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House Resolution

A resolution establishing the Rules of the House of Representatives of the State of Florida for the 2014-2016 term.

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

That the following rules shall govern the House of Representatives of the State of Florida for the 2014-2016 term:

RULES OF THE FLORIDA HOUSE OF REPRESENTATIVES

RULE ONE—LEGISLATIVE ORGANIZATION

1.1—Officers of the House

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

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

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

(b) HOUSE LEADERSHIP. In addition to the Speaker, the House shall choose a Speaker pro tempore, who shall serve in

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26 | accordance with Rule 2.5. The Speaker shall appoint a Majority
27 | Leader from among the members of the Majority Conference to
28 | serve at the pleasure of the Speaker. The Minority Conference
29 | shall select a Minority Leader from among the members of the
30 | Minority Conference.

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

34 | 1.2-Political Party Conferences

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

38 | 1.3-Seating Challenges

39 | In the case of a contest for a seat in the House, notice setting
40 | forth the specific grounds of such contest and the supporting
41 | evidence must have been received by the Clerk not less than 5
42 | days before the organization session of the Legislature. No
43 | motion to disqualify a member shall be in order at the
44 | organization session until a Speaker has been elected in
45 | accordance with the State Constitution. In the case of a special
46 | election, notice must have been received by the Clerk not less
47 | than 5 days before the next regular or special session convenes.
48 | If the election is during a session or less than 5 days before
49 | the next session, the notice must have been received on the next
50 | legislative day following the receipt of certified election

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51 results. A contest setting forth facts sufficient to warrant
52 review shall be referred by the Speaker to an appropriate
53 committee or subcommittee. The committee or subcommittee shall
54 conduct hearings as required and report its findings and
55 recommendations to the House. Upon receipt of the committee or
56 subcommittee report, the House shall convene with all dispatch
57 to determine the contest by a majority vote.
58

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

61 2.1—Presiding

62 The Speaker shall take the chair and call the House to order at
63 the hour appointed for meeting and, if a quorum is present,
64 shall proceed with the order of business.
65

66 2.2—Interpreting Rules

67 The Speaker shall interpret, apply, and enforce the Rules of the
68 House.
69

70 2.3—Deciding Questions of Order

71 (a) DETERMINATION BY THE SPEAKER. All questions of order
72 shall be presented to the Speaker for determination. The Speaker
73 may require the member raising a point of order to cite the rule
74 or other authority in support of the question. The Speaker may
75 decide the question of order, put such question to the House, or

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76 refer such question to the chair of the Rules, Calendar & Ethics
77 Committee for a recommendation to the Speaker. Any decision of
78 the Speaker on a point of order is subject to an appeal to the
79 House made timely and separately by any five members.

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

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

100 (d) DECISIONS NOT SUBJECT TO APPEAL. Responses to

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parliamentary inquiries and decisions of recognition made by the Speaker may not be appealed.

2.4-Execution of Documents

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

2.5-Appointment of a Temporary Presiding Officer

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

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

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

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such incapacity or other inability to serve.

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

2.6—Protecting the Interests of the House

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

2.7—Control of House Facilities

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

RULE THREE—MEMBERS

3.1—Membership

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

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3.2-Voting Obligation

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

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

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

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

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

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

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

c. A relative or business associate of the member,

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

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

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

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

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

3.3-Attendance Obligation

(a) COMMITTEE AND SUBCOMMITTEE MEETING ATTENDANCE. A member shall attend all meetings of committees and subcommittees to which appointed unless excused by the chair or by the

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Speaker. Excuse from a House session shall constitute excuse from that day's meetings. Failure to attend two consecutive meetings, unless excused, shall constitute automatic removal from the committee or subcommittee and create a vacancy. Upon notification of automatic removal, the Speaker may make an appointment to fill such vacancy.

(b) SESSION ATTENDANCE.

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

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

3.4—Open Meetings

(a) Subject to order and decorum, each member shall provide reasonable access to members of the public to any

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meeting between such member and more than one other member of the Legislature, if such members of the public have requested admission and such meeting has been prearranged for the purpose of agreeing to take formal legislative action on pending legislation or amendments at such meeting or at a subsequent time.

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

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

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

(e) When the number of persons attending a meeting subject to this rule must be limited because of space considerations or otherwise for the maintenance of order or decorum, at least one

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representative each of the print, radio, and television media shall be included among the members of the public admitted, if such persons have requested admission.

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

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

4.1—The Clerk

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

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

(2) Provide for the keeping of a complete record of

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introduction and action on all bills, resolutions, and memorials, including each number, each sponsor, each cosponsor, a brief description of the subject matter, and each committee and subcommittee reference.

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

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

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

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

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

4.2—The Sergeant at Arms

The Sergeant at Arms (hereinafter "Sergeant") serves at the pleasure of the Speaker. The Sergeant shall attend the House during its sittings and maintain order under the direction of the Speaker or other presiding officer. In case of any disturbance or disorderly conduct within the Chamber, corridors, passages, lobby, galleries, or rooms of the House, whether in the Capitol or elsewhere, the Speaker may order the Sergeant to

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301 suppress the same and may order the Sergeant to remove any
302 person creating any disturbance. The Sergeant will ensure that
303 no person is admitted to the Chamber except in accordance with
304 these rules or as directed by the Speaker. The Sergeant shall
305 oversee the security of the House and its members when engaged
306 in their constitutional duties and perform other duties under
307 the command and supervision of the Speaker.

309 4.3—The Employees

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

321 RULE FIVE—FORM AND INTRODUCTION OF BILLS

323 5.1—"Bill" Stands for All Legislation

324 Except when the context otherwise indicates, "bill," as used in
325 these rules, means a bill, joint resolution, concurrent

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resolution, resolution, memorial, or other measure upon which a committee or subcommittee may be required to report.

5.2—Member Bill Filing Deadline

Filing deadlines for member bills shall be as follows:

(a) No general bill, local bill, joint resolution, concurrent resolution (except one relating to extension of a session or legislative organization or procedures), substantive House resolution, or memorial shall be given first reading unless approved for filing with the Clerk no later than noon of the first day of the regular session.

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

5.3—Limitation on Member Bills Filed

(a) A member may not file more than six bills for a regular session. Of the six bills, at least two must be approved for filing with the Clerk no later than noon of the 6th Tuesday before the first day of the regular session. For purposes of this rule, the member considered to have filed a bill is the first-named sponsor of the bill.

