

The Rules



of the
Florida House of Representatives
and the
Joint Rules
of the Florida Legislature
2014 - 2016

Steve Crisafulli, Speaker
Adopted in Organization Session,
November 18, 2014

PROVISIONAL

**RULES OF THE
FLORIDA HOUSE OF REPRESENTATIVES**

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1 House Resolution

2 A resolution establishing the Rules of the House of
3 Representatives of the State of Florida for the 2014-
4 2016 term.

5
6 Be It Resolved by the House of Representatives of the State of
7 Florida:

8
9 That the following rules shall govern the House of
10 Representatives of the State of Florida for the 2014-2016 term:

11
12 RULES OF THE FLORIDA HOUSE OF REPRESENTATIVES

13
14 RULE ONE—LEGISLATIVE ORGANIZATION

15
16 1.1—Officers of the House

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

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

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

24 (b) HOUSE LEADERSHIP. In addition to the Speaker, the
25 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.

33 |

34 | 1.2—Political Party Conferences

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

37 |

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

103

104 2.4-Execution of Documents

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

110

111 2.5-Appointment of a Temporary Presiding Officer

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

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

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

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126 such incapacity or other inability to serve.

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

131

132 2.6—Protecting the Interests of the House

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

140

141 2.7—Control of House Facilities

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

145

146 RULE THREE—MEMBERS

147

148 3.1—Membership

149 The House shall exercise its right to be the sole judge of the
 150 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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176 | the member must disclose the nature of the interest of such
 177 | person in the outcome of the vote.

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

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

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

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

196 |

197 | 3.3-Attendance Obligation

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

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

207 (b) SESSION ATTENDANCE.

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

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

222

223 3.4-Open Meetings

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

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

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

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

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

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

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

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

265

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

267

268 4.1—The Clerk

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

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

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

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

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

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

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

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

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

292

293 4.2-The Sergeant at Arms

294 The Sergeant at Arms (hereinafter "Sergeant") serves at the
 295 pleasure of the Speaker. The Sergeant shall attend the House
 296 during its sittings and maintain order under the direction of
 297 the Speaker or other presiding officer. In case of any
 298 disturbance or disorderly conduct within the Chamber, corridors,
 299 passages, lobby, galleries, or rooms of the House, whether in
 300 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.

308

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.

320

321 RULE FIVE—FORM AND INTRODUCTION OF BILLS

322

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

328

329 5.2—Member Bill Filing Deadline

330 Filing deadlines for member bills shall be as follows:

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

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

340

341 5.3—Limitation on Member Bills Filed

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

348 (b) Bills not counted toward these limits include:

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

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- 351 (3) Memorials.
- 352 (4) Concurrent resolutions relating to extension of a
- 353 session or legislative organization or procedures.
- 354 (5) Trust fund bills adhering to another bill.
- 355 (6) Public records or public meetings exemption bills
- 356 adhering to another bill.
- 357 (7) General bills adhering to a joint resolution.
- 358 (8) Bills that only repeal or delete, without substantive
- 359 replacement, any provision of the Florida Statutes or Laws of
- 360 Florida.
- 361 (9) Bills withdrawn from further consideration prior to
- 362 the applicable filing deadline.

363

364 5.4-Forms of Measures; Sponsorship Transactions

365 (a) To be acceptable for introduction, all bills shall be

366 produced in accordance with standards approved by the Speaker.

367 (b) No member may be added or deleted as a sponsor or

368 cosponsor of a bill without the member's consent. A member

369 desiring to be a cosponsor must submit to the Clerk a

370 cosponsorship request agreed to by the first-named sponsor. A

371 member may withdraw as a cosponsor by submitting a request to

372 the Clerk.

373 (c) Bills that propose to amend existing provisions of law

374 shall contain the full text of the section, subsection, or

375 paragraph to be amended. Joint resolutions that propose to amend

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

399
 400 5.5-Local Bills

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

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

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

414

415 5.6-Claim Bills

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

425 (b) Stipulations entered into by the parties are not

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

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

434

435 5.7-~~Reviser's Bills~~

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

439

440 5.8-~~Memorials~~

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

445

446 5.9-~~House Resolutions; Concurrent Resolutions; Tributes~~

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

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

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

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

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

473

474 5.10-Bills Filed During an Interim

475 During the period between the organization session and the

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

481

482 5.11—Requirements for Introduction

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

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

499

500 5.12—Identification

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

509

510 5.13—Companion Measures

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

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RULE SIX—REFERENCE

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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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- 601 (5) Health & Human Services Committee.
- 602 a. Children, Families & Seniors Subcommittee.
- 603 b. Health Innovation Subcommittee.
- 604 c. Health Quality Subcommittee.
- 605 (6) Judiciary Committee.
- 606 a. Civil Justice Subcommittee.
- 607 b. Criminal Justice Subcommittee.
- 608 (7) Local & Federal Affairs Committee.
- 609 a. Local Government Affairs Subcommittee.
- 610 b. Veteran & Military Affairs Subcommittee.
- 611 (8) Regulatory Affairs Committee.
- 612 a. Business & Professions Subcommittee.
- 613 b. Energy & Utilities Subcommittee.
- 614 c. Insurance & Banking Subcommittee.
- 615 (9) Rules, Calendar & Ethics Committee.
- 616 a. Rulemaking Oversight & Repeal Subcommittee.
- 617 (10) State Affairs Committee.
- 618 a. Agriculture & Natural Resources Subcommittee.
- 619 b. Government Operations Subcommittee.
- 620 (b) For purposes of these rules, the term "committee"
- 621 includes subcommittee, except where the context indicates
- 622 otherwise.

624 7.2-Committee and Subcommittee Appointments

625 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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651

652 7.4—Absence of the Chair

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

661

662 7.5—Term of Appointment

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

670

671 7.6—Creation of Select Committees

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

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

680

681 7.7—Ex officio Members

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

693

694 7.8—Meetings of Committees and Subcommittees

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

699

700 7.9—Consideration of Proposed Committee and Subcommittee Bills

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

710

711 7.10—Conference Committees

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

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

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

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

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

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

737 |

738 | PART TWO—Procedures in Committees and Subcommittees

739 |

740 | 7.11—Scheduling Committee and Subcommittee Meetings

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

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

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

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

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

766 (e) NOTICE DEADLINES DURING SESSIONS. During the first 45
 767 days of a regular session, notice shall be provided no later
 768 than 4:30 p.m. of the 2nd day (excluding Saturdays, Sundays, and
 769 official state holidays) before the committee or subcommittee
 770 meeting for the purpose of considering legislation. After the
 771 45th day of a regular session and during any extended session,
 772 the notice shall be provided no later than 4:30 p.m. on the day
 773 (including Saturdays, Sundays, and official state holidays)
 774 before the committee or subcommittee meeting. During any special
 775 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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801 consider the substance of legislation.

802

803 7.12—Amendment Deadlines in Committee and Subcommittee

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

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

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

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

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

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

830

831 | 7.13—Quorum of Committee or Subcommittee

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

836

837 | 7.14—Meeting during House Sessions

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

840

841 | 7.15—Voting in Committee or Subcommittee

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

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

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

857

858 7.16—Reconsideration in Committee or Subcommittee

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

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

865 (b) Any member voting on the prevailing side on passage or
866 defeat of a bill may, as a matter of right, serve notice that
867 the bill be retained through the next committee or subcommittee
868 meeting for the purpose of reconsideration. Such notice by an
869 individual member may be set aside by adoption of a motion to
870 report the bill immediately, which shall require a two-thirds
871 vote. No bill may be retained under this provision after the
872 40th day of a regular session or during any extended or special
873 session.

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

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876 subject to which it is related.

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

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

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

888

889 7.17—Reports on Bills

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

897

898 7.18—Bill Reported Unfavorably by a Committee or Subcommittee

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

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7.19—Committee and Subcommittee Substitutes

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

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

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

7.20—Subpoena Powers

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

7.21—Administration of Oaths

Whenever desired by a committee or subcommittee, the chair or

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

934

935 7.22—Procedure in Conference Committees

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

942

943 7.23—Open Meetings; Decorum

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

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

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

958

959 PART THREE—Oversight Powers and Responsibilities

960

961 7.24—Oversight Powers and Responsibilities of Standing
 962 Committees and Subcommittees

963 (a) Each standing committee or subcommittee is authorized
 964 to exercise all powers authorized for committees pursuant to s.
 965 11.143, Florida Statutes, to carry out oversight
 966 responsibilities within its respective subject matter
 967 jurisdiction. For purposes of this rule, the Speaker shall
 968 determine the subject matter jurisdiction of each committee or
 969 subcommittee.

