

The Rules



of the
Florida House of Representatives
and the
Joint Rules
of the Florida Legislature
2022-2024

Paul Renner, Speaker
Adopted in Organization Session
November 22, 2022

PROVISIONAL

**RULES OF THE
FLORIDA HOUSE OF REPRESENTATIVES**

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House Resolution

A resolution establishing the Rules of the House of Representatives of the State of Florida for the 2022-2024 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 2022-2024 term:

RULES OF THE FLORIDA HOUSE OF REPRESENTATIVES

RULE ONE—LEGISLATIVE ORGANIZATION

1.1—Officers of the House

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

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

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

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

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

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

33 |

34 | 1.2—Political Party Conferences

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

37 |

38 | 1.3—Seating Challenges

39 | In the case of a contest for a seat in the House, notice setting
40 | forth the specific grounds of such contest and the supporting
41 | evidence must have been received by the Clerk not less than 5
42 | days before the organization session of the Legislature. No
43 | motion to disqualify a member shall be in order at the
44 | organization session until a Speaker has been elected in
45 | accordance with the State Constitution. In the case of a special
46 | election, notice must have been received by the Clerk not less
47 | than 5 days before the next regular or special session convenes.
48 | If the election is during a session or less than 5 days before
49 | the next session, the notice must have been received on the next
50 | legislative day following the receipt of certified election

51 results. A contest setting forth facts sufficient to warrant
 52 review shall be referred by the Speaker to an appropriate
 53 committee or subcommittee. The committee or subcommittee shall
 54 conduct hearings as required and report its findings and
 55 recommendations to the House. Upon receipt of the committee or
 56 subcommittee report, the House shall convene with all dispatch
 57 to determine the contest by a majority vote.

58

59 RULE TWO—POWERS, DUTIES, AND RIGHTS OF THE SPEAKER

60

61 2.1—Presiding

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

65

66 2.2—Interpreting Rules

67 The Speaker shall interpret, apply, and enforce the Rules of the
 68 House.

69

70 2.3—Deciding Questions of Order

71 (a) DETERMINATION BY THE SPEAKER. All questions of order
 72 shall be presented to the Speaker for determination. The Speaker
 73 may require the member raising a point of order to cite the rule
 74 or other authority in support of the question. The Speaker may
 75 decide the question of order, put such question to the House, or

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76 refer such question to the chair of the Rules Committee for a
77 recommendation to the Speaker. Any decision of the Speaker on a
78 point of order is subject to an appeal to the House made timely
79 and separately by any five members.

80 (b) QUESTIONS OF ORDER ARISING IN COMMITTEE OR
81 SUBCOMMITTEE. A question of order may be certified by a
82 committee or subcommittee chair to the Speaker for determination
83 as any other question of order. A question of order decided in
84 committee or subcommittee may be appealed to the Speaker,
85 provided the appeal is announced in the committee or
86 subcommittee meeting, presented in writing, signed by two
87 members of the committee or subcommittee, and delivered to the
88 applicable chair before 4:30 p.m. the next day (excluding
89 Saturdays, Sundays, and official state holidays). The appeal
90 must then be immediately certified by the chair to the Speaker,
91 who shall decide the question as any other question of order.
92 The certification or appeal of a question arising in committee
93 or subcommittee does not constitute an automatic stay of further
94 action on the measure to which the question relates.

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

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

103
 104 2.4-Execution of Documents

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

110
 111 2.5-Appointment of a Temporary Presiding Officer

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

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

123 (c) Upon the Speaker's incapacity or other inability to
 124 serve, the Speaker pro tempore shall exercise the duties,

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125 | powers, and prerogatives of the Speaker during the period of
 126 | such incapacity or other inability to serve.

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

131 |

132 | 2.6—Protecting the Interests of the House

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

140 |

141 | 2.7—Control of House Facilities

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

145 |

146 | RULE THREE—MEMBERS

147 |

148 | 3.1—Membership

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149 The House shall exercise its right to be the sole judge of the
 150 qualifications, elections, and returns of its members.

151

152 3.2-Voting Obligation

153 Except when abstention is required, every member shall have an
 154 obligation to vote on all matters that come before the House in
 155 session or before any committee or subcommittee to which the
 156 member is appointed. A member may not vote by proxy. A member
 157 may register an electronic vote in the Chamber for another
 158 member at the other member's specific request and direction,
 159 provided the requesting member is in the Chamber during the
 160 vote.

161 (a) ABSTENTION ON MATTERS OF SPECIAL PRIVATE GAIN OR LOSS.
 162 A member may not vote on any measure that the member knows would
 163 inure to the member's special private gain or loss. The member
 164 must disclose the nature of the member's interest in the matter
 165 from which the member is required to abstain.

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

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

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

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

174 c. A relative or business associate of the member,
 175
 176 the member must disclose the nature of the interest of such
 177 person in the outcome of the vote.

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

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

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

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

196
 197 3.3-Attendance Obligation

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198 (a) COMMITTEE AND SUBCOMMITTEE MEETING ATTENDANCE. A
199 member shall attend all meetings of committees and subcommittees
200 to which appointed unless excused by the chair or by the
201 Speaker. Excuse from a House session shall constitute excuse
202 from that day's meetings. Failure to attend two meetings, unless
203 excused, shall constitute automatic removal from the committee
204 or subcommittee and create a vacancy. Upon notification of
205 automatic removal, the Speaker may make an appointment to fill
206 such vacancy.

207 (b) SESSION ATTENDANCE.

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

215 (2) Any member who has answered roll call, either orally
216 or by electronic means, at the opening of any daily session, or
217 who enters after the initial quorum call and informs the Clerk
218 of the member's presence, shall thereafter be presumed present
219 unless necessarily prevented or leave of absence is obtained
220 from the Speaker. The Speaker shall make any determination as to
221 whether a member was necessarily prevented.
222

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223 3.4-Open Meetings

224 (a) Subject to order and decorum, each member shall
225 provide reasonable access to members of the public to any
226 meeting between such member and more than one other member of
227 the Legislature, if such members of the public have requested
228 admission and such meeting has been prearranged for the purpose
229 of agreeing to take formal legislative action on pending
230 legislation or amendments at such meeting or at a subsequent
231 time.

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

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

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

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

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

265

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

267

268 4.1—The Clerk

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

271 (1) Be the custodian of all bills, resolutions, and
 272 memorials. No member or other person may take possession of an

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273 original bill, after filing, with the intention of depriving the
 274 Legislature of its availability for consideration.

275 (2) Provide for the keeping of a complete record of
 276 introduction and action on all bills, resolutions, and
 277 memorials, including each number, each sponsor, each cosponsor,
 278 a brief description of the subject matter, and each committee
 279 and subcommittee reference.

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

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

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

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

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

292
 293 4.2-The Sergeant at Arms

294 The Sergeant at Arms (hereinafter "Sergeant") serves at the
 295 pleasure of the Speaker. The Sergeant shall attend daily floor
 296 sessions of the House and maintain order under the direction of
 297 the Speaker or other presiding officer. In case of any

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298 disturbance or disorderly conduct within the Chamber, corridors,
299 passages, lobby, galleries, or rooms of the House, whether in
300 the Capitol or elsewhere, the Speaker may order the Sergeant to
301 suppress the same and may order the Sergeant to remove any
302 person creating any disturbance. The Sergeant will ensure that
303 no person is admitted to the Chamber except in accordance with
304 these rules or as directed by the Speaker. The Sergeant shall
305 oversee the security of the House and its members when engaged
306 in their constitutional duties and perform other duties under
307 the command and supervision of the Speaker.

308

309 4.3—The Employees

310 The Speaker shall employ all employees of the House and shall
311 determine their qualifications, duties, hours of work, and
312 compensation, including perquisites and other benefits. All
313 employees work for and serve at the pleasure of the Speaker. The
314 Speaker has the right to dismiss any employee of the House
315 without cause, and the pay of such employee shall stop on the
316 designated day of dismissal. Except when operating under
317 direction from a member with authority over the designated
318 employee, no House employee shall seek to influence the passage
319 or rejection of proposed legislation.

320

321 RULE FIVE—FORM AND INTRODUCTION OF BILLS, APPROPRIATIONS

322 PROJECTS

323
 324 5.1—"Bill" Stands for All Legislation
 325 Except when the context otherwise indicates, "bill," as used in
 326 these rules, means a bill, joint resolution, concurrent
 327 resolution, resolution, memorial, or other measure upon which a
 328 committee or subcommittee may be required to report.

329
 330 5.2—Member Bill Filing Deadline
 331 Filing deadlines for member bills shall be as follows:
 332 (a) No general bill, local bill, joint resolution,
 333 concurrent resolution (except one relating to extension of a
 334 session or legislative organization or procedures), substantive
 335 House resolution, or memorial shall be given first reading
 336 unless approved for filing with the Clerk no later than noon of
 337 the first day of the regular session.

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

341
 342 5.3—Limitation on Member Bills Filed
 343 (a) A member may not file more than seven bills for a
 344 regular session. For purposes of this rule, the member
 345 considered to have filed a bill is the first-named sponsor of
 346 the bill.

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347 (1) Of the seven bills for the 2023 Regular Session, at
 348 least two must be approved for filing with the Clerk no later
 349 than noon on January 24, 2023.

350 (2) Of the seven bills for the 2024 Regular Session, at
 351 least two must be approved for filing with the Clerk no later
 352 than noon on November 21, 2023.

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

354 (1) Local bills.

355 (2) Ceremonial House resolutions.

356 (3) Memorials.

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

359 (5) Trust fund bills adhering to and necessitated by the
 360 substance of another bill.

361 (6) Public records or public meetings exemption bills
 362 adhering to and necessitated by the substance of another bill.

363 (7) General bills implementing a joint resolution.

364 (8) Bills withdrawn from further consideration prior to
 365 the applicable filing deadline.

366 (9) Claim bills.

367

368 5.4—Forms of Measures; Sponsorship Transactions

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

371 (b) No member may be added or deleted as a sponsor of a
 372 bill without the member's consent. A member desiring to be added
 373 or withdrawn as a cosponsor must submit a request to the Clerk.
 374 A member desiring to be added or withdrawn as a prime cosponsor
 375 must submit a request to the House Bill Drafting Service. A
 376 request to be added as a cosponsor or prime cosponsor must be
 377 agreed to by the first-named sponsor.

378 (c) Bills that propose to amend existing provisions of law
 379 shall contain the full text of the section, subsection, or
 380 paragraph to be amended. As to those portions of general bills
 381 that propose to amend existing provisions of the Florida
 382 Statutes, words to be added shall be inserted in the text
 383 underlined, and words to be deleted shall be struck through with
 384 hyphens. If the change in language is so general that the use of
 385 these procedures would hinder, rather than assist, the
 386 understanding of the amendment, it is not necessary to use the
 387 coded indicators of words added or deleted, but, in lieu
 388 thereof, a notation similar to the following shall be inserted
 389 immediately preceding the affected section of the bill:

390 "Substantial rewording of section. See s. . . . , F.S., for
 391 present text." When such a notation is used, the notation, as
 392 well as the substantially reworded text, shall be underlined.
 393 The words to be deleted and the above-described indicators of
 394 such words and of new material are for information and guidance
 395 and do not constitute a part of the bill under consideration.

396 Numerals in the margins of the line-numbered pages do not
397 constitute a part of the bill and are shown on each page only
398 for convenience in identifying lines. Section catchlines of
399 existing text shall not be underlined, nor shall any other
400 portion of a bill covered by this rule other than new material.

401

402 5.5—Local Bills

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

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

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

416

417 5.6—Claim Bills

418 (a) The Speaker may appoint a Special Master to review a
419 claim bill or conduct a hearing, if necessary. The Special
420 Master may administer an oath to all witnesses, accept relevant

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421 documentary and tangible evidence offered as deemed necessary,
422 and record the hearing. The Special Master may prepare a final
423 report containing findings of fact, conclusions of law, and
424 recommendations. The report shall be signed by the Special
425 Master, who shall be available, in person, to explain his or her
426 report to any committee or subcommittee of reference.

427 (b) Stipulations entered into by the parties are not
428 binding on the Special Master or the House or any of its
429 committees or subcommittees.

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

436

437 5.7—Reviser's Bills

438 Reviser's bills shall be introduced by the Rules Committee,
439 which may request prior review by another committee or
440 subcommittee.

441

442 5.8—Joint Resolutions

443 (a) Joint resolutions are used to propose amendments to
444 the State Constitution and for legislative apportionment.

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445 (b) Joint resolutions shall contain a title and the
446 resolving clause "Be It Resolved by the Legislature of the State
447 of Florida:". Joint resolutions that propose to amend the State
448 Constitution shall contain the full text of the section to be
449 amended. As to those portions of joint resolutions that propose
450 to amend existing provisions of the State Constitution, words to
451 be added shall be inserted in the text underlined, and words to
452 be deleted shall be struck through with hyphens.

453

454 5.9-Concurrent Resolutions

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

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

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

469

470 5.10—Memorials

471 A memorial expresses the opinion of the Legislature to the
 472 Federal Government. All memorials shall contain the resolving
 473 clause "Be It Resolved by the Legislature of the State of
 474 Florida:".

475
 476 5.11—Substantive and Ceremonial House Resolutions

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

480 (b) Substantive House resolutions are used to express an
 481 opinion of the House or to regulate practice, procedure, and
 482 conduct of the House.

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

490 (1) Ceremonial House resolutions should recognize
 491 documented accomplishments of statewide interest and
 492 consequence.

493 (2) Ceremonial House resolutions should not honor specific
 494 individuals or private, government, or lobbying organizations

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495 | for activities performed within the normal course of their
496 | affairs.

497 | (3) Ceremonial House resolutions should not be filed for
498 | an organization that employs the sponsoring member.

499 | (4) Ceremonial House resolutions should not contain
500 | controversial or substantive policy statements.

501 | (5) Ceremonial House resolutions should not support or
502 | oppose pending legislation or funding requests.

503 | (d) Copies of House resolutions shall be furnished by the
504 | Clerk.

505

506 | 5.12-Tributes

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

511 | (b) Tributes shall be prepared in accordance with
512 | standards approved by the Speaker.

513

514 | 5.13-Bills Filed During an Interim

515 | During the period between the organization session and the
516 | convening of the first regular session of the legislative
517 | biennium and during the period between the first and second
518 | regular sessions of the legislative biennium, members may file

519 | for introduction bills that have been prepared or reviewed by
 520 | the House Bill Drafting Service.

521 |

522 | 5.14—Appropriations Projects

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

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

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

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

542 | d. A specified program, research initiative, institute,
 543 | center, or similar entity at a specific state college or

544 university, unless recommended by the Board of Governors or the
 545 State Board of Education in their Legislative Budget Request; or

546 e. A local water project.

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

548 a. Is specifically authorized by statute;

549 b. Is part of a statewide distribution to local
 550 governments; or

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

556 (b) Before an appropriations project may be included in
 557 the House General Appropriations Act, an appropriations project
 558 request form and an attestation form must be completed,
 559 electronically submitted, and published online in the manner and
 560 by the dates prescribed by the Speaker.

561 (1) An appropriations project request may be for
 562 nonrecurring funds only and may not include more than one
 563 appropriations project.

564 (2) The attestation must include verification under
 565 penalty of perjury by the organization or entity for which the
 566 appropriations project request was submitted that the
 567 information in the published appropriations project request form
 568 is true and accurate, that any inaccuracies will be promptly

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569 corrected, and that the organization or entity consents to
570 investigation of such information and any matter relevant
571 thereto.

572 (c) Except as provided in Joint Rule 2, a House bill is
573 out of order if it funds an appropriations project for which an
574 appropriations project request form and attestation form were
575 not submitted and published online pursuant to this rule.

576 (d) A House bill is out of order if a recurring
577 appropriation is used to fund an appropriations project.

578 (e) A House bill is out of order if it funds an
579 appropriations project that is not clearly identified.

580 (f) A House bill is out of order if it funds an
581 appropriations project in an amount less than 50 percent of the
582 amount of funding proposed in the published appropriations
583 project request form.

