



THE RULES
OF THE FLORIDA HOUSE OF REPRESENTATIVES
(with tracked changes)

**As adopted by the House at Organization Session,
November 16, 2010**

BILL ORIGINAL YEAR

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House Resolution
A resolution establishing the Rules of the House of
Representatives of the State of Florida for the 2010-2012
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 2010-2012 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 Florida Constitution:

(1) The House shall choose a permanent presiding officer
designated 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
accordance with Rule 2.5 ~~the absence or condition of inability~~
~~of the Speaker~~. The Speaker shall appoint a Majority Leader from
among the members of the Majority Conference to serve at the

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29 | pleasure of the Speaker. The Minority Conference shall select a
 30 | Minority Leader from among the members of the Minority
 31 | Conference.

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

34 |
 35 | 1.2-Political Party Conferences
 36 | Conference rules shall be interpreted and enforced solely by the
 37 | respective caucuses.

38 |
 39 | 1.3-Seating Challenges
 40 | In the case of a contest for a seat in the House, notice setting
 41 | forth the specific grounds of such contest and the supporting
 42 | evidence must have been received by the Clerk not less than 5
 43 | days before the organization session of the Legislature. No
 44 | motion to disqualify a member shall be in order at the
 45 | organization session until a Speaker has been elected in
 46 | accordance with the Florida Constitution. In the case of a
 47 | special election, notice must have been received by the Clerk
 48 | not less than 5 days before the next regular or special session
 49 | convenes. If the election is during a session or less than 5
 50 | days before the next session, the notice must have been received
 51 | on the next legislative day following the receipt of certified
 52 | election results. A contest setting forth facts sufficient to
 53 | warrant review shall be referred by the Speaker to an
 54 | appropriate committee or subcommittee ~~council or committee~~. The
 55 | committee or subcommittee ~~council or committee~~ shall conduct
 56 | hearings as required and report its findings and recommendations

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57 | to the House. Upon receipt of the committee or subcommittee
 58 | ~~council or committee~~ report, the House shall convene with all
 59 | dispatch to determine the contest by a majority vote.

61 | RULE TWO—POWERS, DUTIES, AND RIGHTS OF THE SPEAKER

63 | 2.1—Presiding

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

68 | 2.2—Interpreting Rules

69 | The Speaker shall interpret, apply, and enforce the Rules of the
 70 | House.

72 | 2.3—Deciding Questions of Order

73 | (a) DETERMINATION BY THE SPEAKER. All questions of order
 74 | shall be presented to the Speaker for determination. The Speaker
 75 | may require the member raising a point of order to cite the rule
 76 | or other authority in support of the question. The Speaker may
 77 | decide the question of order, put such question to the House, or
 78 | refer such question to the Chair of the Rules & Calendar
 79 | Committee Council ~~Council~~ for a recommendation to the Speaker. Any
 80 | decision of the Speaker on a point of order is subject to an
 81 | appeal to the House made timely and separately by any five
 82 | members.

83 | (b) QUESTIONS OF ORDER ARISING IN COMMITTEE OR
 84 | SUBCOMMITTEE ~~COUNCIL OR COMMITTEE~~. A question of order may be

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85 certified by a committee or subcommittee ~~council or committee~~
 86 chair to the Speaker for determination as any other question of
 87 order. A question of order decided in committee or subcommittee
 88 ~~council or committee~~ may be appealed to the Speaker, provided
 89 the appeal is announced in the committee or subcommittee ~~council~~
 90 ~~or committee~~ meeting, presented in writing, signed by two
 91 members of the committee or subcommittee ~~council or committee~~,
 92 and delivered to the applicable chair prior to 4:30 p.m. the
 93 next day (excluding Saturdays, Sundays, and official state
 94 holidays). The appeal must then be immediately certified by the
 95 chair to the Speaker, who shall decide the question as any other
 96 question of order. The certification or appeal of a question
 97 arising in committee or subcommittee ~~council or committee~~ does
 98 not constitute an automatic stay of further action on the
 99 measure to which the question relates.

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

105 (d) DECISIONS NOT SUBJECT TO APPEAL. Responses to
 106 parliamentary inquiries and decisions of recognition made by the
 107 Speaker may not be appealed.

108
 109 2.4-Execution of Documents
 110 The Speaker shall sign all bills and all writs, warrants, and
 111 subpoenas issued by order of the House, all of which shall be
 112 attested to by the Clerk. The Speaker may delegate the authority

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113 | to sign papers authorizing payments or other papers of an
 114 | administrative nature.

115 |

116 | 2.5—Appointment of a Temporary Presiding Officer

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

120 | (b) If the Speaker is absent and has not appointed a
 121 | presiding officer pursuant to subsection (a) ~~made such an~~
 122 | ~~appointment,~~ the Speaker pro tempore shall act as presiding
 123 | officer during the Speaker's absence. However, if the Speaker
 124 | pro tempore is also absent and has not appointed a presiding
 125 | officer pursuant to subsection (a) ~~made such an appointment,~~ the
 126 | Chair of the Rules & Calendar Committee ~~Council~~ shall act as
 127 | presiding officer during the absence of both the Speaker and
 128 | Speaker pro tempore ~~or may appoint another member to perform~~
 129 | ~~such duties.~~

130 | (c) Upon the Speaker's incapacity or other inability to
 131 | serve, the Speaker pro tempore shall exercise the duties,
 132 | powers, and prerogatives of the Speaker during the period of
 133 | such incapacity or other inability to serve.

134 | (d) The Speaker pro tempore shall exercise the duties,
 135 | powers, and prerogatives of the Speaker in the event of the
 136 | Speaker's death or resignation, ~~illness, removal, or inability~~
 137 | ~~to act,~~ until the Speaker's successor is elected.

138 |

139 | 2.6—Protecting the Interests of the House

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

147
 148 2.7-Control of House Facilities
 149 The Speaker shall have administrative control of the Chamber
 150 when the House is not in session and of every other room, lobby,
 151 and gallery of the House.

152
 153 RULE THREE-MEMBERS
 154

155 3.1-Membership
 156 The House shall exercise its right to be the sole judge of the
 157 qualifications, elections, and returns of its members.

158
 159 3.2-Voting Obligation
 160 Except when abstention is required, every member shall have an
 161 obligation to vote on all matters that come before the House in
 162 session or before any committee or subcommittee ~~council or~~
 163 ~~committee~~ to which the member is appointed. A member may not
 164 vote by proxy. A member may register an electronic vote in the
 165 Chamber for another member at the other member's specific
 166 request and direction, provided the requesting member is in the
 167 Chamber during the vote.

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168 (a) ABSTENTION ON MATTERS OF SPECIAL PRIVATE GAIN OR LOSS.
 169 A member may not vote on any measure that the member knows or
 170 believes would inure to the member's special private gain or
 171 loss. The member must disclose the nature of the member's
 172 interest in the matter from which the member is required to
 173 abstain.

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

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

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

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

182 c. A relative or business associate of the member family
 183 ~~member of the member or to the special private gain or loss of~~
 184 ~~any principal by whom the member or a family member of the~~
 185 ~~member is retained or employed,~~

186
 187 the a member must disclose the nature of the interest of such
 188 person in the outcome of the vote.

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

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

193 b. "Business associate" means any person or entity engaged
 194 in or carrying on a business enterprise with the member as a
 195 partner, joint venturer, corporate shareholder where the shares

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196 of such corporation are not listed on any national or regional
 197 stock exchange, or co-owner of property ~~family members include~~
 198 ~~the member's spouse, parents, and children.~~

199 (c) METHODS OF DISCLOSURE. If the vote is taken on the
 200 floor, disclosure under this rule or under any related law shall
 201 be accomplished by ~~promptly~~ filing with the Clerk, within 15
 202 days after the vote occurs, a memorandum, the substance of which
 203 shall be printed in the *Journal*. If the vote is taken in a
 204 committee or subcommittee ~~council or committee,~~ the memorandum
 205 shall be filed, within 15 days after the vote occurs, ~~promptly~~
 206 with the committee or subcommittee ~~council or committee~~
 207 administrative assistant, who shall file such memorandum in the
 208 committee or subcommittee files and with the Clerk ~~attach such~~
 209 ~~memorandum to the council or committee report.~~

210
 211 3.3-Attendance Obligation

212 (a) COMMITTEE AND SUBCOMMITTEE ~~COUNCIL AND COMMITTEE~~
 213 MEETING ATTENDANCE. A member shall attend all meetings of
 214 committees and subcommittees ~~councils and committees~~ to which
 215 appointed unless excused by the chair or by the Speaker. Excuse
 216 from a House session shall constitute excuse from that day's
 217 meetings. Failure to attend two consecutive meetings, unless
 218 excused, shall constitute automatic removal from the committee
 219 or subcommittee ~~council or committee~~ and create a vacancy. Upon
 220 notification of automatic removal, the Speaker may make an
 221 appointment to fill such vacancy.

222 (b) SESSION ATTENDANCE.

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

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

237

238 3.4-Open Meetings

239 (a) Subject to order and decorum, each member shall
 240 provide reasonable access to members of the public to any
 241 meeting between such member and more than one other member of
 242 the Legislature, if such members of the public have requested
 243 admission and such meeting has been prearranged for the purpose
 244 of agreeing to take formal legislative action on pending
 245 legislation or amendments at such meeting or at a subsequent
 246 time.

247 (b) Subject to order and decorum, a member of the public
 248 requesting admission shall have reasonable access to any meeting
 249 between the Speaker, the Senate President, or the Governor, if
 250 such meeting has been prearranged for the purpose of agreeing to

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251 take formal legislative action on pending legislation or
 252 amendments at a subsequent time.

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

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

263 (e) When the number of persons attending a meeting subject
 264 to this rule must be limited because of space considerations or
 265 otherwise for the maintenance of order or decorum, at least one
 266 representative each of the print, radio, and television media
 267 shall be included among the members of the public admitted, if
 268 such persons have requested admission.

269 (f) For the purpose of this rule, and as used in Section 4
 270 of Article III of the Florida Constitution, legislation shall be
 271 considered pending if filed with the Clerk. An amendment shall
 272 be considered pending if it has been delivered to the
 273 administrative assistant of a committee or subcommittee ~~council~~
 274 ~~or committee~~ in which the legislation is pending or to the
 275 Clerk, if the amendment is to a bill that has been reported
 276 favorably by each committee or subcommittee ~~council or committee~~
 277 of reference, and the term "formal legislative action" shall
 278 include any vote of the House or Senate, or of a ~~council,~~

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279 | committee, or subcommittee of either house, on final passage or
 280 | on a motion other than a motion to adjourn or recess.

281 |

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

284 |

285 | 4.1—The Clerk

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

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

292 | (2) Provide for the keeping of a complete record of
 293 | introduction and action on all bills, resolutions, and
 294 | memorials, including each number ~~the number(s)~~, each sponsor ~~the~~
 295 | ~~sponsor(s)~~, each cosponsor, a brief description of the subject
 296 | matter, and each committee and subcommittee ~~council and~~
 297 | ~~committee~~ reference.

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

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

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

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

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

310
 311 4.2--The Sergeant at Arms
 312 The Sergeant at Arms (hereinafter "Sergeant") serves at the
 313 pleasure of the Speaker. The Sergeant shall attend the House
 314 during its sittings and maintain order under the direction of
 315 the Speaker or other presiding officer. In case of any
 316 disturbance or disorderly conduct within the Chamber, corridors,
 317 passages, lobby, galleries, and rooms of the House, whether in
 318 the Capitol or elsewhere, the Speaker may order the Sergeant to
 319 suppress the same and may order the Sergeant to remove any
 320 person creating any disturbance. The Sergeant will ensure that
 321 no person is admitted to the Chamber except in accordance with
 322 these rules. The Sergeant shall oversee the security of the
 323 House and its members when engaged in their constitutional
 324 duties and perform other duties under the command and
 325 supervision of the Speaker.

326
 327 4.3--The Employees
 328 The Speaker shall employ all employees of the House and shall
 329 determine their qualifications, duties, hours of work, and
 330 compensation, including perquisites and other benefits. All
 331 employees work for and serve at the pleasure of the Speaker. The
 332 Speaker has the right to dismiss any employee of the House
 333 without cause, and the pay of such employee shall stop on the
 334 designated day of dismissal. Except when operating under

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335 | direction from a member with authority over the designated
 336 | employee, no House employee shall seek to influence the passage
 337 | or rejection of proposed legislation.

338 |

339 | RULE FIVE—FORM AND INTRODUCTION OF BILLS

340 |

341 | 5.1—"Bill" Stands for All Legislation

342 | Except when the context otherwise indicates, "bill," as used in
 343 | these rules, means a bill, joint resolution, concurrent
 344 | resolution, resolution, memorial, or other measure upon which a
 345 | committee or subcommittee ~~council or committee~~ may be required
 346 | to report.

347 |

348 | 5.2—Member Bill Filing Deadline

349 | Filing deadlines for member bills shall be as follows:

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

356 | (b) No ceremonial resolution shall be given first reading
 357 | unless approved for filing with the Clerk prior to the 46th day
 358 | of regular session.

359 |

360 | 5.3—Limitation on Member Bills Filed

361 | (a) A member may not file more than six bills for a
 362 | regular session. For purposes of this rule, the member

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363 considered to have filed a bill is the first-named sponsor of
 364 the bill.

365 (1) Of the six bills for the 2011 regular session, at
 366 least two must be approved for filing with the Clerk no later
 367 than noon of the 6th Tuesday prior to the first day of that the
 368 regular session.

369 (2) Of the six bills for the 2012 regular session, at
 370 least two must be approved for filing with the Clerk no later
 371 than noon of the 5th Tuesday prior to the first day of that
 372 regular session.

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

374 (1) Local bills, including local claim bills.

375 (2) Ceremonial House resolutions.

376 (3) Memorials.

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

379 (5) Trust fund bills adhering to another bill.

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

382 (7) General bills adhering to a joint resolution.

383 (8) Bills that only repeal or delete, without substantive
 384 replacement, provisions of the Florida Statutes or Laws of
 385 Florida.

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

388 (c) A member may file an additional bill after the first
 389 committee or subcommittee of reference reports a repealer bill
 390 as described in paragraph (b) (8) favorably or favorably as a

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391 committee or subcommittee substitute. The additional bill must
 392 be approved for filing with the Clerk by noon of the 21st day of
 393 regular session. No more than three additional bills may be
 394 filed under this subsection.

395

396 5.4-Forms of Measures; Sponsorship Transactions

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

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

405 (c) Bills that propose to amend existing provisions of law
 406 shall contain the full text of the section, subsection, or
 407 paragraph to be amended. Joint resolutions that propose to amend
 408 the Florida Constitution shall contain the full text of the
 409 section to be amended. As to those portions of general bills and
 410 joint resolutions that propose to amend existing provisions of
 411 the Florida Statutes or the Florida Constitution, words to be
 412 added shall be inserted in the text underlined and words to be
 413 deleted shall be lined through with hyphens. If the change in
 414 language is so general that the use of these procedures would
 415 hinder, rather than assist, the understanding of the amendment,
 416 it is not necessary to use the coded indicators of words added
 417 or deleted, but, in lieu thereof, a notation similar to the
 418 following shall be inserted immediately preceding the affected

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419 section of the bill: "Substantial rewording of section. See s.
 420 , F.S., for present text." When such a notation is used,
 421 the notation, as well as the substantially reworded text, shall
 422 be underlined. The words to be deleted and the above-described
 423 indicators of such words and of new material are for information
 424 and guidance and do not constitute a part of the bill under
 425 consideration. Numerals in the margins of the line-numbered
 426 pages do not constitute a part of the bill and are shown on each
 427 page only for convenience in identifying lines. Section
 428 catchlines of existing text shall not be underlined, nor shall
 429 any other portion of a bill covered by this rule other than new
 430 material.

431

432 5.5-Local Bills

433 (a) If the substance of a local bill may be enacted into
 434 law by ordinance of a local governing body without the legal
 435 need for a referendum, no committee or subcommittee ~~council or~~
 436 ~~committee~~ may report the bill favorably.

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

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

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447 5.6-Claim Bills

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

458 (b) Stipulations entered into by the parties are not
 459 binding on the Special Master or the House or any of its
 460 committees or subcommittees ~~councils or committees~~.

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

467

468 5.7-Reviser's Bills

469 Reviser's bills shall be introduced by the Rules & Calendar
 470 Committee ~~Council~~, which may request prior review by another
 471 committee or subcommittee ~~council or committee~~.

472

473 5.8-Legislative Reapportionment and Congressional Redistricting
 474 Bills and Amendments

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475 Bills and amendments proposing any reapportionment or
 476 redistricting of the state's legislative or congressional
 477 districts shall be submitted to the Redistricting Committee in
 478 the form prescribed by the Speaker. The committee staff of the
 479 Redistricting Committee shall submit such proposals to the House
 480 Bill Drafting Service as requested by the sponsor. After final
 481 drafting, approval for filing shall be in the ordinary manner.
 482

483 5.9 ~~5.8~~ Memorials

484 A memorial expresses the opinion of the Legislature to the
 485 federal government. All memorials shall contain the resolving
 486 clause "Be It Resolved by the Legislature of the State of
 487 Florida:".
 488

489 5.10 ~~5.9~~ House Resolutions; Concurrent Resolutions; Tributes

490 (a) All House resolutions and all concurrent resolutions
 491 originating in the House shall contain a title and a resolving
 492 clause. In the case of House resolutions, the resolving clause
 493 shall be "Be It Resolved by the House of Representatives of the
 494 State of Florida:". In the case of concurrent resolutions
 495 originating in the House, the resolving clause shall be "Be It
 496 Resolved by the House of Representatives of the State of
 497 Florida, the Senate Concurring:". Concurrent resolutions
 498 originating in the House shall present only questions pertaining
 499 to extension of a session, enactment of joint rules,
 500 ratification of federal constitutional amendments,
 501 communications with the judiciary, actions taken pursuant to

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502 federal law not requiring gubernatorial approval, or other
 503 exclusively legislative matters.

504 (b) All ceremonial House resolutions shall be reviewed and
 505 approved by the Chair of the Rules & Calendar Committee ~~Council~~
 506 before introduction.

