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House Resolution

A resolution establishing the Rules of the House of Representatives of the State of Florida for the 2012-2014 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 2012-2014 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 accordance with Rule 2.5. The Speaker shall appoint a Majority Leader from among the members of the Majority Conference to serve at the pleasure of the Speaker. The Minority Conference

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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

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

80 |           (b) QUESTIONS OF ORDER ARISING IN COMMITTEE OR

81 | SUBCOMMITTEE. A question of order may be certified by a  
82 | committee or subcommittee chair to the Speaker for determination  
83 | as any other question of order. A question of order decided in  
84 | committee or subcommittee may be appealed to the Speaker,

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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

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113 duties of presiding officer for a temporary period of time not  
114 to extend beyond a single legislative day.

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

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

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

131

## 132 2.6—Protecting the Interests of the House

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

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141 2.7—Control of House Facilities

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

145

146 RULE THREE—MEMBERS

147

148 3.1—Membership

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

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

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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.

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197 3.3-Attendance Obligation

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

207 (b) SESSION ATTENDANCE.

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

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

222

223 3.4-Open Meetings

224 (a) Subject to order and decorum, each member shall



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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.

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

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253 such persons have requested admission.

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

265

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

267

268 4.1—The Clerk

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

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

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

280 (3) Keep a correct journal of proceedings of the House.

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281 The Journal shall be numbered serially and published from the  
282 first day of each session of the Legislature.

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

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

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

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

292

#### 293 4.2-The Sergeant at Arms

294 The Sergeant at Arms (hereinafter "Sergeant") serves at the  
295 pleasure of the Speaker. The Sergeant shall attend the House  
296 during its sittings and maintain order under the direction of  
297 the Speaker or other presiding officer. In case of any  
298 disturbance or disorderly conduct within the Chamber, corridors,  
299 passages, lobby, galleries, or rooms of the House, whether in  
300 the Capitol or elsewhere, the Speaker may order the Sergeant to  
301 suppress the same and may order the Sergeant to remove any  
302 person creating any disturbance. The Sergeant will ensure that  
303 no person is admitted to the Chamber except in accordance with  
304 these rules or as directed by the Speaker. The Sergeant shall  
305 oversee the security of the House and its members when engaged  
306 in their constitutional duties and perform other duties under  
307 the command and supervision of the Speaker.

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309 4.3—The Employees  
 310 The Speaker shall employ all employees of the House and shall  
 311 determine their qualifications, duties, hours of work, and  
 312 compensation, including perquisites and other benefits. All  
 313 employees work for and serve at the pleasure of the Speaker. The  
 314 Speaker has the right to dismiss any employee of the House  
 315 without cause, and the pay of such employee shall stop on the  
 316 designated day of dismissal. Except when operating under  
 317 direction from a member with authority over the designated  
 318 employee, no House employee shall seek to influence the passage  
 319 or rejection of proposed legislation.

320  
 321 RULE FIVE—FORM AND INTRODUCTION OF BILLS  
 322

323 5.1—"Bill" Stands for All Legislation

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

328  
 329 5.2—Member Bill Filing Deadline

330 Filing deadlines for member bills shall be as follows:

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

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

340

341 5.3—Limitation on Member Bills Filed

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

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

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

350 (2) Ceremonial House resolutions.

351 (3) Memorials.

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

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

355 (6) Public records or public meetings exemption bills  
 356 adhering to another bill.

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

358 (8) Bills that only repeal or delete, without substantive  
 359 replacement, at least a paragraph of the Florida Statutes or  
 360 Laws of Florida.

361 (9) Bills withdrawn from further consideration prior to  
 362 the applicable filing deadline.

363

364 5.4—Forms of Measures; Sponsorship Transactions

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

367 (b) No member may be added or deleted as a sponsor or  
368 cosponsor of a bill without the member's consent. A member  
369 desiring to be a cosponsor must submit to the Clerk a  
370 cosponsorship request agreed to by the first-named sponsor. A  
371 member may withdraw as a cosponsor by submitting a request to  
372 the Clerk.

373 (c) Bills that propose to amend existing provisions of law  
374 shall contain the full text of the section, subsection, or  
375 paragraph to be amended. Joint resolutions that propose to amend  
376 the State Constitution shall contain the full text of the  
377 section to be amended. As to those portions of general bills and  
378 joint resolutions that propose to amend existing provisions of  
379 the Florida Statutes or the State Constitution, words to be  
380 added shall be inserted in the text underlined and words to be  
381 deleted shall be struck through with hyphens. If the change in  
382 language is so general that the use of these procedures would  
383 hinder, rather than assist, the understanding of the amendment,  
384 it is not necessary to use the coded indicators of words added  
385 or deleted, but, in lieu thereof, a notation similar to the  
386 following shall be inserted immediately preceding the affected  
387 section of the bill: "Substantial rewording of section. See s. .  
388 . . . , F.S., for present text." When such a notation is used,  
389 the notation, as well as the substantially reworded text, shall  
390 be underlined. The words to be deleted and the above-described  
391 indicators of such words and of new material are for information  
392 and guidance and do not constitute a part of the bill under

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

399

#### 400 5.5-Local Bills

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

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

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

414

#### 415 5.6-Claim Bills

416 (a) The Speaker may appoint a Special Master to review a  
417 claim bill or conduct a hearing, if necessary. The Special  
418 Master may administer an oath to all witnesses, accept relevant  
419 documentary and tangible evidence offered as deemed necessary,  
420 and record the hearing. The Special Master may prepare a final

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421 report containing findings of fact, conclusions of law, and  
422 recommendations. The report shall be signed by the Special  
423 Master, who shall be available, in person, to explain his or her  
424 report to any committee or subcommittee of reference.

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

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

434

#### 435 5.7—Reviser's Bills

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

439

#### 440 5.8—Memorials

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

445

#### 446 5.9—House Resolutions; Concurrent Resolutions; Tributes

447 (a) All House resolutions and all concurrent resolutions  
448 originating in the House shall contain a title and a resolving



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

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

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

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

471

472 5.10-Bills Filed During an Interim

473 During the period between the organization session and the  
 474 convening of the first regular session of the legislative  
 475 biennium and during the period between the first and second  
 476 regular sessions of the legislative biennium, members may file

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

479

480 | 5.11—Requirements for Introduction

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

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

497

498 | 5.12—Identification

499 | Each bill shall be given a number and filed with the Clerk by  
500 | the House Bill Drafting Service. Bills shall be serially  
501 | numbered in an odd-numbered sequence, except that bills of a  
502 | similar type may be serially numbered separately. The Clerk  
503 | shall validate the original copy of each bill, and each page  
504 | thereof, to ensure its identification as the item introduced in

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505 order to prevent unauthorized or improper substitutions  
 506 therefor.

507  
 508 5.13—Companion Measures

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

523  
 524 RULE SIX—REFERENCE

525  
 526 6.1—Speaker to Refer Legislation

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

529  
 530 6.2—Reference: Generally

531 (a) Bills, upon filing or introduction, whether House or  
 532 Senate, may be referred by the Speaker to one or more committees

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533 or subcommittees or any combination thereof or to the Calendar  
 534 of the House. The order of reference shall be determined by the  
 535 Speaker.

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

538

539 6.3—Reference: Exception

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

543

544 6.4—Reference of Resolutions, Concurrent Resolutions: Exception  
 545 Resolutions on House organization and concurrent resolutions  
 546 pertaining to extension of the session may be taken up upon  
 547 motion and adopted at the time of introduction without  
 548 reference.

549

550 6.5—Appropriations or Tax Measures: Withdrawal from a Fiscal  
 551 Committee or Subcommittee; Additional Reference

552 (a) A bill in the possession of a fiscal committee or  
 553 subcommittee that has been amended by report from a committee or  
 554 subcommittee of previous reference to remove its fiscal impact  
 555 may be withdrawn from the fiscal committee or subcommittee on a  
 556 point of order raised by the committee chair of the fiscal  
 557 committee having possession of the bill or jurisdiction over the  
 558 subcommittee having possession of the bill.

559 (b) If an amendment adopted on the floor of the House  
 560 affects an appropriation or a tax matter, upon a point of order

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561 made by the chair or vice chair of a fiscal committee, the bill  
 562 may be referred by the Speaker, with the amendment, to an  
 563 appropriate committee or subcommittee. If the bill, as amended  
 564 on the floor, is reported favorably without further amendment,  
 565 it shall be returned to the same reading as when referred. If  
 566 the bill, as amended on the floor, is reported favorably with  
 567 further amendment, it shall be returned to second reading.

568

569 6.6—Reference of Veto Messages

570 The Speaker may refer veto messages to the appropriate committee  
 571 or subcommittee for a recommendation.

572

573 RULE SEVEN—COMMITTEES AND SUBCOMMITTEES

574

575 PART ONE—Organization

576

577 7.1—Standing Committees and Subcommittees

578 (a) The following standing committees, and the standing  
 579 subcommittees within their respective jurisdictions, are  
 580 established:

581 (1) Appropriations Committee.

582 a. Agriculture & Natural Resources Appropriations  
 583 Subcommittee.

584 b. Education Appropriations Subcommittee.

585 c. Finance & Tax Subcommittee.

586 d. Government Operations Appropriations Subcommittee.

587 e. Health Care Appropriations Subcommittee.

588 f. Justice Appropriations Subcommittee.

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- 589 |           g. Transportation & Economic Development Appropriations
- 590 | Subcommittee.
- 591 |           (2) Economic Affairs Committee.
- 592 |           a. Economic Development & Tourism Subcommittee.
- 593 |           b. Transportation & Highway Safety Subcommittee.
- 594 |           c. Veteran & Military Affairs Subcommittee.
- 595 |           (3) Education Committee.
- 596 |           a. Choice & Innovation Subcommittee.
- 597 |           b. Higher Education & Workforce Subcommittee.
- 598 |           c. K-12 Subcommittee.
- 599 |           (4) Health & Human Services Committee.
- 600 |           a. Health Innovation Subcommittee.
- 601 |           b. Health Quality Subcommittee.
- 602 |           c. Healthy Families Subcommittee.
- 603 |           (5) Judiciary Committee.
- 604 |           a. Civil Justice Subcommittee.
- 605 |           b. Criminal Justice Subcommittee.
- 606 |           (6) Local & Federal Affairs Committee.
- 607 |           (7) Regulatory Affairs Committee.
- 608 |           a. Business & Professional Regulation Subcommittee.
- 609 |           b. Energy & Utilities Subcommittee.
- 610 |           c. Insurance & Banking Subcommittee.
- 611 |           (8) Rules & Calendar Committee.
- 612 |           a. Rulemaking Oversight & Repeal Subcommittee.
- 613 |           (9) State Affairs Committee.
- 614 |           a. Agriculture & Natural Resources Subcommittee.
- 615 |           b. Ethics & Elections Subcommittee.
- 616 |           c. Government Operations Subcommittee.

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617 (b) For purposes of these rules, the term "committee"  
618 includes subcommittee, except where the context indicates  
619 otherwise.

620

#### 621 7.2-Committee and Subcommittee Appointments

622 The Speaker may appoint the chair, the vice chair, and any co-  
623 chairs as he or she deems necessary, as well as all members, for  
624 each standing House committee and subcommittee. The Speaker may  
625 appoint the House chair and all House members of each conference  
626 committee, joint committee, and joint select committee created  
627 by agreement of the House and Senate or of the Speaker and the  
628 President of the Senate. The Speaker shall give written notice  
629 of each such appointment to the Clerk for publication. After the  
630 Speaker has made committee and subcommittee appointments, the  
631 Minority Leader may name a Minority Conference member of any  
632 committee or subcommittee as "ranking member" of that committee  
633 or subcommittee, subject to the approval of the Speaker.