(b) Bills not counted toward these limits include:

- (1) Local bills, including local claim bills.
- (2) Ceremonial House resolutions.

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(3) Memorials.

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

(5) Trust fund bills adhering to another bill.

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

(7) General bills adhering to a joint resolution.

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

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

5.4—Forms of Measures; Sponsorship Transactions

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

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

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

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

5.5-Local Bills

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(a) A committee or subcommittee may not report a local bill favorably if the substance of the local bill may be enacted into law by ordinance of a local governing body without the legal need for a referendum.

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

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

5.6-Claim Bills

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

(b) Stipulations entered into by the parties are not

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binding on the Special Master or the House or any of its
committees or subcommittees.

(c) The hearing and consideration of a claim bill shall be
held in abeyance until all available administrative and judicial
remedies have been exhausted, except that the hearing and
consideration of a claim that is still within the judicial or
administrative system may proceed when the parties have executed
a written settlement agreement.

5.7-Reviser's Bills

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

5.8-Memorials

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

5.9-House Resolutions; Concurrent Resolutions; Tributes

(a) All House resolutions and all concurrent resolutions
originating in the House shall contain a title and a resolving
clause. In the case of House resolutions, the resolving clause
shall be "Be It Resolved by the House of Representatives of the

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State of Florida:". In the case of concurrent resolutions originating in the House, the resolving clause shall be "Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:". Concurrent resolutions originating in the House shall present only questions pertaining to extension of a session, enactment of joint rules, ratification of federal constitutional amendments, communications with the judiciary, appointment or recall of delegates or alternate delegates to a federal Article V convention and instructions to such delegates, actions taken pursuant to federal law not requiring gubernatorial approval, or other exclusively legislative matters.

(b) All ceremonial House resolutions shall be reviewed and approved by the chair of the Rules, Calendar & Ethics Committee before introduction.

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

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

5.10-Bills Filed During an Interim

During the period between the organization session and the

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convening of the first regular session of the legislative biennium and during the period between the first and second regular sessions of the legislative biennium, members may file for introduction bills that have been prepared or reviewed by the House Bill Drafting Service.

5.11—Requirements for Introduction

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

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

5.12—Identification

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

5.13—Companion Measures

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

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RULE SIX-REFERENCE

6.1-Speaker to Refer Legislation

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

6.2-Reference: Generally

(a) Bills, upon filing or introduction, whether House or
Senate, may be referred by the Speaker to one or more committees
or subcommittees or any combination thereof or to the Calendar
of the House. The order of reference shall be determined by the
Speaker.

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

6.3-Reference: Exception

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

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

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551
552 6.5—Appropriations or Tax Measures: Withdrawal from a Fiscal
553 Committee or Subcommittee; Additional Reference

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

561 (b) If an amendment adopted on the floor of the House
562 affects an appropriation or a tax matter, upon a point of order
563 made by the chair or vice chair of a fiscal committee, the bill
564 may be referred by the Speaker, with the amendment, to an
565 appropriate committee or subcommittee. If the bill, as amended
566 on the floor, is reported favorably without further amendment,
567 it shall be returned to the same reading as when referred. If
568 the bill, as amended on the floor, is reported favorably with
569 further amendment, it shall be returned to second reading.

570
571 6.6—Reference of Veto Messages

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

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575 RULE SEVEN—COMMITTEES AND SUBCOMMITTEES

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PART ONE—Organization

7.1—Standing Committees and Subcommittees

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

(1) Appropriations Committee.

a. Agriculture & Natural Resources Appropriations Subcommittee.

b. Education Appropriations Subcommittee.

c. Government Operations Appropriations Subcommittee.

d. Health Care Appropriations Subcommittee.

e. Justice Appropriations Subcommittee.

f. Transportation & Economic Development Appropriations Subcommittee.

(2) Economic Affairs Committee.

a. Economic Development & Tourism Subcommittee.

b. Highway & Waterway Safety Subcommittee.

c. Transportation & Ports Subcommittee.

(3) Education Committee.

a. Choice & Innovation Subcommittee.

b. Higher Education & Workforce Subcommittee.

c. K-12 Subcommittee.

(4) Finance & Tax Committee.

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- (5) Health & Human Services Committee.
 - a. Children, Families & Seniors Subcommittee.
 - b. Health Innovation Subcommittee.
 - c. Health Quality Subcommittee.
- (6) Judiciary Committee.
 - a. Civil Justice Subcommittee.
 - b. Criminal Justice Subcommittee.
- (7) Local & Federal Affairs Committee.
 - a. Local Government Affairs Subcommittee.
 - b. Veteran & Military Affairs Subcommittee.
- (8) Regulatory Affairs Committee.
 - a. Business & Professions Subcommittee.
 - b. Energy & Utilities Subcommittee.
 - c. Insurance & Banking Subcommittee.
- (9) Rules, Calendar & Ethics Committee.
 - a. Rulemaking Oversight & Repeal Subcommittee.
- (10) State Affairs Committee.
 - a. Agriculture & Natural Resources Subcommittee.
 - b. Government Operations Subcommittee.
- (b) For purposes of these rules, the term "committee" includes subcommittee, except where the context indicates otherwise.

7.2-Committee and Subcommittee Appointments

The Speaker may appoint the chair, the vice chair, and any co-

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

637 638 7.3—Powers of the Chair

639 A committee or subcommittee chair has authority to sign all
640 notices, vouchers, and reports required or permitted by these
641 rules. The chair has authority, subject to approval by the
642 Speaker, to sign all subpoenas issued under these rules. The
643 chair has all authority necessary to ensure the orderly
644 operation of the committee or subcommittee, including, but not
645 limited to, presiding over meetings, establishing each meeting
646 agenda, determining the order in which matters are to be taken
647 up, recognizing or not recognizing non-member presenters, and
648 deciding questions of order. Decisions on questions of order may
649 be appealed pursuant to Rule 2.3(b), but there shall be no
650 appeal of the chair's recognition.

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7.4—Absence of the Chair

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

7.5—Term of Appointment

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

7.6—Creation of Select Committees

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

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

7.7—Ex officio Members

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

7.8—Meetings of Committees and Subcommittees

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

7.9—Consideration of Proposed Committee and Subcommittee Bills

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

7.10—Conference Committees

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

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

(1) First to vote on a motion to accept the report in its

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entirety. The motion shall not be subject to amendment. If this vote fails, the report shall be automatically recommitted to the conference committee.

