

The Rules



of the
Florida House of Representatives
and the
Joint Rules
of the Florida Legislature

2016 - 2018

Richard Corcoran, Speaker
Adopted in Organization Session
November 22, 2016

PROVISIONAL

**RULES OF THE
FLORIDA HOUSE OF REPRESENTATIVES**

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House Resolution

A resolution establishing the Rules of the House of Representatives of the State of Florida for the 2016-2018 term.

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

That the following rules shall govern the House of Representatives of the State of Florida for the 2016-2018 term:

RULES OF THE FLORIDA HOUSE OF REPRESENTATIVES

RULE ONE—LEGISLATIVE ORGANIZATION

1.1—Officers of the House

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

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

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

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

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

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

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 & Policy Committee
77 for a recommendation to the Speaker. Any decision of the Speaker
78 on a point of order is subject to an appeal to the House made
79 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 & Policy Committee shall act as
121 presiding officer during the absence of both the Speaker and
122 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

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

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

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

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

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. For purposes of this rule, the member
 344 considered to have filed a bill is the first-named sponsor of
 345 the bill.

346 (1) Of the six bills for the 2017 Regular Session, at
 347 least two must be approved for filing with the Clerk no later
 348 than noon of the 6th Tuesday before the first day of the regular
 349 session.

350 (2) Of the six bills for the 2018 Regular Session, at

351 | least two must be approved for filing with the Clerk no later
 352 | than noon of the 7th Tuesday before the first day of the regular
 353 | session.

354 | (b) Bills not counted toward these limits include:

355 | (1) Local bills.

356 | (2) Ceremonial House resolutions.

357 | (3) Memorials.

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

360 | (5) Trust fund bills adhering to another bill.

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

363 | (7) General bills adhering to a joint resolution.

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

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

369 | (10) Claim bills, whether general or local.

370 | (11) Appropriations project bills.

371 |

372 | 5.4—Forms of Measures; Sponsorship Transactions

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

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

376 cosponsor of a bill without the member's consent. A member
 377 desiring to be a cosponsor must submit to the Clerk a
 378 cosponsorship request agreed to by the first-named sponsor. A
 379 member may withdraw as a cosponsor by submitting a request to
 380 the Clerk.

381 (c) Bills that propose to amend existing provisions of law
 382 shall contain the full text of the section, subsection, or
 383 paragraph to be amended. As to those portions of general bills
 384 that propose to amend existing provisions of the Florida
 385 Statutes, words to be added shall be inserted in the text
 386 underlined, and words to be deleted shall be struck through with
 387 hyphens. If the change in language is so general that the use of
 388 these procedures would hinder, rather than assist, the
 389 understanding of the amendment, it is not necessary to use the
 390 coded indicators of words added or deleted, but, in lieu
 391 thereof, a notation similar to the following shall be inserted
 392 immediately preceding the affected section of the bill:
 393 "Substantial rewording of section. See s. . . . , F.S., for
 394 present text." When such a notation is used, the notation, as
 395 well as the substantially reworded text, shall be underlined.
 396 The words to be deleted and the above-described indicators of
 397 such words and of new material are for information and guidance
 398 and do not constitute a part of the bill under consideration.
 399 Numerals in the margins of the line-numbered pages do not
 400 constitute a part of the bill and are shown on each page only

401 for convenience in identifying lines. Section catchlines of
402 existing text shall not be underlined, nor shall any other
403 portion of a bill covered by this rule other than new material.
404

405 5.5-Local Bills

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

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

413 (c) All local bills, including local claim bills, must
414 either, as required by Section 10 of Article III of the State
415 Constitution, embody provisions for a ratifying referendum
416 (stated in the title as well as in the text of the bill) or be
417 accompanied by an affidavit of proper advertisement, securely
418 attached to the original bill ahead of its first page.
419

420 5.6-Claim Bills

421 (a) The Speaker may appoint a Special Master to review a
422 claim bill or conduct a hearing, if necessary. The Special
423 Master may administer an oath to all witnesses, accept relevant
424 documentary and tangible evidence offered as deemed necessary,
425 and record the hearing. The Special Master may prepare a final

426 | report containing findings of fact, conclusions of law, and
 427 | recommendations. The report shall be signed by the Special
 428 | Master, who shall be available, in person, to explain his or her
 429 | report to any committee or subcommittee of reference.

430 | (b) Stipulations entered into by the parties are not
 431 | binding on the Special Master or the House or any of its
 432 | committees or subcommittees.

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

439 |

440 | 5.7—Reviser's Bills

441 | Reviser's bills shall be introduced by the Rules & Policy
 442 | Committee, which may request prior review by another committee
 443 | or subcommittee.

444 |

445 | 5.8—Joint Resolutions

446 | (a) Joint resolutions are used to propose amendments to
 447 | the State Constitution and for legislative apportionment.

448 | (b) Joint resolutions shall contain a title and the
 449 | resolving clause "Be It Resolved by the Legislature of the State
 450 | of Florida:". Joint resolutions that propose to amend the State

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451 Constitution shall contain the full text of the section to be
452 amended. As to those portions of joint resolutions that propose
453 to amend existing provisions of the State Constitution, words to
454 be added shall be inserted in the text underlined, and words to
455 be deleted shall be struck through with hyphens.

456

457 5.9—Concurrent Resolutions

458 (a) Concurrent resolutions originating in the House shall
459 present only questions pertaining to extension of a session,
460 enactment of joint rules, ratification of federal constitutional
461 amendments, communications with the judiciary, appointment or
462 recall of delegates or alternate delegates to a federal Article
463 V convention and instructions to such delegates, actions taken
464 pursuant to federal law not requiring gubernatorial approval, or
465 other exclusively legislative matters.

466 (b) Concurrent resolutions originating in the House shall
467 contain a title and the resolving clause "Be It Resolved by the
468 House of Representatives of the State of Florida, the Senate
469 Concurring:".

470 (c) The Secretary of State shall be requested to prepare
471 certified copies of concurrent resolutions after their adoption.

472

473 5.10—Memorials

474 A memorial expresses the opinion of the Legislature to the
475 Federal Government. All memorials shall contain the resolving

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476 clause "Be It Resolved by the Legislature of the State of
477 Florida:".

478

479 5.11—Substantive and Ceremonial House Resolutions

480 (a) All House resolutions shall contain a title and the
481 resolving clause "Be It Resolved by the House of Representatives
482 of the State of Florida:".

483 (b) Substantive House resolutions are used to express an
484 opinion of the House or to regulate practice, procedure, and
485 conduct of the House.

486 (c) Ceremonial House resolutions are used to recognize
487 landmark achievements and accomplishments of statewide
488 significance and are reserved for high meritorious acts of
489 conduct, achievement, or heroism. All ceremonial House
490 resolutions shall be reviewed and approved by the chair of the
491 Rules & Policy Committee before introduction, pursuant to the
492 following standards:

493 (1) Ceremonial House resolutions should recognize
494 documented accomplishments of statewide interest and
495 consequence.

496 (2) Ceremonial House resolutions should not honor specific
497 individuals or private, government, or lobbying organizations
498 for activities performed within the normal course of their
499 affairs.

500 (3) Ceremonial House resolutions should not be filed for

501 an organization that employs the sponsoring member.

502 (4) Ceremonial House resolutions should not contain
503 controversial or substantive policy statements.

504 (5) Ceremonial House resolutions should not support or
505 oppose pending legislation or funding requests.

506 (d) Copies of House resolutions shall be furnished by the
507 Clerk.

508

509 5.12—Tributes

510 (a) Tributes are used to commemorate local achievement,
511 condolences, or other recognition as an individual expression of
512 the sponsoring member and are not presented as an expression of
513 the House or of the Legislature.

514 (b) Tributes shall be prepared in accordance with
515 standards approved by the Speaker.

516

517 5.13—Bills Filed During an Interim

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

524

525 5.14—Appropriations Project Bills

526 (a) (1) For purposes of these rules, the term
 527 "appropriations project" means a specific appropriation,
 528 proviso, or item on a conference committee spreadsheet agreed to
 529 by House and Senate conferees providing funding for:

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

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

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

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

549 e. A local water project.

550 (2) The term does not include an appropriation that:

- 551 a. Is specifically authorized by statute;
- 552 b. Is part of a statewide distribution to local
- 553 governments; or
- 554 c. Was recommended by a commission, council, or other
- 555 similar entity created in statute to make annual funding
- 556 recommendations, provided that such appropriation does not
- 557 exceed the amount of funding recommended by the commission,
- 558 council, or other similar entity.
- 559 (b) For purposes of these rules, the term "appropriations
- 560 project bill" means a bill proposing funding for an
- 561 appropriations project, which must be filed as a stand-alone
- 562 bill and must be submitted to the House Bill Drafting Service in
- 563 the form prescribed by the Speaker. Before an appropriations
- 564 project bill may be filed, an appropriations project request
- 565 form must be completed and electronically submitted in the form
- 566 prescribed by the Speaker. An appropriations project bill may
- 567 not be amended to include any additional appropriations project.
- 568 An appropriations project bill may only request nonrecurring
- 569 funds.
- 570 (c) A House bill is out of order if it funds an
- 571 appropriations project that was not filed as an appropriations
- 572 project bill that was reported favorably by a House committee or
- 573 subcommittee.
- 574 (d) A Senate bill in the form that will be presented to
- 575 the Governor or a conference report is out of order if it funds

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576 an appropriations project that was not filed as an
577 appropriations project bill.

578 (e) A Senate bill in the form that will be presented to
579 the Governor, a House bill, or a conference report is out of
580 order if a recurring appropriation is used to fund an
581 appropriations project.

582 (f) A Senate bill in the form that will be presented to
583 the Governor, a House bill, or a conference report is out of
584 order if it funds an appropriations project that is not clearly
585 identified.

586 (g) The portion of an appropriations project which was
587 funded with recurring funds in the fiscal year 2016-2017 General
588 Appropriations Act as approved by the Governor and funded at the
589 same or lesser amount in subsequent fiscal years is exempt from
590 the requirements of subsections (c), (d), and (e). If recurring
591 funding for an appropriations project is reduced in a conference
592 report on the General Appropriations Act in any fiscal year, the
593 appropriations project may receive no more than the reduced
594 amount of recurring funding in any subsequent fiscal year. If in
595 any year the recurring funds are eliminated in the conference
596 report on the General Appropriations Act as approved by the
597 Governor, the appropriations project may not receive any
598 recurring funding in any subsequent fiscal year.

599 (h) No appropriations project that receives recurring
600 funding may also receive nonrecurring funding. A House bill, a

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601 Senate bill in the form that will be presented to the Governor,
602 or a conference report is out of order if it contains an
603 appropriations project that receives recurring and nonrecurring
604 funding.

605

606 5.15—Requirements for Introduction

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

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

623

624 5.16—Identification

625 Each bill shall be given a number and filed with the Clerk by

626 the House Bill Drafting Service. Bills shall be serially
627 numbered in an odd-numbered sequence, except that bills of a
628 similar type may be serially numbered separately. The Clerk
629 shall validate the original copy of each bill, and each page
630 thereof, to ensure its identification as the item introduced in
631 order to prevent unauthorized or improper substitutions
632 therefor.

633

634 5.17—Companion Measures

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

649

650

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.

676 6.5—Appropriations or Tax Measures: Withdrawal from a Fiscal
 677 Committee or Subcommittee; Additional Reference

678 (a) A bill in the possession of a fiscal committee or
 679 subcommittee that has been amended by report from a committee or
 680 subcommittee of previous reference to remove its fiscal impact
 681 may be withdrawn from the fiscal committee or subcommittee on a
 682 point of order raised by the committee chair of the fiscal
 683 committee having possession of the bill or jurisdiction over the
 684 subcommittee having possession of the bill.

685 (b) If an amendment adopted on the floor of the House
 686 affects an appropriation or a tax matter, upon a point of order
 687 made by the chair or vice chair of a fiscal committee, the bill
 688 may be referred by the Speaker, with the amendment, to an
 689 appropriate committee or subcommittee. If the bill, as amended
 690 on the floor, is reported favorably without further amendment,
 691 it shall be returned to the same reading as when referred. If
 692 the bill, as amended on the floor, is reported favorably with
 693 further amendment, it shall be returned to second reading.

694

695 6.6—Policy Bills; Additional Reference

696 If an amendment or series of amendments adopted on the floor of
 697 the House:

698 (a) Substantially revises the bill; or

699 (b) Introduces brand new concepts that were not offered in
 700 at least one committee or subcommittee of the House

701
 702 upon a point of order made by the chair of the Rules & Policy
 703 Committee, the bill, as amended, may be referred by the Speaker
 704 to an appropriate committee or subcommittee. If the bill, as
 705 amended on the floor, is reported favorably by the committee or
 706 subcommittee without further amendment, it shall be returned to
 707 the same reading as when referred. If the bill, as amended on
 708 the floor, is reported favorably by the committee or
 709 subcommittee with further amendment, it shall be returned to
 710 second reading.

711
 712 6.7—Reference of Veto Messages
 713 The Speaker may refer veto messages to the appropriate committee
 714 or subcommittee for a recommendation.

715
 716 RULE SEVEN—COMMITTEES AND SUBCOMMITTEES

717
 718 PART ONE—Organization

719
 720 7.1—Standing Committees and Subcommittees
 721 (a) The following standing committees, and the standing
 722 subcommittees within their respective jurisdictions, are
 723 established:
 724 (1) Appropriations Committee.
 725 a. Agriculture & Natural Resources Appropriations

- 726 Subcommittee.
- 727 b. Government Operations & Technology Appropriations
- 728 Subcommittee.
- 729 c. Health Care Appropriations Subcommittee.
- 730 d. Higher Education Appropriations Subcommittee.
- 731 e. Justice Appropriations Subcommittee.
- 732 f. PreK-12 Appropriations Subcommittee.
- 733 g. Transportation & Tourism Appropriations Subcommittee.
- 734 (2) Commerce Committee.
- 735 a. Agriculture & Property Rights Subcommittee.
- 736 b. Careers & Competition Subcommittee.
- 737 c. Energy & Utilities Subcommittee.
- 738 d. Insurance & Banking Subcommittee.
- 739 e. Tourism & Gaming Control Subcommittee.
- 740 (3) Education Committee.
- 741 a. Post-Secondary Education Subcommittee.
- 742 b. PreK-12 Innovation Subcommittee.
- 743 c. PreK-12 Quality Subcommittee.
- 744 (4) Government Accountability Committee.
- 745 a. Local, Federal & Veterans Affairs Subcommittee.
- 746 b. Natural Resources & Public Lands Subcommittee.
- 747 c. Oversight, Transparency & Administration Subcommittee.
- 748 d. Transportation & Infrastructure Subcommittee.
- 749 (5) Health & Human Services Committee.
- 750 a. Children, Families & Seniors Subcommittee.