634

#### 635 7.3-Powers of the Chair

636 A committee or subcommittee chair has authority to sign all  
637 notices, vouchers, and reports required or permitted by these  
638 rules. The chair has authority, subject to approval by the  
639 Speaker, to sign all subpoenas issued under these rules. The  
640 chair has all authority necessary to ensure the orderly  
641 operation of the committee or subcommittee, including, but not  
642 limited to, presiding over meetings, establishing each meeting  
643 agenda, determining the order in which matters are to be taken  
644 up, recognizing or not recognizing non-member presenters, and

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645 deciding questions of order. Decisions on questions of order may  
646 be appealed pursuant to Rule 2.3(b), but there shall be no  
647 appeal of the chair's recognition.

648

#### 649 7.4—Absence of the Chair

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

658

#### 659 7.5—Term of Appointment

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

667

#### 668 7.6—Creation of Select Committees

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



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

677

#### 678 7.7—Ex officio Members

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

690

#### 691 7.8—Meetings of Committees and Subcommittees

692 Committees and subcommittees shall meet only within the dates,  
693 times, and locations designated or authorized by the Speaker.  
694 Committees and subcommittees shall meet at the call of the  
695 chair.

696

697 7.9—Consideration of Proposed Committee and Subcommittee Bills  
698 Before a standing committee or subcommittee may consider a  
699 proposed committee or subcommittee bill, the chair shall submit  
700 a written request to the Speaker for approval. A request for

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701 approval to consider a proposed subcommittee bill shall be  
702 cosigned by the chair of the committee with jurisdiction over  
703 the subcommittee. In introducing a proposed committee or  
704 subcommittee bill, the chair must designate a member of the  
705 originating committee or subcommittee as first-named cosponsor,  
706 with the approval of such member.  
707

#### 708 7.10—Conference Committees

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

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

722 (1) First to vote on a motion to accept the report in its  
723 entirety. The motion shall not be subject to amendment. If this  
724 vote fails, the report shall be automatically recommitted to the  
725 conference committee.

726 (2) If the report is accepted, the final vote shall be a  
727 roll call on the passage of the bill as amended by the report.  
728 The bill as amended by the report is not subject to further

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729 amendment.

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

734

735 PART TWO—Procedures in Committees and Subcommittees

736

737 7.11—Scheduling Committee and Subcommittee Meetings

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

746 (b) CONTENT OF MEETING NOTICE. The notice shall state the  
 747 date, time, and place of the meeting and, for each bill to be  
 748 considered, the bill or proposed bill number and a portion of  
 749 the title sufficient for identification. Except with respect to  
 750 bills retained on reconsideration under Rule 7.16 and committee  
 751 or subcommittee substitutes under Rule 7.19, only such bills as  
 752 are included on the notice of a committee or subcommittee  
 753 meeting may be considered at that meeting.

754 (c) PROPOSED BILLS TO BE AVAILABLE. A copy of each  
 755 proposed bill noticed for consideration must be available to  
 756 each committee or subcommittee member no later than the time of

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757 providing notice of the meeting.

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

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

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

779 (g) AMENDED NOTICE AND CANCELLATION. At any time before a  
780 noticed meeting, a bill or other item may be removed from a  
781 meeting notice or the meeting may be cancelled by providing an  
782 amended notice.

783 (h) CLERK DUTIES. The Clerk shall promptly publish the  
784 content of meeting notices in accordance with policies approved

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785 by the Speaker.

786 (i) CONTINUATION AFTER NOTICED TIME. If the majority of  
 787 committee or subcommittee members present agree, a committee or  
 788 subcommittee may continue the consideration of properly noticed  
 789 legislation after the expiration of the time called for the  
 790 meeting or may temporarily recess to continue the meeting at a  
 791 time and place certain on the same day. However, a committee or  
 792 subcommittee may not meet beyond the time authorized or in a  
 793 place not authorized by the Speaker without special leave  
 794 granted by the Speaker.

795 (j) RULES & CALENDAR COMMITTEE EXEMPT FROM NOTICE  
 796 DEADLINE. The Rules & Calendar Committee shall be exempt from  
 797 the notice deadlines of this rule except when meeting to  
 798 consider the substance of legislation.

799  
 800 7.12—Amendment Deadlines in Committee and Subcommittee

801 (a) Amendments may be offered in any committee or  
 802 subcommittee by any member of the House, subject to the  
 803 following deadlines:

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

810 (2) After the 45th day of a regular session and during any  
 811 extended session, an amendment by a member who is not a member  
 812 of the committee or subcommittee considering the bill shall be

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813 | filed by 6 p.m. of the day (including Saturdays, Sundays, and  
 814 | official state holidays) before the committee or subcommittee  
 815 | meeting.

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

820 |         (b) Notwithstanding the foregoing, subject to approval by  
 821 | a majority vote of the House, the Rules & Calendar Committee may  
 822 | establish special amendment deadlines and procedures for  
 823 | appropriations bills, implementing bills, and conforming bills,  
 824 | as defined in Rule 12.5.

825 |

826 | 7.13—Quorum of Committee or Subcommittee

827 | A majority of any committee's or subcommittee's members shall  
 828 | constitute a quorum necessary for the transaction of business.  
 829 | An ex officio member shall not be counted for purposes of  
 830 | determining a quorum.

831 |

832 | 7.14—Meeting during House Sessions

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

835 |

836 | 7.15—Voting in Committee or Subcommittee

837 |         (a) Every vote on final consideration of a bill in  
 838 | committee or subcommittee shall be taken by the yeas and nays,  
 839 | and the names of the members voting for and against, as well as  
 840 | the names of members absent, shall be recorded on the committee

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841 or subcommittee report. Upon the request of any two members, the  
842 vote of each member shall be recorded on any other question and  
843 all such votes shall be reported with the committee or  
844 subcommittee report.

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

852

853 7.16—Reconsideration in Committee or Subcommittee

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

856 (a) When a main question has been decided by a committee  
857 or subcommittee, any member voting with the prevailing side, or  
858 any member when the vote was a tie, may move for  
859 reconsideration.

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

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

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

876 (e) If the committee or subcommittee refuses to reconsider  
 877 or, upon reconsideration, confirms its prior decision, no  
 878 further motion to reconsider shall be in order except upon  
 879 unanimous consent of the committee or subcommittee members  
 880 present.

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

883

884 7.17—Reports on Bills

885 A committee or subcommittee may report a House bill unfavorably,  
 886 favorably, or favorably with a committee or subcommittee  
 887 substitute. A committee or subcommittee may report a Senate bill  
 888 favorably, favorably with one or more amendments, or  
 889 unfavorably. A bill may not be reported without recommendation.  
 890 A motion to lay a bill on the table shall be construed as a  
 891 motion to report the bill unfavorably.

892

893 7.18—Bill Reported Unfavorably by a Committee or Subcommittee

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

896



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897 7.19—Committee and Subcommittee Substitutes

898 (a) A standing committee or subcommittee may introduce a  
899 committee or subcommittee substitute embracing the same general  
900 subject matter of one or more bills in possession of the  
901 committee or subcommittee. If the original bill or bills are  
902 noticed, further notice is not required. If a proposed committee  
903 or subcommittee substitute is noticed in the manner required for  
904 a proposed committee or subcommittee bill, the original bill or  
905 bills need not be noticed. Upon the filing of a committee or  
906 subcommittee substitute, the original bill or bills shall be  
907 laid on the table of the House.

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

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

915

916 7.20—Subpoena Powers

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

920

921 7.21—Administration of Oaths

922 Whenever desired by a committee or subcommittee, the chair or  
923 any other member of the committee or subcommittee may administer  
924 oaths and affirmations in the manner prescribed by law to any

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925 witness appearing before such committee or subcommittee for the  
 926 purpose of testifying in any matter about which such committee  
 927 or subcommittee may require sworn testimony, provided the record  
 928 of a statement made under oath in committee or subcommittee may  
 929 not be used to controvert a factual determination of the  
 930 Legislature.

931

932 7.22—Procedure in Conference Committees

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

939

940 7.23—Open Meetings; Decorum

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

950 (b) The chair shall exercise all authority necessary to  
 951 maintain order and decorum, including the authority to impose  
 952 time limitations on testimony and presentations by non-members

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953 and to require all persons attending a committee or subcommittee  
 954 meeting to silence all audible electronic equipment.

955

956 PART THREE—Oversight Powers and Responsibilities

957

958 7.24—Oversight Powers and Responsibilities of Standing  
 959 Committees and Subcommittees

960 (a) Each standing committee or subcommittee is authorized  
 961 to exercise all powers authorized for committees pursuant to s.  
 962 11.143, Florida Statutes, to carry out oversight  
 963 responsibilities within its respective subject matter  
 964 jurisdiction. For purposes of this rule, the Speaker shall  
 965 determine the subject matter jurisdiction of each committee or  
 966 subcommittee.

967 (b) Select committees shall exercise committee powers  
 968 authorized by s. 11.143, Florida Statutes, whenever specifically  
 969 authorized in writing by the Speaker.

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

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

975

976 RULE EIGHT—DEBATE AND CHAMBER PROTOCOL

977

978 PART ONE—Privilege of the Floor

979

980 8.1—Privilege of the Floor

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

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

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

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

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

998 (f) SESSION ATTIRE. When the House is in session, all  
 999 persons in the Chamber shall be dressed in proper business  
 1000 attire.

1001  
 1002 PART TWO—Speaking

1003  
 1004 8.2—Addressing the House; Requirements to Spread Remarks upon  
 1005 the Journal

1006 (a) When a member desires to speak or deliver any matter  
 1007 to the House, the member shall rise and respectfully address the  
 1008 Speaker as "Mr. (or Madam) Speaker" and shall confine all

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1009 | remarks to the question under debate, avoiding personalities.  
 1010 | Once recognized, a member may speak from the member's desk or  
 1011 | may, with the Speaker's permission, speak from the well.

1012 |         (b) Any motion to spread remarks upon the Journal, except  
 1013 | those of the Governor or the Speaker, shall be referred to the  
 1014 | chair of the Rules & Calendar Committee for recommendation  
 1015 | before being put to the House.

1016 |

1017 | 8.3—When Two Members Rise at Once

1018 | When two or more members rise at once, the Speaker shall name  
 1019 | the one who is to speak first. This decision shall be final and  
 1020 | not open to debate or appeal.

1021 |

1022 | 8.4—Recognition of Members

1023 | There shall be no appeal of the Speaker's recognition, but the  
 1024 | Speaker shall be governed by the rules and usage in priority of  
 1025 | entertaining motions from the floor. When a member seeks  
 1026 | recognition, the Speaker may ask, "For what purpose does the  
 1027 | member rise?" or "For what purpose does the member seek  
 1028 | recognition?"

1029 |

1030 | 8.5—Recognition of Gallery Visitors and Doctor of the Day

1031 | On written request by a member, on a form approved by the Clerk,  
 1032 | the Speaker may recognize or permit the member to recognize any  
 1033 | person or persons in the gallery. After granting a request for  
 1034 | recognition, the Speaker shall afford that recognition at a  
 1035 | convenient place in the order of business, considering the need  
 1036 | for order and decorum and the need for continuity of debate. At

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1037 an appropriate time during proceedings on the floor, the Speaker  
 1038 may recognize a Doctor of the Day.

1039

1040 PART THREE—Debate

1041

1042 8.6—Decorum

1043 The members shall attend to the debates unless necessarily  
 1044 prevented, and no member shall stand between the Speaker and a  
 1045 member recognized to speak.