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

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

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

978
 979 RULE EIGHT—DEBATE AND CHAMBER PROTOCOL
 980

981 PART ONE—Privilege of the Floor
 982

983 8.1—Privilege of the Floor

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

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

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

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

998 (e) RESTRICTIONS ON NON-MEMBERS. Persons granted the
 999 privilege of the floor may not lobby the members while the House
 1000 is in session, unless granted leave to address the House.

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1001 (f) SESSION ATTIRE. When the House is in session, all
 1002 persons in the Chamber shall be dressed in proper business
 1003 attire.

1004

1005 PART TWO—Speaking

1006

1007 8.2—Addressing the House; Requirements to Spread Remarks Upon
 1008 the Journal

1009 (a) When a member desires to speak or deliver any matter
 1010 to the House, the member shall rise and respectfully address the
 1011 Speaker as "Mr. (or Madam) Speaker" and shall confine all
 1012 remarks to the question under debate, avoiding personalities.
 1013 Once recognized, a member may speak from the member's desk or
 1014 may, with the Speaker's permission, speak from the well.

1015 (b) Any motion to spread remarks upon the Journal, except
 1016 those of the Governor or the Speaker, shall be referred to the
 1017 chair of the Rules, Calendar & Ethics Committee for
 1018 recommendation before being put to the House.

1019

1020 8.3—When Two Members Rise at Once

1021 When two or more members rise at once, the Speaker shall name
 1022 the one who is to speak first. This decision shall be final and
 1023 not open to debate or appeal.

1024

1025 8.4—Recognition of Members

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1026 | There shall be no appeal of the Speaker's recognition, but the
 1027 | Speaker shall be governed by the rules and usage in priority of
 1028 | entertaining motions from the floor. When a member seeks
 1029 | recognition, the Speaker may ask, "For what purpose does the
 1030 | member rise?" or "For what purpose does the member seek
 1031 | recognition?"

1032 |
 1033 | 8.5—Recognition of Gallery Visitors and Doctor of the Day
 1034 | On written request by a member, on a form approved by the Clerk,
 1035 | the Speaker may recognize or permit the member to recognize any
 1036 | person or persons in the gallery. After granting a request for
 1037 | recognition, the Speaker shall afford that recognition at a
 1038 | convenient place in the order of business, considering the need
 1039 | for order and decorum and the need for continuity of debate. At
 1040 | an appropriate time during proceedings on the floor, the Speaker
 1041 | may recognize a Doctor of the Day.

1042 |
 1043 | PART THREE—Debate

1044 |
 1045 | 8.6—Decorum
 1046 | The members shall attend to the debates unless necessarily
 1047 | prevented, and no member shall stand between the Speaker and a
 1048 | member recognized to speak.

1049 |
 1050 | 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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1076 | to 10 minutes, unless otherwise limited by majority vote of the
 1077 | House, notwithstanding the limitation in Rule 8.7.

1078

1079 | PART FOUR—Materials and Meals in Chamber

1080

1081 | 8.10—Distribution of Materials in Chamber; Meals in Chamber

1082 | (a) The following constitutes policy regarding material
 1083 | distributed to the general membership through the Sergeant at
 1084 | Arms' Office and pages:

1085 | (1) All material must be approved by the chair of the
 1086 | Rules, Calendar & Ethics Committee prior to such distribution.

1087 | (2) The following official materials are approved: House
 1088 | and Senate bills, resolutions, memorials, and amendments
 1089 | thereto, and official calendars and journals; committee and
 1090 | subcommittee meeting notices; communications from the Speaker
 1091 | and Clerk and official communications from the Senate; and
 1092 | official staff reports of standing or select committees or
 1093 | subcommittees or of the majority or minority party.

1094 | (b) While members may consume nonalcoholic beverages on
 1095 | the floor, meals will not be allowed on the floor without
 1096 | concurrence of a majority vote.

1097

1098 | PART FIVE—Miscellaneous Papers

1099

1100 | 8.11—Miscellaneous Papers

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1101 Papers of a miscellaneous nature addressed to the House may, at
1102 the discretion of the Speaker, be read, noted in the Journal, or
1103 filed with the appropriate committee or subcommittee. When the
1104 reading of a paper other than one upon which the House is called
1105 to give a final vote is demanded and such reading is objected to
1106 by any member, whether the paper shall be read shall be
1107 determined without debate by the House by a majority vote.

1108

1109

RULE NINE—VOTING

1110

1111 9.1—Members Shall Vote

1112 Every member shall be within the Chamber during its sittings,
1113 unless excused or necessarily prevented, and shall vote on each
1114 question put, unless required to abstain under Rule 3.2.

1115

1116 9.2—Taking the Yeas and Nays

1117 The Speaker shall declare all votes, but if any member rises to
1118 doubt a vote, upon a showing of hands by five members, the
1119 Speaker shall take the sense of the House by oral or electronic
1120 roll call. When taking the yeas and nays on any question, the
1121 electronic roll-call system may be used and when so used shall
1122 have the force and effect of a roll call taken as provided in
1123 these rules. This system likewise may be used to determine the
1124 presence of a quorum. When the House is ready to vote upon a
1125 question requiring roll call, and the vote is by electronic roll

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1126 call, the Speaker shall say, "The question now recurs on
1127 (designating the matter to be voted upon). The Clerk will unlock
1128 the machine and the House will proceed to vote." When sufficient
1129 time has elapsed for each member to vote, the Speaker shall ask,
1130 "Have all members voted?" After a short pause, the Speaker shall
1131 say, "The Clerk will lock the machine and record the vote." When
1132 the vote is completely recorded, the Speaker shall announce the
1133 result to the House, and the Clerk shall record the action upon
1134 the Journal.

1135

1136 9.3—Vote of the Speaker or Temporary Presiding Officer

1137 The Speaker or temporary presiding officer is not required to
1138 vote in legislative proceedings other than on final passage of a
1139 bill, except when the Speaker's or temporary presiding officer's
1140 vote would be decisive. In all yea and nay votes, the Speaker's
1141 or temporary presiding officer's name shall be called last. With
1142 respect to voting, the Speaker or temporary presiding officer is
1143 subject to the same disqualification and disclosure requirements
1144 as any other member.

1145

1146 9.4—Votes After Roll Call; Finality of a Roll Call Vote

1147 (a) After the result of a roll call has been announced, a
1148 member may submit to the Clerk an indication of how the member
1149 would have voted or would have voted differently. The Clerk
1150 shall provide forms for the recording of these actions. When

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1151 | timely submitted, the vote after roll call shall be shown
 1152 | beneath the roll call in the Journal. Otherwise, the vote after
 1153 | roll call shall be shown separately in the Journal.

1154 | (b) In no instance, other than by reason of an electronic
 1155 | or mechanical malfunction, shall the result of a voting machine
 1156 | roll call on any question be changed.

1157 |
 1158 | 9.5—No Member to Vote for Another Except by Request and
 1159 | Direction

1160 | (a) No member may vote for another member except at the
 1161 | other member's specific request and direction. No member may
 1162 | vote for another member who is absent from the Chamber, nor may
 1163 | any person who is not a member cast a vote for a member.

1164 | (b) In no case shall a member vote for another on a quorum
 1165 | call.

1166 | (c) Any member who votes or attempts to vote for another
 1167 | member in violation of this rule or who requests another member
 1168 | to vote for the requesting member in violation of this rule may
 1169 | be disciplined in such a manner as the House may deem proper.

1170 | (d) Any person who is not a member and who votes in the
 1171 | place of a member shall be subject to such discipline as the
 1172 | House may deem proper.

1173 |
 1174 | 9.6—Explanation of Vote
 1175 | A member may not explain his or her vote during a roll call but

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1176 | may reduce his or her explanation to writing in not more than
 1177 | 200 words in an electronic format approved by the Clerk. Upon
 1178 | submission to the Clerk, this explanation shall be spread upon
 1179 | the Journal.

1180

1181 | RULE TEN—ORDER OF BUSINESS AND CALENDARS

1182

1183 | PART ONE—Order of Business

1184

1185 | 10.1—Daily Sessions

1186 | The House shall meet each legislative day at 8 a.m. or as stated
 1187 | in the motion adjourning the House on the prior legislative day
 1188 | on which the House met.