(2) If the report is accepted, the final vote shall be a roll call on the passage of the bill as amended by the report. The bill as amended by the report is not subject to further amendment.

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

PART TWO—Procedures in Committees and Subcommittees

7.11—Scheduling Committee and Subcommittee Meetings

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

(b) CONTENT OF MEETING NOTICE. The notice shall state the date, time, and place of the meeting and, for each bill to be

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considered, the bill or proposed bill number and a portion of the title sufficient for identification. Except with respect to bills retained on reconsideration under Rule 7.16, only such bills as are included on the notice of a committee or subcommittee meeting may be considered at that meeting.

(c) PROPOSED BILLS TO BE AVAILABLE. A copy of each proposed bill or proposed committee or subcommittee substitute noticed for consideration must be available to each committee or subcommittee member no later than the time of providing notice of the meeting.

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

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

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776 before the committee or subcommittee meeting.

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

782 (g) AMENDED NOTICE AND CANCELLATION. At any time before a
783 noticed meeting, a bill or other item may be removed from a
784 meeting notice or the meeting may be cancelled by providing an
785 amended notice.

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

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

798 (j) RULES, CALENDAR & ETHICS COMMITTEE EXEMPT FROM NOTICE
799 DEADLINE. The Rules, Calendar & Ethics Committee shall be exempt
800 from the notice deadlines of this rule except when meeting to

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consider the substance of legislation.

7.12—Amendment Deadlines in Committee and Subcommittee

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

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

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

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

(b) Notwithstanding the foregoing, subject to approval by a majority vote of the House, the Rules, Calendar & Ethics Committee may establish special amendment deadlines and

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procedures for appropriations bills, implementing bills, and conforming bills, as defined in Rule 12.5, as well as for bills proposing any reapportionment or redistricting of the state's legislative or congressional districts.

7.13—Quorum of Committee or Subcommittee

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

7.14—Meeting during House Sessions

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

7.15—Voting in Committee or Subcommittee

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

(b) An absent member may submit an indication of how the

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member would have voted had the member been present, but this shall not be counted on a roll call. If submitted after the committee or subcommittee report has been filed, such votes after roll call shall be filed with the committee or subcommittee administrative assistant, who shall file them in the committee or subcommittee files and with the Clerk.

7.16—Reconsideration in Committee or Subcommittee

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

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

(b) Any member voting on the prevailing side on passage or defeat of a bill may, as a matter of right, serve notice that the bill be retained through the next committee or subcommittee meeting for the purpose of reconsideration. Such notice by an individual member may be set aside by adoption of a motion to report the bill immediately, which shall require a two-thirds vote. No bill may be retained under this provision after the 40th day of a regular session or during any extended or special session.

(c) A motion to reconsider a collateral matter must be disposed of during the course of consideration of the main

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subject to which it is related.

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

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

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

7.17—Reports on Bills

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

7.18—Bill Reported Unfavorably by a Committee or Subcommittee

A bill reported unfavorably by a committee or subcommittee shall be laid on the table.

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901
902 7.19—Committee and Subcommittee Substitutes

903 (a) A standing committee or subcommittee may introduce a
904 committee or subcommittee substitute embracing the same general
905 subject matter of one or more bills in possession of the
906 committee or subcommittee. A proposed committee or subcommittee
907 substitute must be noticed in the manner required for a proposed
908 committee or subcommittee bill. Upon the filing of a committee
909 or subcommittee substitute, the original bill or bills shall be
910 laid on the table of the House.

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

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

918
919 7.20—Subpoena Powers

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

923
924 7.21—Administration of Oaths

925 Whenever desired by a committee or subcommittee, the chair or

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

7.22—Procedure in Conference Committees

A meeting of the House and Senate conferees is a meeting of the two groups. Conference committee meeting notices shall be published not less than 1 hour prior to the time scheduled for the meeting. Each conference committee may determine its own procedures and select a member to preside, provided a majority of managers of each house agree.

7.23—Open Meetings; Decorum

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

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

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

PART THREE—Oversight Powers and Responsibilities

7.24—Oversight Powers and Responsibilities of Standing Committees and Subcommittees

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

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

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

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

RULE EIGHT—DEBATE AND CHAMBER PROTOCOL

PART ONE—Privilege of the Floor

8.1—Privilege of the Floor

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

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

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

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

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

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

PART TWO—Speaking

8.2—Addressing the House; Requirements to Spread Remarks Upon the Journal

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

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

8.3—When Two Members Rise at Once

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

8.4—Recognition of Members

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

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

PART THREE—Debate

8.6—Decorum

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

8.7—Speaking and Debate; Right to Close

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1051 (a) A member may not speak more than once nor occupy more
1052 than 15 minutes in debate on any question.

1053 (b) A member who has the floor may not be interrupted by
1054 another member for any purpose, save the privilege of the House,
1055 unless he or she consents to yield to the other member. A member
1056 desiring to interrupt another in debate should first address the
1057 Speaker for the permission of the member speaking. The Speaker
1058 shall then ask the member who has the floor if he or she wishes
1059 to yield and shall then announce the decision of that member.
1060 Whether to yield shall be entirely within the speaking member's
1061 discretion. This subsection shall not, however, deprive the
1062 first-named sponsor or mover of the right to close when the
1063 effect of an amendment or motion would be to foreclose favorable
1064 action on the bill, amendment, or motion.

1065
1066 8.8—Asking Questions of Members

1067 It is entirely within a speaking member's discretion whether to
1068 yield to a question. The proper purpose of a question is to
1069 obtain information in good faith, not for the questioner to
1070 supply information to the body. Neither a question nor an answer
1071 to a question may contain arguments or debate.

1072
1073 8.9—Right to Open and Close Debate

1074 The member presenting a motion shall have the right to open and
1075 close the debate and, for this purpose, may speak each time up

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to 10 minutes, unless otherwise limited by majority vote of the House, notwithstanding the limitation in Rule 8.7.

PART FOUR—Materials and Meals in Chamber

8.10—Distribution of Materials in Chamber; Meals in Chamber

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

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

(2) The following official materials are approved: House and Senate bills, resolutions, memorials, and amendments thereto, and official calendars and journals; committee and subcommittee meeting notices; communications from the Speaker and Clerk and official communications from the Senate; and official staff reports of standing or select committees or subcommittees or of the majority or minority party.