- 751 b. Health Innovation Subcommittee.
- 752 c. Health Quality Subcommittee.
- 753 (6) Judiciary Committee.
- 754 a. Civil Justice & Claims Subcommittee.
- 755 b. Criminal Justice Subcommittee.
- 756 (7) Public Integrity & Ethics Committee.
- 757 (8) Rules & Policy Committee.
- 758 (9) Ways & Means Committee.
- 759 (b) For purposes of these rules, the term "committee"
- 760 includes subcommittee, except where the context indicates
- 761 otherwise.

762

763 7.2-Committee and Subcommittee Appointments

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

765 chairs as he or she deems necessary, as well as all members, for

766 each standing House committee and subcommittee. The Speaker may

767 appoint the House chair and all House members of each conference

768 committee, joint committee, and joint select committee created

769 by agreement of the House and Senate or of the Speaker and the

770 President of the Senate. The Speaker shall give written notice

771 of each such appointment to the Clerk for publication. After the

772 Speaker has made committee and subcommittee appointments, the

773 Minority Leader may name a Minority Conference member of any

774 committee or subcommittee as "ranking member" of that committee

775 or subcommittee, subject to the approval of the Speaker.

776

777 7.3—Powers of the Chair

778 A committee or subcommittee chair has authority to sign all
779 notices, vouchers, and reports required or permitted by these
780 rules. The chair has authority, subject to approval by the
781 Speaker, to sign all subpoenas issued under these rules. The
782 chair has all authority necessary to ensure the orderly
783 operation of the committee or subcommittee, including, but not
784 limited to, presiding over meetings, establishing each meeting
785 agenda, determining the order in which matters are to be taken
786 up, recognizing or not recognizing non-member presenters, and
787 deciding questions of order. Decisions on questions of order may
788 be appealed pursuant to Rule 2.3(b), but there shall be no
789 appeal of the chair's recognition.

790

791 7.4—Absence of the Chair

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

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801 7.5—Term of Appointment

802 All standing committee or subcommittee chairs, vice chairs, and
803 members serve at the pleasure of the Speaker. All standing
804 committee and subcommittee appointments made by the Speaker in
805 accordance with Rule 7.2 shall be made before each regular
806 session is convened and shall expire on June 30 of odd-numbered
807 years or, if the Legislature is convened in special or extended
808 session on that date, upon adjournment sine die of such session.

809

810 7.6—Creation of Select Committees

811 At any time, the Speaker may create a select committee and shall
812 appoint the membership and name the chair and vice chair. A
813 select committee may include the entire membership of the House.
814 A select committee has the jurisdiction, authority, and powers
815 and duties assigned to it by the Speaker and exists for the
816 period of time specified by the Speaker. The Speaker shall give
817 written notice of the creation of a select committee to the
818 Clerk for publication.

819

820 7.7—Ex officio Members

821 (a) The Speaker may designate the Speaker pro tempore, the
822 Majority Leader, or the Majority Whip as an ex officio, voting
823 member of any committee or subcommittee. In addition, the
824 Speaker may designate a committee chair as an ex officio, voting
825 member of any subcommittee within the committee's jurisdiction.

826 Only one ex officio member may be designated by the Speaker to
 827 sit and vote at a time on any one committee or subcommittee.

828 (b) The Minority Leader may serve, or designate a Minority
 829 Conference member to serve, as an ex officio, voting member of
 830 any committee or subcommittee when a Minority Conference member
 831 appointed to that committee or subcommittee is absent. Only one
 832 ex officio member may serve or be designated by the Minority
 833 Leader at a time. The ex officio designation terminates upon the
 834 return of the absent member to that committee or subcommittee.

835 (c) An ex officio member shall not be counted for purposes
 836 of determining a quorum.

837 (d) The designation of an ex officio member shall be made
 838 in writing and addressed to the chair of the committee or
 839 subcommittee. Prior to the start of such meeting, a copy of such
 840 notice shall be provided to the Minority Leader if the
 841 designation is made by the Speaker, or to the Speaker when the
 842 Minority Leader intends to serve as or designates an ex officio
 843 member.

844

845 7.8—Meetings of Committees and Subcommittees

846 Committees and subcommittees shall meet only within the dates,
 847 times, and locations designated or authorized by the Speaker.

848 Committees and subcommittees shall meet at the call of the
 849 chair.

850

851 7.9—Consideration of Proposed Committee and Subcommittee Bills
 852 Before a standing committee or subcommittee may consider a
 853 proposed committee or subcommittee bill, the chair shall submit
 854 a written request to the Speaker for approval. A request for
 855 approval to consider a proposed subcommittee bill shall be
 856 cosigned by the chair of the committee with jurisdiction over
 857 the subcommittee. In introducing a proposed committee or
 858 subcommittee bill, the chair must designate a member of the
 859 originating committee or subcommittee as first-named cosponsor,
 860 with the approval of such member.

861
 862 PART TWO—Procedures in Committees and Subcommittees
 863

864 7.10—Scheduling Committee and Subcommittee Meetings

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

873 (b) CONTENT OF MEETING NOTICE. The notice shall state the
 874 date, time, and place of the meeting and, for each bill to be
 875 considered, the bill or proposed bill number and a portion of

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876 the title sufficient for identification. Except with respect to
877 bills retained on reconsideration under Rule 7.15, only such
878 bills as are included on the notice of a committee or
879 subcommittee meeting may be considered at that meeting.

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

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

890 (e) NOTICE DEADLINES DURING SESSIONS. During the first 45
891 days of a regular session, notice shall be provided no later
892 than 4:30 p.m. of the 2nd day (excluding Saturdays, Sundays, and
893 official state holidays) before the committee or subcommittee
894 meeting for the purpose of considering legislation. After the
895 45th day of a regular session and during any extended session,
896 the notice shall be provided no later than 4:30 p.m. on the day
897 (including Saturdays, Sundays, and official state holidays)
898 before the committee or subcommittee meeting. During any special
899 session, the notice shall be provided no later than 2 hours
900 before the committee or subcommittee meeting.

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

906 (g) AMENDED NOTICE AND CANCELLATION. At any time before a
907 noticed meeting, a bill or other item may be removed from a
908 meeting notice or the meeting may be cancelled by providing an
909 amended notice.

910 (h) CLERK DUTIES. The Clerk shall promptly publish the
911 content of meeting notices in accordance with policies approved
912 by the Speaker.

913 (i) CONTINUATION AFTER NOTICED TIME. If the majority of
914 committee or subcommittee members present agree, a committee or
915 subcommittee may continue the consideration of properly noticed
916 legislation after the expiration of the time called for the
917 meeting or may temporarily recess to continue the meeting at a
918 time and place certain on the same day. However, a committee or
919 subcommittee may not meet beyond the time authorized or in a
920 place not authorized by the Speaker without special leave
921 granted by the Speaker.

922 (j) RULES & POLICY COMMITTEE EXEMPT FROM NOTICE DEADLINE.
923 The Rules & Policy Committee shall be exempt from the notice
924 deadlines of this rule except when meeting to consider the
925 substance of legislation.

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926

927 7.11—Amendment Deadlines in Committee and Subcommittee

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

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

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

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

947 (b) Notwithstanding the foregoing, subject to approval by
948 a majority vote of the House, the Rules & Policy Committee may
949 establish special amendment deadlines and procedures for
950 appropriations bills, implementing bills, and conforming bills,

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951 as defined in Rule 12.5, as well as for bills proposing any
952 reapportionment or redistricting of the state's legislative or
953 congressional districts.

954

955 7.12—Quorum of Committee or Subcommittee

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

960

961 7.13—Meeting during House Sessions

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

964

965 7.14—Voting in Committee or Subcommittee

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

974 (b) An absent member may submit an indication of how the
975 member would have voted had the member been present, but this

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976 shall not be counted on a roll call. If submitted after the
977 committee or subcommittee report has been filed, such votes
978 after roll call shall be filed with the committee or
979 subcommittee administrative assistant, who shall file them in
980 the committee or subcommittee files and with the Clerk.

981

982 7.15—Reconsideration in Committee or Subcommittee

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

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

989 (b) Any member voting on the prevailing side on passage or
990 defeat of a bill may, as a matter of right, serve notice that
991 the bill be retained through the next committee or subcommittee
992 meeting for the purpose of reconsideration. Such notice by an
993 individual member may be set aside by adoption of a motion to
994 report the bill immediately, which shall require a two-thirds
995 vote. No bill may be retained under this provision after the
996 40th day of a regular session or during any extended or special
997 session.

998 (c) A motion to reconsider a collateral matter must be
999 disposed of during the course of consideration of the main
1000 subject to which it is related.

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1001 (d) If a bill has been retained under subsection (b), any
 1002 member may move for its reconsideration at the next meeting of
 1003 the committee or subcommittee. The retained bill is not required
 1004 to be included on the committee or subcommittee meeting notice.

1005 (e) If the committee or subcommittee refuses to reconsider
 1006 or, upon reconsideration, confirms its prior decision, no
 1007 further motion to reconsider shall be in order except upon
 1008 unanimous consent of the committee or subcommittee members
 1009 present.

1010 (f) If a bill is not retained under subsection (b), it
 1011 shall be promptly reported to the Clerk.

1012

1013 7.16—Reports on Bills

1014 A committee or subcommittee may report a House bill unfavorably,
 1015 favorably, or favorably with a committee or subcommittee
 1016 substitute. A committee or subcommittee may report a Senate bill
 1017 favorably, favorably with one or more amendments, or
 1018 unfavorably. A bill may not be reported without recommendation.
 1019 A motion to lay a bill on the table shall be construed as a
 1020 motion to report the bill unfavorably.

1021

1022 7.17—Bill Reported Unfavorably by a Committee or Subcommittee

1023 A bill reported unfavorably by a committee or subcommittee shall
 1024 be laid on the table.

1025

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1026 7.18—Committee and Subcommittee Substitutes

1027 (a) A standing committee or subcommittee may introduce a
 1028 committee or subcommittee substitute embracing the same general
 1029 subject matter of one or more bills in possession of the
 1030 committee or subcommittee. A proposed committee or subcommittee
 1031 substitute must be noticed in the manner required for a proposed
 1032 committee or subcommittee bill. Upon the filing of a committee
 1033 or subcommittee substitute, the original bill or bills shall be
 1034 laid on the table of the House.

1035 (b) Committee and subcommittee substitutes shall be
 1036 prepared by the House Bill Drafting Service and filed with the
 1037 Clerk.

1038 (c) No later than the day (excluding Saturdays, Sundays,
 1039 and official state holidays) after it is filed by the committee
 1040 or subcommittee, a committee or subcommittee substitute shall be
 1041 read a first time and be subject to referral by the Speaker.

1042
 1043 7.19—Subpoena Powers

1044 The standing committees and subcommittees of the House may
 1045 exercise subpoena power and issue other necessary legal process
 1046 pursuant to Rule 16.

1047
 1048 7.20—Appearances and Administration of Oaths

1049 (a) A person who appears before a committee or
 1050 subcommittee on any matter must submit a committee appearance

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1051 record as directed by the Speaker. If the person is a lobbyist,
1052 the person shall also identify any principal on whose behalf the
1053 person appears or whose interests the person represents with
1054 respect to such matter.

1055 (b) Whenever desired by a committee or subcommittee, the
1056 chair or any other member of the committee or subcommittee may
1057 administer oaths and affirmations in the manner prescribed by
1058 law to any witness appearing before such committee or
1059 subcommittee for the purpose of testifying in any matter about
1060 which such committee or subcommittee may require sworn
1061 testimony, provided the record of a statement made under oath in
1062 committee or subcommittee may not be used to controvert a
1063 factual determination of the Legislature.

1064

1065 7.21—Open Meetings; Decorum

1066 (a) All meetings of committees and subcommittees shall be
1067 open to the public at all times, subject always to the authority
1068 of the chair to maintain order and decorum; however, when
1069 reasonably necessary for security purposes or the protection of
1070 a witness, a chair, with the concurrence of the Speaker and the
1071 Minority Leader, may close a meeting or portion thereof, and the
1072 record of such meeting may not disclose the identity of any
1073 witness appearing before the committee or subcommittee during a
1074 closed session.

1075 (b) The chair shall exercise all authority necessary to

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1076 maintain order and decorum, including the authority to impose
1077 time limitations on testimony and presentations by non-members
1078 and to require all persons attending a committee or subcommittee
1079 meeting to silence all audible electronic equipment.

1080
1081 PART THREE—Conference Committees

1082
1083 7.22—Conference Committees

1084 (a) The Speaker shall determine the number of House
1085 managers needed for all conference committees. A conference
1086 committee report shall require the signatures which indicate the
1087 affirmative votes of a majority of the managers on the part of
1088 each house. Such reports may recommend action on amendments
1089 previously adopted by the House or Senate, recommend action on
1090 additional compromise amendments, or offer an amendment deleting
1091 everything after the enacting clause. New amendments recommended
1092 by the conference committee shall accompany the report.

1093 (b) A meeting of the House and Senate conferees is a
1094 meeting of the two groups. Conference committee meeting notices
1095 shall be published at least 1 hour before the time scheduled for
1096 the meeting. Each conference committee may determine its own
1097 procedures and select a member to preside if a majority of
1098 managers of each house agree.