1189

1190 | 10.2—Daily Order of Business

1191 | (a) When the House convenes on a new legislative day, the
 1192 | daily order of business shall be as follows:

- 1193 | (1) Call to Order.
- 1194 | (2) Prayer.
- 1195 | (3) Roll Call.
- 1196 | (4) Pledge of Allegiance.
- 1197 | (5) Correction of the Journal.
- 1198 | (6) Communications.
- 1199 | (7) Messages from the Senate.
- 1200 | (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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1226 chaplain, the Speaker may designate someone else to offer
 1227 prayer.

1228
 1229 10.4—Quorum

1230 A majority of the membership of the House shall constitute a
 1231 quorum to conduct business.

1232
 1233 10.5—Consideration of Senate Messages: Generally

1234 Senate messages may be considered by the House at the time and
 1235 in the order determined by the Speaker.

1236
 1237 PART TWO—Readings

1238
 1239 10.6—"Reading" Defined

1240 "Reading" means the stage of consideration of a bill,
 1241 resolution, or memorial after reading of a portion of the title
 1242 sufficient for identification, as determined by the Speaker.

1243
 1244 10.7—Reading of Bills and Joint Resolutions

1245 Each bill and each joint resolution shall be read on 3 separate
 1246 days prior to a vote upon final passage unless this rule is
 1247 waived by a two-thirds vote, provided the publication of a bill
 1248 or joint resolution by its title in the Journal shall satisfy
 1249 the requirements of first reading.

1250

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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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1276 | has been read a second time on a previous day and has no motion
 1277 | left pending.

1278 |

1279 | PART THREE—Calendars

1280 |

1281 | 10.11—Special Order Calendar

1282 | (a) REGULAR SESSION.

1283 | (1) The Rules, Calendar & Ethics Committee shall
 1284 | periodically submit, as needed, a Special Order Calendar
 1285 | determining the sequence for consideration of legislation. The
 1286 | Special Order Calendar may include bills on second reading,
 1287 | bills on unfinished business, resolutions, and specific sections
 1288 | for local bills, trust fund bills, and bills to be taken up at a
 1289 | time certain. Upon adoption of a Special Order Calendar, no
 1290 | other bills shall be considered for the time period set forth
 1291 | for that Special Order Calendar, except that any bill appearing
 1292 | on that Special Order Calendar may be stricken from it by a
 1293 | majority vote or any bill may be added to it pursuant to Rule
 1294 | 10.13. A previously adopted Special Order Calendar shall expire
 1295 | upon adoption by the House of a new Special Order Calendar.

1296 | (2) Any committee, subcommittee, or member may apply in
 1297 | writing to the chair of the Rules, Calendar & Ethics Committee
 1298 | to place a bill on the Special Order Calendar. The Rules,
 1299 | Calendar & Ethics Committee may grant such requests by a
 1300 | majority vote.

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1301 (3) During the first 55 days of a regular session, the
 1302 Special Order Calendar shall be published in two Calendars of
 1303 the House, and it may be taken up on the day of the second
 1304 published Calendar. After the 55th day of a regular session, the
 1305 Special Order Calendar shall be published in one Calendar of the
 1306 House and may be taken up on the day the Calendar is published.

1307 (b) EXTENDED OR SPECIAL SESSION.

1308 (1) If the Legislature extends a legislative session, all
 1309 bills on the Calendar of the House at the time of expiration of
 1310 the regular session shall be placed in the Rules, Calendar &
 1311 Ethics Committee.

1312 (2) During any extended or special session, all bills upon
 1313 being reported favorably by the last committee or subcommittee
 1314 of reference shall be placed in the Rules, Calendar & Ethics
 1315 Committee.

1316 (3) During any extended or special session, the Rules,
 1317 Calendar & Ethics Committee shall establish a Special Order
 1318 Calendar and only those bills on such Special Order Calendar
 1319 shall be placed on the Calendar of the House.

1320 (4) During any extended or special session, the Special
 1321 Order Calendar shall be published in one Calendar of the House
 1322 and bills thereon may be taken up on the day the Calendar is
 1323 published.

1324
 1325 10.12—Special Floor Procedures

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1326 The Rules, Calendar & Ethics Committee may recommend special
 1327 floor procedures for the management of amendments and debate on
 1328 a particular bill, on second and third readings, which
 1329 procedures may include limitations on amendments and debate.
 1330 Such procedures may not be implemented unless approved by a
 1331 majority vote in session.

1332
 1333 10.13—Consideration of Bills Not on Special Order Calendar
 1334 A bill not included on the Special Order Calendar may be
 1335 considered by the House upon a two-thirds vote.

1336
 1337 10.14—Consent Calendar
 1338 The Rules, Calendar & Ethics Committee may submit Consent
 1339 Calendar procedures to expedite the consideration of
 1340 noncontroversial legislation.

1341
 1342 10.15—Requirements for Placement on Special Order Calendar
 1343 No measure may be placed on a Special Order Calendar until it
 1344 has been reported favorably by each committee and subcommittee
 1345 of reference and is available for consideration on the floor.

1346
 1347 10.16—Informal Deferral of Bills
 1348 Whenever the member who introduced a bill or the first-named
 1349 member sponsor of a committee or subcommittee bill is absent
 1350 from the Chamber when the bill has been reached in the regular

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1351 order on second or third reading, consideration shall be
 1352 informally deferred until such member's return, unless another
 1353 member consents to offer the bill on behalf of the original
 1354 member. The bill shall retain its position on the Calendar of
 1355 the House during the same legislative day. The member shall have
 1356 the responsibility of making the motion for its subsequent
 1357 consideration.

1358
 1359 PART FOUR—Ceremonial Resolutions

1360
 1361 10.17—Ceremonial Resolutions Published in Journal
 1362 Upon approval of the chair of the Rules, Calendar & Ethics
 1363 Committee, a ceremonial resolution may be shown as read and
 1364 adopted by publication in full in the Journal. The Rules,
 1365 Calendar & Ethics Committee shall distribute a list of such
 1366 resolutions 1 day (excluding Saturdays, Sundays, and official
 1367 state holidays) prior to the day of their publication, during
 1368 which time any member may file with the Rules, Calendar & Ethics
 1369 Committee an objection to any resolution listed. Each resolution
 1370 for which an objection has been filed shall be removed from the
 1371 list and placed on the Calendar of the House. All resolutions
 1372 without objections shall be printed on the next legislative day
 1373 in the Journal and considered adopted by the House.

1374
 1375 PART FIVE—Procedural Limitations in Final Week

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1376
 1377 10.18—Consideration Limits to Bills after Day 55
 1378 After the 55th day of a regular session, no House bills on
 1379 second reading may be taken up and considered by the House.

1380
 1381 10.19—Consideration Limits after Day 58
 1382 After the 58th day of a regular session, the House may consider
 1383 only:

- 1384 (a) Returning messages.
- 1385 (b) Conference reports.
- 1386 (c) Concurrent resolutions.

1387
 1388 RULE ELEVEN—MOTIONS

1389
 1390 11.1—Motions; How Made
 1391 Every motion shall be made orally, except when requested by the
 1392 Speaker to be reduced to writing.

1393
 1394 11.2—Precedence of Motions During Debate
 1395 (a) When a question is under debate, the Speaker or the
 1396 chair of a committee or subcommittee shall receive no motion
 1397 except:

- 1398 (1) To adjourn at a time certain.
- 1399 (2) To adjourn.
- 1400 (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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1426 | two or more parts, any member may call for a division of the
 1427 | question so that each part may be voted on separately. However,
 1428 | a motion to remove and insert cannot be divided.

1429 |
 1430 | 11.5—Motion to Recess to a Time Certain

1431 | A motion to recess to a time certain shall be treated the same
 1432 | as a motion to adjourn, except that the motion is debatable when
 1433 | no business is before the House and can be amended as to the
 1434 | time to recess and duration of the recess. It yields only to a
 1435 | motion to adjourn.

1436 |
 1437 | 11.6—Motion to Lay on the Table

1438 | (a) A motion to lay on the table is not debatable and
 1439 | cannot be amended; however, before the motion is put to a vote,
 1440 | the first-named sponsor of a bill or the mover of a debatable
 1441 | motion shall be allowed 5 minutes within which to discuss the
 1442 | same and may divide the time with, or waive this right in favor
 1443 | of, some other member.

1444 | (b) A motion to lay an amendment on the table, if adopted,
 1445 | does not carry with it the measure to which it adheres.

1446 |
 1447 | 11.7—Motion to Reconsider; Immediate Certification of Bills

1448 | (a) When a motion or main question has been made and
 1449 | carried or lost, it shall be in order at any time as a matter of
 1450 | right on the same or succeeding legislative day for a member

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1451 voting with the prevailing side, or for any member in the case
1452 of a voice or tie vote, to move for reconsideration thereof.