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

510 (d) Any matter commemorating local achievement,
 511 condolences, or other recognition shall be prepared in
 512 accordance with standards approved by the Speaker ~~by the House~~
 513 ~~Bill Drafting Service~~ as an individual tribute for the member
 514 sponsoring the measure.

515

516 5.11 ~~5.10~~ Bills Filed During an Interim

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

523

524 5.12 ~~5.11~~ Requirements for Introduction

525 (a) All bills (other than an appropriations bill,
 526 concurrent resolutions relating to organization of the
 527 Legislature, resolutions relating to organization of the House,
 528 concurrent resolutions pertaining to extension of a session,
 529 reviser's bills, bills proposing any reapportionment bills or

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530 redistricting of the state's legislative or congressional
 531 districts resolutions, and recall of acts from the Governor)
 532 shall either be prepared or, in the case of local bills,
 533 reviewed by the House Bill Drafting Service. After completion
 534 and delivery by the House Bill Drafting Service, no change may
 535 be made in the text or title of the bill without returning the
 536 bill to the House Bill Drafting Service prior to filing.

537 (b) The ~~Director of the~~ House Bill Drafting Service shall
 538 notify any member proposing a bill of any ~~if an~~ identical or
 539 substantially similar bill that has been filed and, ~~if so,~~ the
 540 name of the sponsor of such bill.

541

542 5.13 ~~5.12~~-Identification

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

551

552 5.14 ~~5.13~~-Companion Measures

553 A companion Senate bill must be substantially similar in
 554 wording, and identical as to specific intent and purpose, to the
 555 House bill for which it is being substituted. Whenever a House
 556 bill is reached on the floor for consideration, either on second
 557 or third reading, and there is also pending on the Calendar of

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558 | the House a companion bill already passed by the Senate, it
 559 | shall be in order to move that the Senate companion bill be
 560 | substituted and considered in lieu of the House bill. Such
 561 | motion may be adopted by a majority vote, provided the Senate
 562 | bill is on the same reading; otherwise, the motion shall be to
 563 | waive the rules by a two-thirds vote and substitute such Senate
 564 | bill. At the moment the House substitutes the Senate companion
 565 | bill or takes up a Senate bill in lieu of a House bill, the
 566 | House bill so replaced shall be automatically tabled.

567 |

568 | RULE SIX—REFERENCE

569 |

570 | 6.1—Speaker to Refer Legislation

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

573 |

574 | 6.2—Reference: Generally

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

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

582 |

583 | 6.3—Reference: Exception

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

587
 588 6.4-Reference of Resolutions, Concurrent Resolutions: Exception
 589 Resolutions on House organization and concurrent resolutions
 590 pertaining to extension of the session may be taken up upon
 591 motion and adopted at the time of introduction without
 592 reference.

593
 594 6.5-Appropriations or Tax Measures: Withdrawal from a Fiscal
 595 Committee or Subcommittee ~~Council or Committee~~; Additional
 596 Reference

597 (a) A bill in the possession of a fiscal committee or
 598 subcommittee ~~council or committee~~ that has been amended by
 599 report from a committee or subcommittee ~~council or committee~~ of
 600 previous reference to remove its fiscal impact may be withdrawn
 601 from the fiscal committee or subcommittee ~~council or committee~~
 602 on a point of order raised by the committee ~~council~~ chair of the
 603 fiscal committee ~~council~~ having possession of the bill or
 604 jurisdiction over the subcommittee ~~committee~~ having possession
 605 of the bill.

606 (b) If an amendment adopted on the floor of the House
 607 affects an appropriation or a tax matter, upon a point of order
 608 made by the chair or vice chair of a fiscal committee ~~council~~,
 609 the bill may be referred by the Speaker, with the amendment, to
 610 an appropriate committee or subcommittee ~~council or committee~~.
 611 If the bill, as amended on the floor, is reported favorably

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612 without further amendment, it shall be returned to the same
 613 reading as when referred. If the bill, as amended on the floor,
 614 is reported favorably with further amendment, it shall be
 615 returned to second reading.

616

617 6.6-Reference of Veto Messages

618 The Speaker may refer veto messages to the appropriate committee
 619 or subcommittee ~~council or committee~~ for a recommendation.

620

621 RULE SEVEN-COMMITTEES AND SUBCOMMITTEES ~~COUNCILS AND COMMITTEES~~

622

623 PART ONE-Organization

624

625 7.1-Standing Committees and Subcommittees ~~Councils and~~
 626 ~~Committees~~

627 (a) The following standing committees ~~councils~~, and the
 628 standing subcommittees ~~committees~~ within their respective
 629 jurisdictions, are established:

630 (1) Appropriations Committee.

631 a. Agriculture & Natural Resources Appropriations
 632 Subcommittee.

633 b. Government Operations Appropriations Subcommittee.

634 c. Health Care Appropriations Subcommittee.

635 d. Higher Education Appropriations Subcommittee.

636 e. Justice Appropriations Subcommittee.

637 f. PreK-12 Appropriations Subcommittee.

638 g. Transportation & Economic Development Appropriations
 639 Subcommittee.

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- 640 (2) Economic Affairs Committee.
- 641 a. Business & Consumer Affairs Subcommittee.
- 642 b. Community & Military Affairs Subcommittee.
- 643 c. Economic Development & Tourism Subcommittee.
- 644 d. Insurance & Banking Subcommittee.
- 645 e. Transportation & Highway Safety Subcommittee.
- 646 (3) Education Committee.
- 647 a. K-20 Competitiveness Subcommittee.
- 648 b. K-20 Innovation Subcommittee.
- 649 (4) Finance & Tax Committee.
- 650 (5) Health & Human Services Committee.
- 651 a. Health & Human Services Access Subcommittee.
- 652 b. Health & Human Services Quality Subcommittee.
- 653 (6) Judiciary Committee.
- 654 a. Civil Justice Subcommittee.
- 655 b. Criminal Justice Subcommittee.
- 656 (7) Redistricting Committee.
- 657 a. Congressional Redistricting Subcommittee.
- 658 b. House Redistricting Subcommittee.
- 659 c. Senate Redistricting Subcommittee.
- 660 (8) Rules & Calendar Committee.
- 661 a. Rulemaking & Regulation Subcommittee.
- 662 (9) State Affairs Committee.
- 663 a. Agriculture & Natural Resources Subcommittee.
- 664 b. Energy & Utilities Subcommittee.
- 665 c. Federal Affairs Subcommittee.
- 666 d. Government Operations Subcommittee.
- 667 ~~(1) Rules & Calendar Council~~

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668	(2) Full Appropriations Council on Education & Economic	
669	Development	
670	a. PreK-12 Appropriations Committee	
671	b. State Universities & Private Colleges Appropriations	
672	Committee	
673	e. State & Community Colleges & Workforce Appropriations	
674	Committee	
675	d. Transportation & Economic Development Appropriations	
676	Committee	
677	(3) Full Appropriations Council on General Government &	
678	Health Care	
679	a. Health Care Appropriations Committee	
680	b. Human Services Appropriations Committee	
681	e. Healthy Seniors Appropriations Committee	
682	d. Natural Resources Appropriations Committee	
683	e. Government Operations Appropriations Committee	
684	f. Criminal & Civil Justice Appropriations Committee	
685	(4) Policy Council	
686	(5) Government Accountability Act Council	
687	(6) Finance & Tax Council	
688	(7) Education Policy Council	
689	a. PreK-12 Policy Committee	
690	b. State Universities & Private Colleges Policy Committee	
691	e. State & Community Colleges & Workforce Policy Committee	
692	(8) Health & Family Services Policy Council	
693	a. Health Care Services Policy Committee	
694	b. Health Care Regulation Policy Committee	
695	e. Elder & Family Services Policy Committee	

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696 ~~(9) General Government Policy Council~~
 697 a. ~~Agriculture & Natural Resources Policy Committee~~
 698 b. ~~Insurance, Business & Financial Affairs Policy~~
 699 ~~Committee~~
 700 e. ~~Energy & Utilities Policy Committee~~
 701 ~~(10) Economic Development & Community Affairs Policy~~
 702 ~~Council~~
 703 a. ~~Economic Development Policy Committee~~
 704 b. ~~Roads, Bridges & Ports Policy Committee~~
 705 c. ~~Governmental Affairs Policy Committee~~
 706 d. ~~Military & Local Affairs Policy Committee~~
 707 ~~(11) Criminal & Civil Justice Policy Council~~
 708 a. ~~Civil Justice & Courts Policy Committee~~
 709 b. ~~Public Safety & Domestic Security Policy Committee~~
 710 (b) For purposes of these rules, the term "committee"
 711 includes ~~council~~ and subcommittee, except where the context
 712 indicates otherwise.

713
 714 ~~7.2 Office of Reapportionment~~
 715 ~~There is hereby created the House Office of Reapportionment,~~
 716 ~~which shall be headed by a member appointed by the Speaker.~~

717
 718 ~~7.2 7.3 Committee and Subcommittee Council and Committee~~
 719 ~~Appointments~~
 720 The Speaker may ~~shall~~ appoint the chair, the vice chair, and any
 721 co-chairs as he or she deems ~~deemed~~ necessary, as well as all
 722 members, for each standing House committee and subcommittee
 723 ~~council and committee~~. The Speaker may ~~shall~~ appoint the House

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724 chair and all House members of each conference committee, joint
 725 committee, and joint select committee created by agreement of
 726 the House and Senate or of the Speaker and the Senate President.
 727 The Speaker shall give written notice of each such appointment,
 728 ~~in writing,~~ to the Clerk for publication. ~~The Minority Leader~~
 729 ~~may make recommendations to the Speaker regarding the~~
 730 ~~appointment of Minority Conference members to councils and~~
 731 ~~committees.~~ After the Speaker has made committee and
 732 subcommittee appointments, the Minority Leader may ~~also~~ name a
 733 Minority Conference member of any committee or subcommittee
 734 ~~council or committee~~ as "ranking member" of that committee or
 735 subcommittee ~~council or committee,~~ subject to the approval of
 736 the Speaker.

737

738 7.3 ~~7.4~~ Powers of the Chair

739 A committee or subcommittee ~~council or committee~~ chair has
 740 authority to sign all notices, vouchers, and reports required or
 741 permitted by these rules. The chair has authority, subject to
 742 approval by the Speaker, to sign all subpoenas issued under
 743 these rules. The chair has all authority necessary to ensure the
 744 orderly operation of the committee or subcommittee ~~council or~~
 745 ~~committee,~~ including, but not limited to, presiding over
 746 meetings, establishing each meeting agenda, determining the
 747 order in which matters are to be taken up, recognizing or not
 748 recognizing non-member presenters, and deciding questions of
 749 order. Decisions on questions of order may be appealed pursuant
 750 to Rule 2.3(b), but there shall be no appeal of the chair's
 751 recognition.

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752

753 7.4 ~~7.5~~ Absence of the Chair

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

763

764 7.5 ~~7.6~~ Term of Appointment

765 All standing committee or subcommittee ~~council or committee~~
 766 chairs, vice chairs, and members serve at the pleasure of the
 767 Speaker. All standing committee and subcommittee ~~council and~~
 768 ~~committee~~ appointments ~~shall be~~ made by the Speaker in
 769 accordance with Rule 7.2 shall be made prior to the convening of
 770 each regular session and shall expire on July ~~August~~ 1 of odd-
 771 numbered years or, if the Legislature is convened in special or
 772 extended session on that date, upon adjournment *sine die* of such
 773 session.

774

775 7.6 ~~7.7~~ Creation of Select Committees

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

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

784

785 7.7 ~~7.8~~ *Ex officio* Members

786 The Speaker may designate the Speaker pro tempore or the
 787 Majority Leader as an *ex officio*, voting member of any committee
 788 or subcommittee ~~council or committee~~. In addition, the Speaker
 789 may designate a committee ~~council~~ chair as an *ex officio*, voting
 790 member of any subcommittee ~~committee~~ within the committee's
 791 ~~council's~~ jurisdiction. The designation shall be made in writing
 792 and addressed to the chair of the committee or subcommittee
 793 ~~council or committee~~. Prior to the start of the committee or
 794 subcommittee ~~council or committee~~ meeting, a copy of the written
 795 designation shall be provided to the Minority Leader. Only one
 796 *ex officio* member may sit and vote at a time on any one
 797 committee or subcommittee ~~council or committee~~.

798

799 7.8 ~~7.9~~ Meetings of Committees and Subcommittees ~~Councils and~~
 800 ~~Committees~~

801 Committees and subcommittees ~~Councils and committees~~ shall meet
 802 only within the dates, times, and locations designated or
 803 authorized by the Speaker. Committees and subcommittees ~~Councils~~
 804 ~~and committees~~ shall meet at the call of the chair.

805

806 7.9 ~~7.10~~ Consideration of Proposed Committee and Subcommittee
 807 ~~Council and Committee~~ Bills

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808 Before a standing committee or subcommittee ~~council or committee~~
 809 may consider a proposed committee or subcommittee ~~council or~~
 810 ~~committee~~ bill, the chair shall submit a written request to the
 811 Speaker for approval. A request for approval to consider a
 812 proposed subcommittee ~~committee~~ bill shall be cosigned by the
 813 chair of the committee ~~council~~ with jurisdiction over the
 814 subcommittee ~~committee~~. In introducing a proposed committee or
 815 subcommittee ~~council or committee~~ bill, the chair must designate
 816 a member of the committee or subcommittee ~~council or committee~~
 817 as first-named cosponsor, with the approval of such member.

818

819 7.10 ~~7.11~~ Conference Committees

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

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

833 (1) First to vote on a motion to accept the report in its
 834 entirety. The motion shall not be subject to amendment. If this

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835 | vote fails, the report shall be automatically recommitted to the
 836 | conference committee.

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

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

845 |
 846 | PART TWO—Procedures in Committees and Subcommittees ~~Councils and~~
 847 | ~~Committees~~

848 |
 849 | 7.11 ~~7.12~~—Scheduling Committee and Subcommittee ~~Council and~~
 850 | ~~Committee~~ Meetings

851 | (a) NOTICE OF COMMITTEE AND SUBCOMMITTEE ~~Council and~~
 852 | ~~Committee~~ MEETINGS. Any committee or subcommittee ~~council or~~
 853 | ~~committee~~ meeting to be held for the purpose of considering
 854 | legislation must be noticed. The committee or subcommittee
 855 | ~~council or committee~~ administrative assistant shall provide
 856 | electronic or paper copies of the notice to the Clerk for
 857 | publication and to the House Majority Office, the House Minority
 858 | Office, the members of the committee or subcommittee ~~council or~~
 859 | ~~committee~~, and the first-named sponsor of each bill noticed.

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

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863 the title sufficient for identification. Except ~~as provided~~
 864 ~~below~~ with respect to ~~council or committee substitutes~~ and bills
 865 retained on reconsideration under Rule 7.16 ~~Rules 7.17~~ and
 866 committee or subcommittee substitutes under Rule 7.19 ~~7.20~~, only
 867 such bills as are included on the ~~written~~ notice of a committee
 868 or subcommittee ~~council or committee~~ meeting may be considered
 869 at that meeting.

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

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

880 (e) NOTICE DEADLINES DURING SESSIONS. During the first 45
 881 days of a regular session, notice shall be provided no later
 882 than 4:30 p.m. of the 2nd day (excluding Saturdays, Sundays, and
 883 official state holidays) before the committee or subcommittee
 884 ~~council or committee~~ meeting for the purpose of considering
 885 legislation. After the 45th day of a regular session and during
 886 any extended session, the notice shall be provided no later than
 887 4:30 p.m. on the day (including Saturdays, Sundays, and official
 888 state holidays) before the committee or subcommittee ~~council or~~
 889 ~~committee~~ meeting. During any special session, the notice shall

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890 | be provided no later than 2 hours before the committee or
 891 | subcommittee ~~council or committee~~ meeting.

892 | (f) NOTICE OF NOT MEETING. If a committee or subcommittee
 893 | ~~council or committee~~ is authorized and scheduled for a meeting
 894 | by the Speaker but does not plan to meet, a notice stating that
 895 | no meeting will be held shall be provided in the time and manner
 896 | of noticing a meeting.

897 | (g) AMENDED NOTICE AND CANCELLATION. At any time prior to
 898 | a noticed meeting, a bill or other item may be removed from a
 899 | meeting notice or the meeting may be cancelled by providing an
 900 | amended notice.

901 | (h) CLERK DUTIES. The Clerk shall promptly publish the
 902 | content of meeting notices in accordance with policies approved
 903 | by the Speaker.

904 | (i) CONTINUATION AFTER NOTICED TIME. If the majority of
 905 | committee or subcommittee ~~council or committee~~ members present
 906 | agree, a committee or subcommittee ~~council or committee~~ may
 907 | continue the consideration of properly noticed legislation after
 908 | the expiration of the time called for the meeting or may
 909 | temporarily recess to continue the meeting at a time and place
 910 | certain on the same day. However, a committee or subcommittee
 911 | ~~council or committee~~ may not meet beyond the time authorized or
 912 | in a place not authorized by the Speaker without special leave
 913 | granted by the Speaker.

914 | (j) RULES & CALENDAR COMMITTEE ~~Council~~ EXEMPT FROM NOTICE
 915 | DEADLINE. The Rules & Calendar Committee ~~Council~~ shall be exempt
 916 | from the notice deadlines of this rule except when meeting to
 917 | consider the substance of legislation.

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918
 919 7.12 ~~7.13~~ Amendment Deadlines in Committee and Subcommittee
 920 ~~Council and Committee~~

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

924 (1) For the period when the Legislature is not in session,
 925 and during the first 45 days of a regular session, an amendment
 926 by a member who is not a member of the committee or subcommittee
 927 ~~council or committee~~ considering the bill shall be filed by 6
 928 p.m. of the day (excluding Saturdays, Sundays, and official
 929 state holidays) prior to the committee or subcommittee ~~council~~
 930 ~~or committee~~ meeting.