584 (g) The portion of an appropriations project which was
585 funded with recurring funds in the fiscal year 2016-2017 General
586 Appropriations Act as approved by the Governor and funded at the
587 same or lesser amount in subsequent fiscal years is exempt from
588 the requirements of subsections (c) and (d). If recurring
589 funding for an appropriations project is reduced in a conference
590 report on the General Appropriations Act in any fiscal year, the
591 appropriations project may receive no more than the reduced
592 amount of recurring funding in any subsequent fiscal year. If in
593 any year the recurring funds are eliminated in the conference

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594 report on the General Appropriations Act as approved by the
595 Governor, the appropriations project may not receive any
596 recurring funding in any subsequent fiscal year.

597

598 5.15—Requirements for Introduction

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

611 (b) The House Bill Drafting Service shall notify any
612 member proposing a bill of any identical or substantially
613 similar bill that has been filed and the name of the sponsor of
614 such bill.

615

616 5.16—Identification

617 Each bill shall be given a number and filed with the Clerk by
618 the House Bill Drafting Service. Bills shall be serially

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619 | numbered in an odd-numbered sequence, except that bills of a
620 | similar type may be serially numbered separately. The Clerk
621 | shall validate the original copy of each bill, and each page
622 | thereof, to ensure its identification as the item introduced in
623 | order to prevent unauthorized or improper substitutions
624 | therefor.

625

626 | 5.17—Companion Measures

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

641

642 | RULE SIX—REFERENCE

643

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644 6.1—Speaker to Refer Legislation

645 The authority to make bill referrals rests with the Speaker,
646 except as otherwise provided in these rules.

647

648 6.2—Reference: Generally

649 (a) Bills, upon filing or introduction, whether House or
650 Senate, may be referred by the Speaker to one or more committees
651 or subcommittees or any combination thereof or to the Calendar
652 of the House. The order of reference shall be determined by the
653 Speaker.

654 (b) References of bills and the nature of any documents
655 referred shall be recorded in the Journal.

656

657 6.3—Reference: Exception

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

661

662 6.4—Reference of Resolutions, Concurrent Resolutions: Exception

663 Resolutions on House organization and concurrent resolutions
664 pertaining to extension of the session may be taken up upon
665 motion and adopted at the time of introduction without
666 reference.

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668 6.5—Appropriations or Tax Measures: Withdrawal from a Fiscal
 669 Committee or Subcommittee; Additional Reference

670 (a) A bill in the possession of a fiscal committee or
 671 subcommittee that has been amended by report from a committee or
 672 subcommittee of previous reference to remove its fiscal impact
 673 may be withdrawn from the fiscal committee or subcommittee on a
 674 point of order raised by the committee chair of the fiscal
 675 committee having possession of the bill or jurisdiction over the
 676 subcommittee having possession of the bill.

677 (b) If an amendment adopted on the floor of the House
 678 affects an appropriation or a tax matter, upon a point of order
 679 made by the chair or vice chair of a fiscal committee, the bill
 680 may be referred by the Speaker, with the amendment, to an
 681 appropriate committee or subcommittee. If the bill, as amended
 682 on the floor, is reported favorably without further amendment,
 683 it shall be returned to the same reading as when referred. If
 684 the bill, as amended on the floor, is reported favorably with
 685 further amendment, it shall be returned to second reading.

686
 687 6.6—Policy Bills; Additional Reference
 688 Upon a point of order made by the chair of the Rules Committee,
 689 the bill, as amended, may be referred by the Speaker to an
 690 appropriate committee or subcommittee if an amendment or series
 691 of amendments adopted on the floor of the House:

692 (a) Substantially revises the bill; or

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

695
 696 If the bill, as amended on the floor, is reported favorably by
 697 the committee or subcommittee without further amendment, it
 698 shall be returned to the same reading as when referred. If the
 699 bill, as amended on the floor, is reported favorably by the
 700 committee or subcommittee with further amendment, it shall be
 701 returned to second reading.

702
 703 6.7—Reference of Veto Messages
 704 The Speaker may refer veto messages to the appropriate committee
 705 or subcommittee for a recommendation.

706
 707 RULE SEVEN—COMMITTEES AND SUBCOMMITTEES

708
 709 PART ONE—Organization

710
 711 7.1—Standing Committees and Subcommittees

712 (a) The following standing committees, and the standing
 713 subcommittees within their respective jurisdictions, are
 714 established:

- 715 (1) Appropriations Committee.
 716 a. Agriculture & Natural Resources Appropriations
 717 Subcommittee.

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- 718 b. Health Care Appropriations Subcommittee.
- 719 c. Higher Education Appropriations Subcommittee.
- 720 d. Infrastructure & Tourism Appropriations Subcommittee.
- 721 e. Justice Appropriations Subcommittee.
- 722 f. PreK-12 Appropriations Subcommittee.
- 723 g. State Administration & Technology Appropriations
- 724 Subcommittee.
- 725 (2) Commerce Committee.
- 726 a. Energy, Communications & Cybersecurity Subcommittee.
- 727 b. Insurance & Banking Subcommittee.
- 728 c. Regulatory Reform & Economic Development Subcommittee.
- 729 (3) Education & Employment Committee.
- 730 a. Choice & Innovation Subcommittee.
- 731 b. Education Quality Subcommittee.
- 732 c. Postsecondary Education & Workforce Subcommittee.
- 733 (4) Infrastructure Strategies Committee.
- 734 a. Agriculture, Conservation & Resiliency Subcommittee.
- 735 b. Transportation & Modals Subcommittee.
- 736 c. Water Quality, Supply & Treatment Subcommittee.
- 737 (5) Health & Human Services Committee.
- 738 a. Children, Families & Seniors Subcommittee.
- 739 b. Healthcare Regulation Subcommittee.
- 740 (6) Judiciary Committee.
- 741 a. Civil Justice Subcommittee.
- 742 b. Criminal Justice Subcommittee.

- 743 (7) Rules Committee.
- 744 (8) State Affairs Committee.
- 745 a. Constitutional Rights, Rule of Law & Government
- 746 Operations Subcommittee.
- 747 b. Ethics, Elections & Open Government Subcommittee.
- 748 c. Local Administration, Federal Affairs & Special
- 749 Districts Subcommittee.
- 750 (9) Ways & Means Committee.
- 751 (b) For purposes of these rules, the term "committee"
- 752 includes subcommittee, except where the context indicates
- 753 otherwise.

754

755 7.2—Committee and Subcommittee Appointments

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

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

758 each standing House committee and subcommittee. The Speaker may

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

760 committee, joint committee, and joint select committee created

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

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

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

764 Speaker has made committee and subcommittee appointments, the

765 Minority Leader may name a Minority Conference member of any

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

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

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7.3—Powers of the Chair

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

7.4—Absence of the Chair

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

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793 7.5—Term of Appointment

794 All standing committee or subcommittee chairs, vice chairs, and
795 members serve at the pleasure of the Speaker. All initial
796 standing committee and subcommittee appointments made by the
797 Speaker in accordance with Rule 7.2 shall be made before each
798 regular session is convened and shall expire on June 30 of odd-
799 numbered years or, if the Legislature is convened in special or
800 extended session on that date, upon adjournment sine die of such
801 session.

802

803 7.6—Creation of Select Committees

804 At any time, the Speaker may create a select committee and shall
805 appoint the membership and name the chair and vice chair. A
806 select committee may include the entire membership of the House.
807 A select committee has the jurisdiction, authority, and powers
808 and duties assigned to it by the Speaker and exists for the
809 period of time specified by the Speaker. The Speaker shall give
810 written notice of the creation of a select committee to the
811 Clerk for publication.

812

813 7.7—Ex officio Members

814 (a) The Speaker may designate the Speaker pro tempore, the
815 Majority Leader, or the Majority Whip as an ex officio, voting
816 member of any committee or subcommittee. In addition, the
817 Speaker may designate a committee chair as an ex officio, voting

818 member of any subcommittee within the committee's jurisdiction.
 819 Only one ex officio member may be designated by the Speaker to
 820 sit and vote at a time on any one committee or subcommittee.

821 (b) The Minority Leader may serve, or designate a Minority
 822 Conference member to serve, as an ex officio, voting member of
 823 any committee or subcommittee when a Minority Conference member
 824 appointed to that committee or subcommittee is absent. Only one
 825 ex officio member may serve or be designated by the Minority
 826 Leader at a time. The ex officio designation terminates upon the
 827 return of the absent member to that committee or subcommittee.

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

830 (d) The designation of an ex officio member shall be made
 831 in writing and addressed to the chair of the committee or
 832 subcommittee. Prior to the start of such meeting, a copy of such
 833 notice shall be provided to the Minority Leader if the
 834 designation is made by the Speaker, or to the Speaker when the
 835 Minority Leader intends to serve as or designates an ex officio
 836 member.

837
 838 7.8—Meetings of Committees and Subcommittees
 839 Committees and subcommittees shall meet only within the dates,
 840 times, and locations designated or authorized by the Speaker.
 841 Committees and subcommittees shall meet at the call of the
 842 chair.

843
 844 7.9—Consideration of Proposed Committee and Subcommittee Bills
 845 Before a standing committee or subcommittee may consider a
 846 proposed committee or subcommittee bill, the chair shall submit
 847 a written request to the Speaker for approval. A request for
 848 approval to consider a proposed subcommittee bill shall be
 849 cosigned by the chair of the committee with jurisdiction over
 850 the subcommittee. In introducing a proposed committee or
 851 subcommittee bill, the chair must designate a member of the
 852 originating committee or subcommittee as first-named cosponsor,
 853 with the approval of such member.

854
 855 PART TWO—Procedures in Committees and Subcommittees

856
 857 7.10—Scheduling Committee and Subcommittee Meetings

858 (a) NOTICE OF COMMITTEE AND SUBCOMMITTEE MEETINGS. Any
 859 committee or subcommittee meeting to be held for the purpose of
 860 considering legislation must be noticed. The committee or
 861 subcommittee administrative assistant shall provide electronic
 862 or paper copies of the notice to the Clerk for publication and
 863 to the House Majority Office, the House Minority Office, the
 864 members of the committee or subcommittee, and the first-named
 865 sponsor of each bill noticed.

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

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868 considered, the bill or proposed bill number and a portion of
869 the title sufficient for identification. Except with respect to
870 bills retained on reconsideration under Rule 7.15, only such
871 bills as are included on the notice of a committee or
872 subcommittee meeting may be considered at that meeting.

873 (c) PROPOSED BILLS TO BE AVAILABLE. A copy of each
874 proposed bill or proposed committee or subcommittee substitute
875 noticed for consideration must be available to each committee or
876 subcommittee member no later than the time of providing notice
877 of the meeting.

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

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

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892 session, the notice shall be provided no later than 2 hours
893 before the committee or subcommittee meeting.

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

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

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

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

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

918
 919 7.11—Amendment Deadlines and Standards in Committee and
 920 Subcommittee

921 (a) Amendments may be offered in any committee or
 922 subcommittee by any member of the House, and shall be filed with
 923 the committee or subcommittee subject to the following
 924 deadlines:

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

937 (3) During any special session, an amendment by a member
 938 who is not a member of the committee or subcommittee considering

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939 | the bill shall be filed no later than 1 hour before the
940 | committee or subcommittee meeting.

941 | (b) Notwithstanding the foregoing, subject to approval by
942 | a majority vote of the House, the Rules Committee may establish
943 | special amendment deadlines and procedures for appropriations
944 | bills, implementing bills, and conforming bills, as defined in
945 | Rule 12.5, as well as for bills proposing any reapportionment or
946 | redistricting of the state's legislative or congressional
947 | districts.

948 | (c) An amendment offered in committee or subcommittee must
949 | be reasonably related to the general subject matter of the bill
950 | and must include any necessary title amendment.

951 | (d) A committee or subcommittee may not vote on final
952 | consideration of a bill with an amended "relating-to clause" in
953 | the title, but instead the bill shall be temporarily postponed
954 | without motion once all amendments have been considered. The
955 | amended bill may be considered at a subsequent meeting upon
956 | being properly noticed as a proposed committee substitute that
957 | reflects the amendments and the accurate title.

958 |
959 | 7.12—Quorum of Committee or Subcommittee

960 | A majority of any committee's or subcommittee's members shall
961 | constitute a quorum necessary for the transaction of business.
962 | An ex officio member shall not be counted for purposes of
963 | determining a quorum.

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7.13—Meeting During House Sessions

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

7.14—Voting in Committee or Subcommittee

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

(b) An absent member may submit an indication of how the member would have voted had the member been present, but this shall not be counted on a roll call. If submitted after the committee or subcommittee report has been filed, such votes after roll call shall be filed with the committee or subcommittee administrative assistant, who shall file them in the committee or subcommittee files and with the Clerk.

7.15—Reconsideration in Committee or Subcommittee

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

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

993 (b) Any member voting on the prevailing side on passage or
994 defeat of a bill may, as a matter of right, serve notice that
995 the bill be retained through the next committee or subcommittee
996 meeting for the purpose of reconsideration. Such notice by an
997 individual member may be set aside by adoption of a motion to
998 report the bill immediately, which shall require a two-thirds
999 vote. No bill may be retained under this provision after the
1000 40th day of a regular session or during any extended or special
1001 session.

1002 (c) A motion to reconsider a collateral matter must be
1003 disposed of during the course of consideration of the main
1004 subject to which it is related.

1005 (d) If a bill has been retained under subsection (b), any
1006 member may move for its reconsideration at the next meeting of
1007 the committee or subcommittee. The retained bill is not required
1008 to be included on the committee or subcommittee meeting notice.

1009 (e) If the committee or subcommittee refuses to reconsider
1010 or, upon reconsideration, confirms its prior decision, no
1011 further motion to reconsider shall be in order except upon
1012 unanimous consent of the committee or subcommittee members
1013 present.

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1014 (f) If a bill is not retained under subsection (b), it
 1015 shall be promptly reported to the Clerk.

1016

1017 7.16—Reports on Bills

1018 A committee or subcommittee may report a House bill unfavorably,
 1019 favorably, or favorably with a committee or subcommittee
 1020 substitute. A committee or subcommittee 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 7.17—Bill Reported Unfavorably by a Committee or Subcommittee

1027 A bill reported unfavorably by a committee or subcommittee shall
 1028 be laid on the table.

1029

1030 7.18—Committee and Subcommittee Substitutes

1031 (a) A standing committee or subcommittee may introduce a
 1032 committee or subcommittee substitute embracing the same general
 1033 subject matter of one or more bills, or for a bill as amended as
 1034 provided in Rule 7.11(d), and in possession of the committee or
 1035 subcommittee. A proposed committee or subcommittee substitute
 1036 must be noticed in the manner required for a proposed committee
 1037 or subcommittee bill. Upon the filing of a committee or

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1038 subcommittee substitute, the original bill or bills shall be
1039 laid on the table of the House.

1040 (b) Committee and subcommittee substitutes shall be
1041 prepared by the House Bill Drafting Service and filed with the
1042 Clerk.

1043 (c) No later than the day (excluding Saturdays, Sundays,
1044 and official state holidays) after it is filed by the committee
1045 or subcommittee, a committee or subcommittee substitute shall be
1046 read a first time and be subject to referral by the Speaker.

1047

1048 7.19—Subpoena Powers

1049 The standing committees and subcommittees of the House may
1050 exercise subpoena power and issue other necessary legal process
1051 pursuant to Rule 16.

1052

1053 7.20—Appearances and Administration of Oaths

1054 (a) A person who appears before a committee or
1055 subcommittee on any matter must submit a committee appearance
1056 record as directed by the Speaker. If the person is a lobbyist,
1057 the person shall also identify any principal on whose behalf the
1058 person appears or whose interests the person represents with
1059 respect to such matter.

1060 (b) Whenever desired by a committee or subcommittee, the
1061 chair or any other member of the committee or subcommittee may
1062 administer oaths and affirmations in the manner prescribed by

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1063 law to any witness appearing before such committee or
1064 subcommittee for the purpose of testifying in any matter about
1065 which such committee or subcommittee may require sworn
1066 testimony, provided the record of a statement made under oath in
1067 committee or subcommittee may not be used to controvert a
1068 factual determination of the Legislature.

1069

1070 7.21—Open Meetings; Decorum

1071 (a) All meetings of committees and subcommittees shall be
1072 open to the public at all times, subject always to the authority
1073 of the chair to maintain order and decorum; however, when
1074 reasonably necessary for security purposes or the protection of
1075 a witness, a chair, with the concurrence of the Speaker and the
1076 Minority Leader, may close a meeting or portion thereof, and the
1077 record of such meeting may not disclose the identity of any
1078 witness appearing before the committee or subcommittee during a
1079 closed session.