1453 (b) When a majority of members vote in the affirmative but
1454 the proposition is lost because it is one in which the
1455 concurrence of a greater number than a majority is necessary for
1456 adoption or passage, any member may move for reconsideration.

1457 (c) The motion to reconsider shall require a majority vote
1458 for adoption.

1459 (d) If the House refuses to reconsider or upon
1460 reconsideration confirms its prior decision, no further motion
1461 to reconsider shall be in order except upon unanimous consent of
1462 the members present.

1463 (e) Debate shall be allowed on a motion to reconsider only
1464 when the question that it is proposing to reconsider is
1465 debatable. When debate upon a motion to reconsider is in order,
1466 no member shall speak thereon more than once or for more than 5
1467 minutes.

1468 (f) The adoption of a motion to reconsider a vote upon any
1469 secondary matter shall not remove the main subject under
1470 consideration from consideration of the House.

1471 (g) A motion to reconsider a collateral matter must be
1472 disposed of at once during the course of the consideration of
1473 the main subject to which it is related, and such motion shall
1474 be out of order after the House has passed to other business.

1475 (h) No bill referred or recommitted to a committee or

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1476 | subcommittee by a vote of the House shall be brought back into
 1477 | the House on a motion to reconsider.

1478 | (i) The Clerk shall retain possession of all bills and
 1479 | joint resolutions for the period after passage during which
 1480 | reconsideration may be moved, except that local bills,
 1481 | concurrent resolutions, and memorials shall be transmitted to
 1482 | the Senate without delay.

1483 | (j) The adoption of a motion to waive the rules and
 1484 | immediately certify any bill to the Senate shall be construed as
 1485 | releasing the measure from the Clerk's possession for the period
 1486 | of reconsideration.

1487 | (k) Unless otherwise directed by the Speaker, during the
 1488 | last 14 days of a regular session or any extension thereof and
 1489 | during any special session, all measures acted on by the House
 1490 | shall be transmitted to the Senate without delay.

1491 |
 1492 | 11.8—Motion for the Previous Question

1493 | (a) The previous question may be asked and ordered upon
 1494 | any debatable single motion, series of motions, or amendment
 1495 | pending and the effect thereof shall be to conclude all action
 1496 | on the same day. If third reading is reached on another day, the
 1497 | order for the previous question must be renewed on that day.

1498 | (b) The motion for the previous question shall be decided
 1499 | without debate. If the motion prevails, the sponsor of a bill or
 1500 | 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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1551 11.11—Motion to Withdraw or Refer a Bill

1552 (a) A motion to withdraw a bill from a committee or
1553 subcommittee shall require a two-thirds vote on the floor.

1554 (b) Any member may, no later than under the order of
1555 business of Motions Relating to Committee and Subcommittee
1556 References on the legislative day following reference of a bill,
1557 move for reference from one committee or subcommittee to a
1558 different committee or subcommittee, which shall be decided by a
1559 majority vote.

1560 (c) A motion to refer a bill from one committee or
1561 subcommittee to another committee or subcommittee, other than as
1562 provided in subsection (b), may be made during the regular order
1563 of business and shall require a two-thirds vote.

1564 (d) A motion to refer a bill to an additional committee or
1565 subcommittee may be made during the regular order of business
1566 and shall require a two-thirds vote.

1567 (e) A motion to refer shall be debated only as to the
1568 propriety of the reference.

1569 (f) A motion to withdraw a bill from further consideration
1570 of the House shall require a two-thirds vote.

1571 (1) The chair or vice chair of the Rules, Calendar &
1572 Ethics Committee, at the request of the first-named member
1573 sponsor, may move for the withdrawal of a bill from further
1574 consideration.

1575 (2) The first-named member sponsor of a bill may, prior to

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1576 its introduction and provided no substantive action has been
 1577 taken on it, withdraw the bill by written notice to the Clerk.

1578 (3) In moving for the withdrawal of a bill from further
 1579 consideration by floor motion, the introducer shall be required
 1580 to identify the nature of the bill.

1581

1582 11.12—Motion to Refer or Recommit

1583 (a) Any bill on the Calendar of the House may be referred
 1584 or recommitted by the House to a committee or subcommittee by a
 1585 majority vote.

1586 (b) A motion to refer or recommit a bill that is before
 1587 the House may be made during the regular order of business. The
 1588 motion shall be debatable only as to the propriety of that
 1589 reference and shall require an affirmative majority vote.

1590 (c) If a bill on third reading is referred or recommitted
 1591 to a committee or subcommittee that subsequently reports the
 1592 bill favorably with a committee or subcommittee substitute or
 1593 with one or more amendments, the bill shall return to second
 1594 reading.

1595 (d) Referral or recommitment of a House bill shall
 1596 automatically carry with it a Senate companion bill then on the
 1597 Calendar of the House.

1598

1599 11.13—Dilatory Motions

1600 Dilatory or delaying motions shall not be in order as determined

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1601 by the Speaker.

1602

1603 11.14—Withdrawal of Motion

1604 (a) The mover of a motion may withdraw the motion at any
1605 time before it has been amended or a vote on it has commenced.

1606 (b) Notwithstanding subsection (a), once the proposer of
1607 an amendment is recognized, the amendment may be withdrawn only
1608 with the consent of the body.

1609

1610 RULE TWELVE—AMENDMENTS

1611

1612 12.1—Form

1613 Floor amendments shall be prepared by the House Bill Drafting
1614 Service and filed with the Clerk.

1615

1616 12.2—Filing Deadlines for Floor Amendments

1617 (a) During the first 55 days of a regular session:

1618 (1) Main floor amendments must be approved for filing with
1619 the Clerk by 2 p.m. of the first day a bill appears on the
1620 Special Order Calendar in the Calendar of the House; and

1621 (2) Amendments to main floor amendments and substitute
1622 amendments for main floor amendments must be approved for filing
1623 by 5 p.m. of the same day.

1624 (b) After the 55th day of a regular session and during any
1625 extended or special session:

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1626 (1) Main floor amendments must be approved for filing with
 1627 the Clerk not later than 2 hours before session is scheduled to
 1628 convene on the day a bill appears on the Special Order Calendar
 1629 in the Calendar of the House; and

1630 (2) Amendments to main floor amendments and substitute
 1631 amendments for main floor amendments must be approved for filing
 1632 not later than 1 hour after the main floor amendment deadline.

1633 (c) A late-filed floor amendment may be taken up for
 1634 consideration only upon motion adopted by a two-thirds vote.

1635 (d) Notwithstanding the foregoing, subject to approval by
 1636 a majority vote of the House, the Rules, Calendar & Ethics
 1637 Committee may establish special amendment deadlines and
 1638 procedures for appropriations bills, implementing bills, and
 1639 conforming bills, as well as for bills proposing any
 1640 reapportionment or redistricting of the state's legislative or
 1641 congressional districts.

1642
 1643 12.3—Presentation and Consideration

1644 (a) Amendments shall be taken up only as sponsors gain
 1645 recognition from the Speaker, except that the chair of the
 1646 committee or subcommittee (or any member thereof designated by
 1647 the chair) reporting the measure under consideration shall have
 1648 preference for the presentation of committee or subcommittee
 1649 amendments to Senate bills.

1650 (b) An amendment to a pending main amendment may be

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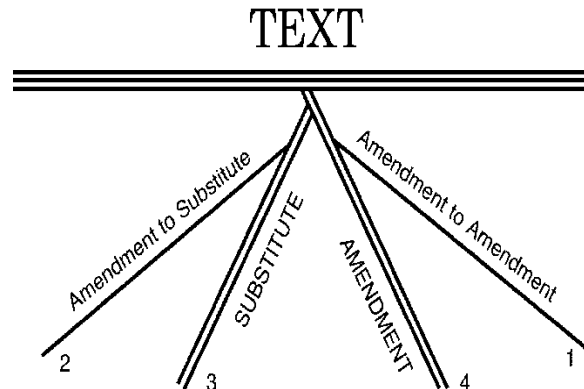
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1651 received, but until it is disposed of, no other motion to amend
 1652 will be in order except a substitute amendment or an amendment
 1653 to the substitute. Such amendments are to be disposed of in the
 1654 following order:

1655 (1) Amendments to the amendment are voted on before the
 1656 substitute is taken up. Only one amendment to the amendment is
 1657 in order at a time.

1658 (2) Amendments to the substitute are next voted on.