931 (2) After the 45th day of a regular session and during any
 932 extended session, an amendment by a member who is not a member
 933 of the committee or subcommittee ~~council or committee~~
 934 considering the bill shall be filed by 6 p.m. of the day
 935 (including Saturdays, Sundays, and official state holidays)
 936 prior to the committee or subcommittee ~~council or committee~~
 937 meeting.

938 (3) During any special session, an amendment by a member
 939 who is not a member of the committee or subcommittee ~~council or~~
 940 ~~committee~~ considering the bill shall be filed no later than 1
 941 hour prior to the committee or subcommittee ~~council or committee~~
 942 meeting.

943 (b) Notwithstanding the foregoing, subject to approval by
 944 a majority vote of the House, the Rules & Calendar Committee
 945 ~~Council~~ may establish special amendment deadlines and procedures

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

950

951 7.13 ~~7.14~~ Quorum of Committee or Subcommittee ~~Council or~~
 952 ~~Committee~~

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

957

958 7.14 ~~7.15~~ Meeting during House Sessions

959 No committee or subcommittee ~~council or committee~~ shall meet
 960 while the House is in session without special leave of the
 961 Speaker.

962

963 7.15 ~~7.16~~ Voting in Committee or Subcommittee ~~Council or~~
 964 ~~Committee~~

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

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974 (b) An absent member ~~members~~ may submit an indication of
 975 how the member ~~they~~ would have voted had the member been
 976 present, but this shall not be counted on a roll call. If
 977 submitted after the committee or subcommittee report has been
 978 filed, such votes after roll call shall be filed with the
 979 committee or subcommittee administrative assistant, who shall
 980 file them in the committee or subcommittee files and with the
 981 Clerk attached to the council or committee report.

982
 983 ~~7.16 7.17~~ Reconsideration in Committee or Subcommittee ~~Council~~
 984 ~~or Committee~~

985 A motion for reconsideration in committee or subcommittee
 986 ~~council or committee~~ shall be treated in the following manner:

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

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

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1000 (c) A motion to reconsider a collateral matter must be
 1001 disposed of during the course of consideration of the main
 1002 subject to which it is related.

1003 (d) If a bill has been retained under subsection (b), any
 1004 member may move for its reconsideration at the next meeting of
 1005 the committee or subcommittee ~~council or committee~~. The retained
 1006 bill is not required to be included on the committee or
 1007 subcommittee meeting notice.

1008 (e) If the committee or subcommittee ~~council or committee~~
 1009 refuses to reconsider or, upon reconsideration, confirms its
 1010 prior decision, no further motion to reconsider shall be in
 1011 order except upon unanimous consent of the committee or
 1012 subcommittee ~~council or committee~~ members present.

1013 (f) If a bill is not retained under subsection (b), it
 1014 shall be promptly reported to the Clerk.

1015
 1016 7.17 ~~7.18~~ Reports on Bills

1017 A committee or subcommittee ~~council or committee~~ may report a
 1018 House bill unfavorably, favorably, or favorably with a committee
 1019 or subcommittee ~~council or committee~~ substitute. A committee or
 1020 subcommittee ~~council or committee~~ may report a Senate bill
 1021 favorably, favorably with one or more amendments, or
 1022 unfavorably. A bill may not be reported without recommendation.
 1023 A motion to lay a bill on the table shall be construed as a
 1024 motion to report the bill unfavorably.

1025
 1026 7.18 ~~7.19~~ Bill Reported Unfavorably by a Committee or
 1027 Subcommittee ~~Council or Committee~~

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1028 A bill reported unfavorably by a committee or subcommittee
 1029 ~~council or committee~~ shall be laid on the table.

1030
 1031 7.19 7.20 Committee and Subcommittee ~~Council and Committee~~
 1032 Substitutes

1033 (a) A ~~council or~~ standing committee or subcommittee may
 1034 introduce a committee or subcommittee ~~council or committee~~
 1035 substitute embracing the same general subject matter of one or
 1036 more bills in possession of the committee or subcommittee
 1037 ~~council or committee~~. If the original bill or bills are noticed,
 1038 no further notice is required. If a proposed committee or
 1039 subcommittee ~~council or committee~~ substitute is noticed in the
 1040 manner required for a proposed committee or subcommittee ~~council~~
 1041 ~~or committee~~ bill, the original bill or bills need not be
 1042 noticed. Upon the reporting of a committee or subcommittee
 1043 ~~council or committee~~ substitute, the original bill or bills
 1044 shall be laid on the table of the House.

1045 (b) Committee and subcommittee substitutes shall be
 1046 prepared by the House Bill Drafting Service and filed with the
 1047 Clerk.

1048 (c) No later than the day (excluding Saturdays, Sundays,
 1049 and official state holidays) after it is filed ~~reported~~ by the
 1050 committee or subcommittee ~~council or committee~~, a committee or
 1051 subcommittee ~~council or committee~~ substitute shall be read a
 1052 first time and be subject to referral by the Speaker.

1053
 1054 7.20 7.21 Subpoena Powers

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1055 The standing committees and subcommittees ~~councils and~~
 1056 ~~committees~~ of the House may exercise subpoena power and issue
 1057 other necessary legal process pursuant to Rule 16 ~~16.1~~.

1058

1059 7.21 ~~7.22~~ Administration of Oaths

1060 Whenever desired by a committee or subcommittee ~~council or~~
 1061 ~~committee~~, the chair or any other member of the committee or
 1062 subcommittee ~~council or committee~~ may administer oaths and
 1063 affirmations in the manner prescribed by law to any witness
 1064 appearing before such committee or subcommittee ~~council or~~
 1065 ~~committee~~ for the purpose of testifying in any matter about
 1066 which such committee or subcommittee ~~council or committee~~ may
 1067 require sworn testimony, provided the record of a statement made
 1068 under oath in committee or subcommittee ~~council or committee~~ may
 1069 not be used to controvert a factual determination of the
 1070 Legislature.

1071

1072 7.22 ~~7.23~~ Procedure in Conference Committees

1073 Conference committee meeting notices shall be published not less
 1074 than 1 hour ~~2 hours~~ prior to the time scheduled for the meeting,
 1075 ~~provided that after the 50th day of the regular session and~~
 1076 ~~during any extended or special session the notice period shall~~
 1077 ~~be 1 hour prior to the time scheduled for the meeting.~~ Each
 1078 conference committee may determine its own procedures and select
 1079 a member to preside, provided a majority of managers of each
 1080 house agree.

1081

1082 7.23 ~~7.24~~ Open Meetings; Decorum

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1083 (a) All meetings of committees and subcommittees ~~councils~~
 1084 ~~and committees~~ shall be open to the public at all times, subject
 1085 always to the authority of the chair to maintain order and
 1086 decorum; however, when reasonably necessary for security
 1087 purposes or the protection of a witness, a chair, with the
 1088 concurrence of the Speaker and the Minority Leader, may close a
 1089 meeting or portion thereof, and the record of such meeting may
 1090 not disclose the identity of any witness appearing before the
 1091 committee or subcommittee ~~council or committee~~ during a closed
 1092 session.

1093 (b) The chair shall exercise all authority necessary to
 1094 maintain order and decorum, including the authority to impose
 1095 time limitations on testimony and presentations by non-members
 1096 and to require all persons attending a committee or subcommittee
 1097 ~~council or committee~~ meeting to silence all audible electronic
 1098 equipment.

1100 PART THREE—Oversight Powers and Responsibilities

1101
 1102 7.24 ~~7.25~~ Oversight Powers and Responsibilities of Standing
 1103 Committees and Subcommittees ~~Councils and Committees~~

1104 (a) Each standing committee or subcommittee ~~council or~~
 1105 ~~committee~~ is authorized to exercise all powers authorized for
 1106 committees pursuant to s. 11.143, Florida Statutes, to carry out
 1107 oversight responsibilities within its respective subject matter
 1108 jurisdiction. For purposes of this rule, the Speaker shall
 1109 determine the subject matter jurisdiction of each committee or
 1110 subcommittee ~~council or committee~~.

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1111 (b) Select committees shall exercise committee powers
 1112 authorized by s. 11.143, Florida Statutes, whenever specifically
 1113 authorized in writing by the Speaker.

1114 (c) Each committee or subcommittee ~~council or committee~~
 1115 shall exercise other oversight powers and responsibilities
 1116 vested in the House whenever specifically authorized by the
 1117 Speaker.

1118 (d) Each committee or subcommittee ~~council or committee~~
 1119 shall conduct other business as directed by the Speaker.

1120

1121 RULE EIGHT—DEBATE AND CHAMBER PROTOCOL

1122

1123 PART ONE—Privilege of the Floor

1124

1125 8.1—Privilege of the Floor

1126 (a) MEMBERS' ACCESS. Members of the House shall have the
 1127 exclusive right to enter the Chamber during sessions, and no
 1128 other person shall be admitted unless granted privilege of the
 1129 floor as provided below.

1130 (b) PRIVILEGED GUESTS. The Governor, the Lieutenant
 1131 Governor, the Chief Financial Officer, the Attorney General, the
 1132 Commissioner of Agriculture, members of the Senate, Justices of
 1133 the Supreme Court, former members of the House, the Doctor of
 1134 the Day, and the Guest Chaplain are granted the privilege of the
 1135 floor; however, no registered lobbyist may be so admitted.

1136 (c) EMPLOYEES' ADMISSION. House employees may be admitted
 1137 to the Chamber as determined by the Speaker.

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1138 (d) OTHER GUESTS. Other guests may be granted the
 1139 privilege of the floor by the Speaker or by the House.

1140 (e) RESTRICTIONS ON NON-MEMBERS. Persons granted the
 1141 privilege of the floor may not lobby the members while the House
 1142 is in session, unless granted leave to address the House.

1143 (f) SESSION ATTIRE. When the House is in session, all
 1144 persons in the Chamber shall be dressed in proper business
 1145 attire.

1146

1147 PART TWO—Speaking

1148

1149 8.2—Addressing the House; Requirements to Spread Remarks upon
 1150 the *Journal*

1151 (a) When a member desires to speak or deliver any matter
 1152 to the House, the member shall rise and respectfully address the
 1153 Speaker as "Mr. (or Madam) Speaker" and shall confine all
 1154 remarks to the question under debate, avoiding personalities.
 1155 Once recognized, a member may speak from the member's desk or
 1156 may, with the Speaker's permission, speak from the well.

1157 (b) Any motion to spread remarks upon the *Journal*, except
 1158 those of the Governor or the Speaker, shall be referred to the
 1159 Chair of the Rules & Calendar Committee ~~Council~~ for
 1160 recommendation before being put to the House.

1161

1162 8.3—When Two Members Rise at Once

1163 When two or more members rise at once, the Speaker shall name
 1164 the one who is to speak first. This decision shall be final and
 1165 not open to debate or appeal.

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

PART THREE—Debate

8.6—Decorum

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

8.7—Speaking and Debate; Right to Close

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1193 (a) A member may not speak more than once nor occupy more
 1194 than 15 minutes in debate on any question.

1195 (b) A member who has the floor may not be interrupted by
 1196 another member for any purpose, save the privilege of the House,
 1197 unless he or she consents to yield to the other member. A member
 1198 desiring to interrupt another in debate should first address the
 1199 Speaker for the permission of the member speaking. The Speaker
 1200 shall then ask the member who has the floor if he or she wishes
 1201 to yield and shall then announce the decision of that member.
 1202 Whether to yield shall be entirely within the speaking member's
 1203 discretion. This subsection shall not, however, deprive the
 1204 first-named sponsor or mover of the right to close when the
 1205 effect of an amendment or motion would be to foreclose favorable
 1206 action on the bill, amendment, or motion.

1207
 1208 8.8-Asking Questions of Members
 1209 It is entirely within a speaking member's discretion whether to
 1210 yield to a question. The proper purpose of a question is to
 1211 obtain information in good faith, not for the questioner to
 1212 supply information to the body. Neither a question nor an answer
 1213 to a question may contain arguments or debate.

1214
 1215 8.9-Right to Open and Close Debate
 1216 The member presenting a motion shall have the right to open and
 1217 close the debate and, for this purpose, may speak each time up
 1218 to 10 minutes, unless otherwise limited by majority vote of the
 1219 House, notwithstanding the limitation in Rule 8.7.

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1221 PART FOUR—Materials and Meals in Chamber

1222

1223 8.10—Distribution of Materials in Chamber; Meals in Chamber

1224 (a) The following constitutes policy regarding material
 1225 distributed to the general membership through the Sergeant at
 1226 Arms' Office and pages:

1227 (1) All material prior to such distribution must be
 1228 approved by the Chair of the Rules & Calendar Committee ~~Council~~.

1229 (2) The following official materials are approved: House
 1230 and Senate bills, resolutions, memorials, and amendments
 1231 thereto, and official calendars and journals; committee and
 1232 subcommittee ~~council and committee~~ meeting notices;
 1233 communications from the Speaker and Clerk and official
 1234 communications from the Senate; and official staff reports of
 1235 standing or select committees or subcommittees ~~councils or~~
 1236 ~~committees~~ or of the majority or minority party.

1237 (b) While members may consume nonalcoholic beverages on
 1238 the floor, meals will not be allowed on the floor without
 1239 concurrence of a majority vote.

1240

1241 PART FIVE—Miscellaneous Papers

1242

1243 8.11—Miscellaneous Papers

1244 Papers of a miscellaneous nature addressed to the House may, at
 1245 the discretion of the Speaker, be read, noted in the *Journal*, or
 1246 filed with the appropriate committee or subcommittee ~~council or~~
 1247 ~~committee~~. When the reading of a paper other than one upon which
 1248 the House is called to give a final vote is demanded and such

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1249 reading is objected to by any member, whether the paper shall be
 1250 read shall be determined without debate by the House by a
 1251 majority vote.

1252

1253 RULE NINE—VOTING

1254

1255 9.1—Members Shall Vote

1256 Every member shall be within the Chamber during its sittings,
 1257 unless excused or necessarily prevented, and shall vote on each
 1258 question put, unless required to abstain under Rule 3.2.

1259

1260 9.2—Taking the Yeas and Nays

1261 The Speaker shall declare all votes, but if any member rises to
 1262 doubt a vote, upon a showing of hands by five members, the
 1263 Speaker shall take the sense of the House by oral or electronic
 1264 roll call. When taking the yeas and nays on any question, the
 1265 electronic roll-call system may be used and when so used shall
 1266 have the force and effect of a roll call taken as provided in
 1267 these rules. This system likewise may be used to determine the
 1268 presence of a quorum. When the House is ready to vote upon a
 1269 question requiring roll call, and the vote is by electronic roll
 1270 call, the Speaker shall say, "The question now recurs on
 1271 (designating the matter to be voted upon). The Clerk will unlock
 1272 the machine and the House will proceed to vote." When sufficient
 1273 time has elapsed for each member to vote, the Speaker shall ask,
 1274 "Have all members voted?" After a short pause, the Speaker shall
 1275 say, "The Clerk will lock the machine and record the vote." When
 1276 the vote is completely recorded, the Speaker shall announce the

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1277 result to the House, and the Clerk shall record the action upon
 1278 the *Journal*.

1279

1280 9.3—Vote of the Speaker or Temporary Presiding Officer
 1281 The Speaker or temporary presiding officer is not required to
 1282 vote in legislative proceedings other than on final passage of a
 1283 bill, except when the Speaker's or temporary presiding officer's
 1284 vote would be decisive. In all yea and nay votes, the Speaker's
 1285 or temporary presiding officer's name shall be called last. With
 1286 respect to voting, the Speaker or temporary presiding officer is
 1287 subject to the same disqualification and disclosure requirements
 1288 as any other member.

1289

1290 9.4—Votes After Roll Call; Finality of a Roll Call Vote

1291 (a) After the result of a roll call has been announced, a
 1292 member may submit to the Clerk an indication of how the member
 1293 would have voted or would have voted differently. The Clerk
 1294 shall provide forms for the recording of these actions. When
 1295 timely submitted ~~made~~, the vote after roll call ~~these requests~~
 1296 shall be shown beneath the roll call in the *Journal*. Otherwise,
 1297 the vote after roll call ~~request~~ shall be shown separately in
 1298 the *Journal*.

1299 (b) In no instance, other than by reason of an electronic
 1300 or mechanical malfunction, shall the result of a voting machine
 1301 roll call on any question be changed.

1302

1303 9.5—No Member to Vote for Another except by Request and
 1304 Direction

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1305 (a) No member may vote for another member except at the
 1306 other member's specific request and direction. No member may
 1307 vote for another member who is absent from the Chamber, nor may
 1308 any person who is not a member cast a vote for a member.

1309 (b) In no case shall a member vote for another on a quorum
 1310 call.

1311 (c) Any member who votes or attempts to vote for another
 1312 member in violation of this rule or who requests another member
 1313 to vote for the requesting member in violation of this rule may
 1314 be disciplined in such a manner as the House may deem proper.

1315 (d) Any person who is not a member and who votes in the
 1316 place of a member shall be subject to such discipline as the
 1317 House may deem proper.

1318

1319 9.6-Explanation of Vote

1320 A member may not explain his or her vote during a roll call, but
 1321 may reduce his or her explanation to writing, in not more than
 1322 200 words in an electronic format approved by the Clerk. Upon
 1323 submission to ~~being filed with~~ the Clerk, this explanation shall
 1324 be spread upon the *Journal*.

1325

1326 RULE TEN-ORDER OF BUSINESS AND CALENDARS

1327

1328 PART ONE-Order of Business

1329

1330 10.1-Daily Sessions

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1331 The House shall meet each legislative day at 9 a.m. or as stated
 1332 in the motion adjourning the House on the prior legislative day
 1333 on which the House met.