1080 (b) The chair shall exercise all authority necessary to
1081 maintain order and decorum, including the authority to impose
1082 time limitations on testimony and presentations by non-members
1083 and to require all persons attending a committee or subcommittee
1084 meeting to silence all audible electronic equipment.

1085 (c) Papers of a miscellaneous nature addressed to a
1086 committee or subcommittee may, at the discretion of the chair,
1087 be read or filed with the committee or subcommittee. When the

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1088 reading of a paper, other than one upon which the committee or
1089 subcommittee is called to give a final vote, is demanded and
1090 such reading is objected to by any member of that committee or
1091 subcommittee, a determination of whether the paper shall be read
1092 shall be made, without debate, by a majority vote.

1093

1094 PART THREE—Conference Committees

1095

1096 7.22—Conference Committees

1097 (a) The Speaker shall determine the number of House
1098 managers needed for all conference committees. A conference
1099 committee report shall require the signatures which indicate the
1100 affirmative votes of a majority of the managers on the part of
1101 each house. Such reports may recommend action on amendments
1102 previously adopted by the House or Senate, recommend action on
1103 additional compromise amendments, or offer an amendment deleting
1104 everything after the enacting clause. New amendments recommended
1105 by the conference committee shall accompany the report.

1106 (b) A meeting of the House and Senate conferees is a
1107 meeting of the two groups. Conference committee meeting notices
1108 shall be published at least 1 hour before the time scheduled for
1109 the meeting. Each conference committee may determine its own
1110 procedures and select a member to preside if a majority of
1111 managers of each house agree.

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1112 (c) The receiving of conference committee reports shall
 1113 always be in order, except when the House is voting on any
 1114 proposition. When a conference committee report is presented to
 1115 the House, the procedure shall be:

1116 (1) First to vote on a motion to accept the report in its
 1117 entirety. The motion shall not be subject to amendment. If this
 1118 vote fails, the report shall be automatically recommitted to the
 1119 conference committee.

1120 (2) If the report is accepted, the final vote shall be a
 1121 roll call on the passage of the bill as amended by the report.
 1122 The bill as amended by the report is not subject to further
 1123 amendment.

1124 (d) When House managers report inability of a conference
 1125 committee to agree, no action of the House taken before such
 1126 appointment shall preclude further action by the House as the
 1127 House may determine.

1128

1129 PART FOUR—Oversight Powers and Responsibilities

1130

1131 7.23—Oversight Powers and Responsibilities of Standing
 1132 Committees and Subcommittees

1133 (a) Each standing committee or subcommittee is authorized
 1134 to exercise all powers authorized for committees pursuant to s.
 1135 11.143, Florida Statutes, to carry out oversight
 1136 responsibilities within its respective subject matter

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1137 jurisdiction. For purposes of this rule, the Speaker shall
 1138 determine the subject matter jurisdiction of each committee or
 1139 subcommittee.

1140 (b) Select committees shall exercise committee powers
 1141 authorized by s. 11.143, Florida Statutes, whenever specifically
 1142 authorized in writing by the Speaker.

1143 (c) Each committee or subcommittee shall exercise other
 1144 oversight powers and responsibilities vested in the House
 1145 whenever specifically authorized by the Speaker.

1146 (d) Each committee or subcommittee shall conduct other
 1147 business as directed by the Speaker.

1148

1149 RULE EIGHT—DEBATE AND CHAMBER PROTOCOL

1150

1151 PART ONE—Privilege of the Floor

1152

1153 8.1—Privilege of the Floor

1154 (a) MEMBERS' ACCESS. Members of the House shall have the
 1155 exclusive right to enter the Chamber during daily floor
 1156 sessions, and no other person shall be admitted unless granted
 1157 privilege of the floor as provided below.

1158 (b) PRIVILEGED GUESTS. Subject to the Speaker's discretion
 1159 to maintain safety, order, and decorum, the Governor, the
 1160 Lieutenant Governor, the Chief Financial Officer, the Attorney
 1161 General, the Commissioner of Agriculture, members of the Senate,

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1162 Justices of the Supreme Court, former members of the House, the
 1163 Doctor of the Day, the Guest Chaplain, and the Law Enforcement
 1164 Officer of the Day are granted the privilege of the floor;
 1165 however, no registered lobbyist may be so admitted.

1166 (c) EMPLOYEES' ADMISSION. House employees may be admitted
 1167 to the Chamber as determined by the Speaker.

1168 (d) OTHER GUESTS. Other guests may be granted the
 1169 privilege of the floor by the Speaker or by the House.

1170 (e) RESTRICTIONS ON NON-MEMBERS. Persons granted the
 1171 privilege of the floor may not lobby the members while the House
 1172 is in session, unless granted leave to address the House.

1173 (f) SESSION ATTIRE. When the House is in session, all
 1174 persons in the Chamber shall be dressed in proper business
 1175 attire.

1176

1177 PART TWO—Speaking

1178

1179 8.2—Addressing the House; Requirements to Spread Remarks Upon
 1180 the Journal

1181 (a) When a member desires to speak or deliver any matter
 1182 to the House, the member shall rise and respectfully address the
 1183 Speaker as "Mr. (or Madam) Speaker" and shall confine all
 1184 remarks to the question under debate, avoiding personalities.
 1185 Once recognized, a member may speak from the member's desk or
 1186 may, with the Speaker's permission, speak from the well.

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1187 (b) Any motion to spread remarks upon the Journal, except
1188 those of the Governor or the Speaker, shall be referred to the
1189 chair of the Rules Committee for recommendation before being put
1190 to the House.

1191

1192 8.3—When Two Members Rise at Once

1193 When two or more members rise at once, the Speaker shall name
1194 the one who is to speak first. This decision shall be final and
1195 not open to debate or appeal.

1196

1197 8.4—Recognition of Members

1198 There shall be no appeal of the Speaker's recognition, but the
1199 Speaker shall be governed by the rules and usage in priority of
1200 entertaining motions from the floor. When a member seeks
1201 recognition, the Speaker may ask, "For what purpose does the
1202 member rise?" or "For what purpose does the member seek
1203 recognition?"

1204

1205 8.5—Recognition of Visitors and Guests

1206 On written request by a member, on a form approved by the Clerk,
1207 the Speaker may recognize or permit the member to recognize any
1208 person or persons in the gallery. After granting a request for
1209 recognition, the Speaker shall afford that recognition at a
1210 convenient place in the order of business, considering the need
1211 for order and decorum and the need for continuity of debate. At

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1212 an appropriate time during proceedings on the floor, the Speaker
 1213 may recognize the Doctor of the Day and the Law Enforcement
 1214 Officer of the Day.

1215
 1216 PART THREE—Debate

1217
 1218 8.6—Decorum

1219 The members shall attend to the debates unless necessarily
 1220 prevented, and no member shall stand between the Speaker and a
 1221 member recognized to speak.

1222
 1223 8.7—Speaking and Debate; Right to Close

1224 (a) A member may not speak more than once nor occupy more
 1225 than 15 minutes in debate on any question, except as provided in
 1226 Rule 10.11(c).

1227 (b) A member who has the floor may not be interrupted by
 1228 another member for any purpose, save the privilege of the House,
 1229 unless he or she consents to yield to the other member. A member
 1230 desiring to interrupt another in debate should first address the
 1231 Speaker for the permission of the member speaking. The Speaker
 1232 shall then ask the member who has the floor if he or she wishes
 1233 to yield and shall then announce the decision of that member.
 1234 Whether to yield shall be entirely within the speaking member's
 1235 discretion. This subsection shall not, however, deprive the
 1236 first-named sponsor or mover of the right to close when the

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1237 effect of an amendment or motion would be to foreclose favorable
 1238 action on the bill, amendment, or motion.

1239

1240 8.8—Asking Questions of Members

1241 It is entirely within a speaking member's discretion whether to
 1242 yield to a question. The proper purpose of a question is for the
 1243 questioner to obtain information in good faith when the
 1244 questioner does not know the answer, not for the questioner to
 1245 supply information to the body. Questions should not be used to
 1246 editorialize, explicate, pontificate, or provide commentary.
 1247 Neither a question nor an answer to a question may contain
 1248 arguments or debate.

1249

1250 8.9—Right to Open and Close Debate

1251 The member presenting a motion shall have the right to open and
 1252 close the debate and, for this purpose, may speak each time up
 1253 to 10 minutes, unless otherwise limited by majority vote of the
 1254 House, notwithstanding the limitation in Rule 8.7.

1255

1256 PART FOUR—Materials and Meals in Chamber

1257

1258 8.10—Distribution of Materials in Chamber; Meals in Chamber

1259 (a) The following constitutes policy regarding material
 1260 distributed to the general membership through the Sergeant at
 1261 Arms' Office and pages:

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1262 (1) All material must be approved by the chair of the
 1263 Rules Committee prior to such distribution.

1264 (2) The following official materials are approved: House
 1265 and Senate bills, resolutions, memorials, and amendments
 1266 thereto, and official calendars and journals; committee and
 1267 subcommittee meeting notices; communications from the Speaker
 1268 and Clerk and official communications from the Senate; and
 1269 official staff reports of standing or select committees or
 1270 subcommittees or of the majority or minority party.

1271 (b) While members may consume nonalcoholic beverages on
 1272 the floor, meals will not be allowed on the floor without
 1273 concurrence of a majority vote.

1274
 1275 PART FIVE—Miscellaneous Papers

1276
 1277 8.11—Miscellaneous Papers

1278 Papers of a miscellaneous nature addressed to the House may, at
 1279 the discretion of the Speaker, be read, noted in the Journal, or
 1280 filed with the appropriate committee or subcommittee. When the
 1281 reading of a paper other than one upon which the House is called
 1282 to give a final vote is demanded and such reading is objected to
 1283 by any member, whether the paper shall be read shall be
 1284 determined without debate by the House by a majority vote.

1285
 1286 RULE NINE—VOTING

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1287

1288 9.1—Members Shall Vote

1289 Every member shall be within the Chamber at the time announced
1290 for a daily floor session unless excused or necessarily
1291 prevented, and shall vote on each question put, unless required
1292 to abstain under Rule 3.2.

1293

1294 9.2—Taking the Yeas and Nays

1295 The Speaker shall declare all votes, but if any member rises to
1296 doubt a vote, upon a showing of hands by five members, the
1297 Speaker shall take the sense of the House by oral or electronic
1298 roll call. When taking the yeas and nays on any question, the
1299 electronic roll-call system may be used and when so used shall
1300 have the force and effect of a roll call taken as provided in
1301 these rules. This system likewise may be used to determine the
1302 presence of a quorum. When the House is ready to vote upon a
1303 question requiring roll call, and the vote is by electronic roll
1304 call, the Speaker shall identify the matter to be voted on,
1305 direct the Clerk to unlock the machine, and direct the House to
1306 proceed to vote. When sufficient time has elapsed for each
1307 member to vote, the Speaker shall ask whether all members have
1308 voted and, after a short pause, the Speaker shall direct the
1309 Clerk to lock the machine and record the vote. When the vote is
1310 completely recorded, the Speaker shall announce the result to

1311 | the House, and the Clerk shall record the action upon the
 1312 | Journal.

1313 |

1314 | 9.3—Vote of the Speaker or Temporary Presiding Officer

1315 | The Speaker or temporary presiding officer is not required to
 1316 | vote in legislative proceedings other than on final passage of a
 1317 | bill, except when the Speaker's or temporary presiding officer's
 1318 | vote would be decisive. In all yea and nay votes, the Speaker's
 1319 | or temporary presiding officer's name shall be called last. With
 1320 | respect to voting, the Speaker or temporary presiding officer is
 1321 | subject to the same disqualification and disclosure requirements
 1322 | as any other member.

1323 |

1324 | 9.4—Votes After Roll Call; Finality of a Roll Call Vote

1325 | (a) After the result of a roll call has been announced, a
 1326 | member, unless his or her absence from the entirety of the daily
 1327 | floor session is unexcused, may submit to the Clerk an
 1328 | indication of how the member would have voted or would have
 1329 | voted differently. The Clerk shall provide forms for the
 1330 | recording of these actions. When timely submitted, the vote
 1331 | after roll call shall be shown beneath the roll call in the
 1332 | Journal. Otherwise, the vote after roll call shall be shown
 1333 | separately in the Journal.

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1334 (b) In no instance, other than by reason of an electronic
 1335 or mechanical malfunction, shall the result of a voting machine
 1336 roll call on any question be changed.

1337
 1338 9.5—No Member to Vote for Another Except by Request and
 1339 Direction

1340 (a) No member may vote for another member except at the
 1341 other member's specific request and direction. No member may
 1342 vote for another member who is absent from the Chamber, nor may
 1343 any person who is not a member cast a vote for a member.

1344 (b) In no case shall a member vote for another on a quorum
 1345 call.

1346 (c) Any member who votes or attempts to vote for another
 1347 member in violation of this rule or who requests another member
 1348 to vote for the requesting member in violation of this rule may
 1349 be disciplined in such a manner as the House may deem proper.

1350 (d) Any person who is not a member and who votes in the
 1351 place of a member shall be subject to such discipline as the
 1352 House may deem proper.

1353
 1354 9.6—Explanation of Vote
 1355 A member may not explain his or her vote during a roll call but
 1356 may reduce his or her explanation to writing in not more than
 1357 200 words in an electronic format approved by the Clerk. Upon

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1358 | submission to the Clerk, this explanation shall be spread upon
 1359 | the Journal.

1360

1361 | RULE TEN—ORDER OF BUSINESS AND CALENDARS

1362

1363 | PART ONE—Order of Business

1364

1365 | 10.1—Daily Sessions

1366 | The House shall meet each legislative day as stated in the
 1367 | motion adjourning the House on the prior legislative day on
 1368 | which the House met.

1369

1370 | 10.2—Daily Order of Business

1371 | (a) When the House convenes on a new legislative day, the
 1372 | daily order of business shall be as follows:

1373 | (1) Call to Order.

1374 | (2) Prayer.

1375 | (3) Roll Call.

1376 | (4) Pledge of Allegiance.

1377 | (5) Correction of the Journal.

1378 | (6) Communications.

1379 | (7) Messages from the Senate.

1380 | (8) Reports of Committees.

1381 | (9) Motions Relating to Committee and Subcommittee

1382 | References.

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- 1383 (10) Matters on Reconsideration.
- 1384 (11) Bills and Joint Resolutions on Third Reading.
- 1385 (12) Special Orders.
- 1386 (13) House Resolutions.
- 1387 (14) Unfinished Business.
- 1388 (15) Introduction and Reference.
- 1389 (b) During special sessions, the order of business of
- 1390 Introduction and Reference shall be called for immediately
- 1391 following the order of business of Correction of the Journal.
- 1392 (c) Within each order of business, matters shall be
- 1393 considered in the order in which they appear on the daily
- 1394 printed Calendar of the House.
- 1395 (d) After the 45th day of a regular session, by a majority
- 1396 vote, the House may, on motion of the chair or vice chair of the
- 1397 Rules Committee, move to Communications, Messages from the
- 1398 Senate, Bills and Joint Resolutions on Third Reading, or Special
- 1399 Orders. The motion may provide which matter on such order of
- 1400 business may be considered.
- 1401 (e) The following orders may be omitted on any regular
- 1402 session day if there is no relevant business on the desk:
- 1403 (1) Communications.
- 1404 (2) Messages from the Senate.
- 1405 (3) Reports of Committees.
- 1406 (4) House Resolutions.
- 1407 (5) Unfinished Business.

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1408 (6) Introduction and Reference.

1409

1410 10.3—Opening Prayer

1411 A chaplain or other person designated by the Speaker shall
 1412 attend at the beginning of each day's floor session and open the
 1413 same with prayer.

1414

1415 10.4—Quorum

1416 A majority of the membership of the House shall constitute a
 1417 quorum to conduct business.

1418

1419 10.5—Consideration of Senate Messages: Generally

1420 Senate messages may be considered by the House at the time and
 1421 in the order determined by the Speaker.

1422

1423 PART TWO—Readings

1424

1425 10.6—"Reading" Defined

1426 "Reading" means the stage of consideration of a bill,
 1427 resolution, or memorial after reading of a portion of the title
 1428 sufficient for identification, as determined by the Speaker.

