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2022O

## House Concurrent Resolution

A concurrent resolution establishing the Joint Rules  
of the Florida Legislature for the 2022-2024 term.

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

That the following joint rules shall govern the Florida  
Legislature for the 2022-2024 term:

## JOINT RULES

## Joint Rule One—Lobbyist Registration and Compensation Reporting

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

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

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

(a) "Compensation" means payment, distribution, loan,  
advance, reimbursement, deposit, salary, fee, retainer, or  
anything of value provided or owed to a lobbying firm, directly

26 or indirectly, by a principal for any lobbying activity.

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

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

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

49 (e) "Lobbyist" means a person who is employed and receives  
50 payment, or who contracts for economic consideration, for the

51 purpose of lobbying or a person who is principally employed for  
52 governmental affairs by another person or governmental entity to  
53 lobby on behalf of that other person or governmental entity. An  
54 employee of the principal is not a lobbyist unless the employee  
55 is principally employed for governmental affairs. The term  
56 "principally employed for governmental affairs" means that one  
57 of the principal or most significant responsibilities of the  
58 employee to the employer is overseeing the employer's various  
59 relationships with government or representing the employer in  
60 its contacts with government. Any person employed by the  
61 Governor, the Executive Office of the Governor, or any executive  
62 or judicial department of the state or any community college of  
63 the state who seeks to encourage the passage, defeat, or  
64 modification of any legislation by personal appearance or  
65 attendance before the House of Representatives or the Senate, or  
66 any member or committee thereof, is a lobbyist.

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

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

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

75 (i) "Payment" or "salary" means wages or any other

76 consideration provided in exchange for services but does not  
77 include reimbursement for expenses.

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

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

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

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

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

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

99 (d) Representation of a client before the House of  
100 Representatives or the Senate, or any member or committee

thereof, when the client is subject to disciplinary action by the House of Representatives or the Senate, or any member or committee thereof.

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

(a) A member of the Legislature.

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

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

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

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

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

(5) When a person, regardless of whether the person is registered as a lobbyist, appears before a committee of the

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Legislature, that person must submit a Committee Appearance Record as required by the respective house.

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

#### 1.2—Method of Registration

(1) Each person required to register with the LRO must register through the LRCRS and attest to that person's full legal name, business address, e-mail address, and telephone number; the name, business address, e-mail address, and telephone number of each principal that person represents; and the extent of any direct business association or partnership that person has with any member of the Legislature. If the lobbyist is, or belongs to, a lobbying firm, the lobbyist must state the name, address, and telephone number of the lobbying firm and the e-mail address of the person responsible for the submission of compensation reports. All lobbyists associated with the same firm must register using the identical name,

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151 address, and e-mail address of the firm in the LRCRS.  
152 Registration is not complete until the LRCRS receives  
153 authorization from the principal's representative and the  
154 registration fee. Lobbyists may not authorize themselves on  
155 behalf of the principal representative. Any changes to the  
156 information existing in the LRCRS must be updated online in the  
157 LRCRS within 15 days from the effective date of the change.

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

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

172 (4) A lobbyist shall promptly cancel the registration for  
173 a principal upon termination of the lobbyist's representation of  
174 that principal. A cancellation takes effect the day it is  
175 received by the LRCRS. Notwithstanding this requirement, the LRO

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may remove the name of a lobbyist from the list of registered lobbyists if the principal notifies the LRO in writing that the lobbyist is no longer authorized to represent that principal.

(5) Should a registered lobbyist identify a scrivener's error in their own registration in the LRCRS after submission, they may make a written request to the LRO to correct such error. The request must clearly identify and describe the error. Each request will be reviewed by the Office before any changes will be made.

(6) The LRO shall retain registration information submitted under this rule.

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

### 1.3-Registration Costs; Exemptions

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

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



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

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

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

(d) Two employees of the Commission on Ethics.