1334
 1335 10.2—Daily Order of Business

1336 (a) When the House convenes on a new legislative day, the
 1337 daily order of business shall be as follows:

- 1338 (1) Call to Order.
- 1339 (2) Prayer.
- 1340 (3) Roll Call.
- 1341 (4) Pledge of Allegiance.
- 1342 (5) Correction of the *Journal*.
- 1343 (6) Communications.
- 1344 (7) Messages from the Senate.
- 1345 (8) Reports of Standing Committees and Subcommittees
 1346 ~~Councils and Committees~~.
- 1347 (9) Reports of Select Committees.
- 1348 (10) Motions Relating to Committee and Subcommittee
 1349 ~~Councils and Committees~~ References.
- 1350 (11) Matters on Reconsideration.
- 1351 (12) Bills and Joint Resolutions on Third Reading.
- 1352 (13) Special Orders.
- 1353 (14) House Resolutions.
- 1354 (15) Unfinished Business.
- 1355 (16) Introduction and Reference.
- 1356 (b) During special sessions, the order of business of
 1357 Introduction and Reference shall be called for immediately
 1358 following the order of business of Correction of the *Journal*.

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1359 (c) Within each order of business, matters shall be
 1360 considered in the order in which they appear on the daily
 1361 printed Calendar of the House.

1362 (d) After the 45th day of a regular session, by a majority
 1363 vote, the House may, on motion of the Chair or Vice Chair of the
 1364 Rules & Calendar Committee ~~Council~~, move to Communications,
 1365 Messages from the Senate, Bills and Joint Resolutions on Third
 1366 Reading, or Special Orders. The motion may provide which matter
 1367 on such order of business may be considered.

1368

1369 10.3—Chaplain to Offer Prayer

1370 A chaplain shall attend at the beginning of each day's sitting
 1371 of the House and open the same with prayer. In the absence of a
 1372 chaplain, the Speaker may designate someone else to offer
 1373 prayer.

1374

1375 10.4—Quorum

1376 A majority of the membership of the House shall constitute a
 1377 quorum to conduct business.

1378

1379 10.5—Consideration of Senate Messages: Generally

1380 Senate messages may be considered by the House at the time and
 1381 in the order determined by the Speaker.

1382

1383 PART TWO—Readings

1384

1385 10.6—"Reading" Defined

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1386 "Reading" means the stage of consideration of a bill,
 1387 resolution, or memorial after reading of a portion of the title
 1388 sufficient for identification, as determined by the Speaker.

1389

1390 10.7—Reading of Bills and Joint Resolutions

1391 Each bill and each joint resolution shall be read on 3 separate
 1392 days prior to a vote upon final passage unless this rule is
 1393 waived by a two-thirds vote, provided the publication of a bill
 1394 or joint resolution by its title in the *Journal* shall satisfy
 1395 the requirements of first reading.

1396

1397 10.8—Reading of Concurrent Resolutions and Memorials

1398 Concurrent resolutions and memorials shall be read on 2 separate
 1399 days prior to a voice vote upon adoption, except that concurrent
 1400 resolutions extending a legislative session or involving other
 1401 procedural legislative matters may be read twice without motion
 1402 on the same legislative day.

1403

1404 10.9—Reading of House Resolutions

1405 (a) A House resolution shall receive two readings by title
 1406 only prior to a voice vote upon adoption.

1407 (b) Ceremonial resolutions may be shown as read and
 1408 adopted by publication in full in the *Journal* in accordance with
 1409 Rule 10.17 ~~10.16~~.

1410

1411 10.10—Measures on Third Reading

1412 (a) Bills on third reading shall be taken up in the order
 1413 in which the House concluded action on them on second reading.

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1414 (b) Before any bill shall be read the third time, whether
 1415 amended or not, it shall be referred without motion to the
 1416 Engrossing Clerk for examination and, if amended, the engrossing
 1417 of amendments. In the case of any Senate bill amended in the
 1418 House, the amendment adopted shall be reproduced and attached to
 1419 the bill amended in such manner that it will not be lost
 1420 therefrom.

1421 (c) A bill shall be deemed on its third reading when it
 1422 has been read a second time on a previous day and has no motion
 1423 left pending.

1425 PART THREE—Calendars

1427 10.11—Special Order Calendar

1428 (a) REGULAR SESSION.

1429 (1) The Rules & Calendar Committee Council shall
 1430 periodically submit, as needed, a Special Order Calendar
 1431 determining the sequence for consideration of legislation. The
 1432 Special Order Calendar may include bills on second reading,
 1433 bills on unfinished business, resolutions, and specific sections
 1434 for local bills, trust fund bills, and bills to be taken up at a
 1435 time certain. Upon adoption of a Special Order Calendar, no
 1436 other bills shall be considered for the time period set forth
 1437 for that Special Order Calendar, except that any bill appearing
 1438 on that Special Order Calendar may be stricken from it by a
 1439 majority vote or any bill may be added to it pursuant to Rule
 1440 10.13 ~~10.12~~. A previously adopted Special Order Calendar shall

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1441 expire upon adoption by the House of a new Special Order
 1442 Calendar.

1443 (2) Any committee ~~council~~, subcommittee ~~committee~~, or
 1444 member may apply in writing to the Chair of the Rules & Calendar
 1445 Committee ~~Council~~ to place a bill on the Special Order Calendar.
 1446 The Rules & Calendar Committee ~~Council~~ may grant such requests
 1447 by a majority vote.

1448 (3) During the first 55 days of a regular session, the
 1449 Special Order Calendar shall be published in two Calendars of
 1450 the House, and it may be taken up on the day of the second
 1451 published Calendar. After the 55th day of a regular session, the
 1452 Special Order Calendar shall be published in one Calendar of the
 1453 House and may be taken up on the day the Calendar is published.

1454 (b) EXTENDED OR SPECIAL SESSION.

1455 (1) If the Legislature extends a legislative session, all
 1456 bills on the Calendar of the House at the time of expiration of
 1457 the regular session shall be placed in the Rules & Calendar
 1458 Committee ~~Council~~.

1459 (2) During any extended or special session, all bills upon
 1460 being reported favorably by the last committee or subcommittee
 1461 ~~council~~ of reference shall be placed in the Rules & Calendar
 1462 Committee ~~Council~~.

1463 (3) During any extended or special session, the Rules &
 1464 Calendar Committee ~~Council~~ shall establish a Special Order
 1465 Calendar and only those bills on such Special Order Calendar
 1466 shall be placed on the Calendar of the House.

1467 (4) During any extended or special session, the Special
 1468 Order Calendar shall be published in one Calendar of the House

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1469 and bills thereon may be taken up on the day the Calendar is
 1470 published.

1471

1472 10.12 ~~(e)~~ Special Floor Procedures

1473 The Rules & Calendar Committee ~~Council~~ may recommend special
 1474 floor procedures for the management of amendments and debate on
 1475 a particular bill, on second and third readings, which
 1476 procedures may include limitations on amendments and debate.
 1477 Such procedures may not be implemented unless approved by a
 1478 majority ~~two-thirds~~ vote in session.

1479

1480 10.13 ~~10.12~~ Consideration of Bills Not on Special Order Calendar

1481 A bill not included on the Special Order Calendar may be
 1482 considered by the House upon a two-thirds vote.

1483

1484 10.14 ~~10.13~~ Consent Calendar

1485 The Rules & Calendar Committee ~~Council~~ may submit Consent
 1486 Calendar procedures to expedite the consideration of
 1487 noncontroversial legislation.

1488

1489 10.15 ~~10.14~~ Requirements for Placement on Special Order Calendar

1490 No measure may be placed on a Special Order Calendar until it
 1491 has been reported favorably by each committee and subcommittee
 1492 ~~council and committee~~ of reference and is available for
 1493 consideration on the floor.

1494

1495 10.16 ~~10.15~~ Informal Deferral of Bills

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1496 Whenever the member who introduced a bill or the first-named
 1497 member sponsor of a committee and subcommittee ~~council and~~
 1498 ~~committee~~ bill is absent from the Chamber when the bill has been
 1499 reached in the regular order on second or third reading,
 1500 consideration shall be informally deferred until such member's
 1501 return, unless another member consents to offer the bill on
 1502 behalf of the original member. The bill shall retain its
 1503 position on the Calendar of the House during the same
 1504 legislative day. The member shall have the responsibility of
 1505 making the motion for its subsequent consideration.

1506
 1507 PART FOUR—Ceremonial Resolutions

1508
 1509 10.17 ~~10.16~~—Ceremonial Resolutions Published in *Journal*

1510 Upon approval of the Chair of the Rules & Calendar Committee
 1511 ~~Council~~, a ceremonial resolution may be shown as read and
 1512 adopted by publication in full in the *Journal*. The Rules &
 1513 Calendar Committee ~~Council~~ shall distribute a list of such
 1514 resolutions 1 day (excluding Saturdays, Sundays, and official
 1515 state holidays) prior to the day of their publication, during
 1516 which time any member may file ~~an objection~~ with the Rules &
 1517 Calendar Committee ~~Council~~ an objection to any resolution
 1518 listed. Each resolution for which an objection has been filed
 1519 shall be removed from the list and placed on the Calendar of the
 1520 House. All resolutions without objections shall be printed on
 1521 the next legislative day in the *Journal* and considered adopted
 1522 by the House.

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1524 PART FIVE—Procedural Limitations in Final Week

1525

1526 10.18 ~~10.17~~—Consideration Limits to Bills after Day 55

1527 After the 55th day of a regular session, no House bills on
1528 second reading may be taken up and considered by the House.

1529

1530 10.19 ~~10.18~~—Consideration Limits after Day 58

1531 After the 58th day of a regular session, the House may consider
1532 only:

1533 (a) Returning ~~Senate~~ messages.

1534 (b) Conference reports.

1535 (c) Concurrent resolutions.

1536

1537 RULE ELEVEN—MOTIONS

1538

1539 11.1—Motions; How Made

1540 Every motion shall be made orally, except when requested by the
1541 Speaker to be reduced to writing.

1542

1543 11.2—Precedence of Motions During Debate

1544 (a) When a question is under debate, the Speaker shall
1545 receive no motion except:

1546 (1) To adjourn at a time certain.

1547 (2) To adjourn.

1548 (3) To recess to a time certain.

1549 (4) To lay on the table.

1550 (5) To reconsider.

1551 (6) For the previous question.

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1552 (7) To limit debate.

1553 (8) To temporarily postpone.

1554 (9) To postpone to a time or day certain.

1555 (10) To refer to or to recommit to committee or

1556 subcommittee ~~council or committee~~.

1557 (11) To amend.

1558 (12) To amend by removing the enacting or resolving

1559 clause.

1560 (b) Such motions shall have precedence in the descending

1561 order given.

1562

1563 11.3—Questions of Order Decided without Debate

1564 The Speaker shall decide, without debate, all procedural

1565 questions of order that arise when a motion is before the House

1566 or on appeal.

1567

1568 11.4—Division of Question

1569 If a question before the House is susceptible of separation into

1570 two or more parts, any member may call for a division of the

1571 question so that each part may be voted on separately. However,

1572 a motion to remove and insert cannot be divided.

1573

1574 11.5—Motion to Recess to a Time Certain

1575 A motion to recess to a time certain shall be treated the same

1576 as a motion to adjourn, except that the motion is debatable when

1577 no business is before the House and can be amended as to the

1578 time to recess and duration of the recess. It yields only to a

1579 motion to adjourn.

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1580

1581 11.6—Motion to Lay on the Table

1582 (a) A motion to lay on the table is not debatable and
 1583 cannot be amended; however, before the motion is put to a vote,
 1584 the first-named sponsor of a bill or the mover of a debatable
 1585 motion shall be allowed 5 minutes within which to discuss the
 1586 same and may divide the time with, or waive this right in favor
 1587 of, some other member. ~~A motion to table a main question~~
 1588 ~~requires a majority vote.~~

1589 (b) A motion to lay an amendment on the table, if adopted,
 1590 does not carry with it the measure to which it adheres. ~~A motion~~
 1591 ~~to lay an amendment on the table may be adopted by a majority~~
 1592 ~~vote.~~

1593

1594 11.7—Motion to Reconsider; Immediate Certification of Bills

1595 (a) When a motion or main question has been made and
 1596 carried or lost, it shall be in order at any time as a matter of
 1597 right on the same or succeeding legislative day for a member
 1598 voting with the prevailing side, or for any member in the case
 1599 of a voice or tie vote, to move for reconsideration thereof.

1600 (b) When a majority of members vote in the affirmative but
 1601 the proposition is lost because it is one in which the
 1602 concurrence of a greater number than a majority is necessary for
 1603 adoption or passage, any member may move for a reconsideration.

1604 (c) The motion to reconsider shall require a majority vote
 1605 for adoption, ~~and such motion shall not be renewed on any~~
 1606 ~~proposition after once being considered by vote of the House,~~
 1607 ~~except by unanimous consent.~~

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1608 (d) If the House refuses to reconsider or upon
 1609 reconsideration confirms its prior decision, no further motion
 1610 to reconsider shall be in order except upon unanimous consent of
 1611 the members present.

1612 (e)-(d) Debate shall be allowed on a motion to reconsider
 1613 only when the question that it is proposing to reconsider is
 1614 debatable. When debate upon a motion to reconsider is in order,
 1615 no member shall speak thereon more than once or for more than 5
 1616 minutes.

1617 (f)-(e) The adoption of a motion to reconsider a vote upon
 1618 any secondary matter shall not remove the main subject under
 1619 consideration from consideration of the House.

1620 (g)-(f) A motion to reconsider a collateral matter must be
 1621 disposed of at once during the course of the consideration of
 1622 the main subject to which it is related, and such motion shall
 1623 be out of order after the House has passed to other business.

1624 (h)-(g) No bill referred or recommitted to a committee or
 1625 subcommittee ~~council or committee~~ by a vote of the House shall
 1626 be brought back into the House on a motion to reconsider.

1627 (i)-(h) The Clerk shall retain possession of all bills and
 1628 joint resolutions for the period after passage during which
 1629 reconsideration may be moved, except that local bills,
 1630 concurrent resolutions, and memorials shall be transmitted to
 1631 the Senate without delay.

1632 (j)-(i) The adoption of a motion to waive the rules and
 1633 immediately certify any bill to the Senate shall be construed as
 1634 releasing the measure from the Clerk's possession for the period
 1635 of reconsideration.

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1636 (k)~~(j)~~ Unless otherwise directed by the Speaker, during
 1637 the last 14 days of a regular session or any extension thereof
 1638 and during any special session, all measures acted on by the
 1639 House shall be transmitted to the Senate without delay.

1640
 1641 11.8—Motion for the Previous Question

1642 (a) The previous question may be asked and ordered upon
 1643 any debatable single motion, series of motions, or amendment
 1644 pending and the effect thereof shall be to conclude all action
 1645 on the same day. If third reading is reached on another day, the
 1646 order for the previous question must be renewed on that day.

1647 (b) The motion for the previous question shall be decided
 1648 without debate. If the motion prevails, the sponsor of a bill or
 1649 debatable motion and an opponent shall be allowed 3 minutes each
 1650 within which to debate the pending question, and each may divide
 1651 the time with, or waive this right in favor of, some other
 1652 member. On second reading, the final available question is the
 1653 main amendment; on third reading, it is the bill.

1654 (c) When the motion for the previous question is adopted
 1655 on a main question, the sense of the House shall be taken
 1656 without delay on pending amendments and such question in the
 1657 regular order.

1658 (d) The motion for the previous question may not be made
 1659 by the first-named sponsor or mover.

1660
 1661 11.9—Motion to Limit Debate

1662 When there is debate by the House, it shall be in order for a
 1663 member to move to limit debate and such motion shall be decided

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1664 without debate, except that the first-named sponsor or mover of
 1665 the question under debate shall have 5 minutes within which to
 1666 discuss the motion and may divide the allotted time with, or
 1667 waive it in favor of, some other member. If, by majority vote,
 1668 the question is decided in the affirmative, debate shall be
 1669 limited to 10 minutes for each side, unless a greater time is
 1670 stated in the motion, such time to be apportioned by the
 1671 Speaker; however, the first-named sponsor or mover shall have an
 1672 additional 5 minutes within which to close the debate and may
 1673 divide the allotted time with, or waive it in favor of, some
 1674 other member.

1675
 1676 11.10—Motion to Temporarily Postpone

1677 (a) The motion to temporarily postpone shall be decided
 1678 without debate and shall cause a measure to be set aside but
 1679 retained on the desk.

1680 (b) If a main question has been temporarily postponed
 1681 after having been debated or after motions have been applied and
 1682 is not brought back before the House on the same legislative
 1683 day, it shall be placed under the order of unfinished business
 1684 on the Calendar of the House. If a main question is temporarily
 1685 postponed before debate has commenced or motions have been
 1686 applied, its reading shall be considered a nullity and the bill
 1687 shall retain its original position on the order of business on
 1688 the same legislative day; otherwise, the bill reverts to the
 1689 status of bills on second or third reading, as applicable.

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1690 (c) The motion to return to consideration of a temporarily
 1691 postponed main question shall be made under the proper order of
 1692 business when no other matter is pending.

1693 (d) If applied to a collateral matter, the motion to
 1694 temporarily postpone shall not cause the main question to be
 1695 carried with it. After having been temporarily postponed, if a
 1696 collateral matter is not brought back before the House in the
 1697 course of consideration of the adhering or main question, it
 1698 shall be deemed abandoned.

1699

1700 11.11-Motion to Withdraw or Refer a Bill

1701 (a) A motion to withdraw a bill from a committee or
 1702 subcommittee ~~council or committee~~ shall require a two-thirds
 1703 vote on the floor.

1704 (b) Any member may, no later than under the order of
 1705 business of Motions Relating to Committee and Subcommittee
 1706 ~~Council and Committee~~ References on the legislative day
 1707 following reference of a bill, move for reference from one
 1708 committee or subcommittee ~~council or committee~~ to a different
 1709 committee or subcommittee ~~council or committee~~, which shall be
 1710 decided by a majority vote.

1711 (c) A motion to refer a bill from one committee or
 1712 subcommittee ~~council or committee~~ to another committee or
 1713 subcommittee ~~council or committee~~, other than as provided in
 1714 subsection (b), may be made during the regular order of business
 1715 and shall require a two-thirds vote.

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1716 (d) A motion to refer a bill to an additional committee or
 1717 subcommittee ~~council or committee~~ may be made during the regular
 1718 order of business and shall require a two-thirds vote.

1719 (e) A motion to refer shall be debated only as to the
 1720 propriety of the reference.

1721 (f) A motion to withdraw a bill from further consideration
 1722 of the House shall require a two-thirds vote.