1429

1430 10.7—Reading of Bills and Joint Resolutions

1431 Each bill and each joint resolution shall be read on 3 separate
 1432 legislative days prior to a vote upon final passage unless this

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1433 rule is waived by a two-thirds vote, provided the publication of
 1434 a bill or joint resolution by its title in the Journal shall
 1435 satisfy the requirements of first reading.

1436
 1437 10.8—Reading of Concurrent Resolutions and Memorials
 1438 Concurrent resolutions and memorials shall be read on 2 separate
 1439 legislative days prior to a voice vote upon adoption, except
 1440 that concurrent resolutions extending a legislative session or
 1441 involving other procedural legislative matters may be read twice
 1442 without motion on the same legislative day.

1443
 1444 10.9—Reading of House Resolutions
 1445 (a) A House resolution shall receive two readings by title
 1446 only prior to a voice vote upon adoption.
 1447 (b) Ceremonial resolutions may be shown as read and
 1448 adopted by publication in full in the Journal in accordance with
 1449 Rule 10.17.

1450
 1451 10.10—Measures on Third Reading
 1452 (a) Bills on third reading shall be taken up in the order
 1453 in which the House concluded action on them on second reading.
 1454 (b) Before any bill shall be read the third time, whether
 1455 amended or not, it shall be referred without motion to the
 1456 Engrossing Clerk for examination and, if amended, the engrossing
 1457 of amendments. In the case of any Senate bill amended in the

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1458 | House, the amendment adopted shall be reproduced and attached to
 1459 | the bill amended in such manner that it will not be lost
 1460 | therefrom.

1461 | (c) A bill shall be deemed on its third reading when it
 1462 | has been read a second time on a previous legislative day and
 1463 | has no motion pending.

1464 |
 1465 | PART THREE—Calendars

1466 |
 1467 | 10.11—Special Order Calendar

1468 | (a) REGULAR SESSION.

1469 | (1) The Rules Committee shall periodically submit, as
 1470 | needed, a Special Order Calendar determining the sequence for
 1471 | consideration of legislation. The Special Order Calendar may
 1472 | include bills on second reading, bills on unfinished business,
 1473 | resolutions, and specific sections for local bills, trust fund
 1474 | bills, and bills to be taken up at a time certain. Upon adoption
 1475 | of a Special Order Calendar, no other bills shall be considered
 1476 | for the time period set forth for that Special Order Calendar,
 1477 | except that any bill appearing on that Special Order Calendar
 1478 | may be stricken from it by a majority vote or any bill may be
 1479 | added to it pursuant to Rule 10.13. A previously adopted Special
 1480 | Order Calendar shall expire upon adoption by the House of a new
 1481 | Special Order Calendar.

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1482 (2) Any committee, subcommittee, or member may apply in
 1483 writing to the chair of the Rules Committee to place a bill on
 1484 the Special Order Calendar. The Rules Committee may grant such
 1485 requests by a majority vote.

1486 (3) During the first 55 days of a regular session, the
 1487 Special Order Calendar shall be published in three Calendars of
 1488 the House, and it may be taken up on the day of the third
 1489 published Calendar. After the 55th day of a regular session, the
 1490 Special Order Calendar shall be published in one Calendar of the
 1491 House and may be taken up on the day the Calendar is published.

1492 (b) EXTENDED OR SPECIAL SESSION.

1493 (1) During any extended or special session, the Rules
 1494 Committee shall establish a Special Order Calendar and only
 1495 those bills on such Special Order Calendar shall be placed on
 1496 the Calendar of the House.

1497 (2) During any extended or special session, the Special
 1498 Order Calendar shall be published in one Calendar of the House
 1499 and bills thereon may be taken up on the legislative day the
 1500 Calendar is published.

1501 (c) FLOOR PROCEDURES INCLUDED ON THE SPECIAL ORDER
 1502 CALENDAR. The Special Order Calendar submitted by the Rules
 1503 Committee shall include procedures to manage questions and
 1504 debate regarding every bill listed on the Special Order
 1505 Calendar. The procedures shall apply to any Senate bill
 1506 substituted for or taken up in lieu of a House bill and shall

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1507 include allocations of time for questions and debate on bills
1508 and amendments. The time allocated for questions shall include
1509 the question and the answer. Neither question nor answer shall
1510 be protracted in an attempt to use up the time. Such procedures
1511 shall be reasonable to allow for proper consideration and
1512 implemented upon adoption of the Special Order Calendar by
1513 majority vote in session.

1514

1515 10.12—Special Floor Procedures

1516 The Rules Committee may recommend special floor procedures for
1517 the management of amendments and debate on a particular bill, on
1518 second and third readings, which procedures may include
1519 limitations on amendments and debate. Such procedures may not be
1520 implemented unless approved by a majority vote in session.

1521

1522 10.13—Consideration of Bills Not on Special Order Calendar

1523 A bill not included on the Special Order Calendar may be
1524 considered by the House upon a two-thirds vote.

1525

1526 10.14—Consent Calendar

1527 The Rules Committee may submit Consent Calendar procedures to
1528 expedite the consideration of noncontroversial legislation.

1529

1530 10.15—Requirements for Placement on Special Order Calendar

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1531 No measure may be placed on a Special Order Calendar until it
1532 has been reported favorably by each committee and subcommittee
1533 of reference and is available for consideration on the floor.

1534

1535 10.16—Informal Deferral of Bills

1536 Whenever the member who introduced a bill or the first-named
1537 member sponsor of a committee or subcommittee bill is absent
1538 from the Chamber when the bill has been reached in the regular
1539 order on second or third reading, consideration shall be
1540 informally deferred until such member's return, unless another
1541 member consents to offer the bill on behalf of the original
1542 member. The bill shall retain its position on the Calendar of
1543 the House during the same legislative day. The member shall have
1544 the responsibility of making the motion for its subsequent
1545 consideration.

1546

1547 PART FOUR—Ceremonial Resolutions

1548

1549 10.17—Ceremonial Resolutions Published in Journal

1550 Upon approval of the chair of the Rules Committee, a ceremonial
1551 resolution may be shown as read and adopted by publication in
1552 full in the Journal. The Rules Committee shall distribute a list
1553 of such resolutions 1 day (excluding Saturdays, Sundays, and
1554 official state holidays) prior to the day of their publication,
1555 during which time any member may file with the Rules Committee

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1556 | an objection to any resolution listed. Each resolution for which
 1557 | an objection has been filed shall be removed from the list and
 1558 | placed on the Calendar of the House. All resolutions without
 1559 | objections shall be printed in the next published Journal and
 1560 | considered adopted by the House.

1561

1562 | PART FIVE—Procedural Limitations in Final Week

1563

1564 | 10.18—Consideration Limits to Bills after Day 55

1565 | After the 55th day of a regular session, no House bills on
 1566 | second reading may be taken up and considered by the House.

1567

1568 | 10.19—Consideration Limits after Day 58

1569 | After the 58th day of a regular session, the House may consider
 1570 | only:

1571 | (a) Returning messages.

1572 | (b) Conference reports.

1573 | (c) Concurrent resolutions.

1574

1575 | RULE ELEVEN—MOTIONS

1576

1577 | 11.1—Motions; How Made

1578 | Every motion shall be made orally, except when requested by the
 1579 | Speaker to be reduced to writing.

1580

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1581 11.2—Precedence of Motions

1582 (a) When a question is under consideration, the Speaker or
 1583 the chair of a committee or subcommittee shall receive no motion
 1584 except:

- 1585 (1) To adjourn at a time certain.
- 1586 (2) To adjourn.
- 1587 (3) To recess to a time certain.
- 1588 (4) To lay on the table.
- 1589 (5) To reconsider.
- 1590 (6) For the previous question.
- 1591 (7) To limit debate.
- 1592 (8) To temporarily postpone.
- 1593 (9) To postpone to a time or day certain.
- 1594 (10) To refer to or to recommit to committee or
 1595 subcommittee.
- 1596 (11) To amend.
- 1597 (12) To amend by removing the enacting or resolving
 1598 clause.

1599 (b) Such motions shall have precedence in the descending
 1600 order given.

1601 (c) Notwithstanding paragraph (a)(10) above, the Motion to
 1602 Withdraw or Refer a Bill pursuant to Rule 11.11 and the Motion
 1603 to Refer or Recommit pursuant to Rule 11.12 are not available in
 1604 committee or subcommittee.
 1605

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1606 11.3—Questions of Order Decided Without Debate

1607 The Speaker shall decide, without debate, all procedural
1608 questions of order that arise when a motion is before the House
1609 or on appeal.

1610

1611 11.4—Motion to Divide Question

1612 If a question before the House is susceptible of separation into
1613 two or more parts, any member may move for a division of the
1614 question so that each part may be voted on separately. However,
1615 a motion to remove and insert cannot be divided.

1616

1617 11.5—Motion to Recess to a Time Certain

1618 A motion to recess to a time certain shall be treated the same
1619 as a motion to adjourn, except that the motion is debatable when
1620 no business is before the House and can be amended as to the
1621 time to recess and duration of the recess. It yields only to a
1622 motion to adjourn.

1623

1624 11.6—Motion to Lay on the Table

1625 (a) A motion to lay on the table is not debatable and
1626 cannot be amended; however, before the motion is put to a vote,
1627 the first-named sponsor of a bill or the mover of a debatable
1628 motion shall be allowed 5 minutes within which to discuss the
1629 same and may divide the time with, or waive this right in favor
1630 of, some other member.

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1631 (b) A motion to lay an amendment on the table, if adopted,
 1632 does not carry with it the measure to which it adheres.

1633
 1634 11.7—Motion to Reconsider; Immediate Certification of Bills

1635 (a) When a motion or main question has been made and
 1636 carried or lost, it shall be in order at any time as a matter of
 1637 right on the same legislative day for a member voting with the
 1638 prevailing side, or for any member in the case of a voice or tie
 1639 vote, to move for reconsideration thereof.

1640 (b) When a majority of members vote in the affirmative but
 1641 the proposition is lost because it is one in which the
 1642 concurrence of a greater number than a majority is necessary for
 1643 adoption or passage, any member may move for reconsideration.

1644 (c) The motion to reconsider shall require a majority vote
 1645 for adoption.

1646 (d) If the House refuses to reconsider or upon
 1647 reconsideration confirms its prior decision, no further motion
 1648 to reconsider shall be in order except upon unanimous consent of
 1649 the members present.

1650 (e) Debate shall be allowed on a motion to reconsider only
 1651 when the question that it is proposing to reconsider is
 1652 debatable. When debate upon a motion to reconsider is in order,
 1653 no member shall speak thereon more than once or for more than 5
 1654 minutes.

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1655 (f) The adoption of a motion to reconsider a vote upon any
1656 secondary matter shall not remove the main subject under
1657 consideration from consideration of the House.

1658 (g) A motion to reconsider a collateral matter must be
1659 disposed of at once during the course of the consideration of
1660 the main subject to which it is related, and such motion shall
1661 be out of order after the House has passed to other business.

1662 (h) No bill referred or recommitted to a committee or
1663 subcommittee by a vote of the House shall be brought back into
1664 the House on a motion to reconsider.

1665 (i) The Clerk shall retain possession of all bills and
1666 joint resolutions for the period after passage during which
1667 reconsideration may be moved. Unless otherwise directed by the
1668 Speaker, all measures acted on by the House shall be transmitted
1669 to the Senate at the conclusion of that legislative day, except
1670 that local bills, concurrent resolutions, and memorials shall be
1671 transmitted to the Senate without delay.

1672 (j) The adoption of a motion to waive the rules and
1673 immediately certify any bill to the Senate shall be construed as
1674 releasing the measure from the Clerk's possession for the period
1675 of reconsideration.

1676 (k) During the last 14 days of a regular session or any
1677 extension thereof and during any special session, all measures
1678 acted on by the House shall be transmitted to the Senate without
1679 delay unless otherwise directed by the Speaker.

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11.8—Motion for the Previous Question

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

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

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

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

11.9—Motion to Limit Debate

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

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1705 without debate, except that the first-named sponsor or mover of
1706 the question under debate shall have 5 minutes within which to
1707 discuss the motion and may divide the allotted time with, or
1708 waive it in favor of, some other member. If, by majority vote,
1709 the question is decided in the affirmative, debate shall be
1710 limited to 10 minutes for each side, unless a different time is
1711 stated in the motion, such time to be apportioned by the
1712 Speaker; however, the first-named sponsor or mover shall have an
1713 additional 5 minutes within which to close the debate and may
1714 divide the allotted time with, or waive it in favor of, some
1715 other member.

1716

1717 11.10—Motion to Temporarily Postpone

1718 (a) The motion to temporarily postpone shall be decided
1719 without debate and shall cause a measure to be set aside but
1720 retained on the desk.

1721 (b) If a main question has been temporarily postponed
1722 after having been debated or after motions have been applied and
1723 is not brought back before the House on the same legislative
1724 day, it shall be placed under the order of unfinished business
1725 on the Calendar of the House. If a main question is temporarily
1726 postponed before debate has commenced or motions have been
1727 applied, its reading shall be considered a nullity and the bill
1728 shall retain its original position on the order of business on

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1729 | the same legislative day; otherwise, the bill reverts to the
 1730 | status of bills on second or third reading, as applicable.

1731 | (c) The motion to return to consideration of a temporarily
 1732 | postponed main question shall be made under the proper order of
 1733 | business when no other matter is pending.

1734 | (d) If applied to a collateral matter, the motion to
 1735 | temporarily postpone shall not cause the main question to be
 1736 | carried with it. After having been temporarily postponed, if a
 1737 | collateral matter is not brought back before the House in the
 1738 | course of consideration of the adhering or main question, it
 1739 | shall be deemed abandoned.

1740 |
 1741 | 11.11-Motion to Withdraw or Refer a Bill

1742 | (a) A motion to withdraw a bill from a committee or
 1743 | subcommittee shall require a two-thirds vote on the floor.

1744 | (b) Any member may, no later than under the order of
 1745 | business of Motions Relating to Committee and Subcommittee
 1746 | References on the legislative day following reference of a bill,
 1747 | move for reference from one committee or subcommittee to a
 1748 | different committee or subcommittee, which shall be decided by a
 1749 | majority vote.

1750 | (c) A motion to refer a bill from one committee or
 1751 | subcommittee to another committee or subcommittee, other than as
 1752 | provided in subsection (b), may be made during the regular order
 1753 | of business and shall require a two-thirds vote.

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1754 (d) A motion to refer a bill to an additional committee or
1755 subcommittee may be made during the regular order of business
1756 and shall require a two-thirds vote.

1757 (e) A motion to refer shall be debated only as to the
1758 propriety of the reference.

1759 (f) A motion to withdraw a bill from further consideration
1760 of the House shall require a two-thirds vote.

1761 (1) The chair or vice chair of the Rules Committee, at the
1762 request of the first-named member sponsor, may move for the
1763 withdrawal of a bill from further consideration.

1764 (2) The first-named member sponsor of a bill may, prior to
1765 its introduction and provided no substantive action has been
1766 taken on it, withdraw the bill by written notice to the Clerk.

1767 (3) In moving for the withdrawal of a bill from further
1768 consideration by floor motion, the introducer shall be required
1769 to identify the nature of the bill.

1770

1771 11.12—Motion to Refer or Recommit

1772 (a) Any bill on the Calendar of the House may be referred
1773 or recommitted by the House to a committee or subcommittee by a
1774 majority vote.

1775 (b) A motion to refer or recommit a bill that is before
1776 the House may be made during the regular order of business. The
1777 motion shall be debatable only as to the propriety of that
1778 reference and shall require an affirmative majority vote.

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1779 (c) If a bill on third reading is referred or recommitted
 1780 to a committee or subcommittee that subsequently reports the
 1781 bill favorably with a committee or subcommittee substitute or
 1782 with one or more amendments, the bill shall return to second
 1783 reading.

1784 (d) Referral or recommitment of a House bill shall
 1785 automatically carry with it a Senate companion bill then on the
 1786 Calendar of the House.

1787

1788 11.13—Dilatory Motions

1789 Dilatory or delaying motions shall not be in order.

1790

1791 11.14—Withdrawal of Motion

1792 (a) The mover of a motion may withdraw the motion at any
 1793 time before it has been acted on or a vote on it has commenced.

1794 (b) Notwithstanding subsection (a), once the proposer of
 1795 an amendment is recognized, the amendment may be withdrawn only
 1796 with the consent of the body.