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

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

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

#### 1.4-Reporting of Lobbying Firm Compensation

(1)(a) Each lobbying firm shall file a compensation report

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with the LRO through the LRCRS for each calendar quarter during any portion of which one or more of the firm's lobbyists were registered to represent a principal. The report must include the:

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

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

1. Full name, business address, and telephone number of the principal; and
2. Total compensation provided or owed to the lobbying firm for the reporting period, reported in one of the following categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or more. If the category "\$50,000 or more" is selected, the specific dollar amount of compensation must be reported, rounded up or down to the nearest \$1,000.

(c) Compensation shall be reported using the accrual basis

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251 of accounting.

252 (d) Compensation reports should reflect compensation  
253 received for lobbying the legislative branch only.

254 (e) If the lobbying firm subcontracts work from another  
255 lobbying firm and not from the original principal:

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

259 2. The reporting lobbying firm shall, for each lobbying  
260 firm identified as the reporting lobbying firm's principal under  
261 paragraph (b), identify the name, business address, and  
262 telephone number of the principal originating the lobbying work.

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

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

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Category (dollars)	Dollar amount to use aggregating
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0	0
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1-9,999	5,000
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10,000-19,999	15,000
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20,000-29,999	25,000
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30,000-39,999	35,000
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40,000-49,999	45,000
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50,000 or more	Actual amount reported
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(3) The compensation reports shall be filed no later than 45 days after the end of each reporting period. The four reporting periods are from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31, respectively. The reports shall be rendered in the identical form provided by the respective houses and shall be open to public inspection.

(4) A report filed pursuant to this rule must be completed

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

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

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

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

(1) Upon determining that the report is late, the LRCRS shall immediately notify the lobbying firm by e-mail as to the

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failure to timely file the report and that a fine is being assessed for each late day. The fine shall be \$50 per day per report for each late day, not to exceed \$5,000 per report.

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

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

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

(5) Any lobbying firm may appeal or dispute a fine, based upon unusual circumstances surrounding the failure to file on the designated due date, and may request and shall be entitled to a hearing before the General Counsel of the Office of Legislative Services, who shall recommend to the President of the Senate and the Speaker of the House of Representatives, or their respective designees, that the fine be waived in whole or

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in part for good cause shown. The President of the Senate and the Speaker of the House of Representatives, or their respective designees, may, by joint agreement, concur in the recommendation and waive the fine in whole or in part. Any such request shall be made within 30 days after the notice of payment due is transmitted by the LRCRS. In such case, the lobbying firm shall, within the 30-day period, notify the LRO in writing of the firm's intention to request a hearing.

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

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

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lobbying firm are jointly and severally liable for any outstanding fine owed by a lobbying firm.

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

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

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

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

(2) The LRO shall make information filed pursuant to Joint



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

#### 1.7—Records Retention and Inspection and Complaint Procedure

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

(2) Upon receipt of a complaint based on the personal knowledge of the complainant made pursuant to the Senate Rules or the Rules of the House of Representatives, any such documents and records may be inspected when authorized by the President of the Senate or the Speaker of the House of Representatives, as applicable. The person authorized to perform the inspection shall be designated in writing and shall be a member of The Florida Bar or a certified public accountant licensed in Florida. Any information obtained by such an inspection may only be used for purposes authorized by law, Joint Rule One, the Senate Rules, or the Rules of the House of Representatives,

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418 | which purposes may include the imposition of sanctions against a  
419 | person subject to Joint Rule One, the Senate Rules, or the Rules  
420 | of the House of Representatives. Any employee who uses that  
421 | information for an unauthorized purpose is subject to  
422 | discipline. Any member who uses that information for an  
423 | unauthorized purpose is subject to discipline under the  
424 | applicable rules of each house.