1099 (c) The receiving of conference committee reports shall
1100 always be in order, except when the House is voting on any

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1101 proposition. When a conference committee report is presented to
 1102 the House, the procedure shall be:

1103 (1) First to vote on a motion to accept the report in its
 1104 entirety. The motion shall not be subject to amendment. If this
 1105 vote fails, the report shall be automatically recommitted to the
 1106 conference committee.

1107 (2) If the report is accepted, the final vote shall be a
 1108 roll call on the passage of the bill as amended by the report.
 1109 The bill as amended by the report is not subject to further
 1110 amendment.

1111 (d) When House managers report inability of a conference
 1112 committee to agree, no action of the House taken before such
 1113 appointment shall preclude further action by the House as the
 1114 House may determine.

1115

1116 PART FOUR—Oversight Powers and Responsibilities

1117

1118 7.23—Oversight Powers and Responsibilities of Standing
 1119 Committees and Subcommittees

1120 (a) Each standing committee or subcommittee is authorized
 1121 to exercise all powers authorized for committees pursuant to s.
 1122 11.143, Florida Statutes, to carry out oversight
 1123 responsibilities within its respective subject matter
 1124 jurisdiction. For purposes of this rule, the Speaker shall
 1125 determine the subject matter jurisdiction of each committee or

1126 | subcommittee.

1127 | (b) Select committees shall exercise committee powers
 1128 | authorized by s. 11.143, Florida Statutes, whenever specifically
 1129 | authorized in writing by the Speaker.

1130 | (c) Each committee or subcommittee shall exercise other
 1131 | oversight powers and responsibilities vested in the House
 1132 | whenever specifically authorized by the Speaker.

1133 | (d) Each committee or subcommittee shall conduct other
 1134 | business as directed by the Speaker.

1135 |

1136 | RULE EIGHT—DEBATE AND CHAMBER PROTOCOL

1137 |

1138 | PART ONE—Privilege of the Floor

1139 |

1140 | 8.1—Privilege of the Floor

1141 | (a) MEMBERS' ACCESS. Members of the House shall have the
 1142 | exclusive right to enter the Chamber during sessions, and no
 1143 | other person shall be admitted unless granted privilege of the
 1144 | floor as provided below.

1145 | (b) PRIVILEGED GUESTS. The Governor, the Lieutenant
 1146 | Governor, the Chief Financial Officer, the Attorney General, the
 1147 | Commissioner of Agriculture, members of the Senate, Justices of
 1148 | the Supreme Court, former members of the House, the Doctor of
 1149 | the Day, and the Guest Chaplain are granted the privilege of the
 1150 | floor; however, no registered lobbyist may be so admitted.

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1151 (c) EMPLOYEES' ADMISSION. House employees may be admitted
 1152 to the Chamber as determined by the Speaker.

1153 (d) OTHER GUESTS. Other guests may be granted the
 1154 privilege of the floor by the Speaker or by the House.

1155 (e) RESTRICTIONS ON NON-MEMBERS. Persons granted the
 1156 privilege of the floor may not lobby the members while the House
 1157 is in session, unless granted leave to address the House.

1158 (f) SESSION ATTIRE. When the House is in session, all
 1159 persons in the Chamber shall be dressed in proper business
 1160 attire.

1161

1162 PART TWO—Speaking

1163

1164 8.2—Addressing the House; Requirements to Spread Remarks Upon
 1165 the Journal

1166 (a) When a member desires to speak or deliver any matter
 1167 to the House, the member shall rise and respectfully address the
 1168 Speaker as "Mr. (or Madam) Speaker" and shall confine all
 1169 remarks to the question under debate, avoiding personalities.
 1170 Once recognized, a member may speak from the member's desk or
 1171 may, with the Speaker's permission, speak from the well.

1172 (b) Any motion to spread remarks upon the Journal, except
 1173 those of the Governor or the Speaker, shall be referred to the
 1174 chair of the Rules & Policy Committee for recommendation before
 1175 being put to the House.

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8.3—When Two Members Rise at Once

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

8.4—Recognition of Members

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

8.5—Recognition of Gallery Visitors and Doctor of the Day

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

PART THREE—Debate

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8.6—Decorum

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

8.7—Speaking and Debate; Right to Close

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

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

8.8—Asking Questions of Members

It is entirely within a speaking member's discretion whether to yield to a question. The proper purpose of a question is for the

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1226 | questioner to obtain information in good faith when the
 1227 | questioner does not know the answer, not for the questioner to
 1228 | supply information to the body. Questions should not be used to
 1229 | editorialize, explicate, pontificate, or provide commentary.
 1230 | Neither a question nor an answer to a question may contain
 1231 | arguments or debate.

1232 |
 1233 | 8.9—Right to Open and Close Debate

1234 | The member presenting a motion shall have the right to open and
 1235 | close the debate and, for this purpose, may speak each time up
 1236 | to 10 minutes, unless otherwise limited by majority vote of the
 1237 | House, notwithstanding the limitation in Rule 8.7.

1238 |
 1239 | PART FOUR—Materials and Meals in Chamber

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 1241 | 8.10—Distribution of Materials in Chamber; Meals in Chamber

1242 | (a) The following constitutes policy regarding material
 1243 | distributed to the general membership through the Sergeant at
 1244 | Arms' Office and pages:

1245 | (1) All material must be approved by the chair of the
 1246 | Rules & Policy Committee prior to such distribution.

1247 | (2) The following official materials are approved: House
 1248 | and Senate bills, resolutions, memorials, and amendments
 1249 | thereto, and official calendars and journals; committee and
 1250 | subcommittee meeting notices; communications from the Speaker

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1251 and Clerk and official communications from the Senate; and
 1252 official staff reports of standing or select committees or
 1253 subcommittees or of the majority or minority party.

1254 (b) While members may consume nonalcoholic beverages on
 1255 the floor, meals will not be allowed on the floor without
 1256 concurrence of a majority vote.

1257

1258 PART FIVE—Miscellaneous Papers

1259

1260 8.11—Miscellaneous Papers

1261 Papers of a miscellaneous nature addressed to the House may, at
 1262 the discretion of the Speaker, be read, noted in the Journal, or
 1263 filed with the appropriate committee or subcommittee. When the
 1264 reading of a paper other than one upon which the House is called
 1265 to give a final vote is demanded and such reading is objected to
 1266 by any member, whether the paper shall be read shall be
 1267 determined without debate by the House by a majority vote.

1268

1269 RULE NINE—VOTING

1270

1271 9.1—Members Shall Vote

1272 Every member shall be within the Chamber during its sittings,
 1273 unless excused or necessarily prevented, and shall vote on each
 1274 question put, unless required to abstain under Rule 3.2.

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1276 9.2—Taking the Yeas and Nays

1277 The Speaker shall declare all votes, but if any member rises to
1278 doubt a vote, upon a showing of hands by five members, the
1279 Speaker shall take the sense of the House by oral or electronic
1280 roll call. When taking the yeas and nays on any question, the
1281 electronic roll-call system may be used and when so used shall
1282 have the force and effect of a roll call taken as provided in
1283 these rules. This system likewise may be used to determine the
1284 presence of a quorum. When the House is ready to vote upon a
1285 question requiring roll call, and the vote is by electronic roll
1286 call, the Speaker shall say, "The question now recurs on
1287 (designating the matter to be voted upon). The Clerk will unlock
1288 the machine and the House will proceed to vote." When sufficient
1289 time has elapsed for each member to vote, the Speaker shall ask,
1290 "Have all members voted?" After a short pause, the Speaker shall
1291 say, "The Clerk will lock the machine and record the vote." When
1292 the vote is completely recorded, the Speaker shall announce the
1293 result to the House, and the Clerk shall record the action upon
1294 the Journal.

1295
1296 9.3—Vote of the Speaker or Temporary Presiding Officer

1297 The Speaker or temporary presiding officer is not required to
1298 vote in legislative proceedings other than on final passage of a
1299 bill, except when the Speaker's or temporary presiding officer's
1300 vote would be decisive. In all yea and nay votes, the Speaker's

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1301 or temporary presiding officer's name shall be called last. With
 1302 respect to voting, the Speaker or temporary presiding officer is
 1303 subject to the same disqualification and disclosure requirements
 1304 as any other member.

1305

1306 9.4-Votes After Roll Call; Finality of a Roll Call Vote

1307 (a) After the result of a roll call has been announced, a
 1308 member may submit to the Clerk an indication of how the member
 1309 would have voted or would have voted differently. The Clerk
 1310 shall provide forms for the recording of these actions. When
 1311 timely submitted, the vote after roll call shall be shown
 1312 beneath the roll call in the Journal. Otherwise, the vote after
 1313 roll call shall be shown separately in the Journal.

1314 (b) In no instance, other than by reason of an electronic
 1315 or mechanical malfunction, shall the result of a voting machine
 1316 roll call on any question be changed.

1317

1318 9.5-No Member to Vote for Another Except by Request and
 1319 Direction

1320 (a) No member may vote for another member except at the
 1321 other member's specific request and direction. No member may
 1322 vote for another member who is absent from the Chamber, nor may
 1323 any person who is not a member cast a vote for a member.

1324 (b) In no case shall a member vote for another on a quorum
 1325 call.

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1326 (c) Any member who votes or attempts to vote for another
 1327 member in violation of this rule or who requests another member
 1328 to vote for the requesting member in violation of this rule may
 1329 be disciplined in such a manner as the House may deem proper.

1330 (d) Any person who is not a member and who votes in the
 1331 place of a member shall be subject to such discipline as the
 1332 House may deem proper.

1333

1334 9.6—Explanation of Vote

1335 A member may not explain his or her vote during a roll call but
 1336 may reduce his or her explanation to writing in not more than
 1337 200 words in an electronic format approved by the Clerk. Upon
 1338 submission to the Clerk, this explanation shall be spread upon
 1339 the Journal.

1340

1341 RULE TEN—ORDER OF BUSINESS AND CALENDARS

1342

1343 PART ONE—Order of Business

1344

1345 10.1—Daily Sessions

1346 The House shall meet each legislative day as stated in the
 1347 motion adjourning the House on the prior legislative day on
 1348 which the House met.

1349

1350 10.2—Daily Order of Business

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1351 (a) When the House convenes on a new legislative day, the
 1352 daily order of business shall be as follows:

1353 (1) Call to Order.

1354 (2) Prayer.

1355 (3) Roll Call.

1356 (4) Pledge of Allegiance.

1357 (5) Correction of the Journal.

1358 (6) Communications.

1359 (7) Messages from the Senate.

1360 (8) Reports of Committees.

1361 (9) Motions Relating to Committee and Subcommittee

1362 References.

1363 (10) Matters on Reconsideration.

1364 (11) Bills and Joint Resolutions on Third Reading.

1365 (12) Special Orders.

1366 (13) House Resolutions.

1367 (14) Unfinished Business.

1368 (15) Introduction and Reference.

1369 (b) During special sessions, the order of business of
 1370 Introduction and Reference shall be called for immediately
 1371 following the order of business of Correction of the Journal.

1372 (c) Within each order of business, matters shall be
 1373 considered in the order in which they appear on the daily
 1374 printed Calendar of the House.

1375 (d) After the 45th day of a regular session, by a majority

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1376 | vote, the House may, on motion of the chair or vice chair of the
 1377 | Rules & Policy Committee, move to Communications, Messages from
 1378 | the Senate, Bills and Joint Resolutions on Third Reading, or
 1379 | Special Orders. The motion may provide which matter on such
 1380 | order of business may be considered.

1381 | (e) The following orders may be omitted on any regular
 1382 | session day if there is no relevant business on the desk:

- 1383 | (1) Communications.
- 1384 | (2) Messages from the Senate.
- 1385 | (3) Reports of Committees
- 1386 | (4) House Resolutions.
- 1387 | (5) Unfinished Business.
- 1388 | (6) Introduction and Reference.

1390 | 10.3—Chaplain to Offer Prayer

1391 | A chaplain shall attend at the beginning of each day's sitting
 1392 | of the House and open the same with prayer. In the absence of a
 1393 | chaplain, the Speaker may designate someone else to offer
 1394 | prayer.

1396 | 10.4—Quorum

1397 | A majority of the membership of the House shall constitute a
 1398 | quorum to conduct business.

1400 | 10.5—Consideration of Senate Messages: Generally

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1401 Senate messages may be considered by the House at the time and
 1402 in the order determined by the Speaker.

1403

1404 PART TWO—Readings

1405

1406 10.6—"Reading" Defined

1407 "Reading" means the stage of consideration of a bill,
 1408 resolution, or memorial after reading of a portion of the title
 1409 sufficient for identification, as determined by the Speaker.

1410

1411 10.7—Reading of Bills and Joint Resolutions

1412 Each bill and each joint resolution shall be read on 3 separate
 1413 days prior to a vote upon final passage unless this rule is
 1414 waived by a two-thirds vote, provided the publication of a bill
 1415 or joint resolution by its title in the Journal shall satisfy
 1416 the requirements of first reading.

1417

1418 10.8—Reading of Concurrent Resolutions and Memorials

1419 Concurrent resolutions and memorials shall be read on 2 separate
 1420 days prior to a voice vote upon adoption, except that concurrent
 1421 resolutions extending a legislative session or involving other
 1422 procedural legislative matters may be read twice without motion
 1423 on the same legislative day.

1424

1425 10.9—Reading of House Resolutions

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1426 (a) A House resolution shall receive two readings by title
 1427 only prior to a voice vote upon adoption.

1428 (b) Ceremonial resolutions may be shown as read and
 1429 adopted by publication in full in the Journal in accordance with
 1430 Rule 10.17.

1431
 1432 10.10—Measures on Third Reading

1433 (a) Bills on third reading shall be taken up in the order
 1434 in which the House concluded action on them on second reading.

1435 (b) Before any bill shall be read the third time, whether
 1436 amended or not, it shall be referred without motion to the
 1437 Engrossing Clerk for examination and, if amended, the engrossing
 1438 of amendments. In the case of any Senate bill amended in the
 1439 House, the amendment adopted shall be reproduced and attached to
 1440 the bill amended in such manner that it will not be lost
 1441 therefrom.

1442 (c) A bill shall be deemed on its third reading when it
 1443 has been read a second time on a previous day and has no motion
 1444 pending.