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

PART FIVE—Miscellaneous Papers

8.11—Miscellaneous Papers

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

RULE NINE—VOTING

9.1—Members Shall Vote

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

9.2—Taking the Yeas and Nays

The Speaker shall declare all votes, but if any member rises to doubt a vote, upon a showing of hands by five members, the Speaker shall take the sense of the House by oral or electronic roll call. When taking the yeas and nays on any question, the electronic roll-call system may be used and when so used shall have the force and effect of a roll call taken as provided in these rules. This system likewise may be used to determine the presence of a quorum. When the House is ready to vote upon a question requiring roll call, and the vote is by electronic roll

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call, the Speaker shall say, "The question now recurs on (designating the matter to be voted upon). The Clerk will unlock the machine and the House will proceed to vote." When sufficient time has elapsed for each member to vote, the Speaker shall ask, "Have all members voted?" After a short pause, the Speaker shall say, "The Clerk will lock the machine and record the vote." When the vote is completely recorded, the Speaker shall announce the result to the House, and the Clerk shall record the action upon the Journal.

9.3—Vote of the Speaker or Temporary Presiding Officer

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

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

(a) After the result of a roll call has been announced, a member may submit to the Clerk an indication of how the member would have voted or would have voted differently. The Clerk shall provide forms for the recording of these actions. When

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timely submitted, the vote after roll call shall be shown beneath the roll call in the Journal. Otherwise, the vote after roll call shall be shown separately in the Journal.

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

9.5—No Member to Vote for Another Except by Request and Direction

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

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

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

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

9.6—Explanation of Vote

A member may not explain his or her vote during a roll call but

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may reduce his or her explanation to writing in not more than 200 words in an electronic format approved by the Clerk. Upon submission to the Clerk, this explanation shall be spread upon the Journal.

RULE TEN—ORDER OF BUSINESS AND CALENDARS

PART ONE—Order of Business

10.1—Daily Sessions

The House shall meet each legislative day at 8 a.m. or as stated in the motion adjourning the House on the prior legislative day on which the House met.

10.2—Daily Order of Business

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

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

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1201 (9) Reports of Select Committees.
1202 (10) Motions Relating to Committee and Subcommittee
1203 References.
1204 (11) Matters on Reconsideration.
1205 (12) Bills and Joint Resolutions on Third Reading.
1206 (13) Special Orders.
1207 (14) House Resolutions.
1208 (15) Unfinished Business.
1209 (16) Introduction and Reference.
1210 (b) During special sessions, the order of business of
1211 Introduction and Reference shall be called for immediately
1212 following the order of business of Correction of the Journal.
1213 (c) Within each order of business, matters shall be
1214 considered in the order in which they appear on the daily
1215 printed Calendar of the House.
1216 (d) After the 45th day of a regular session, by a majority
1217 vote, the House may, on motion of the chair or vice chair of the
1218 Rules, Calendar & Ethics Committee, move to Communications,
1219 Messages from the Senate, Bills and Joint Resolutions on Third
1220 Reading, or Special Orders. The motion may provide which matter
1221 on such order of business may be considered.
1222
1223 10.3—Chaplain to Offer Prayer
1224 A chaplain shall attend at the beginning of each day's sitting
1225 of the House and open the same with prayer. In the absence of a

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chaplain, the Speaker may designate someone else to offer
prayer.

10.4—Quorum

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

10.5—Consideration of Senate Messages: Generally

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

PART TWO—Readings

10.6—"Reading" Defined

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

10.7—Reading of Bills and Joint Resolutions

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

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1251 10.8—Reading of Concurrent Resolutions and Memorials

1252 Concurrent resolutions and memorials shall be read on 2 separate
1253 days prior to a voice vote upon adoption, except that concurrent
1254 resolutions extending a legislative session or involving other
1255 procedural legislative matters may be read twice without motion
1256 on the same legislative day.

1257
1258 10.9—Reading of House Resolutions

1259 (a) A House resolution shall receive two readings by title
1260 only prior to a voice vote upon adoption.

1261 (b) Ceremonial resolutions may be shown as read and
1262 adopted by publication in full in the Journal in accordance with
1263 Rule 10.17.

1264
1265 10.10—Measures on Third Reading

1266 (a) Bills on third reading shall be taken up in the order
1267 in which the House concluded action on them on second reading.

1268 (b) Before any bill shall be read the third time, whether
1269 amended or not, it shall be referred without motion to the
1270 Engrossing Clerk for examination and, if amended, the engrossing
1271 of amendments. In the case of any Senate bill amended in the
1272 House, the amendment adopted shall be reproduced and attached to
1273 the bill amended in such manner that it will not be lost
1274 therefrom.

1275 (c) A bill shall be deemed on its third reading when it

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has been read a second time on a previous day and has no motion left pending.

PART THREE—Calendars

10.11—Special Order Calendar

(a) REGULAR SESSION.

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

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

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

(b) EXTENDED OR SPECIAL SESSION.

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

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

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

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

10.12—Special Floor Procedures

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

10.13—Consideration of Bills Not on Special Order Calendar
A bill not included on the Special Order Calendar may be considered by the House upon a two-thirds vote.

10.14—Consent Calendar

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

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

10.16—Informal Deferral of Bills

Whenever the member who introduced a bill or the first-named member sponsor of a committee or subcommittee bill is absent from the Chamber when the bill has been reached in the regular

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order on second or third reading, consideration shall be informally deferred until such member's return, unless another member consents to offer the bill on behalf of the original member. The bill shall retain its position on the Calendar of the House during the same legislative day. The member shall have the responsibility of making the motion for its subsequent consideration.

PART FOUR—Ceremonial Resolutions

10.17—Ceremonial Resolutions Published in Journal
Upon approval of the chair of the Rules, Calendar & Ethics Committee, a ceremonial resolution may be shown as read and adopted by publication in full in the Journal. The Rules, Calendar & Ethics Committee shall distribute a list of such resolutions 1 day (excluding Saturdays, Sundays, and official state holidays) prior to the day of their publication, during which time any member may file with the Rules, Calendar & Ethics Committee an objection to any resolution listed. Each resolution for which an objection has been filed shall be removed from the list and placed on the Calendar of the House. All resolutions without objections shall be printed on the next legislative day in the Journal and considered adopted by the House.