1723 (1) The Chair or Vice Chair of the Rules & Calendar
 1724 Committee ~~Council~~, at the request of the first-named member
 1725 sponsor, may move for the withdrawal of a bill from further
 1726 consideration.

1727 (2) The first-named member sponsor of a bill may, prior to
 1728 its introduction and provided no substantive action has been
 1729 taken on it, withdraw the bill by written notice ~~letter~~ to the
 1730 Clerk.

1731 (3) In moving for the withdrawal of a bill from further
 1732 consideration by floor motion, the introducer shall be required
 1733 to identify the nature of the bill.

1734
 1735 11.12-Motion to Refer or Recommit

1736 (a) Any bill on the Calendar of the House may be referred
 1737 or recommitted by the House to a committee or subcommittee
 1738 ~~council or committee~~ by a majority vote.

1739 (b) A motion to refer or recommit a bill that is before
 1740 the House may be made during the regular order of business. The
 1741 motion shall be debatable only as to the propriety of that
 1742 reference and shall require an affirmative majority vote.

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1743 (c) If a bill on third reading is referred or recommitted
 1744 to a committee or subcommittee ~~council or committee~~ that
 1745 subsequently reports the bill favorably with a committee or
 1746 subcommittee ~~council or committee~~ substitute or with one or more
 1747 amendments, the bill shall return to second reading.

1748 (d) Referral or recommitment of a House bill shall
 1749 automatically carry with it a Senate companion bill then on the
 1750 Calendar of the House.

1751
 1752 11.13—Dilatory Motions
 1753 Dilatory or delaying motions shall not be in order as determined
 1754 by the Speaker.

1755
 1756 11.14—Withdrawal of Motion
 1757 The mover of a motion may withdraw the motion at any time before
 1758 it has been amended or a vote on it has commenced.

1759
 1760 RULE TWELVE—AMENDMENTS

1761
 1762 12.1—Form
 1763 Floor amendments ~~and council and committee substitutes~~ shall be
 1764 prepared by the House Bill Drafting Service and filed with the
 1765 Clerk.

1766
 1767 12.2—Filing Deadlines for Floor Amendments
 1768 (a) During the first 55 days of a regular session:

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1769 (1) Main floor amendments must be approved for filing with
 1770 the Clerk by 2 p.m. of the first day a bill appears on the
 1771 Special Order Calendar in the Calendar of the House; and

1772 (2) Amendments to main floor amendments and substitute
 1773 amendments for main floor amendments must be approved for filing
 1774 by 5 p.m. of the same day.

1775 (b) After the 55th day of a regular session and during any
 1776 extended or special session:

1777 (1) Main floor amendments must be approved for filing with
 1778 the Clerk not later than 2 hours before session is scheduled to
 1779 convene on the day a bill appears on the Special Order Calendar
 1780 in the Calendar of the House; and

1781 (2) Amendments to main floor amendments and substitute
 1782 amendments for main floor amendments must be approved for filing
 1783 not later than 1 hour after the main floor amendment deadline.

1784 (c) A late-filed floor amendment may be taken up for
 1785 consideration only upon motion adopted by a two-thirds vote.

1786 (d) Notwithstanding the foregoing, subject to approval by
 1787 a majority vote of the House, the Rules & Calendar Committee
 1788 ~~Council~~ may establish special amendment deadlines and procedures
 1789 for appropriations bills, implementing bills, ~~and~~ conforming
 1790 bills, and bills proposing any reapportionment or redistricting
 1791 of the state's legislative or congressional districts.

1792
 1793 12.3-Presentation and Consideration

1794 (a) Amendments shall be taken up only as sponsors gain
 1795 recognition from the Speaker to move their adoption, except that
 1796 the chair of the committee or subcommittee ~~council or committee~~

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1797 (or any member thereof designated by the chair) reporting the
 1798 measure under consideration shall have preference for the
 1799 presentation of committee or subcommittee ~~council or committee~~
 1800 amendments to Senate bills.

1801 (b) An amendment to a pending main amendment may be
 1802 received, but until it is disposed of no other motion to amend
 1803 will be in order except a substitute amendment or an amendment
 1804 to the substitute. Such amendments are to be disposed of in the
 1805 following order:

1806 (1) Amendments to the amendment are voted on before the
 1807 substitute is taken up. Only one amendment to the amendment is
 1808 in order at a time.

1809 (2) Amendments to the substitute are next voted on.

1810 (3) The substitute then is voted on. The adoption of a
 1811 substitute amendment in lieu of an original amendment shall be
 1812 treated and considered as an amendment to the bill itself.

1813
 1814 [INSERT GRAPHIC ON AMENDMENT LEVELS]

1815
 1816 (c) The adoption of an amendment to a section shall not
 1817 preclude further amendment of that section. If a bill is being
 1818 considered section by section or item by item, only amendments
 1819 to the section or item under consideration shall be in order.

1820 (d) For the purpose of this rule, an amendment shall be
 1821 deemed pending only after its proposer has been recognized by
 1822 the Speaker and has moved its adoption.

1823 (e) Reviser's bills may be amended only by making
 1824 deletions.

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12.4—Second and Third Reading; Vote Required on Third Reading
(a) A motion to amend is in order during the second or third reading of any bill.

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

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

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

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

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

(a) For purposes of these rules:

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

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

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

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1853 the Speaker that amends the Florida Statutes to conform to an
 1854 appropriations bill.

1855 (b) Whether on the floor or in any committee or
 1856 subcommittee ~~council or committee~~, whenever an amendment is
 1857 offered to an appropriations bill that would either increase any
 1858 state appropriation or decrease any state revenue for any fund,
 1859 such amendment shall show the amount of the appropriation
 1860 increase or revenue decrease for a fund by line item and by
 1861 section and shall decrease an appropriation from within the same
 1862 appropriations allocation and sub-allocation (as determined by
 1863 the Speaker) or increase a revenue to the fund in an amount
 1864 equivalent to or greater than the corresponding appropriation
 1865 increase or revenue decrease required by the amendment.

1866 (c) Whether on the floor or in any committee or
 1867 subcommittee ~~council or committee~~, an amendment offered to an
 1868 implementing bill or to a conforming bill shall not increase a
 1869 state appropriation to a level that is in excess of the
 1870 allocations or sub-allocations determined by the Speaker for a
 1871 fund.

1872 (d) Whether on the floor or in any committee or
 1873 subcommittee ~~council or committee~~, any amendment offered to an
 1874 implementing bill or to a conforming bill that reduces revenues
 1875 supporting appropriations must raise the equivalent or greater
 1876 revenue for the same fund from other sources.

1877
 1878 12.6-Consideration of Senate Amendments

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1879 (a) After the reading of a Senate amendment to a House
 1880 bill, the following motions shall be in order and shall be
 1881 privileged in the order named:

- 1882 (1) Amend the Senate amendment.
- 1883 (2) Concur in the Senate amendment.
- 1884 (3) Refuse to concur and ask the Senate to recede.
- 1885 (4) Request the Senate to recede and, if the Senate
 1886 refuses to recede, to appoint a conference committee to meet
 1887 with a like committee appointed by the Speaker.

1888 (b) If the Senate refuses to concur in a House amendment
 1889 to a Senate bill, the following motions shall be in order and
 1890 shall be privileged in the order named:

- 1891 (1) That the House recede.
- 1892 (2) That the House insist and ask for a conference
 1893 committee.
- 1894 (3) That the House insist.

1895 (c) The Speaker may, upon determining that a Senate
 1896 amendment substantially changes the bill as passed by the House,
 1897 refer the Senate message, with the bill and Senate amendment or
 1898 amendments, to the appropriate House committee or subcommittee
 1899 ~~council or committee~~ for review and report to the House. The
 1900 Speaker, upon such reference, shall announce the date and time
 1901 for the committee or subcommittee ~~council or committee~~ to meet.
 1902 The committee or subcommittee ~~council or committee~~ shall report
 1903 to the House the recommendation for disposition of the Senate
 1904 amendment or amendments under one of the four options presented
 1905 in subsection (a). The report shall be furnished to the Clerk

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1906 and to the House, in writing, by the chair of the reporting
 1907 committee or subcommittee ~~council or committee~~.

1908

1909 12.7—Motion to Amend by Removing Enacting or Resolving Clause
 1910 An amendment to remove the enacting clause of a bill or the
 1911 resolving clause of a resolution or memorial shall, if carried,
 1912 be considered equivalent to rejection of the bill, resolution,
 1913 or memorial by the House.

1914

1915 12.8—Germanity of House Amendments

1916 (a) GERMANITY.

1917 (1) Neither the House nor any committee or subcommittee
 1918 ~~council or committee~~ shall consider an amendment that relates to
 1919 a different subject or is intended to accomplish a different
 1920 purpose than that of the pending question or that, if adopted,
 1921 would require a title amendment for the bill that is
 1922 substantially different from the bill's original title or that
 1923 would unreasonably alter the nature of the bill.

1924 (2) The Speaker, or the chair in the case of an amendment
 1925 offered in committee or subcommittee ~~council or committee~~, shall
 1926 determine the germanity of any amendment when the question is
 1927 timely raised.

1928 (3) An amendment of the second degree or a substitute
 1929 amendment must be germane to both the main amendment and the
 1930 measure to which it adheres.

1931 (b) AMENDMENTS THAT ARE NOT GERMANE. House amendments that
 1932 are not germane include:

1933 (1) A general proposition amending a specific proposition.

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1934 (2) An amendment amending a statute or session law when
 1935 the purpose of the bill is limited to repealing such law, or an
 1936 amendment repealing a statute or session law when the purpose of
 1937 the bill is limited to amending such law.

1938 (3) An amendment that substantially expands the scope of
 1939 the bill.

1940 (4) An amendment to a bill when legislative action on that
 1941 bill is by law or these rules limited to passage, concurrence,
 1942 or nonconcurrence as introduced.

1943 (c) AMENDMENTS THAT ARE GERMANE. Amendments that are
 1944 germane include:

1945 (1) A specific provision amending a general provision.

1946 (2) An amendment that accomplishes the same purpose in a
 1947 different manner.

1948 (3) An amendment limiting the scope of the proposal.

1949 (4) An amendment providing appropriations necessary to
 1950 fulfill the original intent of a proposal.

1951 (5) An amendment that changes the effective date of a
 1952 repeal, reduces the scope of a repeal, or adds a short-term
 1953 nonstatutory transitional provision to facilitate repeal.

1954 (d) WAIVER OF RULE. Waiver of this rule shall require
 1955 unanimous consent of the House.

1956

1957 12.9-Floor Amendments Out of Order

1958 A floor ~~An~~ amendment is out of order if it is the principal
 1959 substance of a bill that has:

1960 (a) Received an unfavorable committee or subcommittee
 1961 ~~council or committee~~ report,

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1962 (b) Been withdrawn from further consideration, or
 1963 (c) Not been reported favorably by at least one committee
 1964 or subcommittee ~~council or committee~~ of reference,
 1965
 1966 and may not be offered to a bill on second or third reading ~~the~~
 1967 ~~Calendar of the House and under consideration by the House~~. Any
 1968 amendment that is substantially the same, and identical as to
 1969 specific intent and purpose, as the measure residing in a
 1970 committee or subcommittee ~~council or committee~~ of reference is
 1971 covered by this rule.

1972
 1973 12.10-Printing of Amendments in *Journal*

1974 All amendments taken up, unless withdrawn, shall be printed in
 1975 the *Journal*, except that an amendment to an appropriations bill
 1976 constituting an entirely new bill shall not be printed except
 1977 upon consideration of the conference committee report.

1978
 1979 RULE THIRTEEN-RULES

1980
 1981 13.1-Parliamentary Authorities

1982 In all cases not provided for by the Florida Constitution, the
 1983 Rules of the House, or the Joint Rules of the Senate and House,
 1984 the guiding, but nonbinding, authority shall be first the
 1985 Rulings of the Speaker and then the latest edition of *Mason's*
 1986 *Manual of Legislative Procedure*.

1987
 1988 13.2-Standing Rules Amendment

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1989	Any standing rule may be rescinded or changed by a majority vote	
1990	of the members, provided that the proposed change or changes be	
1991	submitted at least 1 day in advance by the Rules & Calendar	
1992	<u>Committee</u> Council in writing to the members together with notice	
1993	of the consideration thereof. Any standing rule may be suspended	
1994	temporarily by a two-thirds vote of the members present, except	
1995	as otherwise provided in these rules.	
1996		
1997	13.3—Rules Apply for Term	
1998	The standing rules adopted after the beginning of the term	
1999	govern all acts of the House during the course of the term	
2000	unless amended or repealed.	
2001		
2002	13.4—Joint Rules	
2003	The House shall be governed by joint rules approved by the House	
2004	and Senate during the term. Such joint rules may not be waived	
2005	except by agreement of both the House and Senate. A majority	
2006	vote of the House is required for such agreement.	
2007		
2008	13.5—Authority and Interpretation	
2009	These rules are adopted pursuant to the specific authority	
2010	granted and the inherent powers vested in the House of	
2011	Representatives by the Florida Constitution. These rules are	
2012	intended to facilitate the orderly, practical, and efficient	
2013	completion of legislative work undertaken by the House. These	
2014	rules shall govern procedures in the House notwithstanding any	
2015	inconsistent parliamentary tradition and notwithstanding any	
2016	joint rule or any statute enacted by a prior Legislature.	

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2017 Adoption of these rules constitutes the determination of the
 2018 House that they do not violate any express regulation or
 2019 limitation contained in the Florida Constitution. These rules
 2020 may not be construed to limit any of the powers, rights,
 2021 privileges, or immunities vested in or granted to the House by
 2022 the Florida Constitution or other organic law.

2023
 2024 13.6—Majority Action
 2025 Unless otherwise indicated by these rules, all action by the
 2026 House or its committees or subcommittees ~~councils or committees~~
 2027 shall be by majority vote of those members present and voting.
 2028 When the body is equally divided, the question is defeated.

2029
 2030 13.7—Extraordinary Action
 2031 Unless otherwise required by these rules or the Florida
 2032 Constitution, all extraordinary votes shall be by vote of those
 2033 members present and voting.

2034
 2035 13.8—"Days" Defined
 2036 Wherever used in these rules, a "legislative day" means a day
 2037 when the House convenes and a quorum is present. All other
 2038 references to a "day" mean a calendar day.

2039
 2040 RULE FOURTEEN—MISCELLANEOUS PROVISIONS

2041
 2042 PART ONE—Public Records

2043
 2044 14.1—Legislative Records

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2045 There shall be available for public inspection, whether
 2046 maintained in Tallahassee or in a district office, the papers
 2047 and records developed and received in connection with official
 2048 legislative business, except as provided in s. 11.0431, Florida
 2049 Statutes, or other provision of law. Any person who is denied
 2050 access to a legislative record and who believes that he or she
 2051 is wrongfully being denied such access may appeal to the Speaker
 2052 the decision to deny access.

2053
 2054 14.2—Legislative Records; Maintenance, Control, Destruction,
 2055 Disposal, and Disposition

2056 (a) Records that are required to be created by these rules
 2057 or that are of vital, permanent, or archival value shall be
 2058 maintained in a safe location that is easily accessible for
 2059 convenient use. No such record need be maintained if the
 2060 substance of the record is published or retained in another form
 2061 or location. Whenever necessary, but no more often than annually
 2062 or less often than biennially, records required to be maintained
 2063 may be archived.

2064 (b) Other records that are no longer needed for any
 2065 purpose and that do not have sufficient administrative, legal,
 2066 or fiscal significance to warrant their retention shall be
 2067 disposed of systematically.

2068 (c) (1) The administrative assistant for each existing
 2069 committee or subcommittee ~~council or committee~~ shall ensure
 2070 compliance with this rule for all records created or received by
 2071 the committee or subcommittee ~~council or committee~~ or for a
 2072 former committee or subcommittee ~~council or committee~~ whose

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2073 jurisdiction has been assigned to the committee or subcommittee
 2074 ~~council or committee~~.

2075 (2) The Speaker, the Speaker pro tempore, the Minority
 2076 Leader, the Majority Leader, and the Sergeant at Arms shall
 2077 ensure compliance with this rule for all records created or
 2078 received by their respective offices and their predecessors in
 2079 office.

2080 (3) Each member shall ensure compliance with this rule for
 2081 all records created or received by the member or the member's
 2082 district office.

2083 (4) The director of an ancillary House office shall ensure
 2084 compliance with this rule for all records created or received by
 2085 the director's office.

2086 (5) The Clerk shall ensure compliance with this rule for
 2087 all other records created or received by the House of
 2088 Representatives.

2089 (d) If a committee council, subcommittee committee, or
 2090 office is not continued in existence, the records of such
 2091 committee council, subcommittee committee, or office shall be
 2092 forwarded to the committee council, subcommittee committee, or
 2093 office assuming the jurisdiction or responsibility of the former
 2094 committee council, subcommittee committee, or office, if any.
 2095 Otherwise, such records shall be forwarded to the Clerk.

2096 (e) The Clerk shall establish a schedule of reasonable and
 2097 appropriate fees for copies of legislative records and
 2098 documents.

2099

2100 PART TWO—Distribution of Documents; Display of Signs

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2101
 2102 14.3—Distribution of Documents
 2103 Documents required by these rules to be printed or published may
 2104 be produced and distributed on paper or in electronic form.

2105
 2106 14.4—Display of Signs, Placards, and the Like
 2107 Signs, placards, or other objects of similar nature shall be
 2108 permitted in the rooms, lobby, galleries, or Chamber of the
 2109 House only upon approval of the Chair of the Rules & Calendar
 2110 Committee Council.

2111
 2112 PART THREE—House Seal

2113
 2114 14.5—House Seal

2115 (a) REQUIREMENT. There shall be an official seal of the
 2116 House of Representatives. The seal shall be used only by or on
 2117 behalf of a member or officer of the House in conjunction with
 2118 his or her official duties or when specifically authorized in
 2119 writing by the Chair of the Rules & Calendar Committee Council.