1797

1798 RULE TWELVE—AMENDMENTS

1799

1800 12.1—Form

1801 (a) Floor amendments shall be prepared by the House Bill
 1802 Drafting Service and filed with the Clerk.

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1803 (b) A floor amendment filed with the Clerk after the
 1804 applicable filing deadline is late filed. A late-filed floor
 1805 amendment may be taken up for consideration only upon motion
 1806 adopted by a two-thirds vote.

1807 (c) A motion to amend is in order during the second or
 1808 third reading of any bill.

1809
 1810 12.2—Filing Deadlines for Floor Amendments to bills on Special
 1811 Order

1812 (a) During the first 55 days of a regular session:

1813 (1) Main floor amendments must be submitted to the House
 1814 Bill Drafting Service by 3 p.m. and approved for filing with the
 1815 Clerk by 4 p.m. of the first day a bill appears on the Special
 1816 Order Calendar in the Calendar of the House; and

1817 (2) Amendments to main floor amendments, substitute
 1818 amendments for main floor amendments, and amendments to
 1819 substitute amendments must be submitted to the House Bill
 1820 Drafting Service by 6:30 p.m. and approved for filing by 7 p.m.
 1821 of the same day.

1822 (b) After the 55th day of a regular session and during any
 1823 extended or special session:

1824 (1) Main floor amendments must be submitted to the House
 1825 Bill Drafting Service not later than 1 hour before the
 1826 applicable filing deadline and approved for filing with the
 1827 Clerk not later than the earlier of the following deadlines:

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1828 a. Eight a.m. on the day session is scheduled to convene
 1829 on the day the bill appears on the Special Order Calendar in the
 1830 Calendar of the House; or

1831 b. Two hours before session is scheduled to convene on the
 1832 day the bill appears on the Special Order Calendar of the House.

1833 (2) Amendments to main floor amendments, substitute
 1834 amendments for main floor amendments, and amendments to
 1835 substitute amendments must be approved for filing not later than
 1836 1 hour after the applicable main floor amendment deadline.

1837 (c) Notwithstanding the foregoing, subject to approval by
 1838 a majority vote of the House, the Rules Committee may establish
 1839 special amendment deadlines and procedures for appropriations
 1840 bills, implementing bills, and conforming bills, as well as for
 1841 bills proposing any reapportionment or redistricting of the
 1842 state's legislative or congressional districts.

1843
 1844 12.3—Presentation and Consideration

1845 (a) Amendments shall be taken up only as sponsors gain
 1846 recognition from the Speaker, except that the chair of the
 1847 committee or subcommittee (or any member thereof designated by
 1848 the chair) reporting the measure under consideration shall have
 1849 preference for the presentation of committee or subcommittee
 1850 amendments to Senate bills.

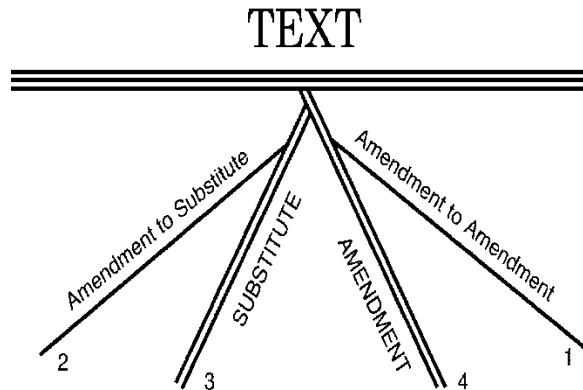
1851 (b) An amendment to a pending main amendment may be
 1852 received, but until it is disposed of, no other motion to amend

1853 will be in order except a substitute amendment or an amendment
 1854 to the substitute. Such amendments are to be disposed of in the
 1855 following order:

1856 (1) Amendments to the amendment are voted on before the
 1857 substitute is taken up. Only one amendment to the amendment is
 1858 in order at a time.

1859 (2) Amendments to the substitute are next voted on.

1860 (3) The substitute then is voted on. The adoption of a
 1861 substitute amendment in lieu of an original amendment shall be
 1862 treated and considered as an amendment to the bill itself.



1863
 1864 (c) The adoption of an amendment to a section shall not
 1865 preclude further amendment of that section. If a bill is being
 1866 considered section by section or item by item, only amendments
 1867 to the section or item under consideration shall be in order.

1868 (d) For the purpose of this rule, an amendment shall be
 1869 deemed pending only after its proposer has been recognized by
 1870 the Speaker.

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1871 (e) A bill or proposed committee bill designated as a
 1872 reviser's bill may be amended only by making deletions.

1873 (f) An amendment that is frivolous in its content is not
 1874 in order.

1875

1876 12.4—Third Reading Amendments

1877 (a) Amendments proposed on third reading shall require a
 1878 two-thirds vote for adoption, except that technical amendments
 1879 introduced in the name of the chair of the Rules Committee shall
 1880 require a majority vote for adoption. Amendments on third
 1881 reading, other than technical amendments introduced in the name
 1882 of the chair of the Rules Committee, must be submitted to the
 1883 House Bill Drafting Service not later than 1 hour before the
 1884 applicable filing deadline and approved for filing not later
 1885 than the earlier of the following deadlines:

1886 (1) Nine a.m. on the day session is scheduled to convene
 1887 on the day the bill is reached on third reading; or

1888 (2) One hour before session is scheduled to convene on the
 1889 day the bill is reached on third reading.

1890 (b) A motion for reconsideration of an amendment on third
 1891 reading requires a two-thirds vote for adoption.

1892

1893 12.5—Amendment of Appropriations Bills, Implementing Bills, and
 1894 Conforming Bills

1895 (a) For purposes of these rules:

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1896 (1) An "appropriations bill" is a general appropriations
 1897 bill or any other bill the title text of which begins "An act
 1898 making appropriations," "An act making special appropriations,"
 1899 or "An act making supplemental appropriations."

1900 (2) An "implementing bill" is a bill, effective for one
 1901 fiscal year, implementing an appropriations bill.

1902 (3) A "conforming bill" is a bill designated as such by
 1903 the Speaker that amends the Florida Statutes to conform to an
 1904 appropriations bill.

1905 (b) Whether on the floor or in any committee or
 1906 subcommittee, whenever an amendment is offered to an
 1907 appropriations bill that would either increase any state
 1908 appropriation or decrease any state revenue for any fund, such
 1909 amendment shall show the amount of the appropriation increase or
 1910 revenue decrease for a fund by line item and by section and
 1911 shall decrease an appropriation from within the same
 1912 appropriations allocation and sub-allocation (as determined by
 1913 the Speaker) or increase a revenue to the fund in an amount
 1914 equivalent to or greater than the corresponding appropriation
 1915 increase or revenue decrease required by the amendment.

1916 (c) Whether on the floor or in any committee or
 1917 subcommittee, an amendment offered to an implementing bill or to
 1918 a conforming bill shall not increase a state appropriation to a
 1919 level that is in excess of the allocations or sub-allocations
 1920 determined by the Speaker for a fund.

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1921 (d) Whether on the floor or in any committee or
 1922 subcommittee, any amendment offered to an implementing bill or
 1923 to a conforming bill that reduces revenues supporting
 1924 appropriations must raise the equivalent or greater revenue for
 1925 the same fund from other sources.

1926
 1927 12.6—Consideration of Senate Amendments

1928 (a) After the reading of a Senate amendment to a House
 1929 bill, the following motions are available:

- 1930 (1) Amend the Senate amendment.
- 1931 (2) Concur in the Senate amendment.
- 1932 (3) Refuse to concur and ask the Senate to recede.
- 1933 (4) Request the Senate to recede and, if the Senate
 1934 refuses to recede, to appoint a conference committee to meet
 1935 with a like committee appointed by the Speaker.

1936 (b) A motion to amend shall be out of order once any other
 1937 motion is under consideration.

1938 (c) If the Senate refuses to concur in a House amendment
 1939 to a Senate bill, the following motions shall be in order and
 1940 shall be privileged in the order named:

- 1941 (1) That the House recede.
- 1942 (2) That the House insist and ask for a conference
 1943 committee.
- 1944 (3) That the House insist.

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1945 (d) The Speaker may, upon determining that a Senate
 1946 amendment substantially changes the bill as passed by the House,
 1947 refer the Senate message, with the bill and Senate amendment or
 1948 amendments, to the appropriate House committee or subcommittee
 1949 for review and report to the House. The Speaker, upon such
 1950 reference, shall announce the date and time for the committee or
 1951 subcommittee to meet. The committee or subcommittee shall report
 1952 to the House the recommendation for disposition of the Senate
 1953 amendment or amendments under one of the four options presented
 1954 in subsection (a). The report shall be furnished to the Clerk
 1955 and to the House, in writing, by the chair of the reporting
 1956 committee or subcommittee.

1957
 1958 12.7—Motion to Amend by Removing Enacting or Resolving Clause
 1959 An amendment to remove the enacting clause of a bill or the
 1960 resolving clause of a resolution or memorial shall, if carried,
 1961 be considered equivalent to rejection of the bill, resolution,
 1962 or memorial by the House.

1963
 1964 12.8—Germanity of House Floor Amendments

1965 (a) GERMANITY.

1966 (1) The House shall not consider a floor amendment that
 1967 relates to a different subject or is intended to accomplish a
 1968 different purpose than that of the pending question or that, if
 1969 adopted, would require a title amendment for the bill that is

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1970 | substantially different from the bill's original title or that
 1971 | would unreasonably alter the nature of the bill.

1972 | (2) The Speaker shall determine the germanity of any
 1973 | amendment when the question is timely raised.

1974 | (3) An amendment of the second degree or a substitute
 1975 | amendment must be germane to both the main amendment and the
 1976 | measure to which it adheres.

1977 | (b) AMENDMENTS THAT ARE NOT GERMANE. Floor amendments that
 1978 | are not germane include:

1979 | (1) A general proposition amending a specific proposition.

1980 | (2) An amendment that substantially expands the scope of
 1981 | the bill.

1982 | (3) An amendment to a bill when legislative action on that
 1983 | bill is by law or these rules limited to passage, concurrence,
 1984 | or nonconcurrence as introduced.

1985 | (c) AMENDMENTS THAT ARE GERMANE. Floor amendments that are
 1986 | germane include:

1987 | (1) A specific provision amending a general provision.

1988 | (2) An amendment that accomplishes the same purpose in a
 1989 | different manner.

1990 | (3) An amendment limiting the scope of the proposal.

1991 | (4) An amendment providing appropriations necessary to
 1992 | fulfill the original intent of a proposal.

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1993 (5) An amendment that changes the effective date of a
 1994 repeal, reduces the scope of a repeal, or adds a short-term
 1995 nonstatutory transitional provision to facilitate repeal.

1996 (d) WAIVER OF RULE. Waiver of this rule shall require
 1997 unanimous consent of the House.

1998 (e) APPLICABILITY. Committee and subcommittee amendment
 1999 standards outlined in Rules 7.11(c) and (d) do not apply to
 2000 floor amendments.

2001

2002 12.9—Floor Amendments Out of Order

2003 A floor amendment is out of order if it contains the principal
 2004 substance of a bill that has:

2005 (a) Received an unfavorable committee or subcommittee
 2006 report;

2007 (b) Been withdrawn from further consideration; or

2008 (c) Not been reported favorably by at least one committee
 2009 or subcommittee of reference and may not be offered to a bill on
 2010 second or third reading. Any amendment containing language that
 2011 is substantially the same, and identical as to specific intent
 2012 and purpose, as a measure residing in a committee or
 2013 subcommittee of reference is covered by this rule.

2014

2015 12.10—Printing of Amendments in Journal

2016 All amendments taken up, unless withdrawn, shall be printed in
 2017 the Journal, except that an amendment to an appropriations bill

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2018 | constituting an entirely new bill shall not be printed except
 2019 | upon consideration of the conference committee report.

2020

2021 | RULE THIRTEEN—RULES

2022

2023 | 13.1—Parliamentary Authorities

2024 | In all cases not provided for by the State Constitution, the
 2025 | Rules of the House, or the Joint Rules of the Senate and House
 2026 | of Representatives, the guiding, but nonbinding, authority shall
 2027 | be first the Rulings of the Speaker and then the latest edition
 2028 | of Mason's Manual of Legislative Procedure.

2029

2030 | 13.2—Standing Rules Amendment

2031 | Any standing rule may be rescinded or changed by a majority vote
 2032 | of the members, provided that the proposed change or changes be
 2033 | submitted at least 1 day in advance by the Rules Committee in
 2034 | writing to the members together with notice of the consideration
 2035 | thereof. Any standing rule may be suspended temporarily by a
 2036 | two-thirds vote of the members present, except as otherwise
 2037 | provided in these rules.

2038

2039 | 13.3—Rules Apply for Term

2040 | The standing rules adopted after the beginning of the term
 2041 | govern all acts of the House during the course of the term
 2042 | unless amended or repealed.

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13.4—Joint Rules

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

13.5—Authority and Interpretation

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

13.6—Majority Action

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2067 Unless otherwise indicated by these rules, all action by the
 2068 House or its committees or subcommittees shall be by majority
 2069 vote of those members present and voting. When the body is
 2070 equally divided, the question is defeated.

2071

2072 13.7—Extraordinary Action

2073 Unless otherwise required by these rules or the State
 2074 Constitution, all extraordinary votes shall be by vote of those
 2075 members present and voting.

2076

2077 13.8—"Days" Defined

2078 Wherever used in these rules, a "legislative day" means a day
 2079 when the House convenes and a quorum is present. All other
 2080 references to a "day" mean a calendar day.

2081

2082 RULE FOURTEEN—MISCELLANEOUS PROVISIONS

2083

2084 PART ONE—Public Records

2085

2086 14.1—Legislative Records

2087 There shall be available for public inspection, whether
 2088 maintained in Tallahassee or in a district office, the papers
 2089 and records developed and received in connection with official
 2090 legislative business, except as provided in s. 11.0431, Florida
 2091 Statutes, or other provision of law. Any person who is denied

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2092 access to a legislative record and who believes that he or she
2093 is wrongfully being denied such access may appeal to the Speaker
2094 the decision to deny access.

2095
2096 14.2—Legislative Records; Maintenance, Control, Destruction,
2097 Disposal, and Disposition

2098 (a) Records that are required to be created by these rules
2099 or that are of vital, permanent, or archival value shall be
2100 maintained in a safe location that is easily accessible for
2101 convenient use. No such record need be maintained if the
2102 substance of the record is published or retained in another form
2103 or location. Whenever necessary, but no more often than annually
2104 or less often than biennially, records required to be maintained
2105 may be archived.

2106 (b) Other records that are no longer needed for any
2107 purpose and that do not have sufficient administrative, legal,
2108 or fiscal significance to warrant their retention shall be
2109 disposed of systematically.

2110 (c) (1) The administrative assistant for each existing
2111 committee or subcommittee shall ensure compliance with this rule
2112 for all records created or received by the committee or
2113 subcommittee or for a former committee or subcommittee whose
2114 jurisdiction has been assigned to the committee or subcommittee.

2115 (2) The Speaker, the Speaker pro tempore, the Minority
2116 Leader, the Majority Leader, and the Sergeant at Arms shall

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2117 ensure compliance with this rule for all records created or
 2118 received by their respective offices and their predecessors in
 2119 office.

2120 (3) Each member shall ensure compliance with this rule for
 2121 all records created or received by the member or the member's
 2122 district office.

2123 (4) The director of an ancillary House office shall ensure
 2124 compliance with this rule for all records created or received by
 2125 the director's office.

2126 (5) The Clerk shall ensure compliance with this rule for
 2127 all other records created or received by the House of
 2128 Representatives.

2129 (d) If a committee, subcommittee, or office is not
 2130 continued in existence, the records of such committee,
 2131 subcommittee, or office shall be forwarded to the committee,
 2132 subcommittee, or office assuming the jurisdiction or
 2133 responsibility of the former committee, subcommittee, or office,
 2134 if any. Otherwise, such records shall be forwarded to the Clerk.

2135 (e) The Clerk shall establish a schedule of reasonable and
 2136 appropriate fees for copies of legislative records and
 2137 documents.

2138

2139 PART TWO—Distribution of Documents; Display of Signs

2140

2141 14.3—Distribution of Documents

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2142 Documents required by these rules to be printed or published may
 2143 be produced and distributed on paper or in electronic form.