PART FIVE—Procedural Limitations in Final Week

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10.18—Consideration Limits to Bills after Day 55

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

10.19—Consideration Limits after Day 58

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

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

RULE ELEVEN—MOTIONS

11.1—Motions; How Made

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

11.2—Precedence of Motions During Debate

(a) When a question is under debate, the Speaker or the chair of a committee or subcommittee shall receive no motion except:

- (1) To adjourn at a time certain.
- (2) To adjourn.
- (3) To recess to a time certain.

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1401 (4) To lay on the table.
 1402 (5) To reconsider.
 1403 (6) For the previous question.
 1404 (7) To limit debate.
 1405 (8) To temporarily postpone.
 1406 (9) To postpone to a time or day certain.
 1407 (10) To refer to or to recommit to committee or
 1408 subcommittee.
 1409 (11) To amend.
 1410 (12) To amend by removing the enacting or resolving
 1411 clause.
 1412 (b) Such motions shall have precedence in the descending
 1413 order given.
 1414 (c) Notwithstanding paragraph (a) (10) above, the Motion to
 1415 Withdraw or Refer a Bill pursuant to House Rule 11.11 and the
 1416 Motion to Refer or Recommit pursuant to House Rule 11.12 are not
 1417 available in committee or subcommittee.
 1418
 1419 11.3—Questions of Order Decided without Debate
 1420 The Speaker shall decide, without debate, all procedural
 1421 questions of order that arise when a motion is before the House
 1422 or on appeal.
 1423
 1424 11.4—Division of Question
 1425 If a question before the House is susceptible of separation into

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two or more parts, any member may call for a division of the question so that each part may be voted on separately. However, a motion to remove and insert cannot be divided.

11.5—Motion to Recess to a Time Certain

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

11.6—Motion to Lay on the Table

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

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

11.7—Motion to Reconsider; Immediate Certification of Bills

(a) When a motion or main question has been made and carried or lost, it shall be in order at any time as a matter of right on the same or succeeding legislative day for a member

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voting with the prevailing side, or for any member in the case of a voice or tie vote, to move for reconsideration thereof.

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

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

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

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

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

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

(h) No bill referred or recommitted to a committee or

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subcommittee by a vote of the House shall be brought back into the House on a motion to reconsider.

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

(j) The adoption of a motion to waive the rules and immediately certify any bill to the Senate shall be construed as releasing the measure from the Clerk's possession for the period of reconsideration.

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

11.8—Motion for the Previous Question

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

(b) The motion for the previous question shall be decided without debate. If the motion prevails, the sponsor of a bill or debatable motion and an opponent shall be allowed 3 minutes each

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1501 within which to debate the pending question, and each may divide
1502 the time with, or waive this right in favor of, some other
1503 member. On second reading, the final available question is the
1504 main amendment; on third reading, it is the bill.

1505 (c) When the motion for the previous question is adopted
1506 on a main question, the sense of the House shall be taken
1507 without delay on pending amendments and such question in the
1508 regular order.

1509 (d) The motion for the previous question may not be made
1510 by the first-named sponsor or mover.

1511
1512 11.9—Motion to Limit Debate

1513 When there is debate by the House, it shall be in order for a
1514 member to move to limit debate and such motion shall be decided
1515 without debate, except that the first-named sponsor or mover of
1516 the question under debate shall have 5 minutes within which to
1517 discuss the motion and may divide the allotted time with, or
1518 waive it in favor of, some other member. If, by majority vote,
1519 the question is decided in the affirmative, debate shall be
1520 limited to 10 minutes for each side, unless a greater time is
1521 stated in the motion, such time to be apportioned by the
1522 Speaker; however, the first-named sponsor or mover shall have an
1523 additional 5 minutes within which to close the debate and may
1524 divide the allotted time with, or waive it in favor of, some
1525 other member.

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11.10—Motion to Temporarily Postpone

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

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

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

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

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11.11-Motion to Withdraw or Refer a Bill

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

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

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

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

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

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

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

(2) The first-named member sponsor of a bill may, prior to

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its introduction and provided no substantive action has been taken on it, withdraw the bill by written notice to the Clerk.

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

11.12—Motion to Refer or Recommit

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

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

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

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

11.13—Dilatory Motions

Dilatory or delaying motions shall not be in order as determined

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by the Speaker.

11.14—Withdrawal of Motion

(a) The mover of a motion may withdraw the motion at any time before it has been amended or a vote on it has commenced.

(b) Notwithstanding subsection (a), once the proposer of an amendment is recognized, the amendment may be withdrawn only with the consent of the body.

RULE TWELVE—AMENDMENTS

12.1—Form

Floor amendments shall be prepared by the House Bill Drafting Service and filed with the Clerk.

12.2—Filing Deadlines for Floor Amendments

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

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

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

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

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(1) Main floor amendments must be approved for filing with the Clerk not later than 2 hours before session is scheduled to convene on the day a bill appears on the Special Order Calendar in the Calendar of the House; and

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

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

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

12.3—Presentation and Consideration

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

(b) An amendment to a pending main amendment may be

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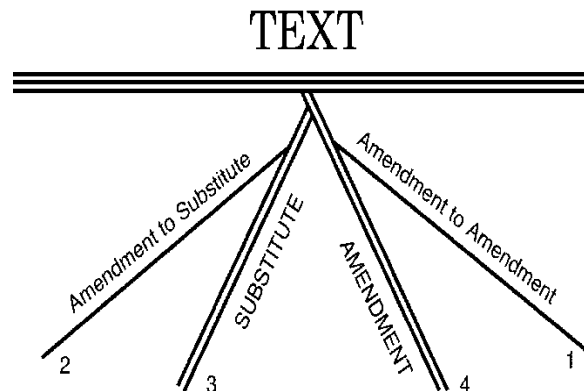
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received, but until it is disposed of, no other motion to amend will be in order except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:

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

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

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



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

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

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

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

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

(b) Amendments proposed on third reading shall require a two-thirds vote for adoption, except that technical amendments introduced in the name of the Rules, Calendar & Ethics Committee shall require a majority vote for adoption. Amendments on third reading, other than technical amendments introduced in the name of the Rules, Calendar & Ethics Committee, must be approved for filing not later than the earlier of the following deadlines:

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

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

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

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

(a) For purposes of these rules:

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

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making appropriations," "An act making special appropriations,"
or "An act making supplemental appropriations."