2120 (b) CONFIGURATION. The seal shall be a circle having in
 2121 the center thereof a view of the sun's rays over a highland in
 2122 the distance, a sabal palmetto palm tree, a steamboat on the
 2123 water, and a Native American female scattering flowers in the
 2124 foreground, encircled by the words "House of Representatives."

2125 (c) USE. Unless a written exception is otherwise granted
 2126 by the Chair of the Rules & Calendar Committee Council:

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2127 (1) Material carrying the official seal shall be used only
 2128 by a member, officer, or employee of the House or other persons
 2129 employed or retained by the House.

2130 (2) The use, printing, publication, or manufacture of the
 2131 seal, or items or materials bearing the seal or a facsimile of
 2132 the seal, shall be limited to official business of the House or
 2133 official legislative business.

2134 (d) CUSTODIAN. The Clerk shall be the custodian of the
 2135 official seal.

2136

RULE FIFTEEN—ETHICS AND CONDUCT OF MEMBERS

2138

15.1—Legislative Ethics and Official Conduct

2140 Legislative office is a trust to be performed with integrity in
 2141 the public interest. A member is respectful of the confidence
 2142 placed in the member by the other members and by the people. By
 2143 personal example and by admonition to colleagues whose behavior
 2144 may threaten the honor of the lawmaking body, the member shall
 2145 watchfully guard the responsibility of office and the
 2146 responsibilities and duties placed on the member by the House.
 2147 To this end, each member shall be accountable to the House for
 2148 violations of this rule or any provision of the House Code of
 2149 Conduct contained in Rules 15.1-15.7.

2150

15.2—The Integrity of the House

2152 A member shall respect and comply with the law and shall perform
 2153 at all times in a manner that promotes public confidence in the
 2154 integrity and independence of the House and of the Legislature.

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2155 Each member shall perform at all times in a manner that promotes
 2156 a professional environment in the House, which shall be free
 2157 from unlawful employment discrimination.

2158

2159 15.3—Improper Influence; Solicitation of Campaign Contributions

2160 (a) A member may neither solicit nor ~~not~~ accept anything
 2161 that reasonably may be construed to improperly influence the
 2162 member's official act, decision, or vote.

2163 (b) A member may neither solicit nor accept any campaign
 2164 contribution during the 60-day regular legislative session or
 2165 any extended or special session on the member's own behalf, on
 2166 behalf of a political party, on behalf of any organization with
 2167 respect to which the member's solicitation is regulated under s.
 2168 106.0701, Florida Statutes, or on behalf of a candidate for the
 2169 House of Representatives; however, a member may contribute to
 2170 the member's own campaign.

2171

2172 15.4—Ethics; Conflicting Employment

2173 A member shall:

2174 (a) Scrupulously comply with the requirements of all laws
 2175 related to the ethics of public officers.

2176 (b) Not allow personal employment to impair the member's
 2177 independence of judgment in the exercise of official duties.

2178 (c) Not directly or indirectly receive or agree to receive
 2179 any compensation for any services rendered or to be rendered
 2180 either by the member or any other person when such activity is
 2181 in substantial conflict with the duties of a member of the
 2182 House.

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2183
 2184 15.5—Use of Official Position
 2185 A member may not corruptly use or attempt to use the member's
 2186 official position or any property or resource which may be
 2187 within the member's trust in a manner contrary to the trust or
 2188 authority placed in the member, either by the public or by other
 2189 members, for the purpose of securing a special privilege,
 2190 benefit, or exemption for the member or for others.
 2191
 2192 15.6—Use of Information Obtained by Reason of Official Position
 2193 A member may engage in business and professional activity in
 2194 competition with others but may not use or provide to others,
 2195 for the member's personal gain or benefit or for the personal
 2196 gain or benefit of any other person or business entity, any
 2197 information that has been obtained by reason of the member's
 2198 official capacity as a member and that is unavailable to members
 2199 of the public as a matter of law.
 2200
 2201 15.7—Representation of Another Before a State Agency
 2202 A member may not personally represent another person or entity
 2203 for compensation before any state agency other than a judicial
 2204 tribunal. For the purposes of this rule, "state agency" means
 2205 any entity of the legislative or executive branch of state
 2206 government over which the Legislature exercises plenary
 2207 budgetary and statutory control.
 2208
 2209 15.8—Advisory Opinions

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2210 (a) A member, when in doubt about the applicability and
 2211 interpretation of the House Code of Conduct or ethics laws to
 2212 the member's conduct ~~these rules with respect to legislative~~
 2213 ~~ethics and member conduct~~, may convey the facts of the situation
 2214 to the House general counsel for an advisory opinion. The
 2215 general counsel shall issue the opinion within 10 days after
 2216 receiving the request. The advisory opinion may be relied upon
 2217 by the member requesting the opinion. Upon request of any
 2218 member, the committee or subcommittee ~~council or committee~~
 2219 designated by the Speaker to have responsibility for the ethical
 2220 conduct of members may revise an advisory opinion rendered by
 2221 the House general counsel through an advisory opinion issued to
 2222 the member who requested the opinion.

2223 (b) An advisory opinion rendered by the House general
 2224 counsel or the committee or subcommittee ~~council or committee~~
 2225 shall be numbered, dated, and published. Advisory opinions from
 2226 the House general counsel or the committee or subcommittee
 2227 ~~council or committee~~ may not identify the member seeking the
 2228 opinion unless such member so requests.

2229
 2230 15.9—Penalties for Violations

2231 Separately from any prosecutions or penalties otherwise provided
 2232 by law, any member determined to have violated the requirements
 2233 of these rules relating to ethics or member conduct shall be
 2234 fined, censured, reprimanded, placed on probation, or expelled
 2235 or have such other lesser penalty imposed as may be appropriate.
 2236 Such determination and disciplinary action shall be taken by a
 2237 two-thirds vote of the House, except that expulsions shall

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2238 require two-thirds vote of the membership, upon recommendation
 2239 of the Rules & Calendar Committee pursuant to Rule 18 ~~Select~~
 2240 ~~Committee on Standards of Official Conduct designated under Rule~~
 2241 ~~16.2.~~

2242

2243 15.10–Felony Indictment or Information of a Member

2244 (a) If an indictment or information for a felony of any
 2245 jurisdiction is filed against a member of the House, the member
 2246 indicted or informed against may request the Speaker to excuse
 2247 the member, without pay, from all privileges of membership of
 2248 the House pending final adjudication.

2249 (b) If the indictment or information is either *nolle*
 2250 *prossed* or dismissed, or if the member is found not guilty of
 2251 the felonies charged, or lesser included felonies, then the
 2252 member shall be paid all back pay and other benefits retroactive
 2253 to the date the member was excused.

2254

2255 15.11–Felony Guilty Plea of a Member

2256 A member who enters a plea of guilty or *nolo contendere* to a
 2257 felony of any jurisdiction may, at the discretion of the
 2258 Speaker, be suspended immediately, without a hearing and without
 2259 pay, from all privileges of membership of the House through the
 2260 remainder of that member's term.

2261

2262 15.12–Felony Conviction of a Member

2263 (a) A member convicted of a felony of any jurisdiction
 2264 may, at the discretion of the Speaker, be suspended immediately,
 2265 without a hearing and without pay, from all privileges of

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2266 membership of the House pending appellate action or the end of
 2267 the member's term, whichever occurs first.

2268 (b) A member suspended under the provisions of this rule
 2269 may, within 10 days after such suspension, file a written
 2270 request for a hearing, setting forth specific reasons contesting
 2271 the member's suspension. Upon receipt of a written request for a
 2272 hearing, the Speaker shall appoint a select committee, which
 2273 shall commence a hearing on the member's suspension within 30
 2274 days and issue a report to the House within 10 days after the
 2275 conclusion of the hearing. The report of the select committee
 2276 shall be final unless the member, within 10 days after the
 2277 issuance of the report, requests in writing that the Speaker
 2278 convene the full House to consider the report of the select
 2279 committee. Upon receipt of a request for such consideration, the
 2280 Speaker shall timely convene the House for such purpose.

2281 (c) If the final appellate decision is to sustain the
 2282 conviction, then the member's suspension shall continue to the
 2283 end of the member's term. If the final appellate decision is to
 2284 vacate the conviction and there is a rehearing, the member shall
 2285 be subject to Rule 15.10. If the final appellate decision is to
 2286 vacate the conviction and no felony charges remain against the
 2287 member, the member shall be entitled to restitution of back pay
 2288 and other benefits retroactive to the date of suspension.

2289
 2290 RULE SIXTEEN—PROCEDURES FOR CONDUCTING INVESTIGATIVE AND
 2291 ENFORCEMENT PROCEEDINGS ~~PROCEDURES FOR LEGAL PROCEEDINGS~~

2292
 2293 ~~PART ONE—Committees Conducting Legal Proceedings~~

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2294
 2295 16.1-Issuance of Subpoenas ~~Procedures for Committees Conducting~~
 2296 ~~Legal Proceedings~~
 2297 (a) ~~Issuance of Subpoena~~
 2298 ~~(1)~~ In order to carry out its duties, each standing or
 2299 select committee, whenever required, may issue subpoenas ~~with~~
 2300 ~~the approval of the Speaker~~ and other necessary process to
 2301 compel the attendance of witnesses before such committee or the
 2302 taking of a deposition pursuant to these rules. ~~Pursuant to Rule~~
 2303 ~~7.1(b) and for purposes of Rule 16, the term "committee"~~
 2304 ~~includes any council.~~ The chair of the committee shall issue
 2305 such process on behalf of the committee after a majority of the
 2306 committee votes to approve issuance and the Speaker has provided
 2307 written approval. The chair or any other member of such
 2308 committee may administer all oaths and affirmations in the
 2309 manner prescribed by law to witnesses who shall appear before
 2310 such committee for the purpose of testifying in any matter about
 2311 which such committee may require evidence.
 2312 (b) ~~(2)~~ Each standing or select committee, whenever
 2313 required, may also compel by subpoena *duces tecum* ~~with the~~
 2314 ~~approval of the Speaker~~ the production of any books, letters, or
 2315 other documentary evidence it may need to examine in reference
 2316 to any matter before it. The chair of the standing or select
 2317 committee shall issue process on behalf of the standing or
 2318 select committee after a majority of the committee votes to
 2319 approve issuance and the Speaker has provided written approval.
 2320
 2321 16.2-~~(b)~~ Contempt Proceedings

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2322 ~~(a)(1)~~ The House may punish, by fine or imprisonment, any
 2323 person who is not a member and who is guilty of disorderly or
 2324 contemptuous conduct in its presence or of a refusal to obey its
 2325 lawful summons.

2326 ~~(b)(2)~~ A person shall be deemed in contempt if the person:

2327 ~~(1)a.~~ Fails or refuses to appear in compliance with a
 2328 subpoena or, having appeared, fails or refuses to testify under
 2329 oath or affirmation;

2330 ~~(2)b.~~ Fails or refuses to answer any relevant question or
 2331 fails or refuses to furnish any relevant book, paper, or other
 2332 document subpoenaed on behalf of such committee; or

2333 ~~(3)e.~~ Commits any other act or offense against such
 2334 committee that, if committed against the Legislature or either
 2335 house thereof, would constitute contempt.

2336 ~~(c)(3)~~ During a legislative session, a standing or select
 2337 committee may, by majority vote of all of its members, apply to
 2338 the House for contempt citation. The application shall be
 2339 considered as though the alleged contempt had been committed in
 2340 or against the House itself. If such committee is meeting during
 2341 the interim, its application shall be made to the circuit court
 2342 pursuant to Rule 16.6 ~~subsection (f)~~.

2343 ~~(d)(4)~~ A person guilty of contempt under this rule may
 2344 ~~shall~~ be fined not more than \$500 or imprisoned not more than 90
 2345 days or both, or may ~~shall~~ be subject to such other punishment
 2346 as the House may, in the exercise of its inherent powers, impose
 2347 prior to and in lieu of the imposition of the aforementioned
 2348 penalty.

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2349 ~~(e)-(5)~~ The sheriffs in the several counties shall make
 2350 such service and execute all process or orders when required by
 2351 standing or select committees. Sheriffs shall be paid as
 2352 provided for in s. 30.231, Florida Statutes.

2353
 2354 16.3-(e) ~~False Swearing-~~
 2355 Whoever willfully affirms or swears falsely in regard to any
 2356 material matter or thing before any standing or select committee
 2357 is guilty of false swearing ~~perjury~~ in an official proceeding,
 2358 which is a felony of the second ~~third~~ degree and shall be
 2359 punished as provided in s. 775.082, s. 775.083, or s. 775.084,
 2360 Florida Statutes.

2361
 2362 16.4-(d) Rights of Witnesses
 2363 ~~(a)-(1)~~ All witnesses summoned before any standing or
 2364 select committee shall receive reimbursement for travel expenses
 2365 and per diem at the rates provided in s. 112.061, Florida
 2366 Statutes. However, the fact that such reimbursement is not
 2367 tendered at the time the subpoena is served shall not excuse the
 2368 witness from appearing as directed therein.

2369 ~~(b)-(2)~~ Service of a subpoena requiring the attendance of a
 2370 person at a meeting of a standing or select committee shall be
 2371 made in the manner provided by law for the service of subpoenas
 2372 in a civil action at least 7 days prior to the date of the
 2373 meeting unless a shorter period of time is authorized by
 2374 majority vote of all the members of such committee. If a shorter
 2375 period of time is authorized, the persons subpoenaed shall be

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2376 | given reasonable notice of the meeting, consistent with the
 2377 | particular circumstances involved.

2378 | ~~(c)(3)~~ Any person who is served with a subpoena to attend
 2379 | a meeting of any standing or select committee also shall be
 2380 | served with a general statement informing the person of the
 2381 | subject matter of such committee's investigation or inquiry and
 2382 | a notice that the person may be accompanied at the meeting by
 2383 | private counsel.

2384 | ~~(d)(4)~~ Upon the request of any party and the approval of a
 2385 | majority of the standing or select committee, the chair shall
 2386 | instruct all witnesses to leave the meeting room and retire to a
 2387 | designated place. The witness shall be instructed by the chair
 2388 | not to discuss the testimony of the witness or the testimony of
 2389 | any other person with anyone until the meeting has been
 2390 | adjourned and the witness has been discharged by the chair. The
 2391 | witness shall be further instructed that if any person discusses
 2392 | or attempts to discuss the matter under investigation with the
 2393 | witness after receiving such instructions, the witness shall
 2394 | bring such matter to the attention of such committee. No member
 2395 | of such committee or representative thereof may discuss any
 2396 | matter or matters pertinent to the subject matter under
 2397 | investigation with any witness to be called before such
 2398 | committee from the time that these instructions are given until
 2399 | the meeting has been adjourned and the witness has been
 2400 | discharged by the chair. Any person violating this subsection
 2401 | ~~rule~~ shall be in contempt of the House Legislature.

2402 | ~~(e)(5)~~ Any standing or select committee taking sworn
 2403 | testimony from witnesses as provided herein shall cause a record

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2404 to be made of all proceedings in which testimony or other
 2405 evidence is demanded or adduced, which record shall include
 2406 rulings of the chair, questions of such committee and its staff,
 2407 the testimony or responses of witnesses, sworn written
 2408 statements submitted to the committee, and such other matters as
 2409 the committee or its chair may direct.

2410 (f)~~(6)~~ A witness at a meeting, upon advance request and at
 2411 the witness's own expense, shall be furnished a certified
 2412 transcript of the witness's testimony at the meeting.

2413

2414 16.5~~(e)~~ Right of Other Persons to be Heard

2415 (a)~~(1)~~ Any person who, in the opinion of the committee, is
 2416 adversely affected as a result of being ~~whose name is~~ mentioned
 2417 or ~~who is~~ otherwise identified during a meeting being conducted
 2418 for the purpose of taking sworn testimony from witnesses of any
 2419 standing or select committee ~~and who, in the opinion of such~~
 2420 ~~committee, may be adversely affected thereby,~~ may, upon the
 2421 request of the person or upon the request of any member of such
 2422 committee, appear personally before such committee and testify
 2423 on the person's own behalf, or, with such committee's consent,
 2424 file a sworn written statement of facts or other documentary
 2425 evidence for incorporation into the record of the meeting. Any
 2426 such witness, however, shall, prior to filing such statement,
 2427 consent to answer questions from such committee regarding the
 2428 contents of the statement.

2429 (b)~~(2)~~ Upon the consent of a majority of the members
 2430 present, a quorum having been established, any standing or
 2431 select committee may permit any other person to appear and

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2432 | testify at a meeting or submit a sworn written statement of
 2433 | facts or other documentary evidence for incorporation into the
 2434 | record. No request to appear, appearance, or submission shall
 2435 | limit in any way the committee's power of subpoena. Any such
 2436 | witness, however, shall, prior to filing such statement, consent
 2437 | to answer questions from any standing or select committee
 2438 | regarding the contents of the statement.

2439 |

2440 | 16.6-(f) Enforcement of Subpoena Out of Session

2441 | If any witness fails to respond to the lawful subpoena of any
 2442 | standing or select committee at a time when the Legislature is
 2443 | not in session or, having responded, fails to answer all lawful
 2444 | inquiries or to turn over evidence that has been subpoenaed,
 2445 | such committee may file a complaint before any circuit court of
 2446 | the state setting up such failure on the part of the witness. On
 2447 | the filing of such complaint, the court shall take jurisdiction
 2448 | of the witness and the subject matter of the complaint and shall
 2449 | direct the witness to respond to all lawful questions and to
 2450 | produce all documentary evidence in the possession of the
 2451 | witness that is lawfully demanded. The failure of any witness to
 2452 | comply with such order of the court shall constitute a direct
 2453 | and criminal contempt of court, and the court shall punish such
 2454 | witness accordingly.

2455 |

2456 | 16.7-Definition

2457 | Pursuant to Rule 7.1(b) and for purposes of Rule 16, the term
 2458 | "committee" includes the House and any subcommittee thereof.