2144
 2145 14.4—Display of Signs, Placards, Props, and the Like
 2146 Signs, placards, props, or other objects of similar nature shall
 2147 be permitted in the rooms, lobby, galleries, or Chamber of the
 2148 House only upon approval of the chair of the Rules Committee.

2149
 2150 PART THREE—House Seal

2151
 2152 14.5—House Seal

2153 (a) REQUIREMENT. There shall be an official seal of the
 2154 House of Representatives. The seal shall be used only by or on
 2155 behalf of a member or officer of the House in conjunction with
 2156 his or her official duties or when specifically authorized in
 2157 writing by the chair of the Rules Committee.

2158 (b) CONFIGURATION. The seal shall be a circle having in
 2159 the center thereof a view of the sun's rays over a highland in
 2160 the distance, a palm tree, a steamboat on the water, and a
 2161 Native American female scattering flowers in the foreground,
 2162 encircled by the words "House of Representatives."

2163 (c) USE. Unless a written exception is otherwise granted
 2164 by the chair of the Rules Committee:

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2165 (1) Material carrying the official seal shall be used only
 2166 by a member, officer, or employee of the House or other persons
 2167 employed or retained by the House.

2168 (2) The use, printing, publication, or manufacture of the
 2169 seal, or items or materials bearing the seal or a facsimile of
 2170 the seal, shall be limited to official business of the House or
 2171 official legislative business.

2172 (d) CUSTODIAN. The Clerk shall be the custodian of the
 2173 official seal.

2174

2175 RULE FIFTEEN—ETHICS AND CONDUCT OF MEMBERS

2176

2177 15.1—Legislative Ethics and Official Conduct

2178 Legislative office is a trust to be performed with integrity in
 2179 the public interest. A member is respectful of the confidence
 2180 placed in the member by the other members and by the people. By
 2181 personal example and by admonition to colleagues whose behavior
 2182 may threaten the honor of the lawmaking body, the member shall
 2183 watchfully guard the responsibility of office and the
 2184 responsibilities and duties placed on the member by the House.
 2185 To this end, each member shall be accountable to the House for
 2186 violations of this rule or any provision of Rules 15.1-15.7,
 2187 which shall be known as the House Code of Conduct.

2188

2189 15.2—The Integrity of the House

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2190 A member shall respect and comply with the law and shall perform
2191 at all times in a manner that promotes public confidence in the
2192 integrity and independence of the House and of the Legislature.
2193 Each member shall perform at all times in a manner that promotes
2194 a professional environment in the House, which shall be free
2195 from unlawful employment discrimination. Member conduct that
2196 causes a material disruption of official legislative business is
2197 grounds for discipline by the House.

2198

2199 15.3—Improper Influence; Solicitation of Campaign Contributions

2200 (a) A member may neither solicit nor accept anything that
2201 reasonably may be construed to improperly influence the member's
2202 official act, decision, or vote.

2203 (b) A member may not fly on an aircraft that is a private
2204 conveyance owned, leased, or procured by a lobbyist, a lobbying
2205 firm, or a principal, regardless of whether the member pays for
2206 the flight.

2207 (c) A member may neither solicit nor accept any campaign
2208 contribution for state, district, county, or municipal office
2209 during the 60-day regular legislative session or any extended or
2210 special session on the member's own behalf, on behalf of a
2211 political party, on behalf of any organization with respect to
2212 which the member's solicitation is regulated under s. 106.0701,
2213 Florida Statutes, or on behalf of a candidate for the House of

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2214 Representatives; however, a member may contribute to the
 2215 member's own campaign.

2216

2217 15.4—Ethics; Conflicting Employment

2218 (a) A member shall:

2219 (1) Scrupulously comply with the requirements of all laws
 2220 related to the ethics of public officers.

2221 (2) Upon acceptance of any new employment with any entity
 2222 that receives state funds directly by appropriation or with any
 2223 public employer, file a written statement disclosing the
 2224 employer, position, and salary. Such disclosure must be filed
 2225 prior to the effective date of the change, or within 30 days
 2226 after acceptance thereof, whichever is earlier. The process for
 2227 filing the written statement shall be determined by the Speaker.

2228 (b) A member may not:

2229 (1) Allow personal employment to impair the member's
 2230 independence of judgment in the exercise of official duties.

2231 (2) Directly or indirectly receive or agree to receive any
 2232 compensation for any services rendered or to be rendered either
 2233 by the member or any other person when such activity is in
 2234 substantial conflict with the duties of a member of the House.

2235 (3) Lobby for compensation on issues of policy,
 2236 appropriations, or procurement before the federal government,
 2237 the Legislature, any state government body or agency, or any

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2238 political subdivision of this state, during his or her term of
 2239 office.

2240

2241 15.5—Use of Official Position

2242 (a) A member may not:

2243 (1) Corruptly use or attempt to use the member's official
 2244 position or any property or resource which may be within the
 2245 member's trust in a manner contrary to the trust or authority
 2246 placed in the member, either by the public or by other members,
 2247 for the purpose of securing a special privilege, benefit, or
 2248 exemption for the member or for others.

2249 (2) Abuse his or her office in order to obtain a
 2250 disproportionate benefit for:

2251 a. Himself or herself;

2252 b. His or her spouse, children, or employer; or

2253 c. Any business with which he or she contracts; in which
 2254 he or she is an officer, a partner, a director, or a proprietor;
 2255 or in which he or she owns an interest.

2256 (3) Solicit or accept an employment offer or investment
 2257 advice arising out of legislative activities or political
 2258 activities engaged in while he or she is a member of, or
 2259 candidate for, the House.

2260 (4) Enter into any investment, joint venture, or other
 2261 profitmaking relationship with or advised by a lobbyist or
 2262 principal, except that a member may buy or sell listed, publicly

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2263 | traded securities of a principal unless in violation of Rule
 2264 | 15.6.

2265 | (b) For purposes of this rule:

2266 | (1) "Disproportionate benefit" means a benefit, privilege,
 2267 | exemption, or result arising from an act or omission by a member
 2268 | inconsistent with the proper performance of his or her public
 2269 | duties.

2270 | (2) "Investment, joint venture, or other profitmaking
 2271 | relationship" does not include an employment relationship or
 2272 | professional partnership or similar venture engaging the
 2273 | professional services of the member.

2274 |
 2275 | 15.6—Use of Information Obtained by Reason of Official Position
 2276 | A member may engage in business and professional activity in
 2277 | competition with others but may not use or provide to others,
 2278 | for the member's personal gain or benefit or for the personal
 2279 | gain or benefit of any other person or business entity, any
 2280 | information that has been obtained by reason of the member's
 2281 | official capacity as a member and that is unavailable to members
 2282 | of the public as a matter of law. A member may not use any
 2283 | nonpublic information obtained by reason of the member's
 2284 | legislative activities for the purpose of buying or selling any
 2285 | investment or to otherwise create income for the member or any
 2286 | other person.

2287 |

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2288 15.7—Representation of Another Before a State Agency

2289 A member may not personally represent another person or entity
2290 for compensation before any state agency other than a judicial
2291 tribunal. For the purposes of this rule, "state agency" means
2292 any entity of the legislative or executive branch of state
2293 government over which the Legislature exercises plenary
2294 budgetary and statutory control.

2295

2296 15.8—Advisory Opinions

2297 (a) A member, when in doubt about the applicability and
2298 interpretation of the House Code of Conduct or ethics laws to
2299 the member's conduct, may convey the facts of the situation to
2300 the House general counsel for an advisory opinion. The general
2301 counsel shall issue the opinion within 10 days after receiving
2302 the request. The advisory opinion may be relied upon by the
2303 member requesting the opinion. Upon request of any member, the
2304 committee or subcommittee designated by the Speaker to have
2305 responsibility for the ethical conduct of members may revise an
2306 advisory opinion rendered by the House general counsel through
2307 an advisory opinion issued to the member who requested the
2308 opinion.

2309 (b) An advisory opinion rendered by the House general
2310 counsel or the committee or subcommittee shall be numbered,
2311 dated, and published. Advisory opinions from the House general

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2312 counsel or the committee or subcommittee may not identify the
 2313 member seeking the opinion unless such member so requests.

2314

2315 15.9—Penalties for Violations

2316 Separately from any prosecutions or penalties otherwise provided
 2317 by law, any member determined to have violated the requirements
 2318 of these rules relating to ethics or member conduct shall be
 2319 fined, censured, reprimanded, placed on probation, or expelled
 2320 or have such other lesser penalty imposed as may be appropriate.
 2321 Such determination and disciplinary action shall be taken by a
 2322 two-thirds vote of the House, except that expulsions shall
 2323 require two-thirds vote of the membership, upon recommendation
 2324 of the State Affairs Committee pursuant to Rule 18.

2325

2326 15.10—Felony Indictment or Information of a Member

2327 (a) If an indictment or information for a felony of any
 2328 jurisdiction is filed against a member of the House, the member
 2329 indicted or informed against may request the Speaker to excuse
 2330 the member, without pay, from all privileges of membership of
 2331 the House pending final adjudication.

2332 (b) If the indictment or information is either nolle
 2333 prosecuted or dismissed, or if the member is found not guilty of
 2334 all felonies, the member shall be paid all back pay and other
 2335 benefits retroactive to the date the member was excused.

2336

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2337 15.11—Felony Guilty Plea of a Member

2338 A member who enters a plea of guilty or nolo contendere to a
 2339 felony of any jurisdiction may, at the discretion of the
 2340 Speaker, be suspended immediately, without a hearing and without
 2341 pay, from all privileges of membership of the House through the
 2342 remainder of that member's term.

2343

2344 15.12—Felony Conviction of a Member

2345 (a) A member convicted of a felony of any jurisdiction
 2346 may, at the discretion of the Speaker, be suspended immediately,
 2347 without a hearing and without pay, from all privileges of
 2348 membership of the House pending appellate action or the end of
 2349 the member's term, whichever occurs first.

2350 (b) A member suspended under the provisions of this rule
 2351 may, within 10 days after such suspension, file a written
 2352 request for a hearing, setting forth specific reasons contesting
 2353 the member's suspension. Upon receipt of a written request for a
 2354 hearing, the Speaker shall appoint a select committee, which
 2355 shall commence a hearing on the member's suspension within 30
 2356 days and issue a report to the House within 10 days after the
 2357 conclusion of the hearing. The report of the select committee
 2358 shall be final unless the member, within 10 days after the
 2359 issuance of the report, requests in writing that the Speaker
 2360 convene the full House to consider the report of the select

2361 | committee. Upon receipt of a request for such consideration, the
 2362 | Speaker shall timely convene the House for such purpose.

2363 | (c) If the final appellate decision is to sustain the
 2364 | conviction, then the member's suspension shall continue to the
 2365 | end of the member's term. If the final appellate decision is to
 2366 | vacate the conviction and there is a rehearing, the member shall
 2367 | be subject to Rule 15.10. If the final appellate decision is to
 2368 | vacate the conviction and no felony charges remain against the
 2369 | member, the member shall be entitled to restitution of back pay
 2370 | and other benefits retroactive to the date of suspension.

2371 |
 2372 | 15.13—Ethics Training

2373 | The House shall provide ethics training as directed by the
 2374 | Speaker.

2375 |
 2376 | RULE SIXTEEN—PROCEDURES FOR CONDUCTING INVESTIGATIVE AND
 2377 | ENFORCEMENT PROCEEDINGS

2378 |
 2379 | 16.1—Issuance of Subpoenas; Administration of Oaths

2380 | (a) In order to carry out its duties, each standing or
 2381 | select committee, whenever required, may issue subpoenas and
 2382 | other necessary process to compel the attendance of witnesses
 2383 | before such committee or the taking of sworn testimony pursuant
 2384 | to these rules.

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2385 (b) Each standing or select committee, whenever required,
 2386 may also compel by subpoena duces tecum the production of any
 2387 books, letters, or other documentary evidence it may need to
 2388 examine in reference to any matter before it.

2389 (c) The chair of the standing or select committee shall
 2390 issue such process on behalf of such committee after a majority
 2391 of the committee votes to approve issuance and the Speaker has
 2392 provided written approval. The chair or any other member of such
 2393 committee may administer all oaths and affirmations in the
 2394 manner prescribed by law to witnesses who shall appear before
 2395 such committee for the purpose of testifying in any matter about
 2396 which such committee may require evidence.

2397
 2398 16.2-Contempt Proceedings

2399 (a) The House may punish, by fine or imprisonment, any
 2400 person who is not a member and who is guilty of disorderly or
 2401 contemptuous conduct in its presence or of a refusal to obey its
 2402 lawful summons.

2403 (b) A person shall be deemed in contempt if the person:

2404 (1) Fails or refuses to appear in compliance with a
 2405 subpoena or, having appeared, fails or refuses to testify under
 2406 oath or affirmation;

2407 (2) Fails or refuses to answer any relevant question or
 2408 fails or refuses to furnish any relevant book, paper, or other
 2409 document subpoenaed on behalf of such committee; or

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2410 (3) Commits any other act or offense against such
 2411 committee that, if committed against the Legislature or either
 2412 house thereof, would constitute contempt.

2413 (c) During a legislative session, a standing or select
 2414 committee may, by majority vote of all of its members, apply to
 2415 the House for contempt citation. The application shall be
 2416 considered as though the alleged contempt had been committed in
 2417 or against the House itself. If such committee is meeting during
 2418 the interim, its application shall be made to the circuit court
 2419 pursuant to Rule 16.6.

2420 (d) A person guilty of contempt under this rule may be
 2421 punished in accordance with the provisions of Section 5 of
 2422 Article 3 of the State Constitution, or may be subject to such
 2423 other punishment as the House may, in the exercise of its
 2424 inherent powers, impose prior to and in lieu of the imposition
 2425 of the aforementioned penalty.

2426 (e) The sheriffs in the several counties shall make such
 2427 service and execute all process or orders when required by
 2428 standing or select committees. Sheriffs shall be paid as
 2429 provided for in s. 30.231, Florida Statutes.

2430
 2431 16.3—False Swearing
 2432 Whoever willfully affirms or swears falsely in regard to any
 2433 material matter or thing before any standing or select committee
 2434 is guilty of false swearing in an official proceeding, which is

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2435 a felony of the second degree and shall be punished as provided
 2436 in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.

2437

2438 16.4—Rights of Witnesses

2439 (a) All witnesses summoned before any standing or select
 2440 committee shall receive reimbursement for travel expenses and
 2441 per diem at the rates provided in s. 112.061, Florida Statutes.
 2442 However, the fact that such reimbursement is not tendered at the
 2443 time that the subpoena is served shall not excuse the witness
 2444 from appearing as directed therein.

2445 (b) Service of a subpoena requiring the attendance of a
 2446 person at a meeting of a standing or select committee shall be
 2447 made in the manner provided by law for the service of subpoenas
 2448 in a civil action at least 7 days prior to the date of the
 2449 meeting unless a shorter period of time is authorized by
 2450 majority vote of all the members of such committee. If a shorter
 2451 period of time is authorized, the persons subpoenaed shall be
 2452 given reasonable notice of the meeting, consistent with the
 2453 particular circumstances involved.

2454 (c) Any person who is served with a subpoena to attend a
 2455 meeting of any standing or select committee also shall be served
 2456 with a general statement informing the person of the subject
 2457 matter of such committee's investigation or inquiry and a notice
 2458 that the person may be accompanied at the meeting by private
 2459 counsel.

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2460 (d) Upon the request of any party and the approval of a
2461 majority of the standing or select committee, the chair shall
2462 instruct all witnesses to leave the meeting room and retire to a
2463 designated place. The witness shall be instructed by the chair
2464 not to discuss the testimony of the witness or the testimony of
2465 any other person with anyone until the meeting has been
2466 adjourned and the witness has been discharged by the chair. The
2467 witness shall be further instructed that if any person discusses
2468 or attempts to discuss the matter under investigation with the
2469 witness after receiving such instructions, the witness shall
2470 bring such matter to the attention of such committee. No member
2471 of such committee or representative thereof may discuss any
2472 matter or matters pertinent to the subject matter under
2473 investigation with any witness to be called before such
2474 committee from the time that these instructions are given until
2475 the meeting has been adjourned and the witness has been
2476 discharged by the chair. Any person violating this subsection
2477 shall be in contempt of the House.