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

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

(b) Whether on the floor or in any committee or
subcommittee, whenever an amendment is offered to an
appropriations bill that would either increase any state
appropriation or decrease any state revenue for any fund, such
amendment shall show the amount of the appropriation increase or
revenue decrease for a fund by line item and by section and
shall decrease an appropriation from within the same
appropriations allocation and sub-allocation (as determined by
the Speaker) or increase a revenue to the fund in an amount
equivalent to or greater than the corresponding appropriation
increase or revenue decrease required by the amendment.

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

(d) Whether on the floor or in any committee or
subcommittee, any amendment offered to an implementing bill or

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to a conforming bill that reduces revenues supporting appropriations must raise the equivalent or greater revenue for the same fund from other sources.

12.6—Consideration of Senate Amendments

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

(1) Amend the Senate amendment.

(2) Concur in the Senate amendment.

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

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

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

(1) That the House recede.

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

(3) That the House insist.

(c) The Speaker may, upon determining that a Senate amendment substantially changes the bill as passed by the House, refer the Senate message, with the bill and Senate amendment or amendments, to the appropriate House committee or subcommittee

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for review and report to the House. The Speaker, upon such reference, shall announce the date and time for the committee or subcommittee to meet. The committee or subcommittee shall report to the House the recommendation for disposition of the Senate amendment or amendments under one of the four options presented in subsection (a). The report shall be furnished to the Clerk and to the House, in writing, by the chair of the reporting committee or subcommittee.

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

12.8—Germanity of House Amendments

(a) GERMANY.

(1) Neither the House nor any committee or subcommittee shall consider an amendment that relates to a different subject or is intended to accomplish a different purpose than that of the pending question or that, if adopted, would require a title amendment for the bill that is substantially different from the bill's original title or that would unreasonably alter the nature of the bill.

(2) The Speaker, or the chair in the case of an amendment

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1770 offered in committee or subcommittee, shall determine the
1771 germanity of any amendment when the question is timely raised.

1772 (3) An amendment of the second degree or a substitute
1773 amendment must be germane to both the main amendment and the
1774 measure to which it adheres.

1775 (b) AMENDMENTS THAT ARE NOT GERMANE. House amendments that
1776 are not germane include:

1777 (1) A general proposition amending a specific proposition.

1778 (2) An amendment amending a statute or session law when
1779 the purpose of the bill is limited to repealing such law, or an
1780 amendment repealing a statute or session law when the purpose of
1781 the bill is limited to amending such law.

1782 (3) An amendment that substantially expands the scope of
1783 the bill.

1784 (4) An amendment to a bill when legislative action on that
1785 bill is by law or these rules limited to passage, concurrence,
1786 or nonconcurrence as introduced.

1787 (c) AMENDMENTS THAT ARE GERMANE. Amendments that are
1788 germane include:

1789 (1) A specific provision amending a general provision.

1790 (2) An amendment that accomplishes the same purpose in a
1791 different manner.

1792 (3) An amendment limiting the scope of the proposal.

1793 (4) An amendment providing appropriations necessary to
1794 fulfill the original intent of a proposal.

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

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

12.9—Floor Amendments Out of Order

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

(a) Received an unfavorable committee or subcommittee report;

(b) Been withdrawn from further consideration; or

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

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

12.10—Printing of Amendments in Journal

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

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RULE THIRTEEN—RULES

13.1—Parliamentary Authorities

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

13.2—Standing Rules Amendment

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

13.3—Rules Apply for Term

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

13.4—Joint Rules

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

13.5—Authority and Interpretation

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

13.6—Majority Action

Unless otherwise indicated by these rules, all action by the House or its committees or subcommittees shall be by majority vote of those members present and voting. When the body is

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equally divided, the question is defeated.

13.7—Extraordinary Action

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

13.8—"Days" Defined

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

RULE FOURTEEN—MISCELLANEOUS PROVISIONS

PART ONE—Public Records

14.1—Legislative Records

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

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1895
1896 14.2—Legislative Records; Maintenance, Control, Destruction,
1897 Disposal, and Disposition

1898 (a) Records that are required to be created by these rules
1899 or that are of vital, permanent, or archival value shall be
1900 maintained in a safe location that is easily accessible for
1901 convenient use. No such record need be maintained if the
1902 substance of the record is published or retained in another form
1903 or location. Whenever necessary, but no more often than annually
1904 or less often than biennially, records required to be maintained
1905 may be archived.

1906 (b) Other records that are no longer needed for any
1907 purpose and that do not have sufficient administrative, legal,
1908 or fiscal significance to warrant their retention shall be
1909 disposed of systematically.

1910 (c) (1) The administrative assistant for each existing
1911 committee or subcommittee shall ensure compliance with this rule
1912 for all records created or received by the committee or
1913 subcommittee or for a former committee or subcommittee whose
1914 jurisdiction has been assigned to the committee or subcommittee.

1915 (2) The Speaker, the Speaker pro tempore, the Minority
1916 Leader, the Majority Leader, and the Sergeant at Arms shall
1917 ensure compliance with this rule for all records created or
1918 received by their respective offices and their predecessors in
1919 office.

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

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

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

(d) If a committee, subcommittee, or office is not continued in existence, the records of such committee, subcommittee, or office shall be forwarded to the committee, subcommittee, or office assuming the jurisdiction or responsibility of the former committee, subcommittee, or office, if any. Otherwise, such records shall be forwarded to the Clerk.

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

PART TWO—Distribution of Documents; Display of Signs

14.3—Distribution of Documents

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

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14.4—Display of Signs, Placards, and the Like

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

PART THREE—House Seal

14.5—House Seal

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

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

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

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

(2) The use, printing, publication, or manufacture of the

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seal, or items or materials bearing the seal or a facsimile of the seal, shall be limited to official business of the House or official legislative business.

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

RULE FIFTEEN—ETHICS AND CONDUCT OF MEMBERS

15.1—Legislative Ethics and Official Conduct

Legislative office is a trust to be performed with integrity in the public interest. A member is respectful of the confidence placed in the member by the other members and by the people. By personal example and by admonition to colleagues whose behavior may threaten the honor of the lawmaking body, the member shall watchfully guard the responsibility of office and the responsibilities and duties placed on the member by the House. To this end, each member shall be accountable to the House for violations of this rule or any provision of the House Code of Conduct contained in Rules 15.1-15.7.

15.2—The Integrity of the House

A member shall respect and comply with the law and shall perform at all times in a manner that promotes public confidence in the integrity and independence of the House and of the Legislature. Each member shall perform at all times in a manner that promotes

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a professional environment in the House, which shall be free from unlawful employment discrimination.