1046

1047 8.7—Speaking and Debate; Right to Close

1048 (a) A member may not speak more than once nor occupy more  
 1049 than 15 minutes in debate on any question.

1050 (b) A member who has the floor may not be interrupted by  
 1051 another member for any purpose, save the privilege of the House,  
 1052 unless he or she consents to yield to the other member. A member  
 1053 desiring to interrupt another in debate should first address the  
 1054 Speaker for the permission of the member speaking. The Speaker  
 1055 shall then ask the member who has the floor if he or she wishes  
 1056 to yield and shall then announce the decision of that member.  
 1057 Whether to yield shall be entirely within the speaking member's  
 1058 discretion. This subsection shall not, however, deprive the  
 1059 first-named sponsor or mover of the right to close when the  
 1060 effect of an amendment or motion would be to foreclose favorable  
 1061 action on the bill, amendment, or motion.

1062

1063 8.8—Asking Questions of Members

1064 It is entirely within a speaking member's discretion whether to

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1065 | yield to a question. The proper purpose of a question is to  
 1066 | obtain information in good faith, not for the questioner to  
 1067 | supply information to the body. Neither a question nor an answer  
 1068 | to a question may contain arguments or debate.

1069 |  
 1070 | 8.9—Right to Open and Close Debate

1071 | The member presenting a motion shall have the right to open and  
 1072 | close the debate and, for this purpose, may speak each time up  
 1073 | to 10 minutes, unless otherwise limited by majority vote of the  
 1074 | House, notwithstanding the limitation in Rule 8.7.

1075 |  
 1076 | PART FOUR—Materials and Meals in Chamber

1077 |  
 1078 | 8.10—Distribution of Materials in Chamber; Meals in Chamber

1079 | (a) The following constitutes policy regarding material  
 1080 | distributed to the general membership through the Sergeant at  
 1081 | Arms' Office and pages:

1082 | (1) All material must be approved by the chair of the  
 1083 | Rules & Calendar Committee prior to such distribution.

1084 | (2) The following official materials are approved: House  
 1085 | and Senate bills, resolutions, memorials, and amendments  
 1086 | thereto, and official calendars and journals; committee and  
 1087 | subcommittee meeting notices; communications from the Speaker  
 1088 | and Clerk and official communications from the Senate; and  
 1089 | official staff reports of standing or select committees or  
 1090 | subcommittees or of the majority or minority party.

1091 | (b) While members may consume nonalcoholic beverages on  
 1092 | the floor, meals will not be allowed on the floor without

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1093 concurrence of a majority vote.

1094

1095 PART FIVE—Miscellaneous Papers

1096

1097 8.11—Miscellaneous Papers

1098 Papers of a miscellaneous nature addressed to the House may, at  
 1099 the discretion of the Speaker, be read, noted in the Journal, or  
 1100 filed with the appropriate committee or subcommittee. When the  
 1101 reading of a paper other than one upon which the House is called  
 1102 to give a final vote is demanded and such reading is objected to  
 1103 by any member, whether the paper shall be read shall be  
 1104 determined without debate by the House by a majority vote.

1105

1106 RULE NINE—VOTING

1107

1108 9.1—Members Shall Vote

1109 Every member shall be within the Chamber during its sittings,  
 1110 unless excused or necessarily prevented, and shall vote on each  
 1111 question put, unless required to abstain under Rule 3.2.

1112

1113 9.2—Taking the Yeas and Nays

1114 The Speaker shall declare all votes, but if any member rises to  
 1115 doubt a vote, upon a showing of hands by five members, the  
 1116 Speaker shall take the sense of the House by oral or electronic  
 1117 roll call. When taking the yeas and nays on any question, the  
 1118 electronic roll-call system may be used and when so used shall  
 1119 have the force and effect of a roll call taken as provided in  
 1120 these rules. This system likewise may be used to determine the



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1121 presence of a quorum. When the House is ready to vote upon a  
 1122 question requiring roll call, and the vote is by electronic roll  
 1123 call, the Speaker shall say, "The question now recurs on  
 1124 (designating the matter to be voted upon). The Clerk will unlock  
 1125 the machine and the House will proceed to vote." When sufficient  
 1126 time has elapsed for each member to vote, the Speaker shall ask,  
 1127 "Have all members voted?" After a short pause, the Speaker shall  
 1128 say, "The Clerk will lock the machine and record the vote." When  
 1129 the vote is completely recorded, the Speaker shall announce the  
 1130 result to the House, and the Clerk shall record the action upon  
 1131 the Journal.

1132  
 1133 9.3—Vote of the Speaker or Temporary Presiding Officer  
 1134 The Speaker or temporary presiding officer is not required to  
 1135 vote in legislative proceedings other than on final passage of a  
 1136 bill, except when the Speaker's or temporary presiding officer's  
 1137 vote would be decisive. In all yea and nay votes, the Speaker's  
 1138 or temporary presiding officer's name shall be called last. With  
 1139 respect to voting, the Speaker or temporary presiding officer is  
 1140 subject to the same disqualification and disclosure requirements  
 1141 as any other member.

1142  
 1143 9.4—Votes After Roll Call; Finality of a Roll Call Vote  
 1144 (a) After the result of a roll call has been announced, a  
 1145 member may submit to the Clerk an indication of how the member  
 1146 would have voted or would have voted differently. The Clerk  
 1147 shall provide forms for the recording of these actions. When  
 1148 timely submitted, the vote after roll call shall be shown

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1149 beneath the roll call in the Journal. Otherwise, the vote after  
 1150 roll call shall be shown separately in the Journal.

1151 (b) In no instance, other than by reason of an electronic  
 1152 or mechanical malfunction, shall the result of a voting machine  
 1153 roll call on any question be changed.

1154

1155 9.5—No Member to Vote for Another except by Request and  
 1156 Direction

1157 (a) No member may vote for another member except at the  
 1158 other member's specific request and direction. No member may  
 1159 vote for another member who is absent from the Chamber, nor may  
 1160 any person who is not a member cast a vote for a member.

1161 (b) In no case shall a member vote for another on a quorum  
 1162 call.

1163 (c) Any member who votes or attempts to vote for another  
 1164 member in violation of this rule or who requests another member  
 1165 to vote for the requesting member in violation of this rule may  
 1166 be disciplined in such a manner as the House may deem proper.

1167 (d) Any person who is not a member and who votes in the  
 1168 place of a member shall be subject to such discipline as the  
 1169 House may deem proper.

1170

1171 9.6—Explanation of Vote

1172 A member may not explain his or her vote during a roll call but  
 1173 may reduce his or her explanation to writing in not more than  
 1174 200 words in an electronic format approved by the Clerk. Upon  
 1175 submission to the Clerk, this explanation shall be spread upon  
 1176 the Journal.

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RULE TEN—ORDER OF BUSINESS AND CALENDARS

PART ONE—Order of Business

10.1—Daily Sessions

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

10.2—Daily Order of Business

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

- (1) Call to Order.
- (2) Prayer.
- (3) Roll Call.
- (4) Pledge of Allegiance.
- (5) Correction of the Journal.
- (6) Communications.
- (7) Messages from the Senate.
- (8) Reports of Standing Committees and Subcommittees.
- (9) Reports of Select Committees.
- (10) Motions Relating to Committee and Subcommittee References.
- (11) Matters on Reconsideration.
- (12) Bills and Joint Resolutions on Third Reading.
- (13) Special Orders.
- (14) House Resolutions.

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1205 (15) Unfinished Business.

1206 (16) Introduction and Reference.

1207 (b) During special sessions, the order of business of  
 1208 Introduction and Reference shall be called for immediately  
 1209 following the order of business of Correction of the Journal.

1210 (c) Within each order of business, matters shall be  
 1211 considered in the order in which they appear on the daily  
 1212 printed Calendar of the House.

1213 (d) After the 45th day of a regular session, by a majority  
 1214 vote, the House may, on motion of the chair or vice chair of the  
 1215 Rules & Calendar Committee, move to Communications, Messages  
 1216 from the Senate, Bills and Joint Resolutions on Third Reading,  
 1217 or Special Orders. The motion may provide which matter on such  
 1218 order of business may be considered.

1219

1220 10.3—Chaplain to Offer Prayer

1221 A chaplain shall attend at the beginning of each day's sitting  
 1222 of the House and open the same with prayer. In the absence of a  
 1223 chaplain, the Speaker may designate someone else to offer  
 1224 prayer.

1225

1226 10.4—Quorum

1227 A majority of the membership of the House shall constitute a  
 1228 quorum to conduct business.

1229

1230 10.5—Consideration of Senate Messages: Generally

1231 Senate messages may be considered by the House at the time and  
 1232 in the order determined by the Speaker.

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PART TWO—Readings

10.6—"Reading" Defined

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

10.7—Reading of Bills and Joint Resolutions

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

10.8—Reading of Concurrent Resolutions and Memorials

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

10.9—Reading of House Resolutions

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

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

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10.10—Measures on Third Reading

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

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

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

PART THREE—Calendars

10.11—Special Order Calendar

(a) REGULAR SESSION.

(1) The Rules & Calendar Committee shall periodically submit, as needed, a Special Order Calendar determining the sequence for consideration of legislation. The Special Order Calendar may include bills on second reading, bills on unfinished business, resolutions, and specific sections for local bills, trust fund bills, and bills to be taken up at a time certain. Upon adoption of a Special Order Calendar, no other bills shall be considered for the time period set forth for that Special Order Calendar, except that any bill appearing

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1289 on that Special Order Calendar may be stricken from it by a  
 1290 majority vote or any bill may be added to it pursuant to Rule  
 1291 10.13. A previously adopted Special Order Calendar shall expire  
 1292 upon adoption by the House of a new Special Order Calendar.

1293 (2) Any committee, subcommittee, or member may apply in  
 1294 writing to the chair of the Rules & Calendar Committee to place  
 1295 a bill on the Special Order Calendar. The Rules & Calendar  
 1296 Committee may grant such requests by a majority vote.

1297 (3) During the first 55 days of a regular session, the  
 1298 Special Order Calendar shall be published in two Calendars of  
 1299 the House, and it may be taken up on the day of the second  
 1300 published Calendar. After the 55th day of a regular session, the  
 1301 Special Order Calendar shall be published in one Calendar of the  
 1302 House and may be taken up on the day the Calendar is published.

1303 (b) EXTENDED OR SPECIAL SESSION.

1304 (1) If the Legislature extends a legislative session, all  
 1305 bills on the Calendar of the House at the time of expiration of  
 1306 the regular session shall be placed in the Rules & Calendar  
 1307 Committee.

1308 (2) During any extended or special session, all bills upon  
 1309 being reported favorably by the last committee or subcommittee  
 1310 of reference shall be placed in the Rules & Calendar Committee.

1311 (3) During any extended or special session, the Rules &  
 1312 Calendar Committee shall establish a Special Order Calendar and  
 1313 only those bills on such Special Order Calendar shall be placed  
 1314 on the Calendar of the House.

1315 (4) During any extended or special session, the Special  
 1316 Order Calendar shall be published in one Calendar of the House

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1317 | and bills thereon may be taken up on the day the Calendar is  
 1318 | published.

1319 |  
 1320 | 10.12—Special Floor Procedures

1321 | The Rules & Calendar Committee may recommend special floor  
 1322 | procedures for the management of amendments and debate on a  
 1323 | particular bill, on second and third readings, which procedures  
 1324 | may include limitations on amendments and debate. Such  
 1325 | procedures may not be implemented unless approved by a majority  
 1326 | vote in session.

1327 |  
 1328 | 10.13—Consideration of Bills Not on Special Order Calendar

1329 | A bill not included on the Special Order Calendar may be  
 1330 | considered by the House upon a two-thirds vote.