1659 (3) The substitute then is voted on. The adoption of a
 1660 substitute amendment in lieu of an original amendment shall be
 1661 treated and considered as an amendment to the bill itself.



1662
 1663 (c) The adoption of an amendment to a section shall not
 1664 preclude further amendment of that section. If a bill is being
 1665 considered section by section or item by item, only amendments
 1666 to the section or item under consideration shall be in order.

1667 (d) For the purpose of this rule, an amendment shall be
 1668 deemed pending only after its proposer has been recognized by
 1669 the Speaker.

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1670 (e) Reviser's bills may be amended only by making
 1671 deletions.

1672
 1673 12.4—Second and Third Reading; Vote Required on Third Reading

1674 (a) A motion to amend is in order during the second or
 1675 third reading of any bill.

1676 (b) Amendments proposed on third reading shall require a
 1677 two-thirds vote for adoption, except that technical amendments
 1678 introduced in the name of the Rules, Calendar & Ethics Committee
 1679 shall require a majority vote for adoption. Amendments on third
 1680 reading, other than technical amendments introduced in the name
 1681 of the Rules, Calendar & Ethics Committee, must be approved for
 1682 filing not later than the earlier of the following deadlines:

1683 (1) Nine a.m. on the day session is scheduled to convene
 1684 on the day the bill is reached on third reading; or

1685 (2) One hour before session is scheduled to convene on the
 1686 day the bill is reached on third reading.

1687 (c) A motion for reconsideration of an amendment on third
 1688 reading requires a two-thirds vote for adoption.

1689
 1690 12.5—Amendment of Appropriations Bills, Implementing Bills, and
 1691 Conforming Bills

1692 (a) For purposes of these rules:

1693 (1) An "appropriations bill" is a general appropriations
 1694 bill or any other bill the title text of which begins "An act

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1695 making appropriations," "An act making special appropriations,"
1696 or "An act making supplemental appropriations."

1697 (2) An "implementing bill" is a bill, effective for one
1698 fiscal year, implementing an appropriations bill.

1699 (3) A "conforming bill" is a bill designated as such by
1700 the Speaker that amends the Florida Statutes to conform to an
1701 appropriations bill.

1702 (b) Whether on the floor or in any committee or
1703 subcommittee, whenever an amendment is offered to an
1704 appropriations bill that would either increase any state
1705 appropriation or decrease any state revenue for any fund, such
1706 amendment shall show the amount of the appropriation increase or
1707 revenue decrease for a fund by line item and by section and
1708 shall decrease an appropriation from within the same
1709 appropriations allocation and sub-allocation (as determined by
1710 the Speaker) or increase a revenue to the fund in an amount
1711 equivalent to or greater than the corresponding appropriation
1712 increase or revenue decrease required by the amendment.

1713 (c) Whether on the floor or in any committee or
1714 subcommittee, an amendment offered to an implementing bill or to
1715 a conforming bill shall not increase a state appropriation to a
1716 level that is in excess of the allocations or sub-allocations
1717 determined by the Speaker for a fund.

1718 (d) Whether on the floor or in any committee or
1719 subcommittee, any amendment offered to an implementing bill or

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1720 to a conforming bill that reduces revenues supporting
 1721 appropriations must raise the equivalent or greater revenue for
 1722 the same fund from other sources.

1723

1724 12.6—Consideration of Senate Amendments

1725 (a) After the reading of a Senate amendment to a House
 1726 bill, the following motions shall be in order and shall be
 1727 privileged in the order named:

1728 (1) Amend the Senate amendment.

1729 (2) Concur in the Senate amendment.

1730 (3) Refuse to concur and ask the Senate to recede.

1731 (4) Request the Senate to recede and, if the Senate
 1732 refuses to recede, to appoint a conference committee to meet
 1733 with a like committee appointed by the Speaker.

1734 (b) If the Senate refuses to concur in a House amendment
 1735 to a Senate bill, the following motions shall be in order and
 1736 shall be privileged in the order named:

1737 (1) That the House recede.

1738 (2) That the House insist and ask for a conference
 1739 committee.

1740 (3) That the House insist.

1741 (c) The Speaker may, upon determining that a Senate
 1742 amendment substantially changes the bill as passed by the House,
 1743 refer the Senate message, with the bill and Senate amendment or
 1744 amendments, to the appropriate House committee or subcommittee

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1745 for review and report to the House. The Speaker, upon such
 1746 reference, shall announce the date and time for the committee or
 1747 subcommittee to meet. The committee or subcommittee shall report
 1748 to the House the recommendation for disposition of the Senate
 1749 amendment or amendments under one of the four options presented
 1750 in subsection (a). The report shall be furnished to the Clerk
 1751 and to the House, in writing, by the chair of the reporting
 1752 committee or subcommittee.

1753
 1754 12.7—Motion to Amend by Removing Enacting or Resolving Clause
 1755 An amendment to remove the enacting clause of a bill or the
 1756 resolving clause of a resolution or memorial shall, if carried,
 1757 be considered equivalent to rejection of the bill, resolution,
 1758 or memorial by the House.

1759
 1760 12.8—Germanity of House Amendments

1761 (a) GERMANITY.

1762 (1) Neither the House nor any committee or subcommittee
 1763 shall consider an amendment that relates to a different subject
 1764 or is intended to accomplish a different purpose than that of
 1765 the pending question or that, if adopted, would require a title
 1766 amendment for the bill that is substantially different from the
 1767 bill's original title or that would unreasonably alter the
 1768 nature of the bill.

1769 (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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1795 (5) An amendment that changes the effective date of a
 1796 repeal, reduces the scope of a repeal, or adds a short-term
 1797 nonstatutory transitional provision to facilitate repeal.

1798 (d) WAIVER OF RULE. Waiver of this rule shall require
 1799 unanimous consent of the House.

1800

1801 12.9—Floor Amendments Out of Order

1802 A floor amendment is out of order if it is the principal
 1803 substance of a bill that has:

1804 (a) Received an unfavorable committee or subcommittee
 1805 report;

1806 (b) Been withdrawn from further consideration; or

1807 (c) Not been reported favorably by at least one committee
 1808 or subcommittee of reference

1809

1810 and may not be offered to a bill on second or third reading. Any
 1811 amendment that is substantially the same, and identical as to
 1812 specific intent and purpose, as the measure residing in a
 1813 committee or subcommittee of reference is covered by this rule.

1814

1815 12.10—Printing of Amendments in Journal

1816 All amendments taken up, unless withdrawn, shall be printed in
 1817 the Journal, except that an amendment to an appropriations bill
 1818 constituting an entirely new bill shall not be printed except
 1819 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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1845 The House shall be governed by joint rules approved by the House
1846 and Senate during the term. Such joint rules may not be waived
1847 except by agreement of both the House and Senate. A majority
1848 vote of the House is required for such agreement.

1849

1850 13.5—Authority and Interpretation

1851 These rules are adopted pursuant to the specific authority
1852 granted and the inherent powers vested in the House of
1853 Representatives by the State Constitution. These rules are
1854 intended to facilitate the orderly, practical, and efficient
1855 completion of legislative work undertaken by the House. These
1856 rules shall govern procedures in the House notwithstanding any
1857 inconsistent parliamentary tradition and notwithstanding any
1858 joint rule or any statute enacted by a prior Legislature.
1859 Adoption of these rules constitutes the determination of the
1860 House that they do not violate any express regulation or
1861 limitation contained in the State Constitution. These rules may
1862 not be construed to limit any of the powers, rights, privileges,
1863 or immunities vested in or granted to the House by the State
1864 Constitution or other organic law.

1865

1866 13.6—Majority Action

1867 Unless otherwise indicated by these rules, all action by the
1868 House or its committees or subcommittees shall be by majority
1869 vote of those members present and voting. When the body is

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1870 | equally divided, the question is defeated.

1871

1872 | 13.7—Extraordinary Action

1873 | Unless otherwise required by these rules or the State

1874 | Constitution, all extraordinary votes shall be by vote of those

1875 | members present and voting.

1876

1877 | 13.8—"Days" Defined

1878 | Wherever used in these rules, a "legislative day" means a day

1879 | when the House convenes and a quorum is present. All other

1880 | references to a "day" mean a calendar day.

1881

1882 | RULE FOURTEEN—MISCELLANEOUS PROVISIONS

1883

1884 | PART ONE—Public Records

1885

1886 | 14.1—Legislative Records

1887 | There shall be available for public inspection, whether

1888 | maintained in Tallahassee or in a district office, the papers

1889 | and records developed and received in connection with official

1890 | legislative business, except as provided in s. 11.0431, Florida

1891 | Statutes, or other provision of law. Any person who is denied

1892 | access to a legislative record and who believes that he or she

1893 | is wrongfully being denied such access may appeal to the Speaker

1894 | 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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1920 (3) Each member shall ensure compliance with this rule for
 1921 all records created or received by the member or the member's
 1922 district office.