1445
 1446 PART THREE—Calendars

1447
 1448 10.11—Special Order Calendar

1449 (a) REGULAR SESSION.

1450 (1) The Rules & Policy Committee shall periodically

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1451 submit, as needed, a Special Order Calendar determining the
1452 sequence for consideration of legislation. The Special Order
1453 Calendar may include bills on second reading, bills on
1454 unfinished business, resolutions, and specific sections for
1455 local bills, trust fund bills, and bills to be taken up at a
1456 time certain. Upon adoption of a Special Order Calendar, no
1457 other bills shall be considered for the time period set forth
1458 for that Special Order Calendar, except that any bill appearing
1459 on that Special Order Calendar may be stricken from it by a
1460 majority vote or any bill may be added to it pursuant to Rule
1461 10.13. A previously adopted Special Order Calendar shall expire
1462 upon adoption by the House of a new Special Order Calendar.

1463 (2) Any committee, subcommittee, or member may apply in
1464 writing to the chair of the Rules & Policy Committee to place a
1465 bill on the Special Order Calendar. The Rules & Policy Committee
1466 may grant such requests by a majority vote.

1467 (3) During the first 55 days of a regular session, the
1468 Special Order Calendar shall be published in three Calendars of
1469 the House, and it may be taken up on the day of the third
1470 published Calendar. After the 55th day of a regular session, the
1471 Special Order Calendar shall be published in one Calendar of the
1472 House and may be taken up on the day the Calendar is published.

1473 (b) EXTENDED OR SPECIAL SESSION.

1474 (1) If the Legislature extends a legislative session, all
1475 bills on the Calendar of the House at the time of expiration of

1476 | the regular session shall be placed in the Rules & Policy
 1477 | Committee.

1478 | (2) During any extended or special session, all bills upon
 1479 | being reported favorably by the last committee or subcommittee
 1480 | of reference shall be placed in the Rules & Policy Committee.

1481 | (3) During any extended or special session, the Rules &
 1482 | Policy Committee shall establish a Special Order Calendar and
 1483 | only those bills on such Special Order Calendar shall be placed
 1484 | on the Calendar of the House.

1485 | (4) During any extended or special session, the Special
 1486 | Order Calendar shall be published in one Calendar of the House
 1487 | and bills thereon may be taken up on the day the Calendar is
 1488 | published.

1489 |

1490 | 10.12—Special Floor Procedures

1491 | The Rules & Policy Committee may recommend special floor
 1492 | procedures for the management of amendments and debate on a
 1493 | particular bill, on second and third readings, which procedures
 1494 | may include limitations on amendments and debate. Such
 1495 | procedures may not be implemented unless approved by a majority
 1496 | vote in session.

1497 |

1498 | 10.13—Consideration of Bills Not on Special Order Calendar

1499 | A bill not included on the Special Order Calendar may be
 1500 | considered by the House upon a two-thirds vote.

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10.14—Consent Calendar

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

10.15—Requirements for Placement on Special Order Calendar

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

10.16—Informal Deferral of Bills

Whenever the member who introduced a bill or the first-named member sponsor of a committee or subcommittee bill is absent from the Chamber when the bill has been reached in the regular order on second or third reading, consideration shall be informally deferred until such member's return, unless another member consents to offer the bill on behalf of the original member. The bill shall retain its position on the Calendar of the House during the same legislative day. The member shall have the responsibility of making the motion for its subsequent consideration.

PART FOUR—Ceremonial Resolutions

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1526 10.17—Ceremonial Resolutions Published in Journal
 1527 Upon approval of the chair of the Rules & Policy Committee, a
 1528 ceremonial resolution may be shown as read and adopted by
 1529 publication in full in the Journal. The Rules & Policy Committee
 1530 shall distribute a list of such resolutions 1 day (excluding
 1531 Saturdays, Sundays, and official state holidays) prior to the
 1532 day of their publication, during which time any member may file
 1533 with the Rules & Policy Committee an objection to any resolution
 1534 listed. Each resolution for which an objection has been filed
 1535 shall be removed from the list and placed on the Calendar of the
 1536 House. All resolutions without objections shall be printed on
 1537 the next legislative day in the Journal and considered adopted
 1538 by the House.

1540 PART FIVE—Procedural Limitations in Final Week

1541
 1542 10.18—Consideration Limits to Bills after Day 55
 1543 After the 55th day of a regular session, no House bills on
 1544 second reading may be taken up and considered by the House.

1545
 1546 10.19—Consideration Limits after Day 58
 1547 After the 58th day of a regular session, the House may consider
 1548 only:

- 1549 (a) Returning messages.
- 1550 (b) Conference reports.

1551 (c) Concurrent resolutions.

1552

1553 RULE ELEVEN—MOTIONS

1554

1555 11.1—Motions; How Made

1556 Every motion shall be made orally, except when requested by the
1557 Speaker to be reduced to writing.

1558

1559 11.2—Precedence of Motions During Debate

1560 (a) When a question is under debate, the Speaker or the
1561 chair of a committee or subcommittee shall receive no motion
1562 except:

1563 (1) To adjourn at a time certain.

1564 (2) To adjourn.

1565 (3) To recess to a time certain.

1566 (4) To lay on the table.

1567 (5) To reconsider.

1568 (6) For the previous question.

1569 (7) To limit debate.

1570 (8) To temporarily postpone.

1571 (9) To postpone to a time or day certain.

1572 (10) To refer to or to recommit to committee or
1573 subcommittee.

1574 (11) To amend.

1575 (12) To amend by removing the enacting or resolving

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1576 | clause.

1577 | (b) Such motions shall have precedence in the descending
1578 | order given.

1579 | (c) Notwithstanding paragraph (a)(10) above, the Motion to
1580 | Withdraw or Refer a Bill pursuant to House Rule 11.11 and the
1581 | Motion to Refer or Recommit pursuant to House Rule 11.12 are not
1582 | available in committee or subcommittee.

1583 |

1584 | 11.3—Questions of Order Decided without Debate

1585 | The Speaker shall decide, without debate, all procedural
1586 | questions of order that arise when a motion is before the House
1587 | or on appeal.

1588 |

1589 | 11.4—Division of Question

1590 | If a question before the House is susceptible of separation into
1591 | two or more parts, any member may call for a division of the
1592 | question so that each part may be voted on separately. However,
1593 | a motion to remove and insert cannot be divided.

1594 |

1595 | 11.5—Motion to Recess to a Time Certain

1596 | A motion to recess to a time certain shall be treated the same
1597 | as a motion to adjourn, except that the motion is debatable when
1598 | no business is before the House and can be amended as to the
1599 | time to recess and duration of the recess. It yields only to a
1600 | motion to adjourn.

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11.6—Motion to Lay on the Table

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

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

11.7—Motion to Reconsider; Immediate Certification of Bills

(a) When a motion or main question has been made and carried or lost, it shall be in order at any time as a matter of right on the same or succeeding legislative day for a member voting with the prevailing side, or for any member in the case of a voice or tie vote, to move for reconsideration thereof.

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

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

(d) If the House refuses to reconsider or upon reconsideration confirms its prior decision, no further motion

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1626 | to reconsider shall be in order except upon unanimous consent of
1627 | the members present.

1628 | (e) Debate shall be allowed on a motion to reconsider only
1629 | when the question that it is proposing to reconsider is
1630 | debatable. When debate upon a motion to reconsider is in order,
1631 | no member shall speak thereon more than once or for more than 5
1632 | minutes.

1633 | (f) The adoption of a motion to reconsider a vote upon any
1634 | secondary matter shall not remove the main subject under
1635 | consideration from consideration of the House.

1636 | (g) A motion to reconsider a collateral matter must be
1637 | disposed of at once during the course of the consideration of
1638 | the main subject to which it is related, and such motion shall
1639 | be out of order after the House has passed to other business.

1640 | (h) No bill referred or recommitted to a committee or
1641 | subcommittee by a vote of the House shall be brought back into
1642 | the House on a motion to reconsider.

1643 | (i) The Clerk shall retain possession of all bills and
1644 | joint resolutions for the period after passage during which
1645 | reconsideration may be moved, except that local bills,
1646 | concurrent resolutions, and memorials shall be transmitted to
1647 | the Senate without delay.

1648 | (j) The adoption of a motion to waive the rules and
1649 | immediately certify any bill to the Senate shall be construed as
1650 | releasing the measure from the Clerk's possession for the period

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1651 of reconsideration.

1652 (k) Unless otherwise directed by the Speaker, during the
1653 last 14 days of a regular session or any extension thereof and
1654 during any special session, all measures acted on by the House
1655 shall be transmitted to the Senate without delay.

1656

1657 11.8—Motion for the Previous Question

1658 (a) The previous question may be asked and ordered upon
1659 any debatable single motion, series of motions, or amendment
1660 pending and the effect thereof shall be to conclude all action
1661 on the same day. If third reading is reached on another day, the
1662 order for the previous question must be renewed on that day.

1663 (b) The motion for the previous question shall be decided
1664 without debate. If the motion prevails, the sponsor of a bill or
1665 debatable motion and an opponent shall be allowed 3 minutes each
1666 within which to debate the pending question, and each may divide
1667 the time with, or waive this right in favor of, some other
1668 member. On second reading, the final available question is the
1669 main amendment; on third reading, it is the bill.

1670 (c) When the motion for the previous question is adopted
1671 on a main question, the sense of the House shall be taken
1672 without delay on pending amendments and such question in the
1673 regular order.

1674 (d) The motion for the previous question may not be made
1675 by the first-named sponsor or mover.

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1677 11.9—Motion to Limit Debate

1678 When there is debate by the House, it shall be in order for a
1679 member to move to limit debate and such motion shall be decided
1680 without debate, except that the first-named sponsor or mover of
1681 the question under debate shall have 5 minutes within which to
1682 discuss the motion and may divide the allotted time with, or
1683 waive it in favor of, some other member. If, by majority vote,
1684 the question is decided in the affirmative, debate shall be
1685 limited to 10 minutes for each side, unless a different time is
1686 stated in the motion, such time to be apportioned by the
1687 Speaker; however, the first-named sponsor or mover shall have an
1688 additional 5 minutes within which to close the debate and may
1689 divide the allotted time with, or waive it in favor of, some
1690 other member.

1691

1692 11.10—Motion to Temporarily Postpone

1693 (a) The motion to temporarily postpone shall be decided
1694 without debate and shall cause a measure to be set aside but
1695 retained on the desk.

1696 (b) If a main question has been temporarily postponed
1697 after having been debated or after motions have been applied and
1698 is not brought back before the House on the same legislative
1699 day, it shall be placed under the order of unfinished business
1700 on the Calendar of the House. If a main question is temporarily

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1701 postponed before debate has commenced or motions have been
1702 applied, its reading shall be considered a nullity and the bill
1703 shall retain its original position on the order of business on
1704 the same legislative day; otherwise, the bill reverts to the
1705 status of bills on second or third reading, as applicable.

1706 (c) The motion to return to consideration of a temporarily
1707 postponed main question shall be made under the proper order of
1708 business when no other matter is pending.

1709 (d) If applied to a collateral matter, the motion to
1710 temporarily postpone shall not cause the main question to be
1711 carried with it. After having been temporarily postponed, if a
1712 collateral matter is not brought back before the House in the
1713 course of consideration of the adhering or main question, it
1714 shall be deemed abandoned.

1715

1716 11.11—Motion to Withdraw or Refer a Bill

1717 (a) A motion to withdraw a bill from a committee or
1718 subcommittee shall require a two-thirds vote on the floor.

1719 (b) Any member may, no later than under the order of
1720 business of Motions Relating to Committee and Subcommittee
1721 References on the legislative day following reference of a bill,
1722 move for reference from one committee or subcommittee to a
1723 different committee or subcommittee, which shall be decided by a
1724 majority vote.

1725 (c) A motion to refer a bill from one committee or

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1726 subcommittee to another committee or subcommittee, other than as
 1727 provided in subsection (b), may be made during the regular order
 1728 of business and shall require a two-thirds vote.

1729 (d) A motion to refer a bill to an additional committee or
 1730 subcommittee may be made during the regular order of business
 1731 and shall require a two-thirds vote.

1732 (e) A motion to refer shall be debated only as to the
 1733 propriety of the reference.

1734 (f) A motion to withdraw a bill from further consideration
 1735 of the House shall require a two-thirds vote.

1736 (1) The chair or vice chair of the Rules & Policy
 1737 Committee, at the request of the first-named member sponsor, may
 1738 move for the withdrawal of a bill from further consideration.

1739 (2) The first-named member sponsor of a bill may, prior to
 1740 its introduction and provided no substantive action has been
 1741 taken on it, withdraw the bill by written notice to the Clerk.

1742 (3) In moving for the withdrawal of a bill from further
 1743 consideration by floor motion, the introducer shall be required
 1744 to identify the nature of the bill.

1745
 1746 11.12—Motion to Refer or Recommit

1747 (a) Any bill on the Calendar of the House may be referred
 1748 or recommitted by the House to a committee or subcommittee by a
 1749 majority vote.

1750 (b) A motion to refer or recommit a bill that is before

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1776 | 12.1-Form

1777 | (a) Floor amendments shall be prepared by the House Bill
1778 | Drafting Service and filed with the Clerk.

1779 | (b) A floor amendment filed with the Clerk after the
1780 | applicable filing deadline is late filed. A late-filed floor
1781 | amendment may be taken up for consideration only upon motion
1782 | adopted by a two-thirds vote.

1783 |

1784 | 12.2-Filing Deadlines for Floor Amendments

1785 | (a) During the first 55 days of a regular session:

1786 | (1) Main floor amendments must be submitted to the House
1787 | Bill Drafting Service by 3 p.m. and approved for filing with the
1788 | Clerk by 4 p.m. of the first day a bill appears on the Special
1789 | Order Calendar in the Calendar of the House; and

1790 | (2) Amendments to main floor amendments and substitute
1791 | amendments for main floor amendments must be submitted to the
1792 | House Bill Drafting Service by 6:30 p.m. and approved for filing
1793 | by 7 p.m. of the same day.