15.3—Improper Influence; Solicitation of Campaign Contributions

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

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

15.4—Ethics; Conflicting Employment

A member shall:

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

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

(c) Not directly or indirectly receive or agree to receive any compensation for any services rendered or to be rendered either by the member or any other person when such activity is

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in substantial conflict with the duties of a member of the House.

15.5—Use of Official Position

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

15.6—Use of Information Obtained by Reason of Official Position

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

15.7—Representation of Another Before a State Agency

A member may not personally represent another person or entity for compensation before any state agency other than a judicial tribunal. For the purposes of this rule, "state agency" means any entity of the legislative or executive branch of state

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government over which the Legislature exercises plenary
budgetary and statutory control.

15.8—Advisory Opinions

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

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

15.9—Penalties for Violations

Separately from any prosecutions or penalties otherwise provided by law, any member determined to have violated the requirements

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of these rules relating to ethics or member conduct shall be fined, censured, reprimanded, placed on probation, or expelled or have such other lesser penalty imposed as may be appropriate. Such determination and disciplinary action shall be taken by a two-thirds vote of the House, except that expulsions shall require two-thirds vote of the membership, upon recommendation of the Rules, Calendar & Ethics Committee pursuant to Rule 18.

15.10–Felony Indictment or Information of a Member

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

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

15.11–Felony Guilty Plea of a Member

A member who enters a plea of guilty or nolo contendere to a felony of any jurisdiction may, at the discretion of the Speaker, be suspended immediately, without a hearing and without pay, from all privileges of membership of the House through the

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remainder of that member's term.

15.12—Felony Conviction of a Member

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

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

(c) If the final appellate decision is to sustain the conviction, then the member's suspension shall continue to the end of the member's term. If the final appellate decision is to vacate the conviction and there is a rehearing, the member shall

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be subject to Rule 15.10. If the final appellate decision is to vacate the conviction and no felony charges remain against the member, the member shall be entitled to restitution of back pay and other benefits retroactive to the date of suspension.

15.13—Ethics Training

The House shall provide ethics training as directed by the Speaker.

RULE SIXTEEN—PROCEDURES FOR CONDUCTING INVESTIGATIVE AND ENFORCEMENT PROCEEDINGS

16.1—Issuance of Subpoenas

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

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

16.2-Contempt Proceedings

(a) The House may punish, by fine or imprisonment, any person who is not a member and who is guilty of disorderly or contemptuous conduct in its presence or of a refusal to obey its lawful summons.

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

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

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

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

(c) During a legislative session, a standing or select

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committee may, by majority vote of all of its members, apply to the House for contempt citation. The application shall be considered as though the alleged contempt had been committed in or against the House itself. If such committee is meeting during the interim, its application shall be made to the circuit court pursuant to Rule 16.6.

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

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

16.3-False Swearing

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

16.4-Rights of Witnesses

(a) All witnesses summoned before any standing or select

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2195 committee shall receive reimbursement for travel expenses and
2196 per diem at the rates provided in s. 112.061, Florida Statutes.
2197 However, the fact that such reimbursement is not tendered at the
2198 time that the subpoena is served shall not excuse the witness
2199 from appearing as directed therein.

2200 (b) Service of a subpoena requiring the attendance of a
2201 person at a meeting of a standing or select committee shall be
2202 made in the manner provided by law for the service of subpoenas
2203 in a civil action at least 7 days prior to the date of the
2204 meeting unless a shorter period of time is authorized by
2205 majority vote of all the members of such committee. If a shorter
2206 period of time is authorized, the persons subpoenaed shall be
2207 given reasonable notice of the meeting, consistent with the
2208 particular circumstances involved.

2209 (c) Any person who is served with a subpoena to attend a
2210 meeting of any standing or select committee also shall be served
2211 with a general statement informing the person of the subject
2212 matter of such committee's investigation or inquiry and a notice
2213 that the person may be accompanied at the meeting by private
2214 counsel.

2215 (d) Upon the request of any party and the approval of a
2216 majority of the standing or select committee, the chair shall
2217 instruct all witnesses to leave the meeting room and retire to a
2218 designated place. The witness shall be instructed by the chair
2219 not to discuss the testimony of the witness or the testimony of

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any other person with anyone until the meeting has been adjourned and the witness has been discharged by the chair. The witness shall be further instructed that if any person discusses or attempts to discuss the matter under investigation with the witness after receiving such instructions, the witness shall bring such matter to the attention of such committee. No member of such committee or representative thereof may discuss any matter or matters pertinent to the subject matter under investigation with any witness to be called before such committee from the time that these instructions are given until the meeting has been adjourned and the witness has been discharged by the chair. Any person violating this subsection shall be in contempt of the House.

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

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

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2245 16.5—Right of Other Persons to be Heard

2246 (a) Any person who, in the opinion of the committee, is
2247 adversely affected as a result of being mentioned or otherwise
2248 identified during a meeting being conducted for the purpose of
2249 taking sworn testimony from witnesses of any standing or select
2250 committee may, upon the request of the person or upon the
2251 request of any member of such committee, appear personally
2252 before such committee and testify on the person's own behalf,
2253 or, with such committee's consent, file a sworn written
2254 statement of facts or other documentary evidence for
2255 incorporation into the record of the meeting. Any such witness,
2256 however, shall, before filing such statement, consent to answer
2257 questions from such committee regarding the contents of the
2258 statement.

2259 (b) Upon the consent of a majority of the members present,
2260 a quorum having been established, any standing or select
2261 committee may permit any other person to appear and testify at a
2262 meeting or submit a sworn written statement of facts or other
2263 documentary evidence for incorporation into the record. No
2264 request to appear, appearance, or submission shall limit in any
2265 way the committee's power of subpoena. Any such witness,
2266 however, shall, before filing such statement, consent to answer
2267 questions from any standing or select committee regarding the
2268 contents of the statement.
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2270 16.6—Enforcement of Subpoena Out of Session

2271 If any witness fails to respond to the lawful subpoena of any
2272 standing or select committee at a time when the Legislature is
2273 not in session or, having responded, fails to answer all lawful
2274 inquiries or to turn over evidence that has been subpoenaed,
2275 such committee may file a complaint before any circuit court of
2276 the state setting up such failure on the part of the witness. On
2277 the filing of such complaint, the court shall take jurisdiction
2278 of the witness and the subject matter of the complaint and shall
2279 direct the witness to respond to all lawful questions and to
2280 produce all documentary evidence in the possession of the
2281 witness that is lawfully demanded. The failure of any witness to
2282 comply with such order of the court shall constitute a direct
2283 and criminal contempt of court, and the court shall punish such
2284 witness accordingly.