1923 (4) The director of an ancillary House office shall ensure
 1924 compliance with this rule for all records created or received by
 1925 the director's office.

1926 (5) The Clerk shall ensure compliance with this rule for
 1927 all other records created or received by the House of
 1928 Representatives.

1929 (d) If a committee, subcommittee, or office is not
 1930 continued in existence, the records of such committee,
 1931 subcommittee, or office shall be forwarded to the committee,
 1932 subcommittee, or office assuming the jurisdiction or
 1933 responsibility of the former committee, subcommittee, or office,
 1934 if any. Otherwise, such records shall be forwarded to the Clerk.

1935 (e) The Clerk shall establish a schedule of reasonable and
 1936 appropriate fees for copies of legislative records and
 1937 documents.

1938
 1939 PART TWO—Distribution of Documents; Display of Signs

1940
 1941 14.3—Distribution of Documents
 1942 Documents required by these rules to be printed or published may
 1943 be produced and distributed on paper or in electronic form.

1944

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1945 14.4—Display of Signs, Placards, and the Like
 1946 Signs, placards, or other objects of similar nature shall be
 1947 permitted in the rooms, lobby, galleries, or Chamber of the
 1948 House only upon approval of the chair of the Rules, Calendar &
 1949 Ethics Committee.

1950
 1951 PART THREE—House Seal
 1952

1953 14.5—House Seal

1954 (a) REQUIREMENT. There shall be an official seal of the
 1955 House of Representatives. The seal shall be used only by or on
 1956 behalf of a member or officer of the House in conjunction with
 1957 his or her official duties or when specifically authorized in
 1958 writing by the chair of the Rules, Calendar & Ethics Committee.

1959 (b) CONFIGURATION. The seal shall be a circle having in
 1960 the center thereof a view of the sun's rays over a highland in
 1961 the distance, a sabal palmetto palm tree, a steamboat on the
 1962 water, and a Native American female scattering flowers in the
 1963 foreground, encircled by the words "House of Representatives."

1964 (c) USE. Unless a written exception is otherwise granted
 1965 by the chair of the Rules, Calendar & Ethics Committee:

1966 (1) Material carrying the official seal shall be used only
 1967 by a member, officer, or employee of the House or other persons
 1968 employed or retained by the House.

1969 (2) The use, printing, publication, or manufacture of the

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1970 seal, or items or materials bearing the seal or a facsimile of
 1971 the seal, shall be limited to official business of the House or
 1972 official legislative business.

1973 (d) CUSTODIAN. The Clerk shall be the custodian of the
 1974 official seal.

1975
 1976 RULE FIFTEEN—ETHICS AND CONDUCT OF MEMBERS
 1977

1978 15.1—Legislative Ethics and Official Conduct

1979 Legislative office is a trust to be performed with integrity in
 1980 the public interest. A member is respectful of the confidence
 1981 placed in the member by the other members and by the people. By
 1982 personal example and by admonition to colleagues whose behavior
 1983 may threaten the honor of the lawmaking body, the member shall
 1984 watchfully guard the responsibility of office and the
 1985 responsibilities and duties placed on the member by the House.
 1986 To this end, each member shall be accountable to the House for
 1987 violations of this rule or any provision of the House Code of
 1988 Conduct contained in Rules 15.1-15.7.

1989
 1990 15.2—The Integrity of the House

1991 A member shall respect and comply with the law and shall perform
 1992 at all times in a manner that promotes public confidence in the
 1993 integrity and independence of the House and of the Legislature.
 1994 Each member shall perform at all times in a manner that promotes

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1995 a professional environment in the House, which shall be free
 1996 from unlawful employment discrimination.

1997
 1998 15.3—Improper Influence; Solicitation of Campaign Contributions

1999 (a) A member may neither solicit nor accept anything that
 2000 reasonably may be construed to improperly influence the member's
 2001 official act, decision, or vote.

2002 (b) A member may neither solicit nor accept any campaign
 2003 contribution during the 60-day regular legislative session or
 2004 any extended or special session on the member's own behalf, on
 2005 behalf of a political party, on behalf of any organization with
 2006 respect to which the member's solicitation is regulated under s.
 2007 106.0701, Florida Statutes, or on behalf of a candidate for the
 2008 House of Representatives; however, a member may contribute to
 2009 the member's own campaign.

2010
 2011 15.4—Ethics; Conflicting Employment

2012 A member shall:

2013 (a) Scrupulously comply with the requirements of all laws
 2014 related to the ethics of public officers.

2015 (b) Not allow personal employment to impair the member's
 2016 independence of judgment in the exercise of official duties.

2017 (c) Not directly or indirectly receive or agree to receive
 2018 any compensation for any services rendered or to be rendered
 2019 either by the member or any other person when such activity is

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2020 in substantial conflict with the duties of a member of the
 2021 House.

2022
 2023 15.5—Use of Official Position

2024 A member may not corruptly use or attempt to use the member's
 2025 official position or any property or resource which may be
 2026 within the member's trust in a manner contrary to the trust or
 2027 authority placed in the member, either by the public or by other
 2028 members, for the purpose of securing a special privilege,
 2029 benefit, or exemption for the member or for others.

2030
 2031 15.6—Use of Information Obtained by Reason of Official Position

2032 A member may engage in business and professional activity in
 2033 competition with others but may not use or provide to others,
 2034 for the member's personal gain or benefit or for the personal
 2035 gain or benefit of any other person or business entity, any
 2036 information that has been obtained by reason of the member's
 2037 official capacity as a member and that is unavailable to members
 2038 of the public as a matter of law.

2039
 2040 15.7—Representation of Another Before a State Agency

2041 A member may not personally represent another person or entity
 2042 for compensation before any state agency other than a judicial
 2043 tribunal. For the purposes of this rule, "state agency" means
 2044 any entity of the legislative or executive branch of state

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2045 government over which the Legislature exercises plenary
 2046 budgetary and statutory control.

2047
 2048 15.8—Advisory Opinions

2049 (a) A member, when in doubt about the applicability and
 2050 interpretation of the House Code of Conduct or ethics laws to
 2051 the member's conduct, may convey the facts of the situation to
 2052 the House general counsel for an advisory opinion. The general
 2053 counsel shall issue the opinion within 10 days after receiving
 2054 the request. The advisory opinion may be relied upon by the
 2055 member requesting the opinion. Upon request of any member, the
 2056 committee or subcommittee designated by the Speaker to have
 2057 responsibility for the ethical conduct of members may revise an
 2058 advisory opinion rendered by the House general counsel through
 2059 an advisory opinion issued to the member who requested the
 2060 opinion.

2061 (b) An advisory opinion rendered by the House general
 2062 counsel or the committee or subcommittee shall be numbered,
 2063 dated, and published. Advisory opinions from the House general
 2064 counsel or the committee or subcommittee may not identify the
 2065 member seeking the opinion unless such member so requests.

2066
 2067 15.9—Penalties for Violations

2068 Separately from any prosecutions or penalties otherwise provided
 2069 by law, any member determined to have violated the requirements

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2070 of these rules relating to ethics or member conduct shall be
2071 fined, censured, reprimanded, placed on probation, or expelled
2072 or have such other lesser penalty imposed as may be appropriate.
2073 Such determination and disciplinary action shall be taken by a
2074 two-thirds vote of the House, except that expulsions shall
2075 require two-thirds vote of the membership, upon recommendation
2076 of the Rules, Calendar & Ethics Committee pursuant to Rule 18.
2077

2078 15.10—Felony Indictment or Information of a Member

2079 (a) If an indictment or information for a felony of any
2080 jurisdiction is filed against a member of the House, the member
2081 indicted or informed against may request the Speaker to excuse
2082 the member, without pay, from all privileges of membership of
2083 the House pending final adjudication.

2084 (b) If the indictment or information is either nolle
2085 prosecuted or dismissed, or if the member is found not guilty of
2086 the felonies charged, or lesser included felonies, the member
2087 shall be paid all back pay and other benefits retroactive to the
2088 date the member was excused.

2089
2090 15.11—Felony Guilty Plea of a Member

2091 A member who enters a plea of guilty or nolo contendere to a
2092 felony of any jurisdiction may, at the discretion of the
2093 Speaker, be suspended immediately, without a hearing and without
2094 pay, from all privileges of membership of the House through the

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2095 remainder of that member's term.