1794 | (b) After the 55th day of a regular session and during any
1795 | extended or special session:

1796 | (1) Main floor amendments must be approved for filing with
1797 | the Clerk not later than 2 hours before session is scheduled to
1798 | convene on the day a bill appears on the Special Order Calendar
1799 | in the Calendar of the House; and

1800 | (2) Amendments to main floor amendments and substitute

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1801 amendments for main floor amendments must be approved for filing
1802 not later than 1 hour after the main floor amendment deadline.

1803 (c) Notwithstanding the foregoing, subject to approval by
1804 a majority vote of the House, the Rules & Policy Committee may
1805 establish special amendment deadlines and procedures for
1806 appropriations bills, implementing bills, and conforming bills,
1807 as well as for bills proposing any reapportionment or
1808 redistricting of the state's legislative or congressional
1809 districts.

1810

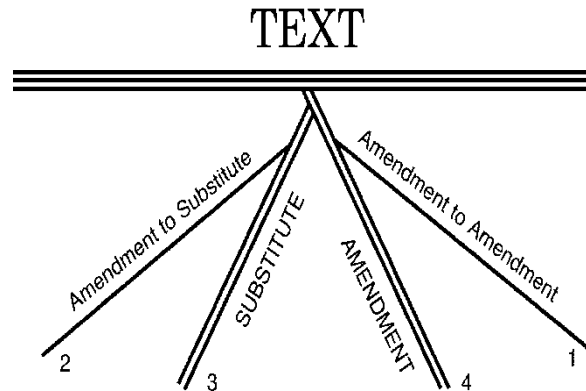
1811 12.3—Presentation and Consideration

1812 (a) Amendments shall be taken up only as sponsors gain
1813 recognition from the Speaker, except that the chair of the
1814 committee or subcommittee (or any member thereof designated by
1815 the chair) reporting the measure under consideration shall have
1816 preference for the presentation of committee or subcommittee
1817 amendments to Senate bills.

1818 (b) An amendment to a pending main amendment may be
1819 received, but until it is disposed of, no other motion to amend
1820 will be in order except a substitute amendment or an amendment
1821 to the substitute. Such amendments are to be disposed of in the
1822 following order:

1823 (1) Amendments to the amendment are voted on before the
1824 substitute is taken up. Only one amendment to the amendment is
1825 in order at a time.

1826 (2) Amendments to the substitute are next voted on.
 1827 (3) The substitute then is voted on. The adoption of a
 1828 substitute amendment in lieu of an original amendment shall be
 1829 treated and considered as an amendment to the bill itself.



1830
 1831 (c) The adoption of an amendment to a section shall not
 1832 preclude further amendment of that section. If a bill is being
 1833 considered section by section or item by item, only amendments
 1834 to the section or item under consideration shall be in order.

1835 (d) For the purpose of this rule, an amendment shall be
 1836 deemed pending only after its proposer has been recognized by
 1837 the Speaker.

1838 (e) Reviser's bills may be amended only by making
 1839 deletions.

1840
 1841 12.4-Second and Third Reading; Vote Required on Third Reading

1842 (a) A motion to amend is in order during the second or
 1843 third reading of any bill.

1844 (b) Amendments proposed on third reading shall require a

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1845 two-thirds vote for adoption, except that technical amendments
 1846 introduced in the name of the Rules & Policy Committee shall
 1847 require a majority vote for adoption. Amendments on third
 1848 reading, other than technical amendments introduced in the name
 1849 of the Rules & Policy Committee, must be submitted to the House
 1850 Bill Drafting Service no later than 1 hour before the applicable
 1851 filing deadline and approved for filing not later than the
 1852 earlier of the following deadlines:

1853 (1) Nine a.m. on the day session is scheduled to convene
 1854 on the day the bill is reached on third reading; or

1855 (2) One hour before session is scheduled to convene on the
 1856 day the bill is reached on third reading.

1857 (c) A motion for reconsideration of an amendment on third
 1858 reading requires a two-thirds vote for adoption.

1859

1860 12.5—Amendment of Appropriations Bills, Implementing Bills, and
 1861 Conforming Bills

1862 (a) For purposes of these rules:

1863 (1) An "appropriations bill" is a general appropriations
 1864 bill or any other bill the title text of which begins "An act
 1865 making appropriations," "An act making special appropriations,"
 1866 or "An act making supplemental appropriations."

1867 (2) An "implementing bill" is a bill, effective for one
 1868 fiscal year, implementing an appropriations bill.

1869 (3) A "conforming bill" is a bill designated as such by

1870 | the Speaker that amends the Florida Statutes to conform to an
 1871 | appropriations bill.

1872 | (b) Whether on the floor or in any committee or
 1873 | subcommittee, whenever an amendment is offered to an
 1874 | appropriations bill that would either increase any state
 1875 | appropriation or decrease any state revenue for any fund, such
 1876 | amendment shall show the amount of the appropriation increase or
 1877 | revenue decrease for a fund by line item and by section and
 1878 | shall decrease an appropriation from within the same
 1879 | appropriations allocation and sub-allocation (as determined by
 1880 | the Speaker) or increase a revenue to the fund in an amount
 1881 | equivalent to or greater than the corresponding appropriation
 1882 | increase or revenue decrease required by the amendment.

1883 | (c) Whether on the floor or in any committee or
 1884 | subcommittee, an amendment offered to an implementing bill or to
 1885 | a conforming bill shall not increase a state appropriation to a
 1886 | level that is in excess of the allocations or sub-allocations
 1887 | determined by the Speaker for a fund.

1888 | (d) Whether on the floor or in any committee or
 1889 | subcommittee, any amendment offered to an implementing bill or
 1890 | to a conforming bill that reduces revenues supporting
 1891 | appropriations must raise the equivalent or greater revenue for
 1892 | the same fund from other sources.

1893 |
 1894 | 12.6—Consideration of Senate Amendments

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1895 (a) After the reading of a Senate amendment to a House
 1896 bill, the following motions shall be in order and shall be
 1897 privileged in the order named:

1898 (1) Amend the Senate amendment.

1899 (2) Concur in the Senate amendment.

1900 (3) Refuse to concur and ask the Senate to recede.

1901 (4) Request the Senate to recede and, if the Senate
 1902 refuses to recede, to appoint a conference committee to meet
 1903 with a like committee appointed by the Speaker.

1904 (b) If the Senate refuses to concur in a House amendment
 1905 to a Senate bill, the following motions shall be in order and
 1906 shall be privileged in the order named:

1907 (1) That the House recede.

1908 (2) That the House insist and ask for a conference
 1909 committee.

1910 (3) That the House insist.

1911 (c) The Speaker may, upon determining that a Senate
 1912 amendment substantially changes the bill as passed by the House,
 1913 refer the Senate message, with the bill and Senate amendment or
 1914 amendments, to the appropriate House committee or subcommittee
 1915 for review and report to the House. The Speaker, upon such
 1916 reference, shall announce the date and time for the committee or
 1917 subcommittee to meet. The committee or subcommittee shall report
 1918 to the House the recommendation for disposition of the Senate
 1919 amendment or amendments under one of the four options presented

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1920 in subsection (a). The report shall be furnished to the Clerk
 1921 and to the House, in writing, by the chair of the reporting
 1922 committee or subcommittee.

1923

1924 12.7—Motion to Amend by Removing Enacting or Resolving Clause
 1925 An amendment to remove the enacting clause of a bill or the
 1926 resolving clause of a resolution or memorial shall, if carried,
 1927 be considered equivalent to rejection of the bill, resolution,
 1928 or memorial by the House.

1929

1930 12.8—Germanity of House Amendments

1931 (a) GERMANITY.

1932 (1) Neither the House nor any committee or subcommittee
 1933 shall consider an amendment that relates to a different subject
 1934 or is intended to accomplish a different purpose than that of
 1935 the pending question or that, if adopted, would require a title
 1936 amendment for the bill that is substantially different from the
 1937 bill's original title or that would unreasonably alter the
 1938 nature of the bill.

1939 (2) The Speaker, or the chair in the case of an amendment
 1940 offered in committee or subcommittee, shall determine the
 1941 germanity of any amendment when the question is timely raised.

1942 (3) An amendment of the second degree or a substitute
 1943 amendment must be germane to both the main amendment and the
 1944 measure to which it adheres.

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1945 (b) AMENDMENTS THAT ARE NOT GERMANE. House amendments that
 1946 are not germane include:

1947 (1) A general proposition amending a specific proposition.

1948 (2) An amendment amending a statute or session law when
 1949 the purpose of the bill is limited to repealing such law, or an
 1950 amendment repealing a statute or session law when the purpose of
 1951 the bill is limited to amending such law.

1952 (3) An amendment that substantially expands the scope of
 1953 the bill.

1954 (4) An amendment to a bill when legislative action on that
 1955 bill is by law or these rules limited to passage, concurrence,
 1956 or nonconcurrence as introduced.

1957 (c) AMENDMENTS THAT ARE GERMANE. Amendments that are
 1958 germane include:

1959 (1) A specific provision amending a general provision.

1960 (2) An amendment that accomplishes the same purpose in a
 1961 different manner.

1962 (3) An amendment limiting the scope of the proposal.

1963 (4) An amendment providing appropriations necessary to
 1964 fulfill the original intent of a proposal.

1965 (5) An amendment that changes the effective date of a
 1966 repeal, reduces the scope of a repeal, or adds a short-term
 1967 nonstatutory transitional provision to facilitate repeal.

1968 (d) WAIVER OF RULE. Waiver of this rule shall require
 1969 unanimous consent of the House.

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12.9—Floor Amendments Out of Order

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

- (a) Received an unfavorable committee or subcommittee report;
- (b) Been withdrawn from further consideration; or
- (c) Not been reported favorably by at least one committee or subcommittee of reference

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

12.10—Printing of Amendments in Journal

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

RULE THIRTEEN—RULES

13.1—Parliamentary Authorities

In all cases not provided for by the State Constitution, the

1995 Rules of the House, or the Joint Rules of the Senate and House
 1996 of Representatives, the guiding, but nonbinding, authority shall
 1997 be first the Rulings of the Speaker and then the latest edition
 1998 of Mason's Manual of Legislative Procedure.

1999
 2000 13.2—Standing Rules Amendment

2001 Any standing rule may be rescinded or changed by a majority vote
 2002 of the members, provided that the proposed change or changes be
 2003 submitted at least 1 day in advance by the Rules & Policy
 2004 Committee in writing to the members together with notice of the
 2005 consideration thereof. Any standing rule may be suspended
 2006 temporarily by a two-thirds vote of the members present, except
 2007 as otherwise provided in these rules.

2008
 2009 13.3—Rules Apply for Term

2010 The standing rules adopted after the beginning of the term
 2011 govern all acts of the House during the course of the term
 2012 unless amended or repealed.

2013
 2014 13.4—Joint Rules

2015 The House shall be governed by joint rules approved by the House
 2016 and Senate during the term. Such joint rules may not be waived
 2017 except by agreement of both the House and Senate. A majority
 2018 vote of the House is required for such agreement.

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2020 13.5—Authority and Interpretation

2021 These rules are adopted pursuant to the specific authority
2022 granted and the inherent powers vested in the House of
2023 Representatives by the State Constitution. These rules are
2024 intended to facilitate the orderly, practical, and efficient
2025 completion of legislative work undertaken by the House. These
2026 rules shall govern procedures in the House notwithstanding any
2027 inconsistent parliamentary tradition and notwithstanding any
2028 joint rule or any statute enacted by a prior Legislature.
2029 Adoption of these rules constitutes the determination of the
2030 House that they do not violate any express regulation or
2031 limitation contained in the State Constitution. These rules may
2032 not be construed to limit any of the powers, rights, privileges,
2033 or immunities vested in or granted to the House by the State
2034 Constitution or other organic law.

2035

2036 13.6—Majority Action

2037 Unless otherwise indicated by these rules, all action by the
2038 House or its committees or subcommittees shall be by majority
2039 vote of those members present and voting. When the body is
2040 equally divided, the question is defeated.

2041

2042 13.7—Extraordinary Action

2043 Unless otherwise required by these rules or the State
2044 Constitution, all extraordinary votes shall be by vote of those

2045 members present and voting.

2046

2047 13.8—"Days" Defined

2048 Wherever used in these rules, a "legislative day" means a day

2049 when the House convenes and a quorum is present. All other

2050 references to a "day" mean a calendar day.

2051

2052 RULE FOURTEEN—MISCELLANEOUS PROVISIONS

2053

2054 PART ONE—Public Records

2055

2056 14.1—Legislative Records

2057 There shall be available for public inspection, whether

2058 maintained in Tallahassee or in a district office, the papers

2059 and records developed and received in connection with official

2060 legislative business, except as provided in s. 11.0431, Florida

2061 Statutes, or other provision of law. Any person who is denied

2062 access to a legislative record and who believes that he or she

2063 is wrongfully being denied such access may appeal to the Speaker

2064 the decision to deny access.

2065

2066 14.2—Legislative Records; Maintenance, Control, Destruction,

2067 Disposal, and Disposition

2068 (a) Records that are required to be created by these rules

2069 or that are of vital, permanent, or archival value shall be

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2070 maintained in a safe location that is easily accessible for
2071 convenient use. No such record need be maintained if the
2072 substance of the record is published or retained in another form
2073 or location. Whenever necessary, but no more often than annually
2074 or less often than biennially, records required to be maintained
2075 may be archived.

2076 (b) Other records that are no longer needed for any
2077 purpose and that do not have sufficient administrative, legal,
2078 or fiscal significance to warrant their retention shall be
2079 disposed of systematically.

2080 (c) (1) The administrative assistant for each existing
2081 committee or subcommittee shall ensure compliance with this rule
2082 for all records created or received by the committee or
2083 subcommittee or for a former committee or subcommittee whose
2084 jurisdiction has been assigned to the committee or subcommittee.

2085 (2) The Speaker, the Speaker pro tempore, the Minority
2086 Leader, the Majority Leader, and the Sergeant at Arms shall
2087 ensure compliance with this rule for all records created or
2088 received by their respective offices and their predecessors in
2089 office.

