purposes authorized by law, Joint Rule One, the  
400 Senate Rules, or the Rules of the House of Representatives,  
401 which purposes may include the imposition of sanctions against a  
402 person subject to Joint Rule One, the Senate Rules, or the Rules  
403 of the House of Representatives. Any employee who uses that  
404 information for an unauthorized purpose is subject to  
405 discipline. Any member who uses that information for an  
406 unauthorized purpose is subject to discipline under the  
407 applicable rules of each house.

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

410

411 1.8-Questions Regarding Interpretation of Joint Rule One

412 (1) A person may request in writing an informal opinion  
413 from the General Counsel of the Office of Legislative Services  
414 as to the application of Joint Rule One to a specific situation  
415 involving that person's conduct. The General Counsel shall issue  
416 the opinion within 10 days after receiving the request. The  
417 informal opinion may be relied upon by the person who requested  
418 the informal opinion. A copy of each informal opinion that is  
419 issued shall be provided to the presiding officer of each house.  
420 A committee of either house designated pursuant to section  
421 11.045(5), Florida Statutes, may revise any informal opinion  
422 rendered by the General Counsel through an advisory opinion to  
423 the person who requested the informal opinion. The advisory  
424 opinion shall supersede the informal opinion as of the date the  
425 advisory opinion is issued.

426 (2) A person in doubt about the applicability or  
427 interpretation of Joint Rule One with respect to that person's

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428 conduct may submit in writing the facts for an advisory opinion  
429 to the committee of either house designated pursuant to s.  
430 11.045(5), Florida Statutes, and may appear in person before the  
431 committee in accordance with s. 11.045(5), Florida Statutes.

432  
433 1.9—Effect of Readoption and Revision

434 All obligations existing under Joint Rule One as of the last day  
435 of the previous legislative biennium are hereby ratified,  
436 preserved, and reimposed pursuant to the terms thereof as of  
437 that date. The provisions of Joint Rule One are imposed  
438 retroactively to the first day of the present legislative  
439 biennium except that provisions new to this revision are  
440 effective on the date of adoption or as otherwise expressly  
441 provided herein.

442  
443 Joint Rule Two—General Appropriations Review Period

444  
445 2.1—General Appropriations and Related Bills; Review Periods

446 (1) A general appropriations bill shall be subject to a 72-  
447 hour public review period before a vote is taken on final  
448 passage of the bill in the form that will be presented to the  
449 Governor.

450 (2) If a bill is returned to the house in which the bill  
451 originated and the originating house does not concur in all the  
452 amendments or adds additional amendments, no further action  
453 shall be taken on the bill by the nonoriginating house, and a  
454 conference committee shall be established by operation of this  
455 rule to consider the bill.

456 (3) If a bill is referred to a conference committee by



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457 operation of this rule, a 72-hour public review period shall be  
458 provided prior to a vote being taken on the conference committee  
459 report by either house.

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

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

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

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

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

485 (6) The Secretary of the Senate shall be responsible for

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486 furnishing copies under this rule for Senate bills, House bills  
487 as amended by the Senate, and conference committee reports on  
488 Senate bills. The Clerk of the House shall be responsible for  
489 furnishing copies under this rule for House bills, Senate bills  
490 as amended by the House, and conference committee reports on  
491 House bills.

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

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

507 (9) With respect to each bill that may be affected, a  
508 member of the Senate or the House of Representatives may not  
509 raise a point of order under this rule after a vote is taken on  
510 the bill. Except as may be required by the Florida Constitution,  
511 noncompliance with any requirement of this rule may be waived by  
512 a two-thirds vote of those members present and voting in each  
513 house.

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515 2.2-General Appropriations and Related Bills; Definitions

516 As used in Joint Rule Two, the term:

517 (1) "Conforming bill" means a bill that amends the Florida  
518 Statutes to conform to a general appropriations bill.

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

534 (3) "Implementing bill" means a bill, effective for one  
535 fiscal year, implementing a general appropriations bill.

536

537 Joint Rule Three-Joint Offices and Policies

538

539 3.1-Joint Legislative Offices

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

542 (a) Office of Economic and Demographic Research.

543 (b) Office of Legislative Information Technology Services.

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544 (c) Office of Legislative Services.

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

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

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

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

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

569 (6) The Office of Economic and Demographic Research shall  
570 provide research support services, principally regarding  
571 forecasting economic and social trends that affect policymaking,  
572 revenues, and appropriations.