1331 |  
 1332 | 10.14—Consent Calendar

1333 | The Rules & Calendar Committee may submit Consent Calendar  
 1334 | procedures to expedite the consideration of noncontroversial  
 1335 | legislation.

1336 |  
 1337 | 10.15—Requirements for Placement on Special Order Calendar

1338 | No measure may be placed on a Special Order Calendar until it  
 1339 | has been reported favorably by each committee and subcommittee  
 1340 | of reference and is available for consideration on the floor.

1341 |  
 1342 | 10.16—Informal Deferral of Bills

1343 | Whenever the member who introduced a bill or the first-named  
 1344 | member sponsor of a committee or subcommittee bill is absent



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1345 | from the Chamber when the bill has been reached in the regular  
 1346 | order on second or third reading, consideration shall be  
 1347 | informally deferred until such member's return, unless another  
 1348 | member consents to offer the bill on behalf of the original  
 1349 | member. The bill shall retain its position on the Calendar of  
 1350 | the House during the same legislative day. The member shall have  
 1351 | the responsibility of making the motion for its subsequent  
 1352 | consideration.

1353 |  
 1354 | PART FOUR—Ceremonial Resolutions

1355 |  
 1356 | 10.17—Ceremonial Resolutions Published in Journal  
 1357 | Upon approval of the chair of the Rules & Calendar Committee, a  
 1358 | ceremonial resolution may be shown as read and adopted by  
 1359 | publication in full in the Journal. The Rules & Calendar  
 1360 | Committee shall distribute a list of such resolutions 1 day  
 1361 | (excluding Saturdays, Sundays, and official state holidays) prior  
 1362 | to the day of their publication, during which time any member  
 1363 | may file with the Rules & Calendar Committee an objection to any  
 1364 | resolution listed. Each resolution for which an objection has  
 1365 | been filed shall be removed from the list and placed on the  
 1366 | Calendar of the House. All resolutions without objections shall  
 1367 | be printed on the next legislative day in the Journal and  
 1368 | considered adopted by the House.

1369 |  
 1370 | PART FIVE—Procedural Limitations in Final Week

1371 |  
 1372 | 10.18—Consideration Limits to Bills after Day 55

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1373 After the 55th day of a regular session, no House bills on  
 1374 second reading may be taken up and considered by the House.

1375  
 1376 10.19—Consideration Limits after Day 58

1377 After the 58th day of a regular session, the House may consider  
 1378 only:

- 1379 (a) Returning messages.
- 1380 (b) Conference reports.
- 1381 (c) Concurrent resolutions.

1382  
 1383 RULE ELEVEN—MOTIONS

1384  
 1385 11.1—Motions; How Made

1386 Every motion shall be made orally, except when requested by the  
 1387 Speaker to be reduced to writing.

1388  
 1389 11.2—Precedence of Motions During Debate

1390 (a) When a question is under debate, the Speaker or the  
 1391 chair of a committee or subcommittee shall receive no motion  
 1392 except:

- 1393 (1) To adjourn at a time certain.
- 1394 (2) To adjourn.
- 1395 (3) To recess to a time certain.
- 1396 (4) To lay on the table.
- 1397 (5) To reconsider.
- 1398 (6) For the previous question.
- 1399 (7) To limit debate.
- 1400 (8) To temporarily postpone.

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1401 (9) To postpone to a time or day certain.

1402 (10) To refer to or to recommit to committee or  
1403 subcommittee.

1404 (11) To amend.

1405 (12) To amend by removing the enacting or resolving  
1406 clause.

1407 (b) Such motions shall have precedence in the descending  
1408 order given.

1409 (c) Notwithstanding paragraph (a) (10) above, the Motion to  
1410 Withdraw or Refer a Bill pursuant to House Rule 11.11 and the  
1411 Motion to Refer or Recommit pursuant to House Rule 11.12 are not  
1412 available in committee or subcommittee.

1413

1414 11.3—Questions of Order Decided without Debate

1415 The Speaker shall decide, without debate, all procedural  
1416 questions of order that arise when a motion is before the House  
1417 or on appeal.

1418

1419 11.4—Division of Question

1420 If a question before the House is susceptible of separation into  
1421 two or more parts, any member may call for a division of the  
1422 question so that each part may be voted on separately. However,  
1423 a motion to remove and insert cannot be divided.

1424

1425 11.5—Motion to Recess to a Time Certain

1426 A motion to recess to a time certain shall be treated the same  
1427 as a motion to adjourn, except that the motion is debatable when  
1428 no business is before the House and can be amended as to the

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1429 | time to recess and duration of the recess. It yields only to a  
 1430 | motion to adjourn.

1431

1432 | 11.6—Motion to Lay on the Table

1433 |       (a) A motion to lay on the table is not debatable and  
 1434 | cannot be amended; however, before the motion is put to a vote,  
 1435 | the first-named sponsor of a bill or the mover of a debatable  
 1436 | motion shall be allowed 5 minutes within which to discuss the  
 1437 | same and may divide the time with, or waive this right in favor  
 1438 | of, some other member.

1439 |       (b) A motion to lay an amendment on the table, if adopted,  
 1440 | does not carry with it the measure to which it adheres.

1441

1442 | 11.7—Motion to Reconsider; Immediate Certification of Bills

1443 |       (a) When a motion or main question has been made and  
 1444 | carried or lost, it shall be in order at any time as a matter of  
 1445 | right on the same or succeeding legislative day for a member  
 1446 | voting with the prevailing side, or for any member in the case  
 1447 | of a voice or tie vote, to move for reconsideration thereof.

1448 |       (b) When a majority of members vote in the affirmative but  
 1449 | the proposition is lost because it is one in which the  
 1450 | concurrence of a greater number than a majority is necessary for  
 1451 | adoption or passage, any member may move for reconsideration.

1452 |       (c) The motion to reconsider shall require a majority vote  
 1453 | for adoption.

1454 |       (d) If the House refuses to reconsider or upon  
 1455 | reconsideration confirms its prior decision, no further motion  
 1456 | to reconsider shall be in order except upon unanimous consent of

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1457 the members present.

1458 (e) Debate shall be allowed on a motion to reconsider only  
1459 when the question that it is proposing to reconsider is  
1460 debatable. When debate upon a motion to reconsider is in order,  
1461 no member shall speak thereon more than once or for more than 5  
1462 minutes.

1463 (f) The adoption of a motion to reconsider a vote upon any  
1464 secondary matter shall not remove the main subject under  
1465 consideration from consideration of the House.

1466 (g) A motion to reconsider a collateral matter must be  
1467 disposed of at once during the course of the consideration of  
1468 the main subject to which it is related, and such motion shall  
1469 be out of order after the House has passed to other business.

1470 (h) No bill referred or recommitted to a committee or  
1471 subcommittee by a vote of the House shall be brought back into  
1472 the House on a motion to reconsider.

1473 (i) The Clerk shall retain possession of all bills and  
1474 joint resolutions for the period after passage during which  
1475 reconsideration may be moved, except that local bills,  
1476 concurrent resolutions, and memorials shall be transmitted to  
1477 the Senate without delay.

1478 (j) The adoption of a motion to waive the rules and  
1479 immediately certify any bill to the Senate shall be construed as  
1480 releasing the measure from the Clerk's possession for the period  
1481 of reconsideration.

1482 (k) Unless otherwise directed by the Speaker, during the  
1483 last 14 days of a regular session or any extension thereof and  
1484 during any special session, all measures acted on by the House

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1485 shall be transmitted to the Senate without delay.

1486

1487 11.8—Motion for the Previous Question

1488 (a) The previous question may be asked and ordered upon  
 1489 any debatable single motion, series of motions, or amendment  
 1490 pending and the effect thereof shall be to conclude all action  
 1491 on the same day. If third reading is reached on another day, the  
 1492 order for the previous question must be renewed on that day.

1493 (b) The motion for the previous question shall be decided  
 1494 without debate. If the motion prevails, the sponsor of a bill or  
 1495 debatable motion and an opponent shall be allowed 3 minutes each  
 1496 within which to debate the pending question, and each may divide  
 1497 the time with, or waive this right in favor of, some other  
 1498 member. On second reading, the final available question is the  
 1499 main amendment; on third reading, it is the bill.

1500 (c) When the motion for the previous question is adopted  
 1501 on a main question, the sense of the House shall be taken  
 1502 without delay on pending amendments and such question in the  
 1503 regular order.

1504 (d) The motion for the previous question may not be made  
 1505 by the first-named sponsor or mover.

1506

1507 11.9—Motion to Limit Debate

1508 When there is debate by the House, it shall be in order for a  
 1509 member to move to limit debate and such motion shall be decided  
 1510 without debate, except that the first-named sponsor or mover of  
 1511 the question under debate shall have 5 minutes within which to  
 1512 discuss the motion and may divide the allotted time with, or

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1513 waive it in favor of, some other member. If, by majority vote,  
 1514 the question is decided in the affirmative, debate shall be  
 1515 limited to 10 minutes for each side, unless a greater time is  
 1516 stated in the motion, such time to be apportioned by the  
 1517 Speaker; however, the first-named sponsor or mover shall have an  
 1518 additional 5 minutes within which to close the debate and may  
 1519 divide the allotted time with, or waive it in favor of, some  
 1520 other member.

1521  
 1522 11.10—Motion to Temporarily Postpone

1523 (a) The motion to temporarily postpone shall be decided  
 1524 without debate and shall cause a measure to be set aside but  
 1525 retained on the desk.

1526 (b) If a main question has been temporarily postponed  
 1527 after having been debated or after motions have been applied and  
 1528 is not brought back before the House on the same legislative  
 1529 day, it shall be placed under the order of unfinished business  
 1530 on the Calendar of the House. If a main question is temporarily  
 1531 postponed before debate has commenced or motions have been  
 1532 applied, its reading shall be considered a nullity and the bill  
 1533 shall retain its original position on the order of business on  
 1534 the same legislative day; otherwise, the bill reverts to the  
 1535 status of bills on second or third reading, as applicable.

1536 (c) The motion to return to consideration of a temporarily  
 1537 postponed main question shall be made under the proper order of  
 1538 business when no other matter is pending.

1539 (d) If applied to a collateral matter, the motion to  
 1540 temporarily postpone shall not cause the main question to be

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1541 | carried with it. After having been temporarily postponed, if a  
 1542 | collateral matter is not brought back before the House in the  
 1543 | course of consideration of the adhering or main question, it  
 1544 | shall be deemed abandoned.

1545 |  
 1546 | 11.11—Motion to Withdraw or Refer a Bill

1547 | (a) A motion to withdraw a bill from a committee or  
 1548 | subcommittee shall require a two-thirds vote on the floor.

1549 | (b) Any member may, no later than under the order of  
 1550 | business of Motions Relating to Committee and Subcommittee  
 1551 | References on the legislative day following reference of a bill,  
 1552 | move for reference from one committee or subcommittee to a  
 1553 | different committee or subcommittee, which shall be decided by a  
 1554 | majority vote.

1555 | (c) A motion to refer a bill from one committee or  
 1556 | subcommittee to another committee or subcommittee, other than as  
 1557 | provided in subsection (b), may be made during the regular order  
 1558 | of business and shall require a two-thirds vote.

1559 | (d) A motion to refer a bill to an additional committee or  
 1560 | subcommittee may be made during the regular order of business  
 1561 | and shall require a two-thirds vote.

1562 | (e) A motion to refer shall be debated only as to the  
 1563 | propriety of the reference.

1564 | (f) A motion to withdraw a bill from further consideration  
 1565 | of the House shall require a two-thirds vote.