2096

2097 15.12—Felony Conviction of a Member

2098 (a) A member convicted of a felony of any jurisdiction
2099 may, at the discretion of the Speaker, be suspended immediately,
2100 without a hearing and without pay, from all privileges of
2101 membership of the House pending appellate action or the end of
2102 the member's term, whichever occurs first.

2103 (b) A member suspended under the provisions of this rule
2104 may, within 10 days after such suspension, file a written
2105 request for a hearing, setting forth specific reasons contesting
2106 the member's suspension. Upon receipt of a written request for a
2107 hearing, the Speaker shall appoint a select committee, which
2108 shall commence a hearing on the member's suspension within 30
2109 days and issue a report to the House within 10 days after the
2110 conclusion of the hearing. The report of the select committee
2111 shall be final unless the member, within 10 days after the
2112 issuance of the report, requests in writing that the Speaker
2113 convene the full House to consider the report of the select
2114 committee. Upon receipt of a request for such consideration, the
2115 Speaker shall timely convene the House for such purpose.

2116 (c) If the final appellate decision is to sustain the
2117 conviction, then the member's suspension shall continue to the
2118 end of the member's term. If the final appellate decision is to
2119 vacate the conviction and there is a rehearing, the member shall

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2120 be subject to Rule 15.10. If the final appellate decision is to
 2121 vacate the conviction and no felony charges remain against the
 2122 member, the member shall be entitled to restitution of back pay
 2123 and other benefits retroactive to the date of suspension.

2124
 2125 15.13—Ethics Training

2126 The House shall provide ethics training as directed by the
 2127 Speaker.

2128
 2129 RULE SIXTEEN—PROCEDURES FOR CONDUCTING INVESTIGATIVE AND
 2130 ENFORCEMENT PROCEEDINGS

2131
 2132 16.1—Issuance of Subpoenas

2133 (a) In order to carry out its duties, each standing or
 2134 select committee, whenever required, may issue subpoenas and
 2135 other necessary process to compel the attendance of witnesses
 2136 before such committee or the taking of a deposition pursuant to
 2137 these rules. The chair of the committee shall issue such process
 2138 on behalf of the committee after a majority of the committee
 2139 votes to approve issuance and the Speaker has provided written
 2140 approval. The chair or any other member of such committee may
 2141 administer all oaths and affirmations in the manner prescribed
 2142 by law to witnesses who shall appear before such committee for
 2143 the purpose of testifying in any matter about which such
 2144 committee may require evidence.

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2145 (b) Each standing or select committee, whenever required,
 2146 may also compel by subpoena duces tecum the production of any
 2147 books, letters, or other documentary evidence it may need to
 2148 examine in reference to any matter before it. The chair of the
 2149 standing or select committee shall issue process on behalf of
 2150 the standing or select committee after a majority of the
 2151 committee votes to approve issuance and the Speaker has provided
 2152 written approval.

2153

2154 16.2—Contempt Proceedings

2155 (a) The House may punish, by fine or imprisonment, any
 2156 person who is not a member and who is guilty of disorderly or
 2157 contemptuous conduct in its presence or of a refusal to obey its
 2158 lawful summons.

2159 (b) A person shall be deemed in contempt if the person:

2160 (1) Fails or refuses to appear in compliance with a
 2161 subpoena or, having appeared, fails or refuses to testify under
 2162 oath or affirmation;

2163 (2) Fails or refuses to answer any relevant question or
 2164 fails or refuses to furnish any relevant book, paper, or other
 2165 document subpoenaed on behalf of such committee; or

2166 (3) Commits any other act or offense against such
 2167 committee that, if committed against the Legislature or either
 2168 house thereof, would constitute contempt.

2169 (c) During a legislative session, a standing or select

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2170 committee may, by majority vote of all of its members, apply to
2171 the House for contempt citation. The application shall be
2172 considered as though the alleged contempt had been committed in
2173 or against the House itself. If such committee is meeting during
2174 the interim, its application shall be made to the circuit court
2175 pursuant to Rule 16.6.

2176 (d) A person guilty of contempt under this rule may be
2177 fined not more than \$500 or imprisoned not more than 90 days or
2178 both, or may be subject to such other punishment as the House
2179 may, in the exercise of its inherent powers, impose prior to and
2180 in lieu of the imposition of the aforementioned penalty.

2181 (e) The sheriffs in the several counties shall make such
2182 service and execute all process or orders when required by
2183 standing or select committees. Sheriffs shall be paid as
2184 provided for in s. 30.231, Florida Statutes.

2185

2186 16.3-False Swearing

2187 Whoever willfully affirms or swears falsely in regard to any
2188 material matter or thing before any standing or select committee
2189 is guilty of false swearing in an official proceeding, which is
2190 a felony of the second degree and shall be punished as provided
2191 in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.

2192

2193 16.4-Rights of Witnesses

2194 (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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2220 any other person with anyone until the meeting has been
2221 adjourned and the witness has been discharged by the chair. The
2222 witness shall be further instructed that if any person discusses
2223 or attempts to discuss the matter under investigation with the
2224 witness after receiving such instructions, the witness shall
2225 bring such matter to the attention of such committee. No member
2226 of such committee or representative thereof may discuss any
2227 matter or matters pertinent to the subject matter under
2228 investigation with any witness to be called before such
2229 committee from the time that these instructions are given until
2230 the meeting has been adjourned and the witness has been
2231 discharged by the chair. Any person violating this subsection
2232 shall be in contempt of the House.

2233 (e) Any standing or select committee taking sworn
2234 testimony from witnesses as provided in these rules shall cause
2235 a record to be made of all proceedings in which testimony or
2236 other evidence is demanded or adduced, which record shall
2237 include rulings of the chair, questions of such committee and
2238 its staff, the testimony or responses of witnesses, sworn
2239 written statements submitted to the committee, and such other
2240 matters as the committee or its chair may direct.

2241 (f) A witness at a meeting, upon advance request and at
2242 the witness's own expense, shall be furnished a certified
2243 transcript of the witness's testimony at the meeting.
2244

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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.

2269

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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 LOBBYISTS

2291
 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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2320 that lobbyist's conduct, or any person when in doubt about the
2321 applicability and interpretation of s. 11.045, s. 112.3148, or
2322 s. 112.3149, Florida Statutes, as such statute or statutes may
2323 apply to that person, may request an advisory opinion under this
2324 rule. Such request shall be in writing, addressed to the
2325 Speaker, and shall contain the relevant facts. The Speaker shall
2326 either refer the issue to the House general counsel for review
2327 and drafting of an advisory opinion of the Speaker or refer the
2328 issue to a committee designated by the Speaker to have
2329 responsibility for the ethical conduct of lobbyists, and the
2330 person requesting the advisory opinion may appear in person
2331 before such committee. The Speaker or this committee shall
2332 render advisory opinions to the person who seeks advice as to
2333 whether the facts as described in the request and any
2334 supplemental communication would constitute a violation of such
2335 rule or statute by that person. Such opinion, until amended or
2336 revoked, shall be binding upon the House in any proceeding upon
2337 a subsequent complaint concerning the person who sought the
2338 opinion and acted on it in good faith, unless material facts
2339 were omitted or misstated in the request for the advisory
2340 opinion. Upon request of the person who requested the advisory
2341 opinion or any member, the committee designated by the Speaker
2342 to have responsibility for the ethical conduct of lobbyists may
2343 revise any advisory opinion issued by the Speaker or may revise
2344 any advisory opinion issued by the general counsel of the Office

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2345 of Legislative Services under Joint Rule 1.8. The House general
2346 counsel or this committee shall make sufficient deletions to
2347 prevent disclosing the identity of persons in the decisions or
2348 opinions. All advisory opinions of the Speaker or this committee
2349 shall be numbered, dated, and published in an annual publication
2350 of the House. The Clerk shall keep a compilation of all advisory
2351 opinions.

2352

2353 17.3—Penalties for Violations

2354 Separately from any prosecutions or penalties otherwise provided
2355 by law, any person determined to have violated the foregoing
2356 requirements of Rule 17, any provision in Joint Rule One, or s.
2357 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, may be
2358 reprimanded, censured, prohibited from lobbying for all or any
2359 part of the legislative biennium during which the recommended
2360 order is proposed, or have such other penalty imposed as may be
2361 appropriate. Such determination shall be made by a majority of
2362 the House, upon recommendation of the Rules, Calendar & Ethics
2363 Committee pursuant to Rule 18. Any prohibition or other
2364 limitation imposed by the House may be continued for up to a
2365 total of 2 years by a determination made by a majority of the
2366 House at or following the organization session following the
2367 biennium during which such prohibition or other limitation was
2368 imposed.