2478 (e) Any standing or select committee taking sworn
2479 testimony from witnesses as provided in these rules shall cause
2480 a record to be made of all proceedings in which testimony or
2481 other evidence is demanded or adduced, which record shall
2482 include rulings of the chair, questions of such committee and
2483 its staff, the testimony or responses of witnesses, sworn

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2484 written statements submitted to the committee, and such other
2485 matters as the committee or its chair may direct.

2486 (f) A witness at a meeting, upon advance request and at
2487 the witness's own expense, shall be furnished a certified
2488 transcript of the witness's testimony at the meeting.

2489

2490 16.5—Right of Other Persons to be Heard

2491 (a) Any person who, in the opinion of the committee, is
2492 adversely affected as a result of being mentioned or otherwise
2493 identified during a meeting being conducted for the purpose of
2494 taking sworn testimony from witnesses of any standing or select
2495 committee may, upon the request of the person or upon the
2496 request of any member of such committee, appear personally
2497 before such committee and testify on the person's own behalf,
2498 or, with such committee's consent, file a sworn written
2499 statement of facts or other documentary evidence for
2500 incorporation into the record of the meeting. Any such witness,
2501 however, shall, before filing such statement, consent to answer
2502 questions from such committee regarding the contents of the
2503 statement.

2504 (b) Upon the consent of a majority of the members present,
2505 a quorum having been established, any standing or select
2506 committee may permit any other person to appear and testify at a
2507 meeting or submit a sworn written statement of facts or other
2508 documentary evidence for incorporation into the record. No

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2509 request to appear, appearance, or submission shall limit in any
2510 way the committee's power of subpoena. Any such witness,
2511 however, shall, before filing such statement, consent to answer
2512 questions from any standing or select committee regarding the
2513 contents of the statement.

2514

2515 16.6—Enforcement of Subpoena Out of Session

2516 If any witness fails to respond to the lawful subpoena of any
2517 standing or select committee at a time when the Legislature is
2518 not in session or, having responded, fails to answer all lawful
2519 inquiries or to turn over evidence that has been subpoenaed,
2520 such committee may file a complaint before any circuit court of
2521 the state setting up such failure on the part of the witness. On
2522 the filing of such complaint, the court shall take jurisdiction
2523 of the witness and the subject matter of the complaint and shall
2524 direct the witness to respond to all lawful questions and to
2525 produce all documentary evidence in the possession of the
2526 witness that is lawfully demanded. The failure of any witness to
2527 comply with such order of the court shall constitute a direct
2528 and criminal contempt of court, and the court shall punish such
2529 witness accordingly.

2530

2531 16.7—Definition

2532 Pursuant to Rule 7.1(b) and for purposes of Rule 16, the term
2533 "committee" includes the House and any subcommittee thereof.

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2534

2535 RULE SEVENTEEN—ETHICS AND CONDUCT OF LOBBYISTS

2536

2537 17.1—Obligations of a Lobbyist

2538 (a) A lobbyist shall supply facts, information, and
2539 opinions of principals to legislators from the point of view
2540 that the lobbyist openly declares. A lobbyist shall not offer or
2541 propose anything that may reasonably be construed to improperly
2542 influence the official act, decision, or vote of a legislator,
2543 nor shall a lobbyist attempt to improperly influence the
2544 selection of officers or employees of the House. A lobbyist, by
2545 personal example and admonition to colleagues, shall maintain
2546 the honor of the legislative process, including faithful
2547 adherence to the rules of the House, by the integrity of the
2548 lobbyist's relationship with legislators as well as with the
2549 principals whom the lobbyist represents. Each lobbyist shall
2550 conduct himself or herself at all times in a manner that
2551 promotes a professional environment in the House, exemplifies
2552 proper conduct in public meetings, promotes lawful conduct by
2553 all involved in the legislative process, and contributes to an
2554 environment free from harassment and discrimination. Each
2555 lobbyist shall respect and support the honorable conduct of the
2556 members of the House and discourage unlawful conduct.

2557 (b) A lobbyist shall not knowingly and willfully falsify,
2558 conceal, or cover up, by any trick, scheme, or device, a

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2559 material fact; make any false, fictitious, or fraudulent
2560 statement or representation; or make or use any writing or
2561 document knowing the same to contain any false, fictitious, or
2562 fraudulent statement or entry.

2563 (c) During a regular session or any extended or special
2564 session, a lobbyist may not contribute to a member's campaign.

2565 (d) A lobbyist may not make any expenditure prohibited by
2566 s. 11.045(4) (a), Florida Statutes.

2567 (e) No registered lobbyist shall be permitted upon the
2568 floor of the House while it is in session.

2569 (f) A member shall not be directly or indirectly lobbied
2570 via electronic communication while the House is in daily session
2571 or during any meeting of a committee or subcommittee to which
2572 the House member has been appointed. The term "electronic
2573 communication" includes, but is not limited to, e-mail, text
2574 messaging, social media messaging, and image sharing.

2575 (g) A lobbyist who was a member of the Legislature at any
2576 time after November 8, 2016, may not lobby the House for a
2577 period of 6 years following vacation of office as a member of
2578 the Legislature. This rule does not apply to a public officer
2579 who is carrying out the duties of his or her public office.

2580 (h) A lobbyist may not lobby the House for any purpose
2581 with respect to any issue, amendment, bill, or appropriation
2582 unless the lobbyist has filed a House appearance record
2583 identifying the specific matter and each principal represented

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2584 thereon. The record shall be filed in the manner directed by the
2585 Speaker in advance of lobbying on the matter. On matters other
2586 than specific bills or amendments identified by bill or
2587 amendment number, an issue or appropriation must be identified
2588 with specificity sufficient to give notice of each particular
2589 legislative subject or proposal that is a subject of any
2590 communication that constitutes lobbying.

2591 (i) A lobbyist or lobbying firm shall file a true and
2592 correct copy of the lobbying contract and any addendum thereto,
2593 including accurate information regarding fees to be paid under
2594 such contract, when the lobbyist or lobbying firm registers to
2595 lobby the Legislature or the Executive Branch on behalf of any
2596 officer of this state; any executive or judicial department of
2597 this state; any political subdivision, special district, public
2598 authority, public hospital, council, commission, unit of local
2599 government, or public education entity in this state; or any
2600 authority, council, commission, direct-support organization,
2601 institution, foundation, or similar entity that is created by
2602 law or ordinance to pursue a public purpose, entitled by law or
2603 ordinance to any distribution of tax or fee revenues, or
2604 organized for the sole purpose of supporting one of the public
2605 entities listed in this subsection. This subsection does not
2606 apply if the lobbyist is an employee of such principal, the
2607 lobbyist's salary is published on the Internet, and the lobbyist
2608 does not engage in lobbying on behalf of any other principal.

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2609
2610 17.2—Advisory Opinions; Compilation Thereof
2611 A lobbyist, when in doubt about the applicability and
2612 interpretation of Rule 17.1 in a particular context related to
2613 that lobbyist's conduct, or any person when in doubt about the
2614 applicability and interpretation of s. 11.045, s. 112.3148, or
2615 s. 112.3149, Florida Statutes, as such statute or statutes may
2616 apply to that person, may request an advisory opinion under this
2617 rule. Such request shall be in writing, addressed to the
2618 Speaker, and shall contain the relevant facts. The Speaker shall
2619 either refer the issue to the House general counsel for review
2620 and drafting of an advisory opinion of the Speaker or refer the
2621 issue to a committee designated by the Speaker to have
2622 responsibility for the ethical conduct of lobbyists, and the
2623 person requesting the advisory opinion may appear in person
2624 before such committee. The Speaker or this committee shall
2625 render advisory opinions to the person who seeks advice as to
2626 whether the facts as described in the request and any
2627 supplemental communication would constitute a violation of such
2628 rule or statute by that person. Such opinion, until amended or
2629 revoked, shall be binding upon the House in any proceeding upon
2630 a subsequent complaint concerning the person who sought the
2631 opinion and acted on it in good faith, unless material facts
2632 were omitted or misstated in the request for the advisory
2633 opinion. Upon request of the person who requested the advisory

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2634 opinion or any member, the committee designated by the Speaker
2635 to have responsibility for the ethical conduct of lobbyists may
2636 revise any advisory opinion issued by the Speaker or may revise
2637 any advisory opinion issued by the general counsel of the Office
2638 of Legislative Services under Joint Rule 1.8. The House general
2639 counsel or this committee shall make sufficient deletions to
2640 prevent disclosing the identity of persons in the decisions or
2641 opinions. All advisory opinions of the Speaker or this committee
2642 shall be numbered, dated, and published in an annual publication
2643 of the House. The Clerk shall keep a compilation of all advisory
2644 opinions.

2645

2646 17.3—Penalties for Violations

2647 Separately from any prosecutions or penalties otherwise provided
2648 by law, any person determined to have violated the foregoing
2649 requirements of Rule 17, any provision in Joint Rule One, or s.
2650 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, may be
2651 reprimanded, censured, prohibited from lobbying for all or any
2652 part of the legislative biennium during which the recommended
2653 order is proposed, or have such other penalty imposed as may be
2654 appropriate. Such determination shall be made by a majority of
2655 the House, upon recommendation of the State Affairs Committee
2656 pursuant to Rule 18. Any prohibition or other limitation imposed
2657 by the House may be continued for up to a total of 2 years by a
2658 determination made by a majority of the House at or following

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2659 | the organization session following the biennium during which
 2660 | such prohibition or other limitation was imposed.

2661

2662 | RULE EIGHTEEN—COMPLAINTS AGAINST MEMBERS AND OFFICERS OF THE
 2663 | HOUSE, LOBBYISTS, AND OTHER PERSONS

2664

2665 | 18.1—Complaints Against Members and Officers of the House,
 2666 | Lobbyists, and Other Persons; Procedure
 2667 | Rule 18 governs proceedings on all complaints under the
 2668 | jurisdiction of the House. Such complaints include, but are not
 2669 | limited to:

2670 | (a) Those alleging violation of law, violation of the
 2671 | House Code of Conduct, or improper conduct of a member or
 2672 | officer that may reflect upon the House; or

2673 | (b) Violations of House Rule 17.1, Joint Rule One, or s.
 2674 | 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, by any
 2675 | lobbyist or person other than a member of the House. For
 2676 | purposes of this rule, receipt of audit information indicating a
 2677 | possible violation of Joint Rule One shall be treated as a
 2678 | complaint.

2679

2680 | 18.2—Violations; Investigations

2681 | (a) Any person may file a sworn complaint with the chair
 2682 | of the State Affairs Committee alleging a violation as provided
 2683 | in Rule 18.1. The complaint shall contain the name and legal

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2684 address of the person filing the complaint ("complainant"), be
2685 based on the complainant's personal knowledge, state detailed
2686 facts, specify the actions of the named respondent which form
2687 the basis for the complaint, and identify each specific rule or
2688 law alleged by the complainant to have been violated.

2689 (b) Upon a determination by the chair of the State Affairs
2690 Committee that the complaint states facts supporting a finding
2691 of probable cause, the Speaker shall refer the complaint to a
2692 special master or to a select committee. Upon a determination by
2693 the chair of the State Affairs Committee that the complaint
2694 fails to state facts supporting a finding of probable cause, the
2695 complaint shall be dismissed.

2696 (c) Upon referral by the Speaker of a complaint under
2697 subsection (b), the special master or select committee shall
2698 conduct an investigation, shall give reasonable notice to the
2699 respondent, and shall grant the respondent an opportunity to be
2700 heard unless the investigation fails to reveal facts supporting
2701 a finding of probable cause. A special master's or select
2702 committee's report and recommendation is advisory only and shall
2703 be presented to the chair of the State Affairs Committee as soon
2704 as practicable after the close of the investigation. If the
2705 report and recommendation conclude that the facts do not support
2706 a finding of probable cause, the complaint shall be dismissed by
2707 the chair of the State Affairs Committee.

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2708 (d) If the report and recommendation of the special master
2709 or the select committee conclude that the facts support a
2710 finding of probable cause, the State Affairs Committee shall
2711 consider the report and recommendation, may make further
2712 inquiry, shall grant the respondent an opportunity to be heard,
2713 and shall develop its own recommendation. If the complaint is
2714 against the chair of the State Affairs Committee, the chair is
2715 excused and the vice chair shall preside over the deliberation.
2716 If the State Affairs Committee votes to dismiss the complaint,
2717 the chair of the State Affairs Committee or vice chair shall
2718 dismiss the complaint. Otherwise, the special master's or select
2719 committee's report and recommendation and the recommendation of
2720 the State Affairs Committee shall be presented to the Speaker.

2721 (e) The Speaker shall present the committee's
2722 recommendation, along with the report and recommendation of the
2723 special master or the select committee, to the House for final
2724 action.

2725 (f) Nothing in this rule prohibits the chair of the State
2726 Affairs Committee from correcting or preventing the alleged
2727 violation by informal means if the chair determines that a
2728 violation is inadvertent, technical, or otherwise de minimis.

2729 (g) Nothing in this rule prohibits the respondent and the
2730 chair of the State Affairs Committee, the special master, or a
2731 select committee from agreeing to a consent decree, which shall
2732 state findings of fact, and such penalty as may be appropriate.

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2733 If the House accepts the consent decree, the complaint pursuant
2734 to these rules shall be resolved.

2735 (h) The House may move forward with disciplinary
2736 proceedings without waiting for the outcome of a criminal case.

2737

2738 18.3—Confidentiality

2739 Any material provided to the House in response to a complaint
2740 filed under Rule 18 that is confidential under applicable law
2741 shall remain confidential and shall not be disclosed except as
2742 authorized by applicable law. Except as otherwise provided in
2743 this rule, a complaint and the records relating to a complaint
2744 shall be available for public inspection upon the dismissal of a
2745 complaint, a determination as to probable cause, informal
2746 resolution of a complaint, or the receipt by the Speaker of a
2747 request in writing from the respondent that the complaint and
2748 other records relating to the complaint be made public records.

2749

2750 18.4—Conflict

2751 If a complaint is filed against the chair of the State Affairs
2752 Committee, the initial review of the complaint shall be managed
2753 by the Speaker or, if designated by the Speaker, the Speaker pro
2754 tempore. If a complaint is filed against the Speaker, the duties
2755 of the Speaker pursuant to Rule 18 shall be transferred to the
2756 Speaker pro tempore.

2757

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2758 | 18.5—Time Limitations

2759 | (a) A complaint must be filed with the chair of the State
2760 | Affairs Committee within 2 years after the alleged violation.

2761 | (b) A violation of the House Code of Conduct is committed
2762 | when every element necessary to establish a violation of the
2763 | rule has occurred, and time starts to run on the day after the
2764 | violation occurred.

2765 | (c) The applicable period of limitation is tolled on the
2766 | day a sworn complaint is filed with the chair of the State
2767 | Affairs Committee.

2768 |

2769 | RULE NINETEEN—IMPEACHMENT

2770 |

2771 | 19.1—Definitions

2772 | (a) The House construes "misdemeanor in office" to
2773 | include, without limitation:

2774 | (1) Any wrongful act that is contrary to justice, honesty,
2775 | principles, or good morals performed by virtue or under
2776 | authority of office;

2777 | (2) Any willful malfeasance, misfeasance, or nonfeasance
2778 | in office;

2779 | (3) Any breach of expectations of conduct and motivation
2780 | associated with the office, including, but not limited to:

2781 | a. A wrongful official act or omission to perform an
2782 | official duty;

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- 2783 b. Acceptance of any bribe;
- 2784 c. Failure to report any attempted bribe to appropriate
- 2785 law enforcement officials;
- 2786 d. Acceptance of any gift, compensation, or other benefit
- 2787 prohibited to the officer by any law or binding rule of conduct;
- 2788 e. Acceptance of any undisclosed income if disclosure is
- 2789 required by law or binding rule of conduct;
- 2790 f. Acceptance of any undisclosed compensation, gift,
- 2791 reimbursement, or other benefit valued in excess of \$100 without
- 2792 making public disclosure on an official internet website within
- 2793 180 days after receipt, or as otherwise required by law or
- 2794 binding rule of conduct, if the law would require disclosure if
- 2795 such benefit were accepted by a member of the Legislature;
- 2796 g. Failure to maintain a professional environment in the
- 2797 administration of the office free of unlawful discrimination and
- 2798 free of harassment or abuse of employees or members of the
- 2799 public served by the office;
- 2800 h. Failure to abide by ethics laws and rules or public
- 2801 corruption laws governing conduct in office;
- 2802 i. Failure to avoid any appearance of impropriety;
- 2803 j. Any act injurious to the honor of the State of Florida
- 2804 or of any of its officers or employees unless such act is
- 2805 justified by official duty; or
- 2806 k. Gross failure to discourage such misconduct by other
- 2807 officers subject to impeachment; or

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2808 (4) Any conduct unbecoming of a public officer, including,
 2809 but not limited to:

- 2810 a. Commission of any felony under any jurisdiction;
- 2811 b. Commission of any breach of peace in any place;
- 2812 c. Sexual harassment;
- 2813 d. Invidious discrimination;
- 2814 e. Solicitation or acceptance of campaign contributions or
- 2815 expenditure of campaign funds in a manner that violates any law
- 2816 or binding rule of conduct, or acquiescence in such conduct by
- 2817 an agent of the candidate's campaign;
- 2818 f. Any act contrary to the peace and dignity of the State
- 2819 of Florida; or
- 2820 g. Gross failure to discourage such conduct by
- 2821 subordinates or by other officers subject to impeachment.