2459 |

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2460 RULE SEVENTEEN—ETHICS AND CONDUCT OF LOBBYISTS ~~PART THREE—Ethics~~

2461 ~~and Conduct of Lobbyists~~

2462

2463 17.1 ~~16.3 Lobbyists; Requests for Advisory Opinions~~

2464 ~~(a)~~ Obligations of a Lobbyist

2465 (a) ~~(1)~~ A lobbyist shall supply facts, information, and
 2466 opinions of principals to legislators from the point of view
 2467 that the lobbyist openly declares. A lobbyist shall not offer or
 2468 propose anything that may reasonably be construed to improperly
 2469 influence the official act, decision, or vote of a legislator,
 2470 nor shall a lobbyist attempt to improperly influence the
 2471 selection of officers or employees of the House. A lobbyist, by
 2472 personal example and admonition to colleagues, shall maintain
 2473 the honor of the legislative process by the integrity of the
 2474 lobbyist's relationship with legislators as well as with the
 2475 principals whom the lobbyist represents.

2476 (b) ~~(2)~~ A lobbyist shall not knowingly and willfully
 2477 falsify, conceal, or cover up, by any trick, scheme, or device,
 2478 a material fact; make any false, fictitious, or fraudulent
 2479 statement or representation; or make or use any writing or
 2480 document knowing the same to contain any false, fictitious, or
 2481 fraudulent statement ~~statements~~ or entry.

2482 (c) ~~(3)~~ During a regular session, or any extended or
 2483 special session, a lobbyist may not contribute to a member's
 2484 campaign.

2485 (d) ~~(4)~~ A lobbyist may not make any expenditure prohibited
 2486 by s. 11.045(4)(a), Florida Statutes.

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2487 ~~(e)(5)~~ No registered lobbyist shall be permitted upon the
 2488 floor of the House while it is in session.

2489

2490 17.2 ~~(b)~~ Advisory Opinions; Compilation Thereof-

2491 A lobbyist, when in doubt about the applicability and
 2492 interpretation of Rule 17.1 ~~subsection (a)~~ in a particular
 2493 context related to that lobbyist's conduct, or any person when
 2494 in doubt about the applicability and interpretation of s.
 2495 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, as such
 2496 statute or statutes may apply to that person, may request an
 2497 advisory opinion under this rule ~~subsection~~. Such request shall
 2498 be in writing, addressed to the Speaker, and shall contain the
 2499 relevant facts. The Speaker shall either refer the issue to the
 2500 House general counsel for review and drafting of an advisory
 2501 opinion of the Speaker or refer the issue to a committee
 2502 designated by the Speaker to have responsibility for the ethical
 2503 conduct of lobbyists, and the person requesting the advisory
 2504 opinion may appear in person before such committee. The Speaker
 2505 or this committee shall render advisory opinions to the person
 2506 who seeks advice as to whether the facts as described in the
 2507 request and any supplemental communication would constitute a
 2508 violation of such rule or statute by that person. Such opinion,
 2509 until amended or revoked, shall be binding upon the House in any
 2510 proceeding upon a subsequent complaint concerning the person who
 2511 sought the opinion and acted on it in good faith, unless
 2512 material facts were omitted or misstated in the request for the
 2513 advisory opinion. Upon request of the person who requested the
 2514 advisory opinion or any member, the committee designated by the

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2515 Speaker to have responsibility for the ethical conduct of
 2516 lobbyists may revise any advisory opinion issued by the Speaker
 2517 or may revise any advisory opinion issued by the general counsel
 2518 of the Office of Legislative Services under Joint Rule 1.8. The
 2519 House general counsel or this committee shall make sufficient
 2520 deletions to prevent disclosing the identity of persons in the
 2521 decisions or opinions. All advisory opinions of the Speaker or
 2522 this committee shall be numbered, dated, and published in an
 2523 annual publication of the House. The Clerk shall keep a
 2524 compilation of all advisory opinions.

2525
 2526 17.3 ~~16.4~~ Penalties for Violations
 2527 Separately from any prosecutions or penalties otherwise provided
 2528 by law, any person determined to have violated the foregoing
 2529 requirements of Rule 17 ~~these rules~~, any provision in Joint Rule
 2530 One, or s. 11.045, s. 112.3148, or s. 112.3149, Florida
 2531 Statutes, ~~any law, rule, regulation, or other standard of~~
 2532 ~~conduct by a person subject to the provisions of Rule 16.2 or~~
 2533 ~~Rule 16.3~~ may be reprimanded, censured, prohibited from lobbying
 2534 for all or any part of the legislative biennium during which the
 2535 recommended order is proposed, or have such other penalty
 2536 imposed as may be appropriate. Such determination shall be made
 2537 by a majority of the House, upon recommendation of the Rules &
 2538 Calendar Committee pursuant to Rule 18 ~~Select Committee on~~
 2539 ~~Standards of Official Conduct designated under Rule 16.2~~. Any
 2540 prohibition or other limitation imposed by the House may be
 2541 continued for up to a total of 2 years by a determination made
 2542 by a majority of the House at or following the Organization

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2543 Session following the biennium during which such prohibition or
 2544 other limitation was imposed.

2545

2546 RULE EIGHTEEN ~~PART TWO~~ COMPLAINTS AGAINST MEMBERS AND
 2547 OFFICERS OF THE HOUSE, LOBBYISTS, AND OTHER PERSONS

2548

2549 18.1 ~~16.2~~ Complaints against Members and Officers of the House,
 2550 Lobbyists, and Other Persons; Procedure

2551 Rule 18 governs ~~The following rules govern~~ proceedings on all
 2552 complaints under the jurisdiction of the House. Such complaints
 2553 include:

2554 (a) Those alleging violation of law, violation of the
 2555 House Code of Conduct, or improper conduct of a member or
 2556 officer that may reflect upon the House; or

2557 (b) ~~Violations of law or of the House Code of Conduct by a~~
 2558 ~~member or officer, violations of administrative regulations of~~
 2559 ~~the House relating to the conduct of individuals in the~~
 2560 ~~performance of their duties as members or officers, or~~
 2561 ~~violations of the Rules of the House, Joint Rule One or~~ s.
 2562 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, ~~or any~~
 2563 ~~other applicable standard of conduct~~ by any lobbyist or person
 2564 other than a member of the House.

2565 ~~(a) Form and Content of a Complaint~~

2566 ~~(1) A complaint shall be in writing and under oath,~~
 2567 ~~setting forth in simple, concise statements the following:~~

2568 a. ~~The name and legal address of the party filing the~~
 2569 ~~complaint (complainant).~~

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2570 ~~b. The name and position or title of the member or officer~~
 2571 ~~of the House or other person (respondent) alleged to have~~
 2572 ~~committed a violation under the jurisdiction of the House.~~

2573 ~~e. The nature of the alleged violation, based upon the~~
 2574 ~~personal knowledge of the complainant, including, if possible,~~
 2575 ~~the specific section of the House Code of Conduct, Joint Rule~~
 2576 ~~One, or law, rule, regulation, or other standard of conduct~~
 2577 ~~alleged to have been violated.~~

2578 ~~d. The facts alleged to have given rise to the violation.~~

2579 ~~(2) The complainant shall attach to the complaint all~~
 2580 ~~documents in the possession of the complainant that are relevant~~
 2581 ~~to and support the allegations of the complaint.~~

2582 ~~(3) A complaint may be withdrawn by the complainant at any~~
 2583 ~~time.~~

2584 ~~(b) Filing and Initial Processing of Complaints. All~~
 2585 ~~complaints shall be initially filed with the Speaker who shall~~
 2586 ~~then promptly forward the complaint to the Chair of the Rules &~~
 2587 ~~Calendar Council. The Chair of the Rules & Calendar Council~~
 2588 ~~shall initially review all complaints.~~

2589 ~~(1) Upon receipt of a complaint, the Rules & Calendar~~
 2590 ~~Council shall note the date of receipt.~~

2591 ~~(2) If the complaint is against the Chair of the Rules &~~
 2592 ~~Calendar Council, the chair shall return the complaint to the~~
 2593 ~~Speaker. If the complaint alleges a violation by an employee of~~
 2594 ~~the House, the chair shall return the complaint to the Speaker~~
 2595 ~~for disposition as provided in Rule 4.3.~~

2596 ~~(3) The chair shall, within 5 days (excluding Saturdays,~~
 2597 ~~Sundays, and official state holidays), notify the member,~~

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2598 ~~lobbyist, or other person against whom the complaint has been~~
 2599 ~~filed and provide such member, lobbyist, or other person with a~~
 2600 ~~copy of the complaint. For purposes of these rules, a complaint~~
 2601 ~~against a lobbying firm shall be treated as a complaint against~~
 2602 ~~each lobbyist who is a partner, owner, officer, or employee of~~
 2603 ~~the lobbying firm. For purposes of Rule 16, the term "person"~~
 2604 ~~includes any principal regardless of the organizational form of~~
 2605 ~~the principal.~~

2606 ~~(4) The chair shall, within 20 days:~~

2607 ~~a. Examine each complaint for jurisdiction and compliance~~
 2608 ~~with subsection (a). If the chair determines that a complaint~~
 2609 ~~does not comply with such rule, the complaint shall be returned~~
 2610 ~~to the complainant with a general statement that the complaint~~
 2611 ~~is not in compliance with such rule and with a copy of the rule.~~
 2612 ~~A complainant may resubmit a complaint, provided such complaint~~
 2613 ~~is resubmitted prior to the expiration of the time limitation~~
 2614 ~~set forth in subsection (1);~~

2615 ~~b. Dismiss the complaint and notify the complainant and~~
 2616 ~~the respondent of such action if the chair determines that the~~
 2617 ~~verified complaint does not allege facts sufficient to~~
 2618 ~~constitute a violation under the jurisdiction of the House;~~

2619 ~~e. Attempt to correct or prevent the alleged violation by~~
 2620 ~~informal means if the chair determines that a violation is~~
 2621 ~~inadvertent, technical, or otherwise de minimis; or~~

2622 ~~d. Transmit a copy of the complaint to the Speaker and, in~~
 2623 ~~writing, request the appointment of a Probable Cause Panel or~~
 2624 ~~Special Investigator regarding the complaint, if the chair~~
 2625 ~~determines that such a complaint does allege facts sufficient to~~

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2626 ~~constitute a violation under the jurisdiction of the House and~~
 2627 ~~that the complaint is not de minimis. A copy of the letter shall~~
 2628 ~~be provided to the complainant and the respondent.~~

2629 ~~(c) Appointment of Probable Cause Panel or Special~~
 2630 ~~Investigator~~

2631 ~~(1) Creation. When the Speaker receives a copy of a~~
 2632 ~~complaint and a request for appointment made pursuant to~~
 2633 ~~subsection (b), and whenever the Speaker receives audit~~
 2634 ~~information indicating a possible violation of s. 11.045,~~
 2635 ~~Florida Statutes, other than a late-filed report by a lobbying~~
 2636 ~~firm (which shall be treated as the respondent for purposes of~~
 2637 ~~this rule), the Speaker shall, within 20 days, either appoint a~~
 2638 ~~Probable Cause Panel (panel) consisting of an odd number of~~
 2639 ~~members or appoint a Special Investigator. If the Speaker~~
 2640 ~~appoints a panel, the Speaker shall also designate one member of~~
 2641 ~~the panel as its chair. The Speaker may appoint up to two~~
 2642 ~~additional persons who are not members of the House to serve as~~
 2643 ~~nonvoting, public members of a panel.~~

2644 ~~(2) Powers and Duties. The panel or the Special~~
 2645 ~~Investigator shall have the following powers and duties:~~

2646 ~~a. Investigate complaints and possible violations~~
 2647 ~~resulting from audits, and promptly make appropriate findings of~~
 2648 ~~fact regarding allegations of improper conduct sufficient to~~
 2649 ~~establish probable cause of the violations complained of.~~

2650 ~~b. Based upon an investigation by the panel or Special~~
 2651 ~~Investigator, make and report findings of probable cause to the~~
 2652 ~~Speaker and to the House as they relate to the underlying~~
 2653 ~~complaint.~~

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2654 ~~e. Recommend to the Rules & Calendar Council such~~
 2655 ~~additional rules or regulations as the panel or the Special~~
 2656 ~~Investigator shall determine are necessary or desirable to~~
 2657 ~~ensure proper standards of conduct by members and officers of~~
 2658 ~~the House in the performance of their duties or by lobbyists or~~
 2659 ~~others regulated by s. 11.045, s. 112.3148, or s. 112.3149,~~
 2660 ~~Florida Statutes.~~

2661 ~~d. Adopt rules of procedure as appropriate.~~

2662 ~~(3) Quorum. A quorum of a panel, when appointed, shall~~
 2663 ~~consist of a majority of the members of the panel. All action by~~
 2664 ~~a panel shall require the concurrence of a majority of the full~~
 2665 ~~panel.~~

2666 ~~(4) Term. A panel or Special Investigator, as appropriate,~~
 2667 ~~shall serve until the complaint that occasioned the appointment~~
 2668 ~~of the panel or the Special Investigator has been dismissed or~~
 2669 ~~until a finding of probable cause has been transmitted to the~~
 2670 ~~Speaker.~~

2671 ~~(d) Preliminary Investigation and Probable Cause Finding~~
 2672 ~~by Probable Cause Panel or Special Investigator~~

2673 ~~(1) Preliminary Investigation~~

2674 ~~a. The panel or the Special Investigator shall provide the~~
 2675 ~~respondent an opportunity to present to the panel, Special~~
 2676 ~~Investigator, or staff of the panel, orally or in writing, a~~
 2677 ~~statement responding to the allegations set forth in the~~
 2678 ~~complaint.~~

2679 ~~b. The panel, Special Investigator, or staff of the panel~~
 2680 ~~may interview witnesses and examine documents and other~~
 2681 ~~evidentiary matters.~~

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2682 ~~e. The panel or Special Investigator may order the~~
 2683 ~~testimony of witnesses to be taken under oath, in which event~~
 2684 ~~the oath may be administered by the chair or any other member of~~
 2685 ~~the panel, by the Special Investigator, or by any person~~
 2686 ~~authorized by law to administer oaths.~~

2687 ~~d. The panel or Special Investigator may require, by~~
 2688 ~~subpoena issued pursuant to these rules or otherwise, the~~
 2689 ~~attendance and testimony of witnesses and the production of such~~
 2690 ~~books, records, correspondence, memoranda, papers, documents,~~
 2691 ~~and other items as it deems necessary to the conduct of the~~
 2692 ~~inquiry.~~

2693 ~~(2) Probable Cause Finding~~

2694 ~~a. Findings~~

2695 ~~1. The panel, by a recorded vote of a majority of the full~~
 2696 ~~panel, or the Special Investigator, as appropriate, shall~~
 2697 ~~determine whether there is probable cause to conclude that a~~
 2698 ~~violation within the jurisdiction of the panel or the Special~~
 2699 ~~Investigator has occurred.~~

2700 ~~2. If the panel or Special Investigator, as appropriate,~~
 2701 ~~finds that probable cause does not exist, the panel or Special~~
 2702 ~~Investigator shall dismiss the complaint and notify the~~
 2703 ~~complainant and the respondent of its determination.~~

2704 ~~3. If the panel or Special Investigator, as appropriate,~~
 2705 ~~determines that probable cause exists to believe that a~~
 2706 ~~violation occurred but that the violation, if proven, is de~~
 2707 ~~minimis or is not sufficiently serious to justify expulsion,~~
 2708 ~~censure, reprimand, or the imposition of a penalty pursuant to~~
 2709 ~~Rule 16.4, the panel or Special Investigator may recommend an~~

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2710 ~~appropriate lesser penalty or may resolve the complaint~~
 2711 ~~informally. If the respondent agrees, a summary of the panel's~~
 2712 ~~or Special Investigator's conclusions, as appropriate, shall be~~
 2713 ~~published in the *Journal* and the penalty agreed upon shall be~~
 2714 ~~imposed. If the panel or Special Investigator is unable to~~
 2715 ~~satisfactorily settle the complaint, the complaint shall be~~
 2716 ~~subject to a full evidentiary hearing before the Select~~
 2717 ~~Committee on Standards of Official Conduct.~~

2718 ~~4. If the panel or Special Investigator determines that~~
 2719 ~~probable cause exists to believe that a violation occurred and~~
 2720 ~~that, if proven, would be sufficiently serious to justify~~
 2721 ~~expulsion, censure, reprimand, or the imposition of a penalty~~
 2722 ~~pursuant to Rule 16.4, the panel or Special Investigator shall~~
 2723 ~~transmit to the Speaker a Statement of Alleged Violation. The~~
 2724 ~~statement shall be divided into counts, and each count shall be~~
 2725 ~~related to a separate violation and shall contain a plain and~~
 2726 ~~concise statement of the alleged facts of such violation,~~
 2727 ~~including a reference to the provision of the House Code of~~
 2728 ~~Conduct, Joint Rule One, or law, rule, regulation, or other~~
 2729 ~~standard of conduct alleged to have been violated. A copy of the~~
 2730 ~~statement shall be furnished to each respondent.~~

2731 ~~b. Collateral Proceedings. If the complaint against a~~
 2732 ~~member or officer of the House has been the subject of action~~
 2733 ~~before any other body, the panel or Special Investigator may~~
 2734 ~~forward the complaint directly to a hearing pursuant to~~
 2735 ~~subsection (c).~~

2736 ~~(c) Select Committee on Standards of Official Conduct~~

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2737 ~~(1) Select Committee on Standards of Official Conduct. The~~
 2738 ~~Speaker shall appoint a Select Committee on Standards of~~
 2739 ~~Official Conduct (select committee) within 20 days after receipt~~
 2740 ~~by the Speaker of a Statement of Alleged Violation or findings~~
 2741 ~~by the Commission on Ethics regarding a member of the House. The~~
 2742 ~~select committee shall hold hearings regarding the statement,~~
 2743 ~~hold hearings to determine whether a violation has occurred,~~
 2744 ~~and, if appropriate, make a recommendation for disciplinary~~
 2745 ~~action or other punishment to the full House.~~