2090 (3) Each member shall ensure compliance with this rule for
2091 all records created or received by the member or the member's
2092 district office.

2093 (4) The director of an ancillary House office shall ensure
2094 compliance with this rule for all records created or received by

2095 | the director's office.

2096 | (5) The Clerk shall ensure compliance with this rule for
 2097 | all other records created or received by the House of
 2098 | Representatives.

2099 | (d) If a committee, subcommittee, or office is not
 2100 | continued in existence, the records of such committee,
 2101 | subcommittee, or office shall be forwarded to the committee,
 2102 | subcommittee, or office assuming the jurisdiction or
 2103 | responsibility of the former committee, subcommittee, or office,
 2104 | if any. Otherwise, such records shall be forwarded to the Clerk.

2105 | (e) The Clerk shall establish a schedule of reasonable and
 2106 | appropriate fees for copies of legislative records and
 2107 | documents.

2108 |
 2109 | PART TWO—Distribution of Documents; Display of Signs

2110 |
 2111 | 14.3—Distribution of Documents
 2112 | Documents required by these rules to be printed or published may
 2113 | be produced and distributed on paper or in electronic form.

2114 |
 2115 | 14.4—Display of Signs, Placards, and the Like
 2116 | Signs, placards, or other objects of similar nature shall be
 2117 | permitted in the rooms, lobby, galleries, or Chamber of the
 2118 | House only upon approval of the chair of the Rules & Policy
 2119 | Committee.

PART THREE—House Seal

14.5—House Seal

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

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

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

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

(2) The use, printing, publication, or manufacture of the seal, or items or materials bearing the seal or a facsimile of the seal, shall be limited to official business of the House or official legislative business.

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

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RULE FIFTEEN—ETHICS AND CONDUCT OF MEMBERS

15.1—Legislative Ethics and Official Conduct

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

15.2—The Integrity of the House

A member shall respect and comply with the law and shall perform at all times in a manner that promotes public confidence in the integrity and independence of the House and of the Legislature. Each member shall perform at all times in a manner that promotes a professional environment in the House, which shall be free from unlawful employment discrimination.

15.3—Improper Influence; Solicitation of Campaign Contributions

(a) A member may neither solicit nor accept anything that

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2170 reasonably may be construed to improperly influence the member's
 2171 official act, decision, or vote.

2172 (b) A member may not fly on an aircraft that is a private
 2173 conveyance owned, leased, or procured by a lobbyist, a lobbying
 2174 firm, or a principal, regardless of whether the member pays for
 2175 the flight.

2176 (c) A member may neither solicit nor accept any campaign
 2177 contribution during the 60-day regular legislative session or
 2178 any extended or special session on the member's own behalf, on
 2179 behalf of a political party, on behalf of any organization with
 2180 respect to which the member's solicitation is regulated under s.
 2181 106.0701, Florida Statutes, or on behalf of a candidate for the
 2182 House of Representatives; however, a member may contribute to
 2183 the member's own campaign.

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2185 15.4—Ethics; Conflicting Employment

2186 A member shall:

2187 (a) Scrupulously comply with the requirements of all laws
 2188 related to the ethics of public officers.

2189 (b) Not allow personal employment to impair the member's
 2190 independence of judgment in the exercise of official duties.

2191 (c) Not directly or indirectly receive or agree to receive
 2192 any compensation for any services rendered or to be rendered
 2193 either by the member or any other person when such activity is
 2194 in substantial conflict with the duties of a member of the

2195 House.

2196 (d) Upon acceptance of any new employment with any entity
 2197 that receives state funds directly by appropriation or from any
 2198 public employer, file with the Public Integrity & Ethics
 2199 Committee a written statement disclosing the employer, position,
 2200 and salary. Such disclosure must be filed prior to the effective
 2201 date of the change, or within 30 days after acceptance thereof,
 2202 whichever is earlier.

2203 (e) Not accept any compensation to lobby any local
 2204 government or governmental agency, except for the provision of
 2205 licensed professional services under circumstances that require
 2206 registration as a lobbyist.

2207
 2208 15.5—Use of Official Position

2209 A member may not corruptly use or attempt to use the member's
 2210 official position or any property or resource which may be
 2211 within the member's trust in a manner contrary to the trust or
 2212 authority placed in the member, either by the public or by other
 2213 members, for the purpose of securing a special privilege,
 2214 benefit, or exemption for the member or for others. A member may
 2215 not solicit or accept an employment offer or investment advice
 2216 arising out of legislative activities or political activities
 2217 engaged in while he or she is a member of, or candidate for, the
 2218 House. A member may not enter into any investment, joint
 2219 venture, or other profitmaking relationship with or advised by a

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2220 lobbyist or principal, except that a member may buy or sell
 2221 listed, publicly traded securities of a principal unless in
 2222 violation of Rule 15.6. For purposes of this rule, "investment,
 2223 joint venture, or other profitmaking relationship" does not
 2224 include an employment relationship or professional partnership
 2225 or similar venture engaging the professional services of the
 2226 member.

2227

2228 15.6—Use of Information Obtained by Reason of Official Position
 2229 A member may engage in business and professional activity in
 2230 competition with others but may not use or provide to others,
 2231 for the member's personal gain or benefit or for the personal
 2232 gain or benefit of any other person or business entity, any
 2233 information that has been obtained by reason of the member's
 2234 official capacity as a member and that is unavailable to members
 2235 of the public as a matter of law. A member may not use any
 2236 nonpublic information obtained by reason of the member's
 2237 legislative activities for the purpose of buying or selling any
 2238 investment or to otherwise create income for the member or any
 2239 other person.

2240

2241 15.7—Representation of Another Before a State Agency
 2242 A member may not personally represent another person or entity
 2243 for compensation before any state agency other than a judicial
 2244 tribunal. For the purposes of this rule, "state agency" means

2245 any entity of the legislative or executive branch of state
 2246 government over which the Legislature exercises plenary
 2247 budgetary and statutory control.

2248

2249 15.8—Advisory Opinions

2250 (a) A member, when in doubt about the applicability and
 2251 interpretation of the House Code of Conduct or ethics laws to
 2252 the member's conduct, may convey the facts of the situation to
 2253 the House general counsel for an advisory opinion. The general
 2254 counsel shall issue the opinion within 10 days after receiving
 2255 the request. The advisory opinion may be relied upon by the
 2256 member requesting the opinion. Upon request of any member, the
 2257 committee or subcommittee designated by the Speaker to have
 2258 responsibility for the ethical conduct of members may revise an
 2259 advisory opinion rendered by the House general counsel through
 2260 an advisory opinion issued to the member who requested the
 2261 opinion.

2262 (b) An advisory opinion rendered by the House general
 2263 counsel or the committee or subcommittee shall be numbered,
 2264 dated, and published. Advisory opinions from the House general
 2265 counsel or the committee or subcommittee may not identify the
 2266 member seeking the opinion unless such member so requests.

2267

2268 15.9—Penalties for Violations

2269 Separately from any prosecutions or penalties otherwise provided

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2270 by law, any member determined to have violated the requirements
 2271 of these rules relating to ethics or member conduct shall be
 2272 fined, censured, reprimanded, placed on probation, or expelled
 2273 or have such other lesser penalty imposed as may be appropriate.
 2274 Such determination and disciplinary action shall be taken by a
 2275 two-thirds vote of the House, except that expulsions shall
 2276 require two-thirds vote of the membership, upon recommendation
 2277 of the Public Integrity & Ethics Committee pursuant to Rule 18.

2278

2279 15.10—Felony Indictment or Information of a Member

2280 (a) If an indictment or information for a felony of any
 2281 jurisdiction is filed against a member of the House, the member
 2282 indicted or informed against may request the Speaker to excuse
 2283 the member, without pay, from all privileges of membership of
 2284 the House pending final adjudication.

2285 (b) If the indictment or information is either nolle
 2286 prosecuted or dismissed, or if the member is found not guilty of
 2287 the felonies charged, or lesser included felonies, the member
 2288 shall be paid all back pay and other benefits retroactive to the
 2289 date the member was excused.

2290

2291 15.11—Felony Guilty Plea of a Member

2292 A member who enters a plea of guilty or nolo contendere to a
 2293 felony of any jurisdiction may, at the discretion of the
 2294 Speaker, be suspended immediately, without a hearing and without

2295 | pay, from all privileges of membership of the House through the
 2296 | remainder of that member's term.

2297 |
 2298 | 15.12—Felony Conviction of a Member

2299 | (a) A member convicted of a felony of any jurisdiction
 2300 | may, at the discretion of the Speaker, be suspended immediately,
 2301 | without a hearing and without pay, from all privileges of
 2302 | membership of the House pending appellate action or the end of
 2303 | the member's term, whichever occurs first.

2304 | (b) A member suspended under the provisions of this rule
 2305 | may, within 10 days after such suspension, file a written
 2306 | request for a hearing, setting forth specific reasons contesting
 2307 | the member's suspension. Upon receipt of a written request for a
 2308 | hearing, the Speaker shall appoint a select committee, which
 2309 | shall commence a hearing on the member's suspension within 30
 2310 | days and issue a report to the House within 10 days after the
 2311 | conclusion of the hearing. The report of the select committee
 2312 | shall be final unless the member, within 10 days after the
 2313 | issuance of the report, requests in writing that the Speaker
 2314 | convene the full House to consider the report of the select
 2315 | committee. Upon receipt of a request for such consideration, the
 2316 | Speaker shall timely convene the House for such purpose.

2317 | (c) If the final appellate decision is to sustain the
 2318 | conviction, then the member's suspension shall continue to the
 2319 | end of the member's term. If the final appellate decision is to

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2320 vacate the conviction and there is a rehearing, the member shall
 2321 be subject to Rule 15.10. If the final appellate decision is to
 2322 vacate the conviction and no felony charges remain against the
 2323 member, the member shall be entitled to restitution of back pay
 2324 and other benefits retroactive to the date of suspension.

2325

2326 15.13—Ethics Training

2327 The House shall provide ethics training as directed by the
 2328 Speaker.

2329

2330 RULE SIXTEEN—PROCEDURES FOR CONDUCTING INVESTIGATIVE AND
 2331 ENFORCEMENT PROCEEDINGS

2332

2333 16.1—Issuance of Subpoenas

2334 (a) In order to carry out its duties, each standing or
 2335 select committee, whenever required, may issue subpoenas and
 2336 other necessary process to compel the attendance of witnesses
 2337 before such committee or the taking of a deposition pursuant to
 2338 these rules. The chair of the committee shall issue such process
 2339 on behalf of the committee after a majority of the committee
 2340 votes to approve issuance and the Speaker has provided written
 2341 approval. The chair or any other member of such committee may
 2342 administer all oaths and affirmations in the manner prescribed
 2343 by law to witnesses who shall appear before such committee for
 2344 the purpose of testifying in any matter about which such

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2345 | committee may require evidence.

2346 | (b) Each standing or select committee, whenever required,
 2347 | may also compel by subpoena duces tecum the production of any
 2348 | books, letters, or other documentary evidence it may need to
 2349 | examine in reference to any matter before it. The chair of the
 2350 | standing or select committee shall issue process on behalf of
 2351 | the standing or select committee after a majority of the
 2352 | committee votes to approve issuance and the Speaker has provided
 2353 | written approval.

2354 |

2355 | 16.2—Contempt Proceedings

2356 | (a) The House may punish, by fine or imprisonment, any
 2357 | person who is not a member and who is guilty of disorderly or
 2358 | contemptuous conduct in its presence or of a refusal to obey its
 2359 | lawful summons.

2360 | (b) A person shall be deemed in contempt if the person:

2361 | (1) Fails or refuses to appear in compliance with a
 2362 | subpoena or, having appeared, fails or refuses to testify under
 2363 | oath or affirmation;

2364 | (2) Fails or refuses to answer any relevant question or
 2365 | fails or refuses to furnish any relevant book, paper, or other
 2366 | document subpoenaed on behalf of such committee; or

2367 | (3) Commits any other act or offense against such
 2368 | committee that, if committed against the Legislature or either
 2369 | house thereof, would constitute contempt.

2370 (c) During a legislative session, a standing or select
 2371 committee may, by majority vote of all of its members, apply to
 2372 the House for contempt citation. The application shall be
 2373 considered as though the alleged contempt had been committed in
 2374 or against the House itself. If such committee is meeting during
 2375 the interim, its application shall be made to the circuit court
 2376 pursuant to Rule 16.6.

2377 (d) A person guilty of contempt under this rule may be
 2378 fined not more than \$500 or imprisoned not more than 90 days or
 2379 both, or may be subject to such other punishment as the House
 2380 may, in the exercise of its inherent powers, impose prior to and
 2381 in lieu of the imposition of the aforementioned penalty.

2382 (e) The sheriffs in the several counties shall make such
 2383 service and execute all process or orders when required by
 2384 standing or select committees. Sheriffs shall be paid as
 2385 provided for in s. 30.231, Florida Statutes.

2386
 2387 16.3-False Swearing

2388 Whoever willfully affirms or swears falsely in regard to any
 2389 material matter or thing before any standing or select committee
 2390 is guilty of false swearing in an official proceeding, which is
 2391 a felony of the second degree and shall be punished as provided
 2392 in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.

2393
 2394 16.4-Rights of Witnesses

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2395 (a) All witnesses summoned before any standing or select
2396 committee shall receive reimbursement for travel expenses and
2397 per diem at the rates provided in s. 112.061, Florida Statutes.
2398 However, the fact that such reimbursement is not tendered at the
2399 time that the subpoena is served shall not excuse the witness
2400 from appearing as directed therein.

2401 (b) Service of a subpoena requiring the attendance of a
2402 person at a meeting of a standing or select committee shall be
2403 made in the manner provided by law for the service of subpoenas
2404 in a civil action at least 7 days prior to the date of the
2405 meeting unless a shorter period of time is authorized by
2406 majority vote of all the members of such committee. If a shorter
2407 period of time is authorized, the persons subpoenaed shall be
2408 given reasonable notice of the meeting, consistent with the
2409 particular circumstances involved.