2285
2286 16.7—Definition

2287 Pursuant to Rule 7.1(b) and for purposes of Rule 16, the term
2288 "committee" includes the House and any subcommittee thereof.

2289
2290 RULE SEVENTEEN—ETHICS AND CONDUCT OF LOBBYISTS2291
2292 17.1—Obligations of a Lobbyist

2293 (a) A lobbyist shall supply facts, information, and
2294 opinions of principals to legislators from the point of view

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2295 that the lobbyist openly declares. A lobbyist shall not offer or
2296 propose anything that may reasonably be construed to improperly
2297 influence the official act, decision, or vote of a legislator,
2298 nor shall a lobbyist attempt to improperly influence the
2299 selection of officers or employees of the House. A lobbyist, by
2300 personal example and admonition to colleagues, shall maintain
2301 the honor of the legislative process by the integrity of the
2302 lobbyist's relationship with legislators as well as with the
2303 principals whom the lobbyist represents.

2304 (b) A lobbyist shall not knowingly and willfully falsify,
2305 conceal, or cover up, by any trick, scheme, or device, a
2306 material fact; make any false, fictitious, or fraudulent
2307 statement or representation; or make or use any writing or
2308 document knowing the same to contain any false, fictitious, or
2309 fraudulent statement or entry.

2310 (c) During a regular session or any extended or special
2311 session, a lobbyist may not contribute to a member's campaign.

2312 (d) A lobbyist may not make any expenditure prohibited by
2313 s. 11.045(4)(a), Florida Statutes.

2314 (e) No registered lobbyist shall be permitted upon the
2315 floor of the House while it is in session.

2316
2317 17.2-Advisory Opinions; Compilation Thereof

2318 A lobbyist, when in doubt about the applicability and
2319 interpretation of Rule 17.1 in a particular context related to

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that lobbyist's conduct, or any person when in doubt about the applicability and interpretation of s. 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, as such statute or statutes may apply to that person, may request an advisory opinion under this rule. Such request shall be in writing, addressed to the Speaker, and shall contain the relevant facts. The Speaker shall either refer the issue to the House general counsel for review and drafting of an advisory opinion of the Speaker or refer the issue to a committee designated by the Speaker to have responsibility for the ethical conduct of lobbyists, and the person requesting the advisory opinion may appear in person before such committee. The Speaker or this committee shall render advisory opinions to the person who seeks advice as to whether the facts as described in the request and any supplemental communication would constitute a violation of such rule or statute by that person. Such opinion, until amended or revoked, shall be binding upon the House in any proceeding upon a subsequent complaint concerning the person who sought the opinion and acted on it in good faith, unless material facts were omitted or misstated in the request for the advisory opinion. Upon request of the person who requested the advisory opinion or any member, the committee designated by the Speaker to have responsibility for the ethical conduct of lobbyists may revise any advisory opinion issued by the Speaker or may revise any advisory opinion issued by the general counsel of the Office

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of Legislative Services under Joint Rule 1.8. The House general counsel or this committee shall make sufficient deletions to prevent disclosing the identity of persons in the decisions or opinions. All advisory opinions of the Speaker or this committee shall be numbered, dated, and published in an annual publication of the House. The Clerk shall keep a compilation of all advisory opinions.

17.3—Penalties for Violations

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

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RULE EIGHTEEN—COMPLAINTS AGAINST MEMBERS AND OFFICERS OF THE
HOUSE, LOBBYISTS, AND OTHER PERSONS

18.1—Complaints against Members and Officers of the House,
Lobbyists, and Other Persons; Procedure

Rule 18 governs proceedings on all complaints under the
jurisdiction of the House. Such complaints include:

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

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

18.2—Violations; Investigations

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

(b) Upon a determination by the chair of the Rules,

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2395 Calendar & Ethics Committee that the complaint states facts
2396 supporting a finding of probable cause, the Speaker shall refer
2397 the complaint to a special master or to a select committee. Upon
2398 a determination by the chair of the Rules, Calendar & Ethics
2399 Committee that the complaint fails to state facts supporting a
2400 finding of probable cause, the complaint shall be dismissed.

2401 (c) Upon referral by the Speaker of a complaint under
2402 subsection (b), the special master or select committee shall
2403 conduct an investigation, shall give reasonable notice to the
2404 respondent, and shall grant the respondent an opportunity to be
2405 heard unless the investigation fails to reveal facts supporting
2406 a finding of probable cause. A special master's or select
2407 committee's report and recommendation is advisory only and shall
2408 be presented to the chair of the Rules, Calendar & Ethics
2409 Committee as soon as practicable after the close of the
2410 investigation. If the report and recommendation conclude that
2411 the facts do not support a finding of probable cause, the
2412 complaint shall be dismissed by the chair of the Rules, Calendar
2413 & Ethics Committee.

2414 (d) If the complaint is not dismissed by the special
2415 master or the select committee, the Rules, Calendar & Ethics
2416 Committee shall consider the report and recommendation, shall
2417 grant the respondent an opportunity to be heard, and shall
2418 develop its own recommendation. If the complaint is against the
2419 chair of the Rules, Calendar & Ethics Committee, the chair is

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excused and the vice chair shall conduct the deliberation. If the Rules, Calendar & Ethics Committee votes to dismiss the complaint, the chair of the Rules, Calendar & Ethics Committee or vice chair shall dismiss the complaint. Otherwise, the special master's or select committee's report and recommendation and the recommendation of the Rules, Calendar & Ethics Committee shall be presented to the Speaker.

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

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

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

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

18.3—Confidentiality

Any material provided to the House in response to a complaint

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

18.4—Conflict

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

18.5—Time Limitations

(a) A complaint must be filed with the chair of the Rules, Calendar & Ethics Committee within 2 years after the alleged violation.

(b) A violation of the House Code of Conduct is committed when every element necessary to establish a violation of the rule has occurred, and time starts to run on the day after the

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2470 | violation occurred.

2471 | (c) The applicable period of limitation is tolled on the
2472 | day a sworn complaint against the member or officer is filed
2473 | with the chair of the Rules, Calendar & Ethics Committee.