

By Senator Farmer

34-01545A-21

20211604\_\_

Senate Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article III of the State Constitution to authorize each house of the Legislature to establish rules of procedure to allow remote proceedings in the event of certain states of emergency.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 4 of Article III of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE III

LEGISLATURE

SECTION 4. Quorum and procedure.-

(a) A majority of the membership of each house shall constitute a quorum, but a smaller number may adjourn from day to day and compel the presence of absent members in such manner and under such penalties as it may prescribe. Each house shall determine its rules of procedure.

(b) Sessions of each house shall be public; except sessions of the senate when considering appointment to or removal from public office may be closed.

(c) Each house shall keep and publish a journal of its proceedings; and upon the request of five members present, the vote of each member voting on any question shall be entered on the journal. In any legislative committee or subcommittee, the

34-01545A-21

20211604\_\_

30 vote of each member voting on the final passage of any  
31 legislation pending before the committee, and upon the request  
32 of any two members of the committee or subcommittee, the vote of  
33 each member on any other question, shall be recorded.

34 (d) Each house may punish a member for contempt or  
35 disorderly conduct and, by a two-thirds vote of its membership,  
36 may expel a member.

37 (e) The rules of procedure of each house shall provide that  
38 all legislative committee and subcommittee meetings of each  
39 house, and joint conference committee meetings, shall be open  
40 and noticed to the public. The rules of procedure of each house  
41 shall further provide that all prearranged gatherings, between  
42 more than two members of the legislature, or between the  
43 governor, the president of the senate, or the speaker of the  
44 house of representatives, the purpose of which is to agree upon  
45 formal legislative action that will be taken at a subsequent  
46 time, or at which formal legislative action is taken, regarding  
47 pending legislation or amendments, shall be reasonably open to  
48 the public. The rules of procedure of each house may provide  
49 that legislative committee and subcommittee meetings and  
50 sessions of each house may be conducted remotely and that a  
51 quorum may be established without the physical presence of  
52 members in the event of a declared state of emergency having the  
53 potential to impact the life, health, or safety of members of  
54 the legislature or the general public. However, any such remote  
55 proceedings must remain open and noticed to the public to the  
56 greatest extent possible unless a closed session or committee  
57 meeting is authorized under this section or by rule. All open  
58 meetings shall be subject to order and decorum. This section

34-01545A-21

20211604\_\_

59 shall be implemented and defined by the rules of each house, and  
60 such rules shall control admission to the floor of each  
61 legislative chamber and may, where reasonably necessary for  
62 security purposes or to protect a witness appearing before a  
63 committee, provide for the closure of committee meetings. Each  
64 house shall be the sole judge for the interpretation,  
65 implementation, and enforcement of this section.

66 BE IT FURTHER RESOLVED that the following statement be  
67 placed on the ballot:

68 CONSTITUTIONAL AMENDMENT

69 ARTICLE III, SECTION 4

70 REMOTE PROCEEDINGS OF THE LEGISLATURE DURING CERTAIN STATES  
71 OF EMERGENCY.—Proposing an amendment to the State Constitution  
72 to authorize each house of the Legislature to establish rules of  
73 procedure that allow each house to conduct committee and  
74 subcommittee meetings and sessions remotely and establish a  
75 quorum without the physical presence of members of the  
76 Legislature in the event of a declared state of emergency having  
77 the potential to impact the life, health, or safety of members  
78 or the general public.