2746 ~~(2) Referee. The select committee may, in its discretion~~
 2747 ~~and with the approval of the Speaker, employ a referee to~~
 2748 ~~preside over the proceedings, to hear testimony, and to make~~
 2749 ~~findings of fact and recommendations to the select committee~~
 2750 ~~concerning the disposition of complaints. A hearing before a~~
 2751 ~~referee shall follow the rules of procedure and evidence~~
 2752 ~~applicable to a hearing before the select committee. A referee~~
 2753 ~~shall prepare a proposed recommended order and file it, together~~
 2754 ~~with the record of the hearing, with the select committee.~~
 2755 ~~Copies of the proposed recommended order shall be served on all~~
 2756 ~~parties. The proposed recommended order shall contain the time~~
 2757 ~~and place of the hearing, appearances entered at the hearing,~~
 2758 ~~issues, and proposed findings of fact and conclusions of law.~~
 2759 ~~The respondent and the independent counsel (or the committee's~~
 2760 ~~legal advisor) may file written exceptions with the select~~
 2761 ~~committee in response to a referee's recommended order.~~
 2762 ~~Exceptions shall be filed within 20 days after service of the~~
 2763 ~~recommended order unless such time is extended by the referee or~~
 2764 ~~the chair of the select committee.~~

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2765 ~~(3) Independent Counsel. The Select Committee on Standards~~
 2766 ~~of Official Conduct is authorized to retain and compensate~~
 2767 ~~counsel not regularly employed by the House, as authorized by~~
 2768 ~~the Speaker.~~

2769 ~~(4) Consent Decree. At any point during which the select~~
 2770 ~~committee has jurisdiction over the complaint, the respondent~~
 2771 ~~and the select committee may agree to a consent decree. The~~
 2772 ~~consent decree shall state findings of fact and shall be~~
 2773 ~~published in the Journal. The consent decree shall contain such~~
 2774 ~~penalty as may be appropriate. If the House accepts the consent~~
 2775 ~~decree, the complaint pursuant to these proceedings shall be~~
 2776 ~~resolved. If the House does not accept the consent decree, the~~
 2777 ~~proceedings before the select committee shall resume.~~

2778 ~~(f) Adjudicatory Hearing by Select Committee~~

2779 ~~(1) Hearing. A hearing regarding a violation charged in a~~
 2780 ~~Statement of Alleged Violation or, in the case of a member, a~~
 2781 ~~hearing regarding a complaint and findings by the Commission on~~
 2782 ~~Ethics, shall be held promptly to receive evidence upon which to~~
 2783 ~~base findings of fact and recommendations, if any, to the House~~
 2784 ~~respecting such violation.~~

2785 ~~a. Chair. The chair of the select committee or other~~
 2786 ~~member presiding at a hearing shall rule upon any question of~~
 2787 ~~admissibility of testimony or evidence presented to the select~~
 2788 ~~committee. Rulings shall be final unless reversed or modified by~~
 2789 ~~a majority vote of the members of the select committee. If the~~
 2790 ~~select committee appoints a referee, the referee shall make all~~
 2791 ~~evidentiary rulings.~~

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2792 ~~b. Prosecutor. With respect to complaints against members,~~
 2793 ~~the select committee shall serve as prosecutor for hearings and~~
 2794 ~~staff of the select committee shall serve as legal advisor. For~~
 2795 ~~all hearings involving a lobbyist or others regulated by s.~~
 2796 ~~11.045, s. 112.3148, or s. 112.3149, Florida Statutes, the staff~~
 2797 ~~of the select committee shall serve as prosecutor. In any case,~~
 2798 ~~the select committee may retain independent counsel to serve as~~
 2799 ~~prosecutor.~~

2800 ~~e. Respondent's Rights. A respondent shall have the right~~
 2801 ~~to be represented by legal counsel, to call witnesses, to~~
 2802 ~~introduce exhibits, and to cross-examine opposing witnesses. A~~
 2803 ~~respondent or respondent's counsel shall be permitted to take~~
 2804 ~~the deposition of the complainant in accordance with~~
 2805 ~~subparagraph (2)b.~~

2806 ~~d. Complainant's Rights. The complainant is not a party to~~
 2807 ~~any part of the complaint process or these proceedings. The~~
 2808 ~~complainant has no standing to challenge these rules or~~
 2809 ~~procedures and has no right to appeal. The complainant may~~
 2810 ~~submit a list of witnesses or questions for the select~~
 2811 ~~committee's consideration to assist in its preparation for the~~
 2812 ~~hearing.~~

2813 ~~(2) Rules of Procedure and Evidence. The select committee~~
 2814 ~~may adopt formal and informal rules of procedure as appropriate~~
 2815 ~~to its needs. The select committee may consider any reliable~~
 2816 ~~evidence as it sees fit. The following minimum rules of~~
 2817 ~~procedure and evidence shall apply:~~

2818 ~~a. Evidence. Irrelevant, immaterial, or unduly repetitious~~
 2819 ~~evidence shall be excluded, but all other evidence of a type~~

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2820 ~~commonly relied upon by reasonably prudent persons in the~~
 2821 ~~conduct of their affairs shall be admissible, regardless of~~
 2822 ~~whether such evidence would be admissible in a trial in the~~
 2823 ~~courts of Florida. However, hearsay evidence may not be used~~
 2824 ~~unless it would be admissible under the Florida Rules of~~
 2825 ~~Evidence and shall not be sufficient in itself to support a~~
 2826 ~~factual finding unless it would be admissible over objection in~~
 2827 ~~civil actions.~~

2828 ~~b. Discovery. Discovery may be permitted upon motion,~~
 2829 ~~which shall state the reason therefor. Discovery shall be in~~
 2830 ~~accordance with the Florida Rules of Civil Procedure but may be~~
 2831 ~~limited in time, scope, and method by the chair or the referee.~~

2832 ~~c. Testimony. The select committee shall order the~~
 2833 ~~testimony of witnesses to be taken under oath. The oath may be~~
 2834 ~~administered by the chair or a member of the select committee,~~
 2835 ~~by any referee, or by any person authorized by law to administer~~
 2836 ~~oaths.~~

2837 ~~d. Subpoenas. The select committee may require, by~~
 2838 ~~subpoena issued pursuant to these rules or otherwise, the~~
 2839 ~~attendance and testimony of witnesses and the production of such~~
 2840 ~~books, records, correspondence, memoranda, papers, documents,~~
 2841 ~~and other items as it deems necessary to the conduct of the~~
 2842 ~~inquiry.~~

2843 ~~e. Order of Hearing. The order of the full hearing before~~
 2844 ~~the select committee or the referee shall be as follows:~~

2845 ~~1. The chair or the referee shall open the hearing by~~
 2846 ~~stating the select committee's authority to conduct the hearing,~~
 2847 ~~the purpose of the hearing, and its scope.~~

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2848 ~~2. Testimony from witnesses and other evidence pertinent~~
 2849 ~~to the subject of the hearing shall be received in the following~~
 2850 ~~order, whenever possible: witnesses and other evidence offered~~
 2851 ~~by the independent counsel, witnesses and other evidence offered~~
 2852 ~~by the respondent, and rebuttal witnesses. The select committee~~
 2853 ~~may call witnesses at any time during the proceedings.~~

2854 ~~3. Witnesses at the hearing shall be examined first by the~~
 2855 ~~independent counsel or by the staff of the select committee, as~~
 2856 ~~the case may be. The respondent or the respondent's counsel may~~
 2857 ~~then cross-examine the witnesses. The members of the select~~
 2858 ~~committee may then question the witnesses. Redirect and recross~~
 2859 ~~may be permitted at the chair's or the referee's discretion.~~
 2860 ~~With respect to witnesses offered by the respondent, a witness~~
 2861 ~~shall be examined first by the respondent or the respondent's~~
 2862 ~~counsel and then may be cross-examined by the independent~~
 2863 ~~counsel or by the staff of the select committee, as the case may~~
 2864 ~~be. Members of the select committee may then question the~~
 2865 ~~witness. Redirect and recross may be permitted at the chair's or~~
 2866 ~~the referee's discretion. Participation by the select committee~~
 2867 ~~at the hearing stage is at the sole discretion of the select~~
 2868 ~~committee and is not mandatory.~~

2869 ~~(3) Burden of Proof. At the hearing, the burden of proof~~
 2870 ~~rests on the appointed independent counsel or the staff of the~~
 2871 ~~select committee, as the case may be, to establish the facts~~
 2872 ~~alleged by clear and convincing evidence with respect to each~~
 2873 ~~count.~~

2874 ~~(4) Committee Deliberations. As soon as practicable, the~~
 2875 ~~select committee shall consider each count contained in a~~

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2876 ~~Statement of Alleged Violation, in a complaint and findings, or~~
 2877 ~~in a proposed recommended order, as the case may be. A count~~
 2878 ~~shall not be proven unless at least a majority of the members of~~
 2879 ~~the select committee vote for a motion that the count has been~~
 2880 ~~proved. A count that is not proved shall be considered as~~
 2881 ~~dismissed by the select committee.~~

2882 ~~(5) Dismissal of Complaint. If the select committee finds~~
 2883 ~~that the respondent has not violated any of the provisions under~~
 2884 ~~jurisdiction of the House, it shall order the action dismissed~~
 2885 ~~and shall notify the respondent and the complainant of such~~
 2886 ~~action. The select committee shall, in writing, state its~~
 2887 ~~findings of fact regarding the dismissal.~~

2888 ~~(6) Report to the House. If the select committee finds~~
 2889 ~~that the respondent has violated any of the provisions under the~~
 2890 ~~jurisdiction of the House, it shall, in writing, state its~~
 2891 ~~findings of fact and submit a report to the House. A copy of the~~
 2892 ~~report shall be sent to the respondent and the complainant and~~
 2893 ~~shall be published in the Journal. With respect to any violation~~
 2894 ~~that the select committee has voted as proved, the select~~
 2895 ~~committee may recommend to the House that the respondent be~~
 2896 ~~penalized as authorized by the Rules of the House.~~

2897
 2898 18.2-Violations; Investigations

2899 (a) Any person may file a sworn complaint with the Chair
 2900 of the Rules & Calendar Committee alleging a violation as
 2901 provided in Rule 18.1. The complaint shall be based on personal
 2902 knowledge of the complainant, shall state detailed facts, shall
 2903 specify the actions of the named respondent which form the basis

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2904 for the complaint, and shall identify each specific rule or law
 2905 alleged by the complainant to have been violated.

2906 (b) Upon a determination by the Chair of the Rules &
 2907 Calendar Committee that the complaint states facts supporting a
 2908 finding of probable cause, the Speaker shall refer the complaint
 2909 to a special master or to a select committee. Upon a
 2910 determination by the Chair of the Rules & Calendar Committee
 2911 that the complaint fails to state facts supporting a finding of
 2912 probable cause, the complaint shall be dismissed.

2913 (c) Upon referral by the Speaker of a complaint under
 2914 subsection (b), the special master or select committee shall
 2915 conduct an investigation, shall give reasonable notice to the
 2916 respondent, and shall grant the respondent an opportunity to be
 2917 heard unless the investigation fails to reveal facts supporting
 2918 a finding of probable cause. A special master's or select
 2919 committee's report and recommendation is advisory only and shall
 2920 be presented to the Chair of the Rules & Calendar Committee as
 2921 soon as practicable after the close of the investigation. If the
 2922 report and recommendation conclude that the facts do not support
 2923 a finding of probable cause, the complaint shall be dismissed by
 2924 the Chair of the Rules & Calendar Committee.

2925 (d) If the complaint is not dismissed by the special
 2926 master or the select committee, the Rules & Calendar Committee
 2927 shall consider the report and recommendation, shall grant the
 2928 respondent an opportunity to be heard, and shall develop its own
 2929 recommendation. If the complaint is against the Chair of the
 2930 Rules & Calendar Committee, the chair is excused and the vice
 2931 chair shall conduct the deliberation. If the Rules & Calendar

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2932 Committee votes to dismiss the complaint, the Chair of the Rules
 2933 & Calendar Committee or vice chair shall dismiss the complaint.
 2934 Otherwise, the special master's or select committee's report and
 2935 recommendation and the recommendation of the Rules & Calendar
 2936 Committee shall be presented to the Speaker.

2937 (e) The Speaker shall present the committee's
 2938 recommendation, along with the special master's report and
 2939 recommendation, to the House for final action.

2940 (f) Nothing in this rule prohibits the Chair of the Rules
 2941 & Calendar Committee from correcting or preventing the alleged
 2942 violation by informal means if the chair determines that a
 2943 violation is inadvertent, technical, or otherwise *de minimis*.

2944 (g) Nothing in this rule prohibits the respondent and the
 2945 Chair of the Rules & Calendar Committee, the special master, or
 2946 a select committee from agreeing to a consent decree, which
 2947 shall state findings of fact, and such penalty as may be
 2948 appropriate. If the House accepts the consent decree, the
 2949 complaint pursuant to these rules shall be resolved.

2950 (h) The House may move forward with disciplinary
 2951 proceedings without waiting for the outcome of a criminal case.

2952
 2953 ~~18.3-(g) Confidentiality-~~

2954 Any material provided to the House in response to a complaint
 2955 filed under Rule 18 ~~this rule~~ that is confidential under
 2956 applicable law shall remain confidential and shall not be
 2957 disclosed except as authorized by applicable law. Except as
 2958 otherwise provided in this rule ~~subsection~~, a complaint and the
 2959 records relating to a complaint shall be available for public

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2960 inspection upon the dismissal of a complaint ~~by the Chair of the~~
 2961 ~~Rules & Calendar Council~~, a determination as to probable cause,
 2962 ~~or~~ informal resolution of a complaint ~~by a Special Investigator~~
 2963 ~~or Probable Cause Panel~~, or the receipt by the Speaker of a
 2964 request in writing from the respondent that the complaint and
 2965 other records relating to the complaint be made public records.

2966 ~~(h) Attorney's Fees. With respect to complaints filed~~
 2967 ~~against a member, when a panel or a Special Investigator finds~~
 2968 ~~that probable cause does not exist or the select committee finds~~
 2969 ~~that the respondent has not violated any of the provisions of~~
 2970 ~~the House Code of Conduct, Joint Rule One, or a law, rule,~~
 2971 ~~regulation, or other standard of conduct, the panel, the Special~~
 2972 ~~Investigator, or the select committee may recommend to the~~
 2973 ~~Speaker that the reasonable attorney's fees and costs incurred~~
 2974 ~~by the respondent be paid by the House. Payment of such~~
 2975 ~~reasonable fees and costs shall be subject to the approval of~~
 2976 ~~the Speaker.~~

2977
 2978 18.4 ~~(i) Conflict.~~
 2979 If a complaint is filed against the Chair of the Rules &
 2980 Calendar Committee Council, the initial review of the complaint
 2981 shall be managed by the Speaker or, if designated by the
 2982 Speaker, the Speaker pro tempore. If a complaint is filed
 2983 against the Speaker, the duties of the Speaker pursuant to Rule
 2984 18 ~~this rule~~ shall be transferred to the Speaker pro tempore.

2985 ~~(j) Collateral Actions~~
 2986 ~~(1) Criminal Actions. Any criminal complaints relating to~~
 2987 ~~members shall be governed by these rules.~~

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2988 ~~(2) Commissions or Quasi-Judicial Agencies with Concurrent~~
 2989 ~~Jurisdiction. If a complaint against a member or an officer of~~
 2990 ~~the House is filed with a commission or quasi-judicial agency~~
 2991 ~~with concurrent jurisdiction, the Chair of the Rules & Calendar~~
 2992 ~~Council, a Probable Cause Panel or a Special Investigator, and~~
 2993 ~~the select committee shall have the discretion to refrain from~~
 2994 ~~processing a similar complaint until such commission or quasi-~~
 2995 ~~judicial agency has completed its review of the matter. If such~~
 2996 ~~a complaint is filed initially with the Speaker and subsequently~~
 2997 ~~filed with a commission or quasi-judicial agency with concurrent~~
 2998 ~~jurisdiction, the Chair of the Rules & Calendar Council, the~~
 2999 ~~panel, the Special Investigator, and the select committee shall~~
 3000 ~~have the discretion to suspend their proceedings until all such~~
 3001 ~~commissions and agencies have completed their review of the~~
 3002 ~~matter.~~

3003 ~~(k) Ex Parte Communications~~

3004 ~~(1) A Special Investigator or a member of a panel or~~
 3005 ~~select committee shall not initiate or consider any ex parte~~
 3006 ~~communication relative to the merits of a pending complaint~~
 3007 ~~proceeding by:~~

3008 ~~a. Any person engaged in prosecution or advocacy in~~
 3009 ~~connection with the matter; or~~

3010 ~~b. A party to the proceeding or any person who, directly~~
 3011 ~~or indirectly, would have a substantial interest in the action~~
 3012 ~~of a panel, Special Investigator, or select committee, or~~
 3013 ~~authorized representatives or counsel thereof.~~

3014 ~~(2) Except when acting in an official capacity as a~~
 3015 ~~Special Investigator, a member of a panel or a select committee~~

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3016 ~~shall not comment upon or discuss with any other person the~~
 3017 ~~matters that occasioned the appointment of the Special~~
 3018 ~~Investigator, panel, or select committee during the pendency of~~
 3019 ~~proceedings held pursuant to this rule. This subsection shall~~
 3020 ~~not apply to communications initiated or considered by the~~
 3021 ~~Special Investigator or the chair of the panel or select~~
 3022 ~~committee relating to a settlement or to a consent decree.~~

3023

3024 18.5~~(1)~~ Time Limitations

3025 (a)~~(1)~~ A complaint must be filed with the Speaker within 2
 3026 years after the alleged violation.

3027 (b)~~(2)~~ A violation of the House Code of Conduct is
 3028 committed when every element necessary to establish a violation
 3029 of the rule has occurred, and time starts to run on the day
 3030 after the violation occurred.

3031 (c)~~(3)~~ The applicable period of limitation is tolled on
 3032 the day a sworn complaint against the member or officer is filed
 3033 with the Speaker. ~~If it can be concluded from the face of the~~
 3034 ~~complaint that the applicable period of limitation has run, the~~
 3035 ~~allegations shall not be considered a complaint for the purpose~~
 3036 ~~of requiring action by the Chair of the Rules & Calendar~~
 3037 ~~Council. The complaint and all material related thereto shall~~
 3038 ~~remain confidential.~~