2822 (b) For purposes of this rule:

2823 (1) "Sexual harassment" means engaging in a sexual or
 2824 romantic relationship with any person other than one's spouse if
 2825 such person is a subordinate or an employee of a subordinate or
 2826 an employee of a colleague officer or any related conduct that
 2827 would be grounds for dismissal if committed by a state employee
 2828 in any state agency or legislative or judicial body. It also
 2829 includes solicitation of such relationship. For purposes of this
 2830 definition, "colleague officer" means:

- 2831 a. For a statewide elected officer, any other statewide
- 2832 elected officer.

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2833 b. For any other constitutional officer, any
 2834 constitutional officer serving the same county, circuit, or
 2835 district.

2836 (2) "Breach of peace" means any act or conduct that
 2837 seriously endangers or disturbs public peace and order,
 2838 including, but not limited to, any act of unjustified violence
 2839 against any person or property and malicious destruction of
 2840 property.

2841 (3) "Gross failure to discourage" means having actual
 2842 knowledge of wrongful conduct of another person and neglecting
 2843 to admonish appropriate behavior of such person, covering up
 2844 inappropriate behavior of such person, failing to exercise
 2845 vested authority to correct or discipline inappropriate behavior
 2846 of such person, or failing to report inappropriate behavior of
 2847 such person when there is a duty to report.

2848

2849 19.2—Procedure

2850 The House may act in session upon any resolution of impeachment
 2851 filed in the House, notwithstanding any deadline for filing
 2852 substantive resolutions, or may proceed on any complaint against
 2853 an officer subject to impeachment in accordance with Rule 18.

2854

2855 19.3—Impeachment Managers

2856 When the House is in recess or not in session, the Speaker may
 2857 appoint a replacement for any impeachment manager appointed by

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2858 | the House if the manager neglects or cannot perform the duties
2859 | of a manager or if the manager resigns. The Speaker shall be the
2860 | sole judge of such matters subject only to an appeal to the
2861 | House filed with the Clerk during a legislative session if filed
2862 | within 48 hours after the Clerk publishes such replacement
2863 | appointment.

**JOINT RULES OF THE
FLORIDA LEGISLATURE**

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1 House Concurrent Resolution

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

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

7
 8 That the following joint rules shall govern the Florida
 9 Legislature for the 2022-2024 term:

10
 11 JOINT RULES

12
 13 Joint Rule One—Lobbyist Registration and Compensation Reporting

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

106 | (a) A member of the Legislature.

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

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

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

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

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

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

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

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

137

138 1.2—Method of Registration

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

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

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

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

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

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

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

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

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

191 |
 192 | 1.3—Registration Costs; Exemptions

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

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

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

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

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

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

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

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

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

223

224 1.4-Reporting of Lobbying Firm Compensation

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

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

- 230 | 1. Full name, business address, and telephone number of
- 231 | the lobbying firm;
- 232 | 2. Registration name of each of the firm's lobbyists; and
- 233 | 3. Total compensation provided or owed to the lobbying
- 234 | firm from all principals for the reporting period, reported in
- 235 | one of the following categories: \$0; \$1 to \$49,999; \$50,000 to
- 236 | \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to
- 237 | \$999,999; or \$1 million or more.

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

- 241 | 1. Full name, business address, and telephone number of
- 242 | the principal; and
- 243 | 2. Total compensation provided or owed to the lobbying
- 244 | firm for the reporting period, reported in one of the following
- 245 | categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to
- 246 | \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or
- 247 | more. If the category "\$50,000 or more" is selected, the
- 248 | specific dollar amount of compensation must be reported, rounded
- 249 | up or down to the nearest \$1,000.

250 | (c) Compensation shall be reported using the accrual basis

251 | of accounting.

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

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

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

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

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

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

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276	Category (dollars)	Dollar amount to use aggregating
277	0	0
278	1-9,999	5,000
279	10,000-19,999	15,000
280	20,000-29,999	25,000
281	30,000-39,999	35,000
282	40,000-49,999	45,000
283	50,000 or more	Actual amount reported

284

285 (3) The compensation reports shall be filed no later than

286 45 days after the end of each reporting period. The four

287 reporting periods are from January 1 through March 31, April 1

288 through June 30, July 1 through September 30, and October 1

289 through December 31, respectively. The reports shall be rendered

290 in the identical form provided by the respective houses and

291 shall be open to public inspection.

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

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

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

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

313
 314 1.5—Failure to File Timely Compensation Report; Notice and
 315 Assessment of Fines; Appeals

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

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

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

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

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

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

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

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

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

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

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

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

386

387 1.6—Open Records; Internet Publication of Registrations and
388 Compensation Reports

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

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

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

400

401 1.7—Records Retention and Inspection and Complaint Procedure

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

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

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

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

427 |

428 | 1.8—Questions Regarding Interpretation of Joint Rule One

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

443 (2) A person in doubt about the applicability or
 444 interpretation of Joint Rule One with respect to that person's
 445 conduct may submit in writing the facts for an advisory opinion
 446 to the committee of either house designated pursuant to s.
 447 11.045(5), Florida Statutes, and may appear in person before the
 448 committee in accordance with s. 11.045(5), Florida Statutes.

449
 450 1.9—Effect of Readoption and Revision

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

459
 460 Joint Rule Two—General Appropriations Review Period and Budget
 461 Conference Committee Rules

462
 463 2.1—General Appropriations and Related Bills; Review Periods

464 (1) A general appropriations bill shall be subject to a
 465 72-hour public review period before a vote is taken on final
 466 passage of the bill in the form that will be presented to the
 467 Governor.

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

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

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

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

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

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

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

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

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

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

518 computation under this rule.

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

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

532

533 2.2-General Appropriations and Related Bills; Definitions

534 As used in Joint Rule Two, the term:

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

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

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

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

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

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

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

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

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

577 5. A local water project.

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

579 1. Is specifically authorized by statute;

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

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

587

588 2.3–Budget Conference Committee Rules

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

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

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

597 (2) The information collected must include:

598 (a) A descriptive title of the appropriations project.

599 (b) The date of the submission.

600 (c) The name of the submitting member.

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

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

605 (f) The amount of the nonrecurring request.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

667 (4) Each chamber must collect the required information

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

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

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

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

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

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

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

693 provisions of paragraph (a).

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

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

704

705 Joint Rule Three—Joint Offices and Policies

706

707 3.1—Joint Legislative Offices

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

710 (a) Office of Economic and Demographic Research.

711 (b) Office of Legislative Information Technology Services.

712 (c) Office of Legislative Services.

713 (d) Office of Program Policy Analysis and Government
714 Accountability.

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

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

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

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

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

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

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

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

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

755

756 3.2-Joint Policies

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

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

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Joint Rule Four—Joint Committees

4.1—Standing Joint Committees

(1) The following standing joint committees are established:

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

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

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

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

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

793 | the general election.

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

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

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

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

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

810 |

811 | 4.2—Procedures in Joint Committees

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

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

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

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

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

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

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

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

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

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

856

857 4.3—Powers of Joint Committees

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

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

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

870

871 4.4-Administration of Joint Committees

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

876 (2) Subject to joint policies adopted under Joint Rule
877 3.2, the presiding officers shall appoint and remove the staff
878 director and, if needed, a general counsel and any other staff
879 necessary to assist each joint committee. All joint committee
880 staff shall serve at the pleasure of the presiding officers.
881 Upon the initial adoption of these joint rules in a biennium,
882 each joint committee staff director position shall be deemed
883 vacant until an appointment is made.

884

885 4.5-Special Powers and Duties of the Legislative Auditing 886 Committee

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

892 (2) The Legislative Auditing Committee may receive

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

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

902
 903 4.6—Special Powers and Duties of the Administrative Procedures
 904 Committee

905 The Administrative Procedures Committee shall:

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

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

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

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

918 Statutes, concerning the adoption and promulgation of rules.

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

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

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

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

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

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

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

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

965
 966 4.7—Special Powers and Duties of the Committee on Public Counsel
 967 Oversight

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

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

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

981
 982 Joint Rule Five—Auditor General

983
 984 5.1—Rulemaking Authority

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

988
 989 5.2—Budget and Accounting

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

993 | the ensuing fiscal year.

994 | (2) Within the limitations of the approved operating
 995 | budget, the salaries and expenses of the Auditor General and the
 996 | staff of the Auditor General shall be paid from the
 997 | appropriation for legislative expense or any other moneys
 998 | appropriated by the Legislature for that purpose. The Auditor
 999 | General shall approve all bills for salaries and expenses for
 1000 | his or her staff before the same shall be paid.

1001 |
 1002 | 5.3–Audit Report Distribution

1003 | (1) A copy of each audit report shall be submitted to the
 1004 | Governor, to the Chief Financial Officer, and to the officer or
 1005 | person in charge of the state agency or political subdivision
 1006 | audited. One copy shall be filed as a permanent public record in
 1007 | the office of the Auditor General. In the case of county
 1008 | reports, one copy of the report of each county office, school
 1009 | district, or other district audited shall be submitted to the
 1010 | board of county commissioners of the county in which the audit
 1011 | was made and shall be filed in the office of the clerk of the
 1012 | circuit court of that county as a public record. When an audit
 1013 | is made of the records of the district school board, a copy of
 1014 | the audit report shall also be filed with the district school
 1015 | board, and thereupon such report shall become a part of the
 1016 | public records of such board.

1017 | (2) A copy of each audit report shall be made available to

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1018 each member of the Legislative Auditing Committee.

1019 (3) The Auditor General shall transmit a copy of each
1020 audit report to the appropriate substantive and fiscal
1021 committees of the Senate and House of Representatives.

1022 (4) Other copies may be furnished to other persons who, in
1023 the opinion of the Auditor General, are directly interested in
1024 the audit or who have a duty to perform in connection therewith.

1025 (5) The Auditor General shall transmit to the President of
1026 the Senate and the Speaker of the House of Representatives, by
1027 December 1 of each year, a list of statutory and fiscal changes
1028 recommended by audit reports. The recommendations shall be
1029 presented in two categories: one addressing substantive law and
1030 policy issues and the other addressing budget issues. The
1031 Auditor General may also transmit recommendations at other times
1032 of the year when the information would be timely and useful for
1033 the Legislature.

1034 (6) A copy required to be provided under this rule may be
1035 provided in an electronic or other digital format if the Auditor
1036 General determines that the intended recipient has appropriate
1037 resources to review the copy. Copies to members, committees, and
1038 offices of the Legislature shall be provided in electronic
1039 format as may be provided in joint policies adopted under Joint
1040 Rule 3.2.

1041

1042 Joint Rule Six—Joint Legislative Budget Commission

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6.1-General Responsibilities

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

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

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

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

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

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

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1068 (7) The commission, with the approval of the President of
1069 the Senate and the Speaker of the House of Representatives, may
1070 appoint subcommittees as necessary to facilitate its work.

1071

1072 6.2—Organizational Structure

1073 (1) The commission is not subject to Joint Rule Four. The
1074 commission shall be composed of seven members of the Senate
1075 appointed by the President of the Senate and seven members of
1076 the House of Representatives appointed by the Speaker of the
1077 House of Representatives.

1078 (2) The commission shall be jointly staffed by the
1079 appropriations committees of both houses. The Senate shall
1080 provide the lead staff when the chair of the commission is a
1081 member of the Senate. The House of Representatives shall provide
1082 the lead staff when the chair of the commission is a member of
1083 the House of Representatives.

1084

1085 6.3—Notice of Commission Meetings

1086 Not less than 7 days prior to a meeting of the commission, a
1087 notice of the meeting, stating the items to be considered, date,
1088 time, and place, shall be filed with the Secretary of the Senate
1089 when the chair of the commission is a member of the Senate or
1090 with the Clerk of the House when the chair of the commission is
1091 a member of the House of Representatives. The Secretary of the
1092 Senate or the Clerk of the House shall distribute notice to the

1093 | Legislature and the public, consistent with the rules and
 1094 | policies of their respective houses.

1095 |

1096 | 6.4—Effect of Adoption; Intent

1097 | This Joint Rule Six replaces all prior joint rules governing the
 1098 | Joint Legislative Budget Commission and is intended to implement
 1099 | constitutional provisions relating to the Joint Legislative
 1100 | Budget Commission existing as of the date of the rule's
 1101 | adoption.

1102 |

1103 | Joint Rule Seven—Qualifications of Members

1104 |

1105 | 7.1—Residency

1106 | (1) A member shall be a legal resident and elector of his
 1107 | or her district at the time of election and shall maintain his
 1108 | or her legal residence within that district for the duration of
 1109 | his or her term of office. While a member may have multiple
 1110 | residences, he or she shall have only one legal residence. The
 1111 | legal residence of a member at a designated location is
 1112 | demonstrated by a totality of the circumstances. Factors to be
 1113 | considered include, but are not limited to:

1114 | (a) Where one claims to reside, as reflected in statements
 1115 | to others or in official documents;

1116 | (b) The abandonment of a prior legal residence, as
 1117 | evidenced by moving from or selling a prior legal residence;

1118 (c) The abandonment of rights and privileges associated
 1119 with a prior legal residence;

1120 (d) Where one is registered as a voter;

1121 (e) Where one claims a legal residence for a homestead
 1122 exemption;

1123 (f) Where one claims a legal residence for a driver
 1124 license or other government privilege or benefit;

1125 (g) The transfer of one's bank accounts to the district
 1126 where one maintains a legal residence;

1127 (h) Where one's spouse and minor children maintain a legal
 1128 residence, work, and attend school;

1129 (i) Where one receives mail and other correspondence;

1130 (j) Where one customarily resides;

1131 (k) Where one conducts business affairs;

1132 (l) Where one rents or leases property; and

1133 (m) Where one plans the construction of a new legal
 1134 residence.

1135 (2) In accordance with Section 3 of Article X of the
 1136 Florida Constitution, a vacancy in office occurs when a member
 1137 fails to maintain a legal residence within his or her district
 1138 as required at the time of election.

1139 (3) In accordance with Section 2 of Article III of the
 1140 Florida Constitution, each house of the Legislature shall be the
 1141 sole judge of the qualifications of its members, including
 1142 whether a member no longer satisfies his or her qualifications

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1143 | for office.

1144 | (4) Each member shall affirm in writing that he or she is
1145 | a legal resident and elector of his or her district based on the
1146 | provisions of this Joint Rule. Each member shall file the
1147 | written affirmation with the Secretary of the Senate or the
1148 | Clerk of the House of Representatives before the convening of
1149 | Organization Session following each general election. For a
1150 | member who is elected pursuant to a special election, the member
1151 | must execute the written affirmation before or concurrent with
1152 | taking the oath of office and provide such affirmation to the
1153 | Secretary of the Senate or the Clerk of the House of
1154 | Representatives. The form of the written affirmation shall be
1155 | prescribed by the Secretary of the Senate and the Clerk of the
1156 | House of Representatives for members of their respective house
1157 | of the Legislature.

1158 |
1159 | Joint Rule Eight—Adjourning and Reconvening of Each House of the
1160 | Legislature and Providing for Adjournment Sine Die

1161 |
1162 | 8.1—Adjourning and Reconvening
1163 | Pursuant to Section 3(e) of Article III of the Florida
1164 | Constitution, during any legislative session, each house of the
1165 | Legislature may, without consent from the other house, determine
1166 | its respective dates and times for adjourning and reconvening
1167 | daily sittings.

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1168

1169 8.2-Adjournment Sine Die

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

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