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573 (7) The Office of Program Policy Analysis and Government  
574 Accountability shall:

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

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

587

### 588 3.2-Joint Policies

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

594 (2) The employees of all joint committees and joint  
595 legislative offices shall be under the exclusive control of the  
596 Legislature. No officer or agency in the executive or judicial  
597 branch shall exercise any manner of control over legislative  
598 employees with respect to the exercise of their duties or the  
599 terms and conditions of their employment.

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601 Joint Rule Four-Joint Committees

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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

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631 chair, and the President of the Senate shall appoint a member of  
632 the Senate to serve as the vice chair, for:

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

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

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

642

643 4.2-Procedures in Joint Committees

644 The following rules shall govern procedures in joint committees  
645 other than conference committees:

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

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

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

659 (c) Before any joint committee may hold a meeting, a notice

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660 of such meeting shall be provided to the Secretary of the Senate  
661 and the Clerk of the House of Representatives no later than 4:30  
662 p.m. of the 7th day before the meeting. For purposes of  
663 effecting notice to members of the house to which the chair does  
664 not belong, notice to the Secretary of the Senate shall be  
665 deemed notice to members of the Senate and notice to the Clerk  
666 of the House shall be deemed notice to members of the House of  
667 Representatives. Noticed meetings may be canceled by the chair  
668 with the approval of at least one presiding officer.

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

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

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

685

#### 686 4.3-Powers of Joint Committees

687 (1) A joint committee may exercise the subpoena powers  
688 vested by law in a standing committee of the Legislature. A



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689 subpoena issued under this rule must be approved and signed by  
690 the President of the Senate and the Speaker of the House of  
691 Representatives and attested by the Secretary of the Senate and  
692 the Clerk of the House.

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

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

699

#### 700 4.4-Administration of Joint Committees

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

707 (2) Subject to joint policies adopted under Joint Rule 3.2,  
708 the presiding officers shall appoint and remove the staff  
709 director and, if needed, a general counsel and any other staff  
710 necessary to assist each joint committee. All joint committee  
711 staff shall serve at the pleasure of the presiding officers.  
712 Upon the initial adoption of these joint rules in a biennium,  
713 each joint committee staff director position shall be deemed  
714 vacant until an appointment is made.

715

#### 716 4.5-Special Powers and Duties of the Legislative Auditing 717 Committee

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

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

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

733

734 4.6—Special Powers and Duties of the Administrative Procedures  
735 Committee

736 The Administrative Procedures Committee shall:

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

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

746 (3) Review administrative rules and advise the agencies

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747 concerned of its findings.

748 (4) Exercise the duties prescribed by chapter 120, Florida  
749 Statutes, concerning the adoption and promulgation of rules.

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

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

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

770 (8) Subject to the approval of the President of the Senate  
771 and the Speaker of the House of Representatives, have standing  
772 to seek judicial review, on behalf of the Legislature or the  
773 citizens of this state, of the validity or invalidity of any  
774 administrative rule to which the committee has voted an  
775 objection and that has not been withdrawn, modified, repealed,

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776 or amended to meet the objection. Judicial review under this  
777 subsection may not be initiated until the Governor and the head  
778 of the agency making the rule to which the committee has  
779 objected have been notified of the committee's proposed action  
780 and have been given a reasonable opportunity, not to exceed 60  
781 days, for consultation with the committee. The committee may  
782 expend public funds from its appropriation for the purpose of  
783 seeking judicial review.

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

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

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

796

797 4.7-Special Powers and Duties of the Committee on Public Counsel  
798 Oversight

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

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

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805 Commission, or a member of the Public Service Commission  
806 Nominating Council.

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

812

813 Joint Rule Five—Auditor General

814

815 5.1—Rulemaking Authority

816 The Auditor General shall make and enforce reasonable rules and  
817 regulations necessary to facilitate audits that he or she is  
818 authorized to perform.

819

820 5.2—Budget and Accounting

821 (1) The Auditor General shall prepare and submit annually  
822 to the President of the Senate and the Speaker of the House of  
823 Representatives for their joint approval a proposed budget for  
824 the ensuing fiscal year.