1566 | (1) The chair or vice chair of the Rules & Calendar  
 1567 | Committee, at the request of the first-named member sponsor, may  
 1568 | move for the withdrawal of a bill from further consideration.



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1569 (2) The first-named member sponsor of a bill may, prior to  
 1570 its introduction and provided no substantive action has been  
 1571 taken on it, withdraw the bill by written notice to the Clerk.

1572 (3) In moving for the withdrawal of a bill from further  
 1573 consideration by floor motion, the introducer shall be required  
 1574 to identify the nature of the bill.

1575

1576 11.12—Motion to Refer or Recommit

1577 (a) Any bill on the Calendar of the House may be referred  
 1578 or recommitted by the House to a committee or subcommittee by a  
 1579 majority vote.

1580 (b) A motion to refer or recommit a bill that is before  
 1581 the House may be made during the regular order of business. The  
 1582 motion shall be debatable only as to the propriety of that  
 1583 reference and shall require an affirmative majority vote.

1584 (c) If a bill on third reading is referred or recommitted  
 1585 to a committee or subcommittee that subsequently reports the  
 1586 bill favorably with a committee or subcommittee substitute or  
 1587 with one or more amendments, the bill shall return to second  
 1588 reading.

1589 (d) Referral or recommitment of a House bill shall  
 1590 automatically carry with it a Senate companion bill then on the  
 1591 Calendar of the House.

1592

1593 11.13—Dilatory Motions

1594 Dilatory or delaying motions shall not be in order as determined  
 1595 by the Speaker.

1596

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1597 11.14—Withdrawal of Motion  
 1598 The mover of a motion may withdraw the motion at any time before  
 1599 it has been amended or a vote on it has commenced.

1600

1601 RULE TWELVE—AMENDMENTS

1602

1603 12.1—Form

1604 Floor amendments shall be prepared by the House Bill Drafting  
 1605 Service and filed with the Clerk.

1606

1607 12.2—Filing Deadlines for Floor Amendments

1608 (a) During the first 55 days of a regular session:

1609 (1) Main floor amendments must be approved for filing with  
 1610 the Clerk by 2 p.m. of the first day a bill appears on the  
 1611 Special Order Calendar in the Calendar of the House; and

1612 (2) Amendments to main floor amendments and substitute  
 1613 amendments for main floor amendments must be approved for filing  
 1614 by 5 p.m. of the same day.

1615 (b) After the 55th day of a regular session and during any  
 1616 extended or special session:

1617 (1) Main floor amendments must be approved for filing with  
 1618 the Clerk not later than 2 hours before session is scheduled to  
 1619 convene on the day a bill appears on the Special Order Calendar  
 1620 in the Calendar of the House; and

1621 (2) Amendments to main floor amendments and substitute  
 1622 amendments for main floor amendments must be approved for filing  
 1623 not later than 1 hour after the main floor amendment deadline.

1624 (c) A late-filed floor amendment may be taken up for

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1625 consideration only upon motion adopted by a two-thirds vote.

1626 (d) Notwithstanding the foregoing, subject to approval by  
 1627 a majority vote of the House, the Rules & Calendar Committee may  
 1628 establish special amendment deadlines and procedures for  
 1629 appropriations bills, implementing bills, and conforming bills.

1630

1631 12.3—Presentation and Consideration

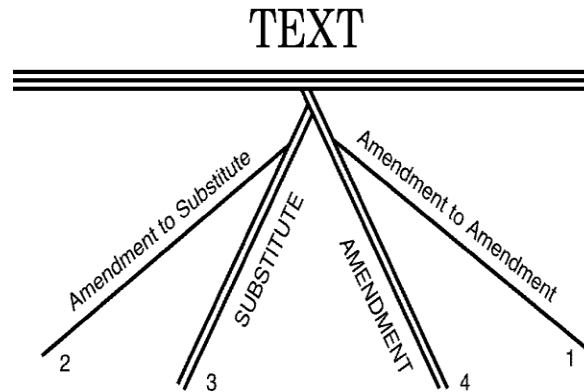
1632 (a) Amendments shall be taken up only as sponsors gain  
 1633 recognition from the Speaker to move their adoption, except that  
 1634 the chair of the committee or subcommittee (or any member  
 1635 thereof designated by the chair) reporting the measure under  
 1636 consideration shall have preference for the presentation of  
 1637 committee or subcommittee amendments to Senate bills.

1638 (b) An amendment to a pending main amendment may be  
 1639 received, but until it is disposed of, no other motion to amend  
 1640 will be in order except a substitute amendment or an amendment  
 1641 to the substitute. Such amendments are to be disposed of in the  
 1642 following order:

1643 (1) Amendments to the amendment are voted on before the  
 1644 substitute is taken up. Only one amendment to the amendment is  
 1645 in order at a time.

1646 (2) Amendments to the substitute are next voted on.

1647 (3) The substitute then is voted on. The adoption of a  
 1648 substitute amendment in lieu of an original amendment shall be  
 1649 treated and considered as an amendment to the bill itself.



1650

1651 (c) The adoption of an amendment to a section shall not  
 1652 preclude further amendment of that section. If a bill is being  
 1653 considered section by section or item by item, only amendments  
 1654 to the section or item under consideration shall be in order.

1655 (d) For the purpose of this rule, an amendment shall be  
 1656 deemed pending only after its proposer has been recognized by  
 1657 the Speaker and has moved its adoption.

1658 (e) Reviser's bills may be amended only by making  
 1659 deletions.

1660

1661 12.4—Second and Third Reading; Vote Required on Third Reading

1662 (a) A motion to amend is in order during the second or  
 1663 third reading of any bill.

1664 (b) Amendments proposed on third reading shall require a  
 1665 two-thirds vote for adoption, except that technical amendments  
 1666 introduced in the name of the Rules & Calendar Committee shall  
 1667 require a majority vote for adoption. Amendments on third  
 1668 reading, other than technical amendments introduced in the name  
 1669 of the Rules & Calendar Committee, must be approved for filing  
 1670 not later than the earlier of the following deadlines:

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1671 (1) Nine a.m. on the day session is scheduled to convene  
 1672 on the day the bill is reached on third reading; or

1673 (2) One hour before session is scheduled to convene on the  
 1674 day the bill is reached on third reading.

1675 (c) A motion for reconsideration of an amendment on third  
 1676 reading requires a two-thirds vote for adoption.

1677

1678 12.5—Amendment of Appropriations Bills, Implementing Bills, and  
 1679 Conforming Bills

1680 (a) For purposes of these rules:

1681 (1) An "appropriations bill" is a general appropriations  
 1682 bill or any other bill the title text of which begins "An act  
 1683 making appropriations," "An act making special appropriations,"  
 1684 or "An act making supplemental appropriations."

1685 (2) An "implementing bill" is a bill, effective for one  
 1686 fiscal year, implementing an appropriations bill.

1687 (3) A "conforming bill" is a bill designated as such by  
 1688 the Speaker that amends the Florida Statutes to conform to an  
 1689 appropriations bill.

1690 (b) Whether on the floor or in any committee or  
 1691 subcommittee, whenever an amendment is offered to an  
 1692 appropriations bill that would either increase any state  
 1693 appropriation or decrease any state revenue for any fund, such  
 1694 amendment shall show the amount of the appropriation increase or  
 1695 revenue decrease for a fund by line item and by section and  
 1696 shall decrease an appropriation from within the same  
 1697 appropriations allocation and sub-allocation (as determined by  
 1698 the Speaker) or increase a revenue to the fund in an amount

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1699 equivalent to or greater than the corresponding appropriation  
 1700 increase or revenue decrease required by the amendment.

1701 (c) Whether on the floor or in any committee or  
 1702 subcommittee, an amendment offered to an implementing bill or to  
 1703 a conforming bill shall not increase a state appropriation to a  
 1704 level that is in excess of the allocations or sub-allocations  
 1705 determined by the Speaker for a fund.

1706 (d) Whether on the floor or in any committee or  
 1707 subcommittee, any amendment offered to an implementing bill or  
 1708 to a conforming bill that reduces revenues supporting  
 1709 appropriations must raise the equivalent or greater revenue for  
 1710 the same fund from other sources.

1711

1712 12.6—Consideration of Senate Amendments

1713 (a) After the reading of a Senate amendment to a House  
 1714 bill, the following motions shall be in order and shall be  
 1715 privileged in the order named:

1716 (1) Amend the Senate amendment.

1717 (2) Concur in the Senate amendment.

1718 (3) Refuse to concur and ask the Senate to recede.

1719 (4) Request the Senate to recede and, if the Senate  
 1720 refuses to recede, to appoint a conference committee to meet  
 1721 with a like committee appointed by the Speaker.

1722 (b) If the Senate refuses to concur in a House amendment  
 1723 to a Senate bill, the following motions shall be in order and  
 1724 shall be privileged in the order named:

1725 (1) That the House recede.

1726 (2) That the House insist and ask for a conference

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1727 | committee.

1728 |         (3) That the House insist.

1729 |         (c) The Speaker may, upon determining that a Senate  
 1730 | amendment substantially changes the bill as passed by the House,  
 1731 | refer the Senate message, with the bill and Senate amendment or  
 1732 | amendments, to the appropriate House committee or subcommittee  
 1733 | for review and report to the House. The Speaker, upon such  
 1734 | reference, shall announce the date and time for the committee or  
 1735 | subcommittee to meet. The committee or subcommittee shall report  
 1736 | to the House the recommendation for disposition of the Senate  
 1737 | amendment or amendments under one of the four options presented  
 1738 | in subsection (a). The report shall be furnished to the Clerk  
 1739 | and to the House, in writing, by the chair of the reporting  
 1740 | committee or subcommittee.

1741 |  
 1742 | 12.7—Motion to Amend by Removing Enacting or Resolving Clause  
 1743 | An amendment to remove the enacting clause of a bill or the  
 1744 | resolving clause of a resolution or memorial shall, if carried,  
 1745 | be considered equivalent to rejection of the bill, resolution,  
 1746 | or memorial by the House.

1747 |  
 1748 | 12.8—Germanity of House Amendments

1749 |         (a) GERMANITY.

1750 |         (1) Neither the House nor any committee or subcommittee  
 1751 | shall consider an amendment that relates to a different subject  
 1752 | or is intended to accomplish a different purpose than that of  
 1753 | the pending question or that, if adopted, would require a title  
 1754 | amendment for the bill that is substantially different from the

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1755 bill's original title or that would unreasonably alter the  
 1756 nature of the bill.

1757 (2) The Speaker, or the chair in the case of an amendment  
 1758 offered in committee or subcommittee, shall determine the  
 1759 germanity of any amendment when the question is timely raised.

1760 (3) An amendment of the second degree or a substitute  
 1761 amendment must be germane to both the main amendment and the  
 1762 measure to which it adheres.

1763 (b) AMENDMENTS THAT ARE NOT GERMANE. House amendments that  
 1764 are not germane include:

1765 (1) A general proposition amending a specific proposition.

1766 (2) An amendment amending a statute or session law when  
 1767 the purpose of the bill is limited to repealing such law, or an  
 1768 amendment repealing a statute or session law when the purpose of  
 1769 the bill is limited to amending such law.

1770 (3) An amendment that substantially expands the scope of  
 1771 the bill.

1772 (4) An amendment to a bill when legislative action on that  
 1773 bill is by law or these rules limited to passage, concurrence,  
 1774 or nonconcurrence as introduced.

1775 (c) AMENDMENTS THAT ARE GERMANE. Amendments that are  
 1776 germane include:

1777 (1) A specific provision amending a general provision.

1778 (2) An amendment that accomplishes the same purpose in a  
 1779 different manner.