2369

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2370 RULE EIGHTEEN—COMPLAINTS AGAINST MEMBERS AND OFFICERS OF THE
 2371 HOUSE, LOBBYISTS, AND OTHER PERSONS
 2372

2373 18.1—Complaints against Members and Officers of the House,
 2374 Lobbyists, and Other Persons; Procedure

2375 Rule 18 governs proceedings on all complaints under the
 2376 jurisdiction of the House. Such complaints include:

2377 (a) Those alleging violation of law, violation of the
 2378 House Code of Conduct, or improper conduct of a member or
 2379 officer that may reflect upon the House; or

2380 (b) Violations of Joint Rule One or s. 11.045, s.
 2381 112.3148, or s. 112.3149, Florida Statutes, by any lobbyist or
 2382 person other than a member of the House.

2383
 2384 18.2—Violations; Investigations

2385 (a) Any person may file a sworn complaint with the chair
 2386 of the Rules, Calendar & Ethics Committee alleging a violation
 2387 as provided in Rule 18.1. The complaint shall contain the name
 2388 and legal address of the person filing the complaint
 2389 ("complainant"), be based on the complainant's personal
 2390 knowledge, state detailed facts, specify the actions of the
 2391 named respondent which form the basis for the complaint, and
 2392 identify each specific rule or law alleged by the complainant to
 2393 have been violated.

2394 (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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2420 | excused and the vice chair shall conduct the deliberation. If
 2421 | the Rules, Calendar & Ethics Committee votes to dismiss the
 2422 | complaint, the chair of the Rules, Calendar & Ethics Committee
 2423 | or vice chair shall dismiss the complaint. Otherwise, the
 2424 | special master's or select committee's report and recommendation
 2425 | and the recommendation of the Rules, Calendar & Ethics Committee
 2426 | shall be presented to the Speaker.

2427 | (e) The Speaker shall present the committee's
 2428 | recommendation, along with the special master's report and
 2429 | recommendation, to the House for final action.

2430 | (f) Nothing in this rule prohibits the chair of the Rules,
 2431 | Calendar & Ethics Committee from correcting or preventing the
 2432 | alleged violation by informal means if the chair determines that
 2433 | a violation is inadvertent, technical, or otherwise de minimis.

2434 | (g) Nothing in this rule prohibits the respondent and the
 2435 | chair of the Rules, Calendar & Ethics Committee, the special
 2436 | master, or a select committee from agreeing to a consent decree,
 2437 | which shall state findings of fact, and such penalty as may be
 2438 | appropriate. If the House accepts the consent decree, the
 2439 | complaint pursuant to these rules shall be resolved.

2440 | (h) The House may move forward with disciplinary
 2441 | proceedings without waiting for the outcome of a criminal case.

2442 |
 2443 | 18.3—Confidentiality

2444 | Any material provided to the House in response to a complaint

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2445 | filed under Rule 18 that is confidential under applicable law
 2446 | shall remain confidential and shall not be disclosed except as
 2447 | authorized by applicable law. Except as otherwise provided in
 2448 | this rule, a complaint and the records relating to a complaint
 2449 | shall be available for public inspection upon the dismissal of a
 2450 | complaint, a determination as to probable cause, informal
 2451 | resolution of a complaint, or the receipt by the Speaker of a
 2452 | request in writing from the respondent that the complaint and
 2453 | other records relating to the complaint be made public records.

2454 |
 2455 | 18.4—Conflict

2456 | If a complaint is filed against the chair of the Rules, Calendar
 2457 | & Ethics Committee, the initial review of the complaint shall be
 2458 | managed by the Speaker or, if designated by the Speaker, the
 2459 | Speaker pro tempore. If a complaint is filed against the
 2460 | Speaker, the duties of the Speaker pursuant to Rule 18 shall be
 2461 | transferred to the Speaker pro tempore.

2462 |
 2463 | 18.5—Time Limitations

2464 | (a) A complaint must be filed with the chair of the Rules,
 2465 | Calendar & Ethics Committee within 2 years after the alleged
 2466 | violation.

2467 | (b) A violation of the House Code of Conduct is committed
 2468 | when every element necessary to establish a violation of the
 2469 | 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.

**JOINT RULES OF THE
FLORIDA LEGISLATURE**

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

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

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

10
11 JOINT RULES

12 Joint Rule One—Lobbyist Registration and Compensation Reporting

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

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

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

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

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

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30 either house of the Legislature or any committee thereof.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

105 (a) A member of the Legislature.

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

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

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

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

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

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

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

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

136
137 1.2-Method of Registration

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

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

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

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

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

174 (5) The LRO shall retain registration information submitted

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175 under this rule.

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

180

181 1.3-Registration Costs; Exemptions

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

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

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

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

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

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

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

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

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

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

211
212 1.4-Reporting of Lobbying Firm Compensation

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

- 218 1. Full name, business address, and telephone number of the
219 lobbying firm;
220 2. Registration name of each of the firm's lobbyists; and
221 3. Total compensation provided or owed to the lobbying firm
222 from all principals for the reporting period, reported in one of
223 the following categories: \$0; \$1 to \$49,999; \$50,000 to \$99,999;
224 \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to
225 \$999,999; or \$1 million or more.

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

- 229 1. Full name, business address, and telephone number of the
230 principal; and
231 2. Total compensation provided or owed to the lobbying firm
232 for the reporting period, reported in one of the following

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

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

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

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

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

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

260

Category (dollars)	Dollar amount to use aggregating
--------------------	----------------------------------

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261

0 0

262

1-9,999 5,000

263

10,000-19,999 15,000

264

20,000-29,999 25,000

265

30,000-39,999 35,000

266

40,000-49,999 45,000

267

50,000 or more Actual amount reported

268

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

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

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

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

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

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

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

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

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

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312 Legislative Lobbyist Registration Trust Fund.

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

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

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

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

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

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

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

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

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

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

383

384 1.7—Records Retention and Inspection and Complaint Procedure

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

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

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

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

410

411 1.8-Questions Regarding Interpretation of Joint Rule One

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

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

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

432
433 1.9—Effect of Readoption and Revision

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

442
443 Joint Rule Two—General Appropriations Review Period

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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515 2.2-General Appropriations and Related Bills; Definitions

516 As used in Joint Rule Two, the term:

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

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

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

536

537 Joint Rule Three-Joint Offices and Policies

538

539 3.1-Joint Legislative Offices

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

542 (a) Office of Economic and Demographic Research.

543 (b) Office of Legislative Information Technology Services.

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544 (c) Office of Legislative Services.

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

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

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

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

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

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

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

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

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

587

588 3.2-Joint Policies

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

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

600

601 Joint Rule Four-Joint Committees

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4.1—Standing Joint Committees

(1) The following standing joint committees are established:

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

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

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

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

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

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

(b) The Speaker of the House of Representatives shall appoint a member of the House of Representatives to serve as the

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

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

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

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

642

643 4.2-Procedures in Joint Committees

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

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

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

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

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

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

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

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

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

685

686 4.3-Powers of Joint Committees

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

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

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

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

699

700 4.4-Administration of Joint Committees

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

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

715

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

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

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

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

733
734 4.6—Special Powers and Duties of the Administrative Procedures
735 Committee

736 The Administrative Procedures Committee shall:

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

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

746 (3) Review administrative rules and advise the agencies

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747 concerned of its findings.

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

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

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

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

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

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

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

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

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

796
797 4.7—Special Powers and Duties of the Committee on Public Counsel
798 Oversight

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

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

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

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

812

813 Joint Rule Five—Auditor General

814

815 5.1—Rulemaking Authority

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

819

820 5.2—Budget and Accounting

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

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

832

833 5.3—Audit Report Distribution

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

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

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

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

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

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

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

872

873 Joint Rule Six—Joint Legislative Budget Commission

874

875 6.1—General Responsibilities

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

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

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

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

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

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

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

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

902

903 6.2-Organizational Structure

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

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

915

916 6.3-Notice of Commission Meetings

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

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

926
927 6.4-Effect of Adoption; Intent

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

933
934 Joint Rule Seven-Qualifications of Members

935
936 7.1-Residency

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

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

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

949 (c) The abandonment of rights and privileges associated

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950 with a prior legal residence;

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

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

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

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

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

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

961 (j) Where one customarily resides;

962 (k) Where one conducts business affairs;

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

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

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

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

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

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