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

832

833 5.3—Audit Report Distribution

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834 (1) A copy of each audit report shall be submitted to the  
835 Governor, to the Chief Financial Officer, and to the officer or  
836 person in charge of the state agency or political subdivision  
837 audited. One copy shall be filed as a permanent public record in  
838 the office of the Auditor General. In the case of county  
839 reports, one copy of the report of each county office, school  
840 district, or other district audited shall be submitted to the  
841 board of county commissioners of the county in which the audit  
842 was made and shall be filed in the office of the clerk of the  
843 circuit court of that county as a public record. When an audit  
844 is made of the records of the district school board, a copy of  
845 the audit report shall also be filed with the district school  
846 board, and thereupon such report shall become a part of the  
847 public records of such board.

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

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

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

856 (5) The Auditor General shall transmit to the President of  
857 the Senate and the Speaker of the House of Representatives, by  
858 December 1 of each year, a list of statutory and fiscal changes  
859 recommended by audit reports. The recommendations shall be  
860 presented in two categories: one addressing substantive law and  
861 policy issues and the other addressing budget issues. The  
862 Auditor General may also transmit recommendations at other times

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863 of the year when the information would be timely and useful for  
864 the Legislature.

865 (6) A copy required to be provided under this rule may be  
866 provided in an electronic or other digital format if the Auditor  
867 General determines that the intended recipient has appropriate  
868 resources to review the copy. Copies to members, committees, and  
869 offices of the Legislature shall be provided in electronic  
870 format as may be provided in joint policies adopted under Joint  
871 Rule 3.2.

872

873 Joint Rule Six—Joint Legislative Budget Commission

874

875 6.1—General Responsibilities

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

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

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

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

891 (5) The President of the Senate and the Speaker of the

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892 House of Representatives may jointly assign other  
893 responsibilities to the commission in addition to those assigned  
894 by law.

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

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

902

#### 903 6.2-Organizational Structure

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

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

915

#### 916 6.3-Notice of Commission Meetings

917 Not less than 7 days prior to a meeting of the commission, a  
918 notice of the meeting, stating the items to be considered, date,  
919 time, and place, shall be filed with the Secretary of the Senate  
920 when the chair of the commission is a member of the Senate or



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921 with the Clerk of the House when the chair of the commission is  
922 a member of the House of Representatives. The Secretary of the  
923 Senate or the Clerk of the House shall distribute notice to the  
924 Legislature and the public, consistent with the rules and  
925 policies of their respective houses.

926  
927 6.4-Effect of Adoption; Intent

928 This Joint Rule Six replaces all prior joint rules governing the  
929 Joint Legislative Budget Commission and is intended to implement  
930 constitutional provisions relating to the Joint Legislative  
931 Budget Commission existing as of the date of the rule's  
932 adoption.

933  
934 Joint Rule Seven-Qualifications of Members

935  
936 7.1-Residency

937 (1) A member shall be a legal resident and elector of his  
938 or her district at the time of election and shall maintain his  
939 or her legal residence within that district for the duration of  
940 his or her term of office. While a member may have multiple  
941 residences, he or she shall have only one legal residence. The  
942 legal residence of a member at a designated location is  
943 demonstrated by a totality of the circumstances. Factors to be  
944 considered include, but are not limited to:

945 (a) Where one claims to reside, as reflected in statements  
946 to others or in official documents;

947 (b) The abandonment of a prior legal residence, as  
948 evidenced by moving from or selling a prior legal residence;

949 (c) The abandonment of rights and privileges associated

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950 with a prior legal residence;

951 (d) Where one is registered as a voter;

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

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

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

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

960 (i) Where one receives mail and other correspondence;

961 (j) Where one customarily resides;

962 (k) Where one conducts business affairs;

963 (l) Where one rents or leases property; and

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

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

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

975 (4) Each member shall affirm in writing that he or she is a  
976 legal resident and elector of his or her district based on the  
977 provisions of this Joint Rule. Each member shall file the  
978 written affirmation with the Secretary of the Senate or the

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979 Clerk of the House of Representatives before the convening of  
980 Organization Session following each general election. For a  
981 member who is elected pursuant to a special election, the member  
982 must execute the written affirmation before or concurrent with  
983 taking the oath of office and provide such affirmation to the  
984 Secretary of the Senate or the Clerk of the House of  
985 Representatives. The form of the written affirmation shall be  
986 prescribed by the Secretary of the Senate and the Clerk of the  
987 House of Representatives for members of their respective house  
988 of the Legislature.