1780 (3) An amendment limiting the scope of the proposal.

1781 (4) An amendment providing appropriations necessary to  
 1782 fulfill the original intent of a proposal.



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1783 (5) An amendment that changes the effective date of a  
 1784 repeal, reduces the scope of a repeal, or adds a short-term  
 1785 nonstatutory transitional provision to facilitate repeal.

1786 (d) WAIVER OF RULE. Waiver of this rule shall require  
 1787 unanimous consent of the House.

1788  
 1789 12.9—Floor Amendments Out of Order

1790 A floor amendment is out of order if it is the principal  
 1791 substance of a bill that has:

1792 (a) Received an unfavorable committee or subcommittee  
 1793 report;

1794 (b) Been withdrawn from further consideration; or

1795 (c) Not been reported favorably by at least one committee  
 1796 or subcommittee of reference

1797  
 1798 and may not be offered to a bill on second or third reading. Any  
 1799 amendment that is substantially the same, and identical as to  
 1800 specific intent and purpose, as the measure residing in a  
 1801 committee or subcommittee of reference is covered by this rule.

1802  
 1803 12.10—Printing of Amendments in Journal

1804 All amendments taken up, unless withdrawn, shall be printed in  
 1805 the Journal, except that an amendment to an appropriations bill  
 1806 constituting an entirely new bill shall not be printed except  
 1807 upon consideration of the conference committee report.

1808  
 1809 RULE THIRTEEN—RULES

1810  
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1811 13.1—Parliamentary Authorities  
 1812 In all cases not provided for by the State Constitution, the  
 1813 Rules of the House, or the Joint Rules of the Senate and House  
 1814 of Representatives, the guiding, but nonbinding, authority shall  
 1815 be first the Rulings of the Speaker and then the latest edition  
 1816 of Mason's Manual of Legislative Procedure.

1817  
 1818 13.2—Standing Rules Amendment  
 1819 Any standing rule may be rescinded or changed by a majority vote  
 1820 of the members, provided that the proposed change or changes be  
 1821 submitted at least 1 day in advance by the Rules & Calendar  
 1822 Committee in writing to the members together with notice of the  
 1823 consideration thereof. Any standing rule may be suspended  
 1824 temporarily by a two-thirds vote of the members present, except  
 1825 as otherwise provided in these rules.

1826  
 1827 13.3—Rules Apply for Term  
 1828 The standing rules adopted after the beginning of the term  
 1829 govern all acts of the House during the course of the term  
 1830 unless amended or repealed.

1831  
 1832 13.4—Joint Rules  
 1833 The House shall be governed by joint rules approved by the House  
 1834 and Senate during the term. Such joint rules may not be waived  
 1835 except by agreement of both the House and Senate. A majority  
 1836 vote of the House is required for such agreement.

1837  
 1838 13.5—Authority and Interpretation

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1839 These rules are adopted pursuant to the specific authority  
 1840 granted and the inherent powers vested in the House of  
 1841 Representatives by the State Constitution. These rules are  
 1842 intended to facilitate the orderly, practical, and efficient  
 1843 completion of legislative work undertaken by the House. These  
 1844 rules shall govern procedures in the House notwithstanding any  
 1845 inconsistent parliamentary tradition and notwithstanding any  
 1846 joint rule or any statute enacted by a prior Legislature.  
 1847 Adoption of these rules constitutes the determination of the  
 1848 House that they do not violate any express regulation or  
 1849 limitation contained in the State Constitution. These rules may  
 1850 not be construed to limit any of the powers, rights, privileges,  
 1851 or immunities vested in or granted to the House by the State  
 1852 Constitution or other organic law.

1853  
 1854 13.6—Majority Action

1855 Unless otherwise indicated by these rules, all action by the  
 1856 House or its committees or subcommittees shall be by majority  
 1857 vote of those members present and voting. When the body is  
 1858 equally divided, the question is defeated.

1859  
 1860 13.7—Extraordinary Action

1861 Unless otherwise required by these rules or the State  
 1862 Constitution, all extraordinary votes shall be by vote of those  
 1863 members present and voting.

1864  
 1865 13.8—"Days" Defined

1866 Wherever used in these rules, a "legislative day" means a day

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1867 when the House convenes and a quorum is present. All other  
 1868 references to a "day" mean a calendar day.

1869

1870 RULE FOURTEEN—MISCELLANEOUS PROVISIONS

1871

1872 PART ONE—Public Records

1873

1874 14.1—Legislative Records

1875 There shall be available for public inspection, whether  
 1876 maintained in Tallahassee or in a district office, the papers  
 1877 and records developed and received in connection with official  
 1878 legislative business, except as provided in s. 11.0431, Florida  
 1879 Statutes, or other provision of law. Any person who is denied  
 1880 access to a legislative record and who believes that he or she  
 1881 is wrongfully being denied such access may appeal to the Speaker  
 1882 the decision to deny access.

1883

1884 14.2—Legislative Records; Maintenance, Control, Destruction,  
 1885 Disposal, and Disposition

1886 (a) Records that are required to be created by these rules  
 1887 or that are of vital, permanent, or archival value shall be  
 1888 maintained in a safe location that is easily accessible for  
 1889 convenient use. No such record need be maintained if the  
 1890 substance of the record is published or retained in another form  
 1891 or location. Whenever necessary, but no more often than annually  
 1892 or less often than biennially, records required to be maintained  
 1893 may be archived.

1894 (b) Other records that are no longer needed for any

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1895 | purpose and that do not have sufficient administrative, legal,  
1896 | or fiscal significance to warrant their retention shall be  
1897 | disposed of systematically.

1898 |         (c) (1) The administrative assistant for each existing  
1899 | committee or subcommittee shall ensure compliance with this rule  
1900 | for all records created or received by the committee or  
1901 | subcommittee or for a former committee or subcommittee whose  
1902 | jurisdiction has been assigned to the committee or subcommittee.

1903 |         (2) The Speaker, the Speaker pro tempore, the Minority  
1904 | Leader, the Majority Leader, and the Sergeant at Arms shall  
1905 | ensure compliance with this rule for all records created or  
1906 | received by their respective offices and their predecessors in  
1907 | office.

1908 |         (3) Each member shall ensure compliance with this rule for  
1909 | all records created or received by the member or the member's  
1910 | district office.

1911 |         (4) The director of an ancillary House office shall ensure  
1912 | compliance with this rule for all records created or received by  
1913 | the director's office.

1914 |         (5) The Clerk shall ensure compliance with this rule for  
1915 | all other records created or received by the House of  
1916 | Representatives.

1917 |         (d) If a committee, subcommittee, or office is not  
1918 | continued in existence, the records of such committee,  
1919 | subcommittee, or office shall be forwarded to the committee,  
1920 | subcommittee, or office assuming the jurisdiction or  
1921 | responsibility of the former committee, subcommittee, or office,  
1922 | if any. Otherwise, such records shall be forwarded to the Clerk.

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1923 (e) The Clerk shall establish a schedule of reasonable and  
 1924 appropriate fees for copies of legislative records and  
 1925 documents.

1926  
 1927 PART TWO—Distribution of Documents; Display of Signs

1928  
 1929 14.3—Distribution of Documents  
 1930 Documents required by these rules to be printed or published may  
 1931 be produced and distributed on paper or in electronic form.

1932  
 1933 14.4—Display of Signs, Placards, and the Like  
 1934 Signs, placards, or other objects of similar nature shall be  
 1935 permitted in the rooms, lobby, galleries, or Chamber of the  
 1936 House only upon approval of the chair of the Rules & Calendar  
 1937 Committee.

1938  
 1939 PART THREE—House Seal

1940  
 1941 14.5—House Seal

1942 (a) REQUIREMENT. There shall be an official seal of the  
 1943 House of Representatives. The seal shall be used only by or on  
 1944 behalf of a member or officer of the House in conjunction with  
 1945 his or her official duties or when specifically authorized in  
 1946 writing by the chair of the Rules & Calendar Committee.

1947 (b) CONFIGURATION. The seal shall be a circle having in  
 1948 the center thereof a view of the sun's rays over a highland in  
 1949 the distance, a sabal palmetto palm tree, a steamboat on the  
 1950 water, and a Native American female scattering flowers in the

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1951 foreground, encircled by the words "House of Representatives."

1952 (c) USE. Unless a written exception is otherwise granted  
1953 by the chair of the Rules & Calendar Committee:

1954 (1) Material carrying the official seal shall be used only  
1955 by a member, officer, or employee of the House or other persons  
1956 employed or retained by the House.

1957 (2) The use, printing, publication, or manufacture of the  
1958 seal, or items or materials bearing the seal or a facsimile of  
1959 the seal, shall be limited to official business of the House or  
1960 official legislative business.

1961 (d) CUSTODIAN. The Clerk shall be the custodian of the  
1962 official seal.

1963

1964 RULE FIFTEEN—ETHICS AND CONDUCT OF MEMBERS

1965

1966 15.1—Legislative Ethics and Official Conduct

1967 Legislative office is a trust to be performed with integrity in  
1968 the public interest. A member is respectful of the confidence  
1969 placed in the member by the other members and by the people. By  
1970 personal example and by admonition to colleagues whose behavior  
1971 may threaten the honor of the lawmaking body, the member shall  
1972 watchfully guard the responsibility of office and the  
1973 responsibilities and duties placed on the member by the House.  
1974 To this end, each member shall be accountable to the House for  
1975 violations of this rule or any provision of the House Code of  
1976 Conduct contained in Rules 15.1-15.7.

1977

1978 15.2—The Integrity of the House

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1979 | A member shall respect and comply with the law and shall perform  
 1980 | at all times in a manner that promotes public confidence in the  
 1981 | integrity and independence of the House and of the Legislature.  
 1982 | Each member shall perform at all times in a manner that promotes  
 1983 | a professional environment in the House, which shall be free  
 1984 | from unlawful employment discrimination.

1985 |  
 1986 | 15.3—Improper Influence; Solicitation of Campaign Contributions  
 1987 |       (a) A member may neither solicit nor accept anything that  
 1988 | reasonably may be construed to improperly influence the member's  
 1989 | official act, decision, or vote.

1990 |       (b) A member may neither solicit nor accept any campaign  
 1991 | contribution during the 60-day regular legislative session or  
 1992 | any extended or special session on the member's own behalf, on  
 1993 | behalf of a political party, on behalf of any organization with  
 1994 | respect to which the member's solicitation is regulated under s.  
 1995 | 106.0701, Florida Statutes, or on behalf of a candidate for the  
 1996 | House of Representatives; however, a member may contribute to  
 1997 | the member's own campaign.

1998 |  
 1999 | 15.4—Ethics; Conflicting Employment

2000 | A member shall:

2001 |       (a) Scrupulously comply with the requirements of all laws  
 2002 | related to the ethics of public officers.

2003 |       (b) Not allow personal employment to impair the member's  
 2004 | independence of judgment in the exercise of official duties.

2005 |       (c) Not directly or indirectly receive or agree to receive  
 2006 | any compensation for any services rendered or to be rendered



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2007 | either by the member or any other person when such activity is  
 2008 | in substantial conflict with the duties of a member of the  
 2009 | House.

2010 |  
 2011 | 15.5—Use of Official Position

2012 | A member may not corruptly use or attempt to use the member's  
 2013 | official position or any property or resource which may be  
 2014 | within the member's trust in a manner contrary to the trust or  
 2015 | authority placed in the member, either by the public or by other  
 2016 | members, for the purpose of securing a special privilege,  
 2017 | benefit, or exemption for the member or for others.