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

427 |  
428 | 1.8—Questions Regarding Interpretation of Joint Rule One

429 |       (1) A person may request in writing an informal opinion  
430 | from the General Counsel of the Office of Legislative Services  
431 | as to the application of Joint Rule One to a specific situation  
432 | involving that person's conduct. The General Counsel shall issue  
433 | the opinion within 10 days after receiving the request. The  
434 | informal opinion may be relied upon by the person who requested  
435 | the informal opinion. A copy of each informal opinion that is  
436 | issued shall be provided to the presiding officer of each house.  
437 | A committee of either house designated pursuant to section  
438 | 11.045(5), Florida Statutes, may revise any informal opinion  
439 | rendered by the General Counsel through an advisory opinion to  
440 | the person who requested the informal opinion. The advisory  
441 | opinion shall supersede the informal opinion as of the date the  
442 | advisory opinion is issued.

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

#### 1.9—Effect of Readoption and Revision

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

#### Joint Rule Two—General Appropriations Review Period and Budget Conference Committee Rules

#### 2.1—General Appropriations and Related Bills; Review Periods

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

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

(3) If a bill is referred to a conference committee by operation of this rule, a 72-hour public review period shall be provided prior to a vote being taken on the conference committee report by either house.

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

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

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

2. An electronic copy may be furnished to each member. The Legislature hereby deems and determines that a copy shall have been furnished to the members of the Legislature when an electronic copy is made available to every member of the

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Legislature. An electronic copy is deemed to have been made available when it is accessible via the Internet or other information network consisting of systems ordinarily serving the members of the Senate or the House of Representatives.

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

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

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

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518 computation under this rule.

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

525 (9) With respect to each bill that may be affected, a  
526 member of the Senate or the House of Representatives may not  
527 raise a point of order under this rule after a vote is taken on  
528 the bill. Except as may be required by the Florida Constitution,  
529 noncompliance with any requirement of this rule may be waived by  
530 a two-thirds vote of those members present and voting in each  
531 house.

532  
533 2.2-General Appropriations and Related Bills; Definitions

534 As used in Joint Rule Two, the term:

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

537 (2) "General appropriations bill" means a bill that  
538 provides for the salaries of public officers and other current  
539 expenses of the state and contains no subject other than  
540 appropriations. A bill that contains appropriations that are  
541 incidental and necessary solely to implement a substantive law  
542 is not included within this term. For the purposes of Joint Rule

Two and Section 19(d) of Article III of the Florida Constitution, the Legislature hereby determines that, after a general appropriations bill has been enacted and establishes governing law for a particular fiscal year, a bill considered in any subsequent session that makes net reductions in such enacted appropriations or that makes supplemental appropriations shall not be deemed to be a general appropriations bill unless such bill provides for the salaries of public officers and other current expenses of the state for a subsequent fiscal year.

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

(4)(a) "Appropriations project" means a specific appropriation, proviso, or item on a conference committee spreadsheet agreed to by House and Senate conferees providing funding for:

1. A local government, private entity, or privately operated program, wherein the specific appropriation, proviso, or item on a conference committee spreadsheet specifically names the local government, private entity, or privately operated program or the appropriation, proviso, or item is written in such a manner as to describe a particular local government, private entity, or privately operated program;

2. A specific transportation facility that was not part of the Department of Transportation's 5-year work program submitted pursuant to s. 339.135, Florida Statutes;

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3. An education fixed capital outlay project that was not submitted pursuant to s. 1013.60 or s. 1013.64, Florida Statutes, unless funds for the specific project were appropriated by the Legislature in a prior year and additional funds are needed to complete the project as originally proposed;

4. A specified program, research initiative, institute, center, or similar entity at a specific state college or university, unless recommended by the Board of Governors or the State Board of Education in their Legislative Budget Request; or

5. A local water project.

(b) The term does not include an appropriation that:

1. Is specifically authorized by statute;

2. Is part of a statewide distribution to local governments; or

3. Was recommended by a commission, council, or other similar entity created in statute to make annual funding recommendations, provided that such appropriation does not exceed the amount of funding recommended by the commission, council, or other similar entity.