2410 (c) Any person who is served with a subpoena to attend a
2411 meeting of any standing or select committee also shall be served
2412 with a general statement informing the person of the subject
2413 matter of such committee's investigation or inquiry and a notice
2414 that the person may be accompanied at the meeting by private
2415 counsel.

2416 (d) Upon the request of any party and the approval of a
2417 majority of the standing or select committee, the chair shall
2418 instruct all witnesses to leave the meeting room and retire to a
2419 designated place. The witness shall be instructed by the chair

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2420 not to discuss the testimony of the witness or the testimony of
2421 any other person with anyone until the meeting has been
2422 adjourned and the witness has been discharged by the chair. The
2423 witness shall be further instructed that if any person discusses
2424 or attempts to discuss the matter under investigation with the
2425 witness after receiving such instructions, the witness shall
2426 bring such matter to the attention of such committee. No member
2427 of such committee or representative thereof may discuss any
2428 matter or matters pertinent to the subject matter under
2429 investigation with any witness to be called before such
2430 committee from the time that these instructions are given until
2431 the meeting has been adjourned and the witness has been
2432 discharged by the chair. Any person violating this subsection
2433 shall be in contempt of the House.

2434 (e) Any standing or select committee taking sworn
2435 testimony from witnesses as provided in these rules shall cause
2436 a record to be made of all proceedings in which testimony or
2437 other evidence is demanded or adduced, which record shall
2438 include rulings of the chair, questions of such committee and
2439 its staff, the testimony or responses of witnesses, sworn
2440 written statements submitted to the committee, and such other
2441 matters as the committee or its chair may direct.

2442 (f) A witness at a meeting, upon advance request and at
2443 the witness's own expense, shall be furnished a certified
2444 transcript of the witness's testimony at the meeting.

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2445

2446 16.5—Right of Other Persons to be Heard

2447 (a) Any person who, in the opinion of the committee, is
2448 adversely affected as a result of being mentioned or otherwise
2449 identified during a meeting being conducted for the purpose of
2450 taking sworn testimony from witnesses of any standing or select
2451 committee may, upon the request of the person or upon the
2452 request of any member of such committee, appear personally
2453 before such committee and testify on the person's own behalf,
2454 or, with such committee's consent, file a sworn written
2455 statement of facts or other documentary evidence for
2456 incorporation into the record of the meeting. Any such witness,
2457 however, shall, before filing such statement, consent to answer
2458 questions from such committee regarding the contents of the
2459 statement.

2460 (b) Upon the consent of a majority of the members present,
2461 a quorum having been established, any standing or select
2462 committee may permit any other person to appear and testify at a
2463 meeting or submit a sworn written statement of facts or other
2464 documentary evidence for incorporation into the record. No
2465 request to appear, appearance, or submission shall limit in any
2466 way the committee's power of subpoena. Any such witness,
2467 however, shall, before filing such statement, consent to answer
2468 questions from any standing or select committee regarding the
2469 contents of the statement.

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16.6—Enforcement of Subpoena Out of Session
 If any witness fails to respond to the lawful subpoena of any standing or select committee at a time when the Legislature is not in session or, having responded, fails to answer all lawful inquiries or to turn over evidence that has been subpoenaed, such committee may file a complaint before any circuit court of the state setting up such failure on the part of the witness. On the filing of such complaint, the court shall take jurisdiction of the witness and the subject matter of the complaint and shall direct the witness to respond to all lawful questions and to produce all documentary evidence in the possession of the witness that is lawfully demanded. The failure of any witness to comply with such order of the court shall constitute a direct and criminal contempt of court, and the court shall punish such witness accordingly.

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

RULE SEVENTEEN—ETHICS AND CONDUCT OF LOBBYISTS

17.1—Obligations of a Lobbyist
 (a) A lobbyist shall supply facts, information, and

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2495 | opinions of principals to legislators from the point of view
2496 | that the lobbyist openly declares. A lobbyist shall not offer or
2497 | propose anything that may reasonably be construed to improperly
2498 | influence the official act, decision, or vote of a legislator,
2499 | nor shall a lobbyist attempt to improperly influence the
2500 | selection of officers or employees of the House. A lobbyist, by
2501 | personal example and admonition to colleagues, shall maintain
2502 | the honor of the legislative process, including faithful
2503 | adherence to the rules of the House, by the integrity of the
2504 | lobbyist's relationship with legislators as well as with the
2505 | principals whom the lobbyist represents. Each lobbyist shall
2506 | conduct himself or herself at all times in a manner that
2507 | promotes a professional environment in the House, exemplifies
2508 | proper conduct in public meetings, promotes lawful conduct by
2509 | all involved in the legislative process, and contributes to an
2510 | environment free from harassment and discrimination. Each
2511 | lobbyist shall respect and support the honorable conduct of the
2512 | members of the House and discourage unlawful conduct.

2513 | (b) A lobbyist shall not knowingly and willfully falsify,
2514 | conceal, or cover up, by any trick, scheme, or device, a
2515 | material fact; make any false, fictitious, or fraudulent
2516 | statement or representation; or make or use any writing or
2517 | document knowing the same to contain any false, fictitious, or
2518 | fraudulent statement or entry.

2519 | (c) During a regular session or any extended or special

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2520 session, a lobbyist may not contribute to a member's campaign.

2521 (d) A lobbyist may not make any expenditure prohibited by
2522 s. 11.045(4)(a), Florida Statutes.

2523 (e) No registered lobbyist shall be permitted upon the
2524 floor of the House while it is in session.

2525 (f) A member shall not be directly or indirectly lobbied
2526 via electronic communication while the House is in daily session
2527 or during any meeting of a committee or subcommittee to which
2528 the House member has been appointed. The term "electronic
2529 communication" includes, but is not limited to, e-mail, text
2530 messaging, social media messaging, and image sharing.

2531 (g) A lobbyist who was a member of the Legislature at any
2532 time after November 8, 2016, may not lobby the House for a
2533 period of 6 years following vacation of office as a member of
2534 the Legislature.

2535 (h) A lobbyist may not lobby the House for any purpose
2536 with respect to any issue, amendment, bill, or appropriation
2537 unless the lobbyist has filed a House appearance record with the
2538 Public Integrity & Ethics Committee identifying the specific
2539 matter and each principal represented thereon. The record shall
2540 be filed in the manner directed by the Speaker in advance of
2541 lobbying on the matter. On matters other than specific bills or
2542 amendments identified by bill or amendment number, an issue or
2543 appropriation must be identified with specificity sufficient to
2544 give notice of each particular legislative subject or proposal

2545 | that is a subject of any communication that constitutes
 2546 | lobbying.

2547 | (i) A lobbyist or lobbying firm shall file with the Public
 2548 | Integrity & Ethics Committee a true and correct copy of the
 2549 | lobbying contract and any addendum thereto, including accurate
 2550 | information regarding fees to be paid under such contract, when
 2551 | the lobbyist or lobbying firm registers to lobby the Legislature
 2552 | or the Executive Branch on behalf of any officer of this state;
 2553 | any executive or judicial department of this state; any
 2554 | political subdivision, special district, public authority,
 2555 | public hospital, council, commission, unit of local government,
 2556 | or public education entity in this state; or any authority,
 2557 | council, commission, direct-support organization, institution,
 2558 | foundation, or similar entity that is created by law or
 2559 | ordinance to pursue a public purpose, entitled by law or
 2560 | ordinance to any distribution of tax or fee revenues, or
 2561 | organized for the sole purpose of supporting one of the public
 2562 | entities listed in this subsection. This subsection does not
 2563 | apply if the lobbyist is an employee of such principal, the
 2564 | lobbyist's salary is published on the Internet, and the lobbyist
 2565 | does not engage in lobbying on behalf of any other principal.

2566 |

2567 | 17.2-Advisory Opinions; Compilation Thereof

2568 | A lobbyist, when in doubt about the applicability and
 2569 | interpretation of Rule 17.1 in a particular context related to

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2570 that lobbyist's conduct, or any person when in doubt about the
2571 applicability and interpretation of s. 11.045, s. 112.3148, or
2572 s. 112.3149, Florida Statutes, as such statute or statutes may
2573 apply to that person, may request an advisory opinion under this
2574 rule. Such request shall be in writing, addressed to the
2575 Speaker, and shall contain the relevant facts. The Speaker shall
2576 either refer the issue to the House general counsel for review
2577 and drafting of an advisory opinion of the Speaker or refer the
2578 issue to a committee designated by the Speaker to have
2579 responsibility for the ethical conduct of lobbyists, and the
2580 person requesting the advisory opinion may appear in person
2581 before such committee. The Speaker or this committee shall
2582 render advisory opinions to the person who seeks advice as to
2583 whether the facts as described in the request and any
2584 supplemental communication would constitute a violation of such
2585 rule or statute by that person. Such opinion, until amended or
2586 revoked, shall be binding upon the House in any proceeding upon
2587 a subsequent complaint concerning the person who sought the
2588 opinion and acted on it in good faith, unless material facts
2589 were omitted or misstated in the request for the advisory
2590 opinion. Upon request of the person who requested the advisory
2591 opinion or any member, the committee designated by the Speaker
2592 to have responsibility for the ethical conduct of lobbyists may
2593 revise any advisory opinion issued by the Speaker or may revise
2594 any advisory opinion issued by the general counsel of the Office

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2595 of Legislative Services under Joint Rule 1.8. The House general
2596 counsel or this committee shall make sufficient deletions to
2597 prevent disclosing the identity of persons in the decisions or
2598 opinions. All advisory opinions of the Speaker or this committee
2599 shall be numbered, dated, and published in an annual publication
2600 of the House. The Clerk shall keep a compilation of all advisory
2601 opinions.

2602

2603 17.3—Penalties for Violations

2604 Separately from any prosecutions or penalties otherwise provided
2605 by law, any person determined to have violated the foregoing
2606 requirements of Rule 17, any provision in Joint Rule One, or s.
2607 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, may be
2608 reprimanded, censured, prohibited from lobbying for all or any
2609 part of the legislative biennium during which the recommended
2610 order is proposed, or have such other penalty imposed as may be
2611 appropriate. Such determination shall be made by a majority of
2612 the House, upon recommendation of the Public Integrity & Ethics
2613 Committee pursuant to Rule 18. Any prohibition or other
2614 limitation imposed by the House may be continued for up to a
2615 total of 2 years by a determination made by a majority of the
2616 House at or following the organization session following the
2617 biennium during which such prohibition or other limitation was
2618 imposed.

2619

2620 RULE EIGHTEEN—COMPLAINTS AGAINST MEMBERS AND OFFICERS OF THE
 2621 HOUSE, LOBBYISTS, AND OTHER PERSONS
 2622

2623 18.1—Complaints against Members and Officers of the House,
 2624 Lobbyists, and Other Persons; Procedure
 2625 Rule 18 governs proceedings on all complaints under the
 2626 jurisdiction of the House. Such complaints include, but are not
 2627 limited to:

2628 (a) Those alleging violation of law, violation of the
 2629 House Code of Conduct, or improper conduct of a member or
 2630 officer that may reflect upon the House; or

2631 (b) Violations of House Rule 17.1, Joint Rule One, or s.
 2632 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, by any
 2633 lobbyist or person other than a member of the House. For
 2634 purposes of this rule, receipt of audit information indicating a
 2635 possible violation of Joint Rule One shall be treated as a
 2636 complaint.
 2637

2638 18.2—Violations; Investigations

2639 (a) Any person may file a sworn complaint with the chair
 2640 of the Public Integrity & Ethics Committee alleging a violation
 2641 as provided in Rule 18.1. The complaint shall contain the name
 2642 and legal address of the person filing the complaint
 2643 ("complainant"), be based on the complainant's personal
 2644 knowledge, state detailed facts, specify the actions of the

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2645 | named respondent which form the basis for the complaint, and
2646 | identify each specific rule or law alleged by the complainant to
2647 | have been violated.

2648 | (b) Upon a determination by the chair of the Public
2649 | Integrity & Ethics Committee that the complaint states facts
2650 | supporting a finding of probable cause, the Speaker shall refer
2651 | the complaint to a special master or to a select subcommittee of
2652 | the Public Integrity & Ethics Committee, as recommended by the
2653 | chair. Upon a determination by the chair of the Public Integrity
2654 | & Ethics Committee that the complaint fails to state facts
2655 | supporting a finding of probable cause, the complaint shall be
2656 | dismissed.

2657 | (c) Upon referral by the Speaker of a complaint under
2658 | subsection (b), the special master or select subcommittee shall
2659 | conduct an investigation, shall give reasonable notice to the
2660 | respondent, and shall grant the respondent an opportunity to be
2661 | heard unless the investigation fails to reveal facts supporting
2662 | a finding of probable cause. A special master's or select
2663 | subcommittee's report and recommendation is advisory only and
2664 | shall be presented to the chair of the Public Integrity & Ethics
2665 | Committee as soon as practicable after the close of the
2666 | investigation. If the report and recommendation conclude that
2667 | the facts do not support a finding of probable cause, the
2668 | complaint shall be dismissed by the chair of the Public
2669 | Integrity & Ethics Committee.

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2670 (d) If the complaint is not dismissed by the special
2671 master or the select subcommittee, the Public Integrity & Ethics
2672 Committee shall consider the report and recommendation, shall
2673 grant the respondent an opportunity to be heard, and shall
2674 develop its own recommendation. If the complaint is against the
2675 chair of the Public Integrity & Ethics Committee, the chair is
2676 excused and the vice chair shall conduct the deliberation. If
2677 the Public Integrity & Ethics Committee votes to dismiss the
2678 complaint, the chair of the Public Integrity & Ethics Committee
2679 or vice chair shall dismiss the complaint. Otherwise, the
2680 special master's or select subcommittee's report and
2681 recommendation and the recommendation of the Public Integrity &
2682 Ethics Committee shall be presented to the Speaker.

2683 (e) The Speaker shall present the committee's
2684 recommendation, along with the report and recommendation of the
2685 special master or the select subcommittee, to the House for
2686 final action.

2687 (f) Nothing in this rule prohibits the chair of the Public
2688 Integrity & Ethics Committee from correcting or preventing the
2689 alleged violation by informal means if the chair determines that
2690 a violation is inadvertent, technical, or otherwise de minimis.