2018 |  
 2019 | 15.6—Use of Information Obtained by Reason of Official Position

2020 | A member may engage in business and professional activity in  
 2021 | competition with others but may not use or provide to others,  
 2022 | for the member's personal gain or benefit or for the personal  
 2023 | gain or benefit of any other person or business entity, any  
 2024 | information that has been obtained by reason of the member's  
 2025 | official capacity as a member and that is unavailable to members  
 2026 | of the public as a matter of law.

2027 |  
 2028 | 15.7—Representation of Another Before a State Agency

2029 | A member may not personally represent another person or entity  
 2030 | for compensation before any state agency other than a judicial  
 2031 | tribunal. For the purposes of this rule, "state agency" means  
 2032 | any entity of the legislative or executive branch of state  
 2033 | government over which the Legislature exercises plenary  
 2034 | budgetary and statutory control.

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2035

2036 15.8—Advisory Opinions

2037 (a) A member, when in doubt about the applicability and  
2038 interpretation of the House Code of Conduct or ethics laws to  
2039 the member's conduct, may convey the facts of the situation to  
2040 the House general counsel for an advisory opinion. The general  
2041 counsel shall issue the opinion within 10 days after receiving  
2042 the request. The advisory opinion may be relied upon by the  
2043 member requesting the opinion. Upon request of any member, the  
2044 committee or subcommittee designated by the Speaker to have  
2045 responsibility for the ethical conduct of members may revise an  
2046 advisory opinion rendered by the House general counsel through  
2047 an advisory opinion issued to the member who requested the  
2048 opinion.

2049 (b) An advisory opinion rendered by the House general  
2050 counsel or the committee or subcommittee shall be numbered,  
2051 dated, and published. Advisory opinions from the House general  
2052 counsel or the committee or subcommittee may not identify the  
2053 member seeking the opinion unless such member so requests.

2054

2055 15.9—Penalties for Violations

2056 Separately from any prosecutions or penalties otherwise provided  
2057 by law, any member determined to have violated the requirements  
2058 of these rules relating to ethics or member conduct shall be  
2059 fined, censured, reprimanded, placed on probation, or expelled  
2060 or have such other lesser penalty imposed as may be appropriate.  
2061 Such determination and disciplinary action shall be taken by a  
2062 two-thirds vote of the House, except that expulsions shall

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2063 require two-thirds vote of the membership, upon recommendation  
 2064 of the Rules & Calendar Committee pursuant to Rule 18.

2065

2066 15.10—Felony Indictment or Information of a Member

2067 (a) If an indictment or information for a felony of any  
 2068 jurisdiction is filed against a member of the House, the member  
 2069 indicted or informed against may request the Speaker to excuse  
 2070 the member, without pay, from all privileges of membership of  
 2071 the House pending final adjudication.

2072 (b) If the indictment or information is either nolle  
 2073 prossed or dismissed, or if the member is found not guilty of  
 2074 the felonies charged, or lesser included felonies, the member  
 2075 shall be paid all back pay and other benefits retroactive to the  
 2076 date the member was excused.

2077

2078 15.11—Felony Guilty Plea of a Member

2079 A member who enters a plea of guilty or nolo contendere to a  
 2080 felony of any jurisdiction may, at the discretion of the  
 2081 Speaker, be suspended immediately, without a hearing and without  
 2082 pay, from all privileges of membership of the House through the  
 2083 remainder of that member's term.

2084

2085 15.12—Felony Conviction of a Member

2086 (a) A member convicted of a felony of any jurisdiction  
 2087 may, at the discretion of the Speaker, be suspended immediately,  
 2088 without a hearing and without pay, from all privileges of  
 2089 membership of the House pending appellate action or the end of  
 2090 the member's term, whichever occurs first.

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2091 (b) A member suspended under the provisions of this rule  
 2092 may, within 10 days after such suspension, file a written  
 2093 request for a hearing, setting forth specific reasons contesting  
 2094 the member's suspension. Upon receipt of a written request for a  
 2095 hearing, the Speaker shall appoint a select committee, which  
 2096 shall commence a hearing on the member's suspension within 30  
 2097 days and issue a report to the House within 10 days after the  
 2098 conclusion of the hearing. The report of the select committee  
 2099 shall be final unless the member, within 10 days after the  
 2100 issuance of the report, requests in writing that the Speaker  
 2101 convene the full House to consider the report of the select  
 2102 committee. Upon receipt of a request for such consideration, the  
 2103 Speaker shall timely convene the House for such purpose.

2104 (c) If the final appellate decision is to sustain the  
 2105 conviction, then the member's suspension shall continue to the  
 2106 end of the member's term. If the final appellate decision is to  
 2107 vacate the conviction and there is a rehearing, the member shall  
 2108 be subject to Rule 15.10. If the final appellate decision is to  
 2109 vacate the conviction and no felony charges remain against the  
 2110 member, the member shall be entitled to restitution of back pay  
 2111 and other benefits retroactive to the date of suspension.

2112  
 2113 RULE SIXTEEN—PROCEDURES FOR CONDUCTING INVESTIGATIVE AND  
 2114 ENFORCEMENT PROCEEDINGS

2115  
 2116 16.1—Issuance of Subpoenas

2117 (a) In order to carry out its duties, each standing or  
 2118 select committee, whenever required, may issue subpoenas and

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2119 | other necessary process to compel the attendance of witnesses  
2120 | before such committee or the taking of a deposition pursuant to  
2121 | these rules. The chair of the committee shall issue such process  
2122 | on behalf of the committee after a majority of the committee  
2123 | votes to approve issuance and the Speaker has provided written  
2124 | approval. The chair or any other member of such committee may  
2125 | administer all oaths and affirmations in the manner prescribed  
2126 | by law to witnesses who shall appear before such committee for  
2127 | the purpose of testifying in any matter about which such  
2128 | committee may require evidence.

2129 |         (b) Each standing or select committee, whenever required,  
2130 | may also compel by subpoena duces tecum the production of any  
2131 | books, letters, or other documentary evidence it may need to  
2132 | examine in reference to any matter before it. The chair of the  
2133 | standing or select committee shall issue process on behalf of  
2134 | the standing or select committee after a majority of the  
2135 | committee votes to approve issuance and the Speaker has provided  
2136 | written approval.

2137

#### 2138 | 16.2—Contempt Proceedings

2139 |         (a) The House may punish, by fine or imprisonment, any  
2140 | person who is not a member and who is guilty of disorderly or  
2141 | contemptuous conduct in its presence or of a refusal to obey its  
2142 | lawful summons.

2143 |         (b) A person shall be deemed in contempt if the person:

2144 |             (1) Fails or refuses to appear in compliance with a  
2145 | subpoena or, having appeared, fails or refuses to testify under  
2146 | oath or affirmation;

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2147 (2) Fails or refuses to answer any relevant question or  
2148 fails or refuses to furnish any relevant book, paper, or other  
2149 document subpoenaed on behalf of such committee; or

2150 (3) Commits any other act or offense against such  
2151 committee that, if committed against the Legislature or either  
2152 house thereof, would constitute contempt.

2153 (c) During a legislative session, a standing or select  
2154 committee may, by majority vote of all of its members, apply to  
2155 the House for contempt citation. The application shall be  
2156 considered as though the alleged contempt had been committed in  
2157 or against the House itself. If such committee is meeting during  
2158 the interim, its application shall be made to the circuit court  
2159 pursuant to Rule 16.6.

2160 (d) A person guilty of contempt under this rule may be  
2161 fined not more than \$500 or imprisoned not more than 90 days or  
2162 both, or may be subject to such other punishment as the House  
2163 may, in the exercise of its inherent powers, impose prior to and  
2164 in lieu of the imposition of the aforementioned penalty.

2165 (e) The sheriffs in the several counties shall make such  
2166 service and execute all process or orders when required by  
2167 standing or select committees. Sheriffs shall be paid as  
2168 provided for in s. 30.231, Florida Statutes.

2169

2170 16.3-False Swearing

2171 Whoever willfully affirms or swears falsely in regard to any  
2172 material matter or thing before any standing or select committee  
2173 is guilty of false swearing in an official proceeding, which is  
2174 a felony of the second degree and shall be punished as provided

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2175 | in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.

2176

2177 | 16.4—Rights of Witnesses

2178 |         (a) All witnesses summoned before any standing or select  
 2179 | committee shall receive reimbursement for travel expenses and  
 2180 | per diem at the rates provided in s. 112.061, Florida Statutes.  
 2181 | However, the fact that such reimbursement is not tendered at the  
 2182 | time that the subpoena is served shall not excuse the witness  
 2183 | from appearing as directed therein.

2184 |         (b) Service of a subpoena requiring the attendance of a  
 2185 | person at a meeting of a standing or select committee shall be  
 2186 | made in the manner provided by law for the service of subpoenas  
 2187 | in a civil action at least 7 days prior to the date of the  
 2188 | meeting unless a shorter period of time is authorized by  
 2189 | majority vote of all the members of such committee. If a shorter  
 2190 | period of time is authorized, the persons subpoenaed shall be  
 2191 | given reasonable notice of the meeting, consistent with the  
 2192 | particular circumstances involved.

2193 |         (c) Any person who is served with a subpoena to attend a  
 2194 | meeting of any standing or select committee also shall be served  
 2195 | with a general statement informing the person of the subject  
 2196 | matter of such committee's investigation or inquiry and a notice  
 2197 | that the person may be accompanied at the meeting by private  
 2198 | counsel.

2199 |         (d) Upon the request of any party and the approval of a  
 2200 | majority of the standing or select committee, the chair shall  
 2201 | instruct all witnesses to leave the meeting room and retire to a  
 2202 | designated place. The witness shall be instructed by the chair

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2203 not to discuss the testimony of the witness or the testimony of  
2204 any other person with anyone until the meeting has been  
2205 adjourned and the witness has been discharged by the chair. The  
2206 witness shall be further instructed that if any person discusses  
2207 or attempts to discuss the matter under investigation with the  
2208 witness after receiving such instructions, the witness shall  
2209 bring such matter to the attention of such committee. No member  
2210 of such committee or representative thereof may discuss any  
2211 matter or matters pertinent to the subject matter under  
2212 investigation with any witness to be called before such  
2213 committee from the time that these instructions are given until  
2214 the meeting has been adjourned and the witness has been  
2215 discharged by the chair. Any person violating this subsection  
2216 shall be in contempt of the House.

2217 (e) Any standing or select committee taking sworn  
2218 testimony from witnesses as provided in these rules shall cause  
2219 a record to be made of all proceedings in which testimony or  
2220 other evidence is demanded or adduced, which record shall  
2221 include rulings of the chair, questions of such committee and  
2222 its staff, the testimony or responses of witnesses, sworn  
2223 written statements submitted to the committee, and such other  
2224 matters as the committee or its chair may direct.

2225 (f) A witness at a meeting, upon advance request and at  
2226 the witness's own expense, shall be furnished a certified  
2227 transcript of the witness's testimony at the meeting.

2228

2229 16.5—Right of Other Persons to be Heard

2230 (a) Any person who, in the opinion of the committee, is



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2231 adversely affected as a result of being mentioned or otherwise  
2232 identified during a meeting being conducted for the purpose of  
2233 taking sworn testimony from witnesses of any standing or select  
2234 committee may, upon the request of the person or upon the  
2235 request of any member of such committee, appear personally  
2236 before such committee and testify on the person's own behalf,  
2237 or, with such committee's consent, file a sworn written  
2238 statement of facts or other documentary evidence for  
2239 incorporation into the record of the meeting. Any such witness,  
2240 however, shall, before filing such statement, consent to answer  
2241 questions from such committee regarding the contents of the  
2242 statement.