#### 2.3–Budget Conference Committee Rules

(1) For an appropriations project to be included in a conference committee report:

(a) The appropriations project must be included in a bill or an amendment placed into a budget conference; and



(b) Information required by subsections (2) and (3) relating to the appropriations project must have been in writing and published online prior to the passage by that chamber of the bill or amendment which was placed into a budget conference.

(2) The information collected must include:

(a) A descriptive title of the appropriations project.

(b) The date of the submission.

(c) The name of the submitting member.

(d) The most recent year in which the appropriations project received state funding, if applicable.

(e) Whether the most recent funding for the project had been vetoed.

(f) The amount of the nonrecurring request.

(g) The amount of funding received in the prior year on a recurring or nonrecurring basis.

(h) In what agency the project is best placed and whether the agency has been contacted.

(i) The name of the organization or entity receiving the funds as well as a point of contact for the organization or entity.

(j) The name of the registered lobbyist of the entity requesting the appropriations project.

(k) Whether the organization to receive the funds is a for-profit entity, a not-for-profit entity, a local entity, a state university or college, or other type of organization.

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(l) The specific purpose or goal that will be achieved by the funds requested.

(m) The activities and services that will be provided to meet the intended purpose of these funds.

(n) Specific descriptions of how the funds will be expended, including a description and the amounts to be expended on: administrative costs, itemized to include the salary of the executive director or project head, other salaries and benefits, expenses, and consultants, contractors, or studies; operational costs, itemized to include salaries and benefits, expenses, and consultants, contractors, or studies; and fixed capital outlay, itemized to include land purchase, planning, engineering, construction, and renovation.

(o) The owner of the facility to receive, directly or indirectly, any fixed capital outlay funding, and the relationship between the owners of the facility and the entity.

(p) A description of the direct services to be provided to citizens by the appropriations project, if applicable.

(q) A description of the target population to be served and the number of individuals to be served by the appropriations project.

(r) A description of the specific benefit or outcome, including the methodology by which this outcome will be measured.

(s) The amount and percentage of federal, local, and state

643 funds, excluding the funds requested for the appropriations  
644 project, or other matching funds available for the  
645 appropriations project.

646 (t) How much additional nonrecurring funding is  
647 anticipated to be requested in future years by amount per year.

648 (u) The suggested penalties that the contracting agency  
649 may consider in addition to its standard penalties for failing  
650 to meet deliverables or performance measures provided for in the  
651 contract.

652 (3) With respect to an appropriations project that is also  
653 a local water project, the information collected must also  
654 include:

655 (a) Whether alternative state funding such as the Waste  
656 Water Revolving Loan, Drinking Water Revolving Loan, Small  
657 Community Waste Water Drinking grant, or other funding has been  
658 requested.

659 (b) Whether the project is for a financially disadvantaged  
660 community, as defined in chapter 62-552, Florida Administrative  
661 Code; a financially disadvantaged municipality; a rural area of  
662 critical economic concern; or a rural area of opportunity, as  
663 defined in s. 288.0656, Florida Statutes.

664 (c) Whether the construction status is shovel-ready.

665 (d) The percentage of construction completed and the  
666 estimated completion date.

667 (4) Each chamber must collect the required information

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described in subsections (2) and (3) in the form and manner prescribed by that chamber.

(5) The portion of an appropriations project which was funded with recurring funds in the most recently enacted general appropriations act is exempt from subsections (1), (2) and (3).

(6) An appropriations project may only be funded with nonrecurring funds, except that the portion of an appropriations project which was funded with recurring funds as provided in subsection (5) may be continued with or without additional nonrecurring funds.

(7) The nonrecurring funding of an appropriations project in the conference committee report may be less than, equal to, or greater than the funding for the appropriations project as originally committed to the conference committee.

(8) An appropriations project that was not included in either chamber's bill in accordance with subsections (1), (2), and (3) may not be included in a conference report.

(9)(a) To be included in a conference committee report, all appropriations projects, except as otherwise provided in paragraph (b), must be clearly identified in the bill or amendment that will be considered by a conference committee and in any conference report.