2691 (g) Nothing in this rule prohibits the respondent and the
2692 chair of the Public Integrity & Ethics Committee, the special
2693 master, or a select subcommittee from agreeing to a consent
2694 decree, which shall state findings of fact, and such penalty as

2695 | may be appropriate. If the House accepts the consent decree, the
 2696 | complaint pursuant to these rules shall be resolved.

2697 | (h) The House may move forward with disciplinary
 2698 | proceedings without waiting for the outcome of a criminal case.

2699 |

2700 | 18.3—Confidentiality

2701 | Any material provided to the House in response to a complaint
 2702 | filed under Rule 18 that is confidential under applicable law
 2703 | shall remain confidential and shall not be disclosed except as
 2704 | authorized by applicable law. Except as otherwise provided in
 2705 | this rule, a complaint and the records relating to a complaint
 2706 | shall be available for public inspection upon the dismissal of a
 2707 | complaint, a determination as to probable cause, informal
 2708 | resolution of a complaint, or the receipt by the Speaker of a
 2709 | request in writing from the respondent that the complaint and
 2710 | other records relating to the complaint be made public records.

2711 |

2712 | 18.4—Conflict

2713 | If a complaint is filed against the chair of the Public
 2714 | Integrity & Ethics Committee, the initial review of the
 2715 | complaint shall be managed by the Speaker or, if designated by
 2716 | the Speaker, the Speaker pro tempore. If a complaint is filed
 2717 | against the Speaker, the duties of the Speaker pursuant to Rule
 2718 | 18 shall be transferred to the Speaker pro tempore.

2719 |

2720 18.5—Time Limitations

2721 (a) A complaint must be filed with the chair of the Public
 2722 Integrity & Ethics Committee within 2 years after the alleged
 2723 violation.

2724 (b) A violation of the House Code of Conduct is committed
 2725 when every element necessary to establish a violation of the
 2726 rule has occurred, and time starts to run on the day after the
 2727 violation occurred.

2728 (c) The applicable period of limitation is tolled on the
 2729 day a sworn complaint against the member or officer is filed
 2730 with the chair of the Public Integrity & Ethics Committee.

2731

2732 RULE NINETEEN—IMPEACHMENT

2733

2734 19.1—Definitions

2735 (a) The House construes "misdemeanor in office" to
 2736 include, without limitation:

2737 (1) Any wrongful act that is contrary to justice, honesty,
 2738 principles, or good morals performed by virtue or under
 2739 authority of office;

2740 (2) Any willful malfeasance, misfeasance, or nonfeasance
 2741 in office;

2742 (3) Any breach of expectations of conduct and motivation
 2743 associated with the office, including, but not limited to:

2744 a. A wrongful official act or omission to perform an

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- 2745 | official duty;
- 2746 | b. Acceptance of any bribe;
- 2747 | c. Failure to report any attempted bribe to appropriate
- 2748 | law enforcement officials;
- 2749 | d. Acceptance of any gift, compensation, or other benefit
- 2750 | prohibited to the officer by any law or binding rule of conduct;
- 2751 | e. Acceptance of any undisclosed income if disclosure is
- 2752 | required by law or binding rule of conduct;
- 2753 | f. Acceptance of any undisclosed compensation, gift,
- 2754 | reimbursement, or other benefit valued in excess of \$100 without
- 2755 | making public disclosure on an official internet website within
- 2756 | 180 days after receipt, or as otherwise required by law or
- 2757 | binding rule of conduct, if the law would require disclosure if
- 2758 | such benefit were accepted by a member of the Legislature;
- 2759 | g. Failure to maintain a professional environment in the
- 2760 | administration of the office free of unlawful discrimination and
- 2761 | free of harassment or abuse of employees or members of the
- 2762 | public served by the office;
- 2763 | h. Failure to abide by ethics laws and rules or public
- 2764 | corruption laws governing conduct in office;
- 2765 | i. Failure to avoid any appearance of impropriety;
- 2766 | j. Any act injurious to the honor of the State of Florida
- 2767 | or of any of its officers or employees unless such act is
- 2768 | justified by official duty; or
- 2769 | k. Gross failure to discourage such misconduct by other

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2770 officers subject to impeachment; or
 2771 (4) Any conduct unbecoming of a public officer, including,
 2772 but not limited to:
 2773 a. Commission of any felony under any jurisdiction;
 2774 b. Commission of any breach of peace in any place;
 2775 c. Sexual harassment;
 2776 d. Invidious discrimination;
 2777 e. Solicitation or acceptance of campaign contributions or
 2778 expenditure of campaign funds in a manner that violates any law
 2779 or binding rule of conduct, or acquiescence in such conduct by
 2780 an agent of the candidate's campaign;
 2781 f. Any act contrary to the peace and dignity of the State
 2782 of Florida; or
 2783 g. Gross failure to discourage such conduct by
 2784 subordinates or by other officers subject to impeachment.
 2785 (b) For purposes of this rule:
 2786 (1) "Sexual harassment" means engaging in a sexual or
 2787 romantic relationship with any person other than one's spouse if
 2788 such person is a subordinate or an employee of a subordinate or
 2789 an employee of a colleague officer or any related conduct that
 2790 would be grounds for dismissal if committed by a state employee
 2791 in any state agency or legislative or judicial body. It also
 2792 includes solicitation of such relationship. For purposes of this
 2793 definition, "colleague officer" means:
 2794 a. For a statewide elected officer, any other statewide

2795 | elected officer.

2796 | b. For any other constitutional officer, any
2797 | constitutional officer serving the same county, circuit, or
2798 | district.

2799 | (2) "Breach of peace" means any act or conduct that
2800 | seriously endangers or disturbs public peace and order,
2801 | including, but not limited to, any act of unjustified violence
2802 | against any person or property and malicious destruction of
2803 | property.

2804 | (3) "Gross failure to discourage" means having actual
2805 | knowledge of wrongful conduct of another person and neglecting
2806 | to admonish appropriate behavior of such person, covering up
2807 | inappropriate behavior of such person, failing to exercise
2808 | vested authority to correct or discipline inappropriate behavior
2809 | of such person, or failing to report inappropriate behavior of
2810 | such person when there is a duty to report.

2811 |
2812 | 19.2—Procedure

2813 | The House may act in session upon any resolution of impeachment
2814 | filed in the House, notwithstanding any deadline for filing
2815 | substantive resolutions, or may proceed on any complaint against
2816 | an officer subject to impeachment in accordance with Rule 18.

2817 |
2818 | 19.3—Impeachment Managers

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2819 | When the House is in recess or not in session, the Speaker may
2820 | appoint a replacement for any impeachment manager appointed by
2821 | the House if the manager neglects or cannot perform the duties
2822 | of a manager or if the manager resigns. The Speaker shall be the
2823 | sole judge of such matters subject only to an appeal to the
2824 | House filed with the Clerk during a legislative session if filed
2825 | within 48 hours after the Clerk publishes such replacement
2826 | appointment.

**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 2016-2018 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 2016-2018 term:
10

11 JOINT RULES
12

13 Joint Rule One—Lobbyist Registration and Compensation Reporting
14

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

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

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

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

27 (b) "Legislative action" means introduction, sponsorship,
28 testimony, debate, voting, or any other official action on any
29 measure, resolution, amendment, nomination, appointment, or

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30 report of, or any matter that may be the subject of action by,
31 either house of the Legislature or any committee thereof.

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

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

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

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

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

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

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

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

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

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

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88 requirement.

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

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

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

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

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

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

106 (a) A member of the Legislature.

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

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

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

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

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

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

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

137
138 1.2-Method of Registration

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

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146 if the lobbyist is a partner, owner, officer, or employee of a
147 lobbying firm, the lobbyist must state the name, address, and
148 telephone number of each lobbying firm to which the lobbyist
149 belongs and the e-mail address of the employee responsible for
150 the submission of compensation reports. Registration is not
151 complete until the LRCRS receives the principal's authorization
152 and the registration fee. Any changes to the information
153 existing in the LRCRS must be updated online in the LRCRS within
154 15 days from the effective date of the change.

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

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

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

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175 (5) The LRO shall retain registration information submitted
176 under this rule.

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

181

182 1.3-Registration Costs; Exemptions

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

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

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

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

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

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

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

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

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

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

212

213 1.4-Reporting of Lobbying Firm Compensation

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

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

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

222 3. Total compensation provided or owed to the lobbying firm
223 from all principals for the reporting period, reported in one of
224 the following categories: \$0; \$1 to \$49,999; \$50,000 to \$99,999;
225 \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to
226 \$999,999; or \$1 million or more.

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

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

232 2. Total compensation provided or owed to the lobbying firm

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

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

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

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

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

256 (2) For each principal represented by more than one
257 lobbying firm, the Office shall aggregate the reporting-period
258 and calendar-year compensation reported as provided or owed by
259 the principal. Compensation reported within a category shall be
260 aggregated as follows:
261

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Category (dollars)	Dollar amount to use aggregating
0	0
1-9,999	5,000
10,000-19,999	15,000
20,000-29,999	25,000
30,000-39,999	35,000
40,000-49,999	45,000
50,000 or more	Actual amount reported

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

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

(5) Each person given secure sign-on credentials in the

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

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

298

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

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

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

310 (3) Such fine shall be paid within 30 days after the notice
311 of payment due is transmitted by the LRCRS, unless an appeal is

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312 made to the LRO. The moneys shall be deposited into the
313 Legislative Lobbyist Registration Trust Fund.

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

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

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

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

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

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

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

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

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

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

384
385 1.7-Records Retention and Inspection and Complaint Procedure

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

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

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

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

411
412 1.8-Questions Regarding Interpretation of Joint Rule One

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

427 (2) A person in doubt about the applicability or

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

433
434 1.9-Effect of Readoption and Revision

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

443
444 Joint Rule Two-General Appropriations Review Period

445
446 2.1-General Appropriations and Related Bills; Review Periods

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

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

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

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

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

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

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

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

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

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

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

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

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2.2-General Appropriations and Related Bills; Definitions

As used in Joint Rule Two, the term:

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

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

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

Joint Rule Three-Joint Offices and Policies

3.1-Joint Legislative Offices

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

(a) Office of Economic and Demographic Research.

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544 (b) Office of Legislative Information Technology Services.

545 (c) Office of Legislative Services.

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

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

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

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

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

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

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573 revenues, and appropriations.

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

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

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

588

589 3.2-Joint Policies

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

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

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Joint Rule Four—Joint Committees

4.1—Standing Joint Committees

(1) The following standing joint committees are established:

(a) Administrative Procedures Committee.

(b) Committee on Public Counsel Oversight.

(c) Legislative Auditing Committee.

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

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

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

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

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

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

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

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

643

644 4.2-~~Procedures~~ in Joint Committees

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

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

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

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

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

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

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

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

686

687 4.3-Powers of Joint Committees

688 (1) A joint committee may exercise the subpoena powers

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689 vested by law in a standing committee of the Legislature. A
690 subpoena issued under this rule must be approved and signed by
691 the President of the Senate and the Speaker of the House of
692 Representatives and attested by the Secretary of the Senate and
693 the Clerk of the House.

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

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

700

701 4.4-Administration of Joint Committees

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

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

716

717 4.5-Special Powers and Duties of the Legislative Auditing

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718 Committee

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

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

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

734

735 4.6-Special Powers and Duties of the Administrative Procedures
736 Committee

737 The Administrative Procedures Committee shall:

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

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

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

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

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

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

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

771 (8) Subject to the approval of the President of the Senate
772 and the Speaker of the House of Representatives, have standing
773 to seek judicial review, on behalf of the Legislature or the
774 citizens of this state, of the validity or invalidity of any
775 administrative rule to which the committee has voted an

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

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

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

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

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

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

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

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805 service commissioner, an employee of the Public Service
806 Commission, or a member of the Public Service Commission
807 Nominating Council.

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

813

814 Joint Rule Five—Auditor General

815

816 5.1—Rulemaking Authority

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

820

821 5.2—Budget and Accounting

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

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

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834 5.3-Audit Report Distribution

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

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

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

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

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

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863 Auditor General may also transmit recommendations at other times
864 of the year when the information would be timely and useful for
865 the Legislature.

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

873

874 Joint Rule Six—Joint Legislative Budget Commission

875

876 6.1—General Responsibilities

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

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

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

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

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892 (5) The President of the Senate and the Speaker of the
893 House of Representatives may jointly assign other
894 responsibilities to the commission in addition to those assigned
895 by law.

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

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

903

904 6.2-Organizational Structure

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

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

916

917 6.3-Notice of Commission Meetings

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

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

927

928 6.4-Effect of Adoption; Intent

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

934

935 Joint Rule Seven-Qualifications of Members

936

937 7.1-Residency

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

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

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

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- 950 (c) The abandonment of rights and privileges associated
951 with a prior legal residence;
- 952 (d) Where one is registered as a voter;
- 953 (e) Where one claims a legal residence for a homestead
954 exemption;
- 955 (f) Where one claims a legal residence for a driver license
956 or other government privilege or benefit;
- 957 (g) The transfer of one's bank accounts to the district
958 where one maintains a legal residence;
- 959 (h) Where one's spouse and minor children maintain a legal
960 residence, work, and attend school;
- 961 (i) Where one receives mail and other correspondence;
- 962 (j) Where one customarily resides;
- 963 (k) Where one conducts business affairs;
- 964 (l) Where one rents or leases property; and
- 965 (m) Where one plans the construction of a new legal
966 residence.
- 967 (2) In accordance with Section 3 of Article X of the
968 Florida Constitution, a vacancy in office occurs when a member
969 fails to maintain a legal residence within his or her district
970 as required at the time of election.
- 971 (3) In accordance with Section 2 of Article III of the
972 Florida Constitution, each house of the Legislature shall be the
973 sole judge of the qualifications of its members, including
974 whether a member no longer satisfies his or her qualifications
975 for office.
- 976 (4) Each member shall affirm in writing that he or she is a
977 legal resident and elector of his or her district based on the
978 provisions of this Joint Rule. Each member shall file the

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