2243 (b) Upon the consent of a majority of the members present,  
2244 a quorum having been established, any standing or select  
2245 committee may permit any other person to appear and testify at a  
2246 meeting or submit a sworn written statement of facts or other  
2247 documentary evidence for incorporation into the record. No  
2248 request to appear, appearance, or submission shall limit in any  
2249 way the committee's power of subpoena. Any such witness,  
2250 however, shall, before filing such statement, consent to answer  
2251 questions from any standing or select committee regarding the  
2252 contents of the statement.

2253

2254 16.6—Enforcement of Subpoena Out of Session

2255 If any witness fails to respond to the lawful subpoena of any  
2256 standing or select committee at a time when the Legislature is  
2257 not in session or, having responded, fails to answer all lawful  
2258 inquiries or to turn over evidence that has been subpoenaed,

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2259 such committee may file a complaint before any circuit court of  
2260 the state setting up such failure on the part of the witness. On  
2261 the filing of such complaint, the court shall take jurisdiction  
2262 of the witness and the subject matter of the complaint and shall  
2263 direct the witness to respond to all lawful questions and to  
2264 produce all documentary evidence in the possession of the  
2265 witness that is lawfully demanded. The failure of any witness to  
2266 comply with such order of the court shall constitute a direct  
2267 and criminal contempt of court, and the court shall punish such  
2268 witness accordingly.

2269

2270 16.7-Definition

2271 Pursuant to Rule 7.1(b) and for purposes of Rule 16, the term  
2272 "committee" includes the House and any subcommittee thereof.

2273

2274 RULE SEVENTEEN-ETHICS AND CONDUCT OF LOBBYISTS

2275

2276 17.1-Obligations of a Lobbyist

2277 (a) A lobbyist shall supply facts, information, and  
2278 opinions of principals to legislators from the point of view  
2279 that the lobbyist openly declares. A lobbyist shall not offer or  
2280 propose anything that may reasonably be construed to improperly  
2281 influence the official act, decision, or vote of a legislator,  
2282 nor shall a lobbyist attempt to improperly influence the  
2283 selection of officers or employees of the House. A lobbyist, by  
2284 personal example and admonition to colleagues, shall maintain  
2285 the honor of the legislative process by the integrity of the  
2286 lobbyist's relationship with legislators as well as with the

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2287 principals whom the lobbyist represents.

2288 (b) A lobbyist shall not knowingly and willfully falsify,  
 2289 conceal, or cover up, by any trick, scheme, or device, a  
 2290 material fact; make any false, fictitious, or fraudulent  
 2291 statement or representation; or make or use any writing or  
 2292 document knowing the same to contain any false, fictitious, or  
 2293 fraudulent statement or entry.

2294 (c) During a regular session or any extended or special  
 2295 session, a lobbyist may not contribute to a member's campaign.

2296 (d) A lobbyist may not make any expenditure prohibited by  
 2297 s. 11.045(4)(a), Florida Statutes.

2298 (e) No registered lobbyist shall be permitted upon the  
 2299 floor of the House while it is in session.

2300

2301 17.2-Advisory Opinions; Compilation Thereof

2302 A lobbyist, when in doubt about the applicability and  
 2303 interpretation of Rule 17.1 in a particular context related to  
 2304 that lobbyist's conduct, or any person when in doubt about the  
 2305 applicability and interpretation of s. 11.045, s. 112.3148, or  
 2306 s. 112.3149, Florida Statutes, as such statute or statutes may  
 2307 apply to that person, may request an advisory opinion under this  
 2308 rule. Such request shall be in writing, addressed to the  
 2309 Speaker, and shall contain the relevant facts. The Speaker shall  
 2310 either refer the issue to the House general counsel for review  
 2311 and drafting of an advisory opinion of the Speaker or refer the  
 2312 issue to a committee designated by the Speaker to have  
 2313 responsibility for the ethical conduct of lobbyists, and the  
 2314 person requesting the advisory opinion may appear in person

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2315 | before such committee. The Speaker or this committee shall  
 2316 | render advisory opinions to the person who seeks advice as to  
 2317 | whether the facts as described in the request and any  
 2318 | supplemental communication would constitute a violation of such  
 2319 | rule or statute by that person. Such opinion, until amended or  
 2320 | revoked, shall be binding upon the House in any proceeding upon  
 2321 | a subsequent complaint concerning the person who sought the  
 2322 | opinion and acted on it in good faith, unless material facts  
 2323 | were omitted or misstated in the request for the advisory  
 2324 | opinion. Upon request of the person who requested the advisory  
 2325 | opinion or any member, the committee designated by the Speaker  
 2326 | to have responsibility for the ethical conduct of lobbyists may  
 2327 | revise any advisory opinion issued by the Speaker or may revise  
 2328 | any advisory opinion issued by the general counsel of the Office  
 2329 | of Legislative Services under Joint Rule 1.8. The House general  
 2330 | counsel or this committee shall make sufficient deletions to  
 2331 | prevent disclosing the identity of persons in the decisions or  
 2332 | opinions. All advisory opinions of the Speaker or this committee  
 2333 | shall be numbered, dated, and published in an annual publication  
 2334 | of the House. The Clerk shall keep a compilation of all advisory  
 2335 | opinions.

2336 |  
 2337 | 17.3—Penalties for Violations  
 2338 | Separately from any prosecutions or penalties otherwise provided  
 2339 | by law, any person determined to have violated the foregoing  
 2340 | requirements of Rule 17, any provision in Joint Rule One, or s.  
 2341 | 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, may be  
 2342 | reprimanded, censured, prohibited from lobbying for all or any

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2343 part of the legislative biennium during which the recommended  
 2344 order is proposed, or have such other penalty imposed as may be  
 2345 appropriate. Such determination shall be made by a majority of  
 2346 the House, upon recommendation of the Rules & Calendar Committee  
 2347 pursuant to Rule 18. Any prohibition or other limitation imposed  
 2348 by the House may be continued for up to a total of 2 years by a  
 2349 determination made by a majority of the House at or following  
 2350 the Organization Session following the biennium during which  
 2351 such prohibition or other limitation was imposed.

2352

2353           RULE EIGHTEEN—COMPLAINTS AGAINST MEMBERS AND OFFICERS OF THE  
 2354                                   HOUSE, LOBBYISTS, AND OTHER PERSONS

2355

2356 18.1—Complaints against Members and Officers of the House,  
 2357 Lobbyists, and Other Persons; Procedure

2358 Rule 18 governs proceedings on all complaints under the  
 2359 jurisdiction of the House. Such complaints include:

2360           (a) Those alleging violation of law, violation of the  
 2361 House Code of Conduct, or improper conduct of a member or  
 2362 officer that may reflect upon the House; or

2363           (b) Violations of Joint Rule One or s. 11.045, s.  
 2364 112.3148, or s. 112.3149, Florida Statutes, by any lobbyist or  
 2365 person other than a member of the House.

2366

2367 18.2—Violations; Investigations

2368           (a) Any person may file a sworn complaint with the chair  
 2369 of the Rules & Calendar Committee alleging a violation as  
 2370 provided in Rule 18.1. The complaint shall contain the name and

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2371 | legal address of the person filing the complaint  
2372 | ("complainant"), be based on the complainant's personal  
2373 | knowledge, state detailed facts, specify the actions of the  
2374 | named respondent which form the basis for the complaint, and  
2375 | identify each specific rule or law alleged by the complainant to  
2376 | have been violated.

2377 |         (b) Upon a determination by the chair of the Rules &  
2378 | Calendar Committee that the complaint states facts supporting a  
2379 | finding of probable cause, the Speaker shall refer the complaint  
2380 | to a special master or to a select committee. Upon a  
2381 | determination by the chair of the Rules & Calendar Committee  
2382 | that the complaint fails to state facts supporting a finding of  
2383 | probable cause, the complaint shall be dismissed.

2384 |         (c) Upon referral by the Speaker of a complaint under  
2385 | subsection (b), the special master or select committee shall  
2386 | conduct an investigation, shall give reasonable notice to the  
2387 | respondent, and shall grant the respondent an opportunity to be  
2388 | heard unless the investigation fails to reveal facts supporting  
2389 | a finding of probable cause. A special master's or select  
2390 | committee's report and recommendation is advisory only and shall  
2391 | be presented to the chair of the Rules & Calendar Committee as  
2392 | soon as practicable after the close of the investigation. If the  
2393 | report and recommendation conclude that the facts do not support  
2394 | a finding of probable cause, the complaint shall be dismissed by  
2395 | the chair of the Rules & Calendar Committee.

2396 |         (d) If the complaint is not dismissed by the special  
2397 | master or the select committee, the Rules & Calendar Committee  
2398 | shall consider the report and recommendation, shall grant the

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2399 respondent an opportunity to be heard, and shall develop its own  
 2400 recommendation. If the complaint is against the chair of the  
 2401 Rules & Calendar Committee, the chair is excused and the vice  
 2402 chair shall conduct the deliberation. If the Rules & Calendar  
 2403 Committee votes to dismiss the complaint, the chair of the Rules  
 2404 & Calendar Committee or vice chair shall dismiss the complaint.  
 2405 Otherwise, the special master's or select committee's report and  
 2406 recommendation and the recommendation of the Rules & Calendar  
 2407 Committee shall be presented to the Speaker.

2408 (e) The Speaker shall present the committee's  
 2409 recommendation, along with the special master's report and  
 2410 recommendation, to the House for final action.

2411 (f) Nothing in this rule prohibits the chair of the Rules  
 2412 & Calendar Committee from correcting or preventing the alleged  
 2413 violation by informal means if the chair determines that a  
 2414 violation is inadvertent, technical, or otherwise de minimis.

2415 (g) Nothing in this rule prohibits the respondent and the  
 2416 chair of the Rules & Calendar Committee, the special master, or  
 2417 a select committee from agreeing to a consent decree, which  
 2418 shall state findings of fact, and such penalty as may be  
 2419 appropriate. If the House accepts the consent decree, the  
 2420 complaint pursuant to these rules shall be resolved.

2421 (h) The House may move forward with disciplinary  
 2422 proceedings without waiting for the outcome of a criminal case.

2423

2424 18.3—Confidentiality

2425 Any material provided to the House in response to a complaint  
 2426 filed under Rule 18 that is confidential under applicable law

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2427 shall remain confidential and shall not be disclosed except as  
 2428 authorized by applicable law. Except as otherwise provided in  
 2429 this rule, a complaint and the records relating to a complaint  
 2430 shall be available for public inspection upon the dismissal of a  
 2431 complaint, a determination as to probable cause, informal  
 2432 resolution of a complaint, or the receipt by the Speaker of a  
 2433 request in writing from the respondent that the complaint and  
 2434 other records relating to the complaint be made public records.  
 2435

2436 18.4—Conflict

2437 If a complaint is filed against the chair of the Rules &  
 2438 Calendar Committee, the initial review of the complaint shall be  
 2439 managed by the Speaker or, if designated by the Speaker, the  
 2440 Speaker pro tempore. If a complaint is filed against the  
 2441 Speaker, the duties of the Speaker pursuant to Rule 18 shall be  
 2442 transferred to the Speaker pro tempore.  
 2443

2444 18.5—Time Limitations

2445 (a) A complaint must be filed with the chair of the Rules  
 2446 & Calendar Committee within 2 years after the alleged violation.

2447 (b) A violation of the House Code of Conduct is committed  
 2448 when every element necessary to establish a violation of the  
 2449 rule has occurred, and time starts to run on the day after the  
 2450 violation occurred.

2451 (c) The applicable period of limitation is tolled on the  
 2452 day a sworn complaint against the member or officer is filed  
 2453 with the chair of the Rules & Calendar Committee.  
 2454