(b) An appropriations project funded with recurring funds in the most recently enacted general appropriation act that is not appropriated any additional funds is exempt from the

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provisions of paragraph (a).

(10) The conference committee must allow for public testimony regarding appropriations projects at each noticed meeting.

(11) Nothing in this rule shall limit either chamber's ability to apply a stricter standard to its own bills prior to the commencement of conference proceedings. This Joint Rule applies to all conference committee reports related to the General Appropriations Act and supersedes either chamber's rules that are contrary to or inconsistent with the provisions of this Joint Rule.

### Joint Rule Three—Joint Offices and Policies

#### 3.1—Joint Legislative Offices

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

- (a) Office of Economic and Demographic Research.
- (b) Office of Legislative Information Technology Services.
- (c) Office of Legislative Services.
- (d) Office of Program Policy Analysis and Government Accountability.

(2) Offices established under this rule shall provide support services to the Legislature that are determined by the President of the Senate and the Speaker of the House of

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Representatives to be necessary and that can be effectively provided jointly to both houses and other units of the Legislature. Each office shall be directed by a coordinator selected by and serving at the pleasure of the President of the Senate and the Speaker of the House of Representatives. Upon the initial adoption of these joint rules in a biennium, each coordinator position shall be deemed vacant until an appointment is made.

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

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

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

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

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

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

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

### 3.2-Joint Policies

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

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

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Joint Rule Four—Joint Committees

4.1—Standing Joint Committees

(1) The following standing joint committees are established:

(a) Administrative Procedures Committee.

(b) Committee on Public Counsel Oversight.

(c) Legislative Auditing Committee.

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

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

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

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



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the general election.

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

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

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

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

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

#### 4.2-Procedures in Joint Committees

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

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

(2)(a) Joint committees shall meet only within the dates,

818 times, and locations authorized by both the President of the  
819 Senate and the Speaker of the House of Representatives.

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

827 (c) Before any joint committee may hold a meeting, a  
828 notice of such meeting shall be provided to the Secretary of the  
829 Senate and the Clerk of the House of Representatives. When the  
830 Legislature is not in session, notice must be provided no later  
831 than 4:30 p.m. of the 7th day before the meeting. When the  
832 Legislature is in session, notice must be provided no later than  
833 4:30 p.m. of the 3rd day before the meeting. For purposes of  
834 effecting notice to members of the house to which the chair does  
835 not belong, notice to the Secretary of the Senate shall be  
836 deemed notice to members of the Senate and notice to the Clerk  
837 of the House shall be deemed notice to members of the House of  
838 Representatives. Noticed meetings may be canceled by the chair  
839 with the approval of at least one presiding officer.

840 (d) If a majority of its members from each house agree, a  
841 joint committee may continue a properly noticed meeting after  
842 the expiration of the time called for the meeting. However, a

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joint committee may not meet beyond the time authorized by the presiding officers without special leave granted by both presiding officers.

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

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

#### 4.3-Powers of Joint Committees

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

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

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

#### 4.4-Administration of Joint Committees

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

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

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

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

(2) The Legislative Auditing Committee may receive

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

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

#### 4.6—Special Powers and Duties of the Administrative Procedures Committee

The Administrative Procedures Committee shall:

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

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

(3) Review administrative rules and advise the agencies concerned of its findings.

(4) Exercise the duties prescribed by chapter 120, Florida

918 Statutes, concerning the adoption and promulgation of rules.

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

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

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

939 (8) Subject to the approval of the President of the Senate  
940 and the Speaker of the House of Representatives, have standing  
941 to seek judicial review, on behalf of the Legislature or the  
942 citizens of this state, of the validity or invalidity of any

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administrative rule to which the committee has voted an objection and that has not been withdrawn, modified, repealed, or amended to meet the objection. Judicial review under this subsection may not be initiated until the Governor and the head of the agency making the rule to which the committee has objected have been notified of the committee's proposed action and have been given a reasonable opportunity, not to exceed 60 days, for consultation with the committee. The committee may expend public funds from its appropriation for the purpose of seeking judicial review.

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

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

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

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

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

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

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

981  
982 Joint Rule Five—Auditor General

983  
984 5.1—Rulemaking Authority

985 The Auditor General shall make and enforce reasonable rules and  
986 regulations necessary to facilitate audits that he or she is  
987 authorized to perform.

988  
989 5.2—Budget and Accounting

990 (1) The Auditor General shall prepare and submit annually  
991 to the President of the Senate and the Speaker of the House of  
992 Representatives for their joint approval a proposed budget for



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the ensuing fiscal year.

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

#### 5.3-Audit Report Distribution

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

(2) A copy of each audit report shall be made available to

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each member of the Legislative Auditing Committee.

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

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

(5) The Auditor General shall transmit to the President of the Senate and the Speaker of the House of Representatives, by December 1 of each year, a list of statutory and fiscal changes recommended by audit reports. The recommendations shall be presented in two categories: one addressing substantive law and policy issues and the other addressing budget issues. The Auditor General may also transmit recommendations at other times of the year when the information would be timely and useful for the Legislature.

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

Joint Rule Six—Joint Legislative Budget Commission

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1043  
1044 6.1-General Responsibilities

1045 (1) The commission, as provided in chapter 216, Florida  
1046 Statutes, shall receive and review notices of budget and  
1047 personnel actions taken or proposed to be taken by the executive  
1048 and judicial branches and shall approve or disapprove such  
1049 actions.

1050 (2) Through its chair, the commission shall advise the  
1051 Governor and the Chief Justice of actions or proposed actions  
1052 that exceed delegated authority or that are contrary to  
1053 legislative policy and intent.

1054 (3) To the extent possible, the commission shall inform  
1055 members of the Legislature of budget amendments requested by the  
1056 executive or judicial branches.

1057 (4) The commission shall consult with the Chief Financial  
1058 Officer and the Executive Office of the Governor on matters as  
1059 required by chapter 216, Florida Statutes.

1060 (5) The President of the Senate and the Speaker of the  
1061 House of Representatives may jointly assign other  
1062 responsibilities to the commission in addition to those assigned  
1063 by law.

1064 (6) The commission shall develop policies and procedures  
1065 necessary to carry out its assigned responsibilities, subject to  
1066 the joint approval of the President of the Senate and the  
1067 Speaker of the House of Representatives.

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

#### 6.2—Organizational Structure

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

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

#### 6.3—Notice of Commission Meetings

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

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Legislature and the public, consistent with the rules and policies of their respective houses.

#### 6.4—Effect of Adoption; Intent

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

### Joint Rule Seven—Qualifications of Members

#### 7.1—Residency

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

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

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

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(c) The abandonment of rights and privileges associated with a prior legal residence;

(d) Where one is registered as a voter;

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

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

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

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

(i) Where one receives mail and other correspondence;

(j) Where one customarily resides;

(k) Where one conducts business affairs;

(l) Where one rents or leases property; and

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

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

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

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for office.

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

Joint Rule Eight—Adjourning and Reconvening of Each House of the Legislature and Providing for Adjournment Sine Die

8.1—Adjourning and Reconvening

Pursuant to Section 3(e) of Article III of the Florida Constitution, during any legislative session, each house of the Legislature may, without consent from the other house, determine its respective dates and times for adjourning and reconvening daily sittings.

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1169     8.2-Adjournment Sine Die

1170            (1)   During regular sessions, both houses of the  
1171   Legislature shall adjourn sine die by concurrent resolution or  
1172   concurrent motions or on the 60th day at 11:59 p.m., unless  
1173   extended.

1174            (2)   During special sessions, both houses shall adjourn  
1175   sine die by concurrent resolution or concurrent motions or upon  
1176   reaching the hour on which the special session is adjourned sine  
1177   die by operation of the proclamation, unless extended.