

By Senator Thrasher

6-00001A-120

201220\_\_

Senate Concurrent Resolution

A concurrent resolution establishing the Joint Rules of the Florida Legislature for the 2012-2014 term.

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

That the following joint rules shall govern the Florida Legislature for the 2012-2014 term:

JOINT RULES

Joint Rule One—Lobbyist Registration and Compensation Reporting

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

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

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

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

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

6-00001A-120

201220\_\_

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

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

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

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

6-00001A-120

201220\_\_

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

67 (f) "Office" means the Office of Legislative Services.

68 (g) "Payment" or "salary" means wages or any other  
69 consideration provided in exchange for services but does not  
70 include reimbursement for expenses.

71 (h) "Principal" means the person, firm, corporation, or  
72 other entity that has employed or retained a lobbyist. When an  
73 association has employed or retained a lobbyist, the association  
74 is the principal; the individual members of the association are  
75 not principals merely because of their membership in the  
76 association.

77 (i) "Unusual circumstances," with respect to any failure of  
78 a person to satisfy a filing requirement, means uncommon, rare,  
79 or sudden events over which the person has no control and which  
80 directly result in the failure to satisfy the filing  
81 requirement.

82 (3) For purposes of this rule, the terms "lobby" and  
83 "lobbying" do not include any of the following:

84 (a) Response to an inquiry for information made by any  
85 member, committee, or staff of the Legislature.

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

87 (c) Advice or services that arise out of a contractual

6-00001A-120

201220\_\_

88 obligation with the Legislature, a member, a committee, any  
89 staff, or any legislative entity to render the advice or  
90 services where such obligation is fulfilled through the use of  
91 public funds.

92 (d) Representation of a client before the House of  
93 Representatives or the Senate, or any member or committee  
94 thereof, when the client is subject to disciplinary action by  
95 the House of Representatives or the Senate, or any member or  
96 committee thereof.

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

99 (a) A member of the Legislature.

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

101 (c) A judge who is acting in that judge's official  
102 capacity.

103 (d) A person who is a state officer holding elective office  
104 or an officer of a political subdivision of the state holding  
105 elective office and who is acting in that officer's official  
106 capacity.

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

110 (f) A person employed by any executive or judicial  
111 department of the state or any community college of the state  
112 who makes a personal appearance or attendance before the House  
113 of Representatives or the Senate, or any member or committee  
114 thereof, while that person is on approved leave or outside  
115 normal working hours and who does not otherwise meet the  
116 definition of lobbyist.

6-00001A-120

201220\_\_

117 (5) When a person, regardless of whether the person is  
118 registered as a lobbyist, appears before a committee of the  
119 Legislature, that person must submit a Committee Appearance  
120 Record as required by the respective house.

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

131  
132 1.2-Method of Registration

133 (1) Each person who is required to register must register  
134 on forms furnished by the Lobbyist Registration Office, on which  
135 that person must state, under oath, that person's full legal  
136 name, business address, and telephone number, the name and  
137 business address of each principal that person represents, and  
138 the extent of any direct business association or partnership  
139 that person has with any member of the Legislature. In addition,  
140 if the lobbyist is a partner, owner, officer, or employee of a  
141 lobbying firm, the lobbyist must state the name, address, and  
142 telephone number of each lobbying firm to which the lobbyist  
143 belongs. The Lobbyist Registration Office or its designee is  
144 authorized to acknowledge the oath of any person who registers  
145 in person. Any changes to the information provided in the

6-00001A-120

201220\_\_

146 registration form must be reported to the Lobbyist Registration  
147 Office in writing within 15 days on forms furnished by the  
148 Lobbyist Registration Office.

149 (2) Any person required to register must do so with respect  
150 to each principal prior to commencement of lobbying on behalf of  
151 that principal. At the time of registration, the registrant  
152 shall provide a statement on a form provided by the Lobbyist  
153 Registration Office, signed by the principal or principal's  
154 representative, that the registrant is authorized to represent  
155 the principal. On the authorization statement, the principal or  
156 principal's representative shall also identify and designate the  
157 principal's main business pursuant to a classification system  
158 approved by the Office of Legislative Services, which shall be  
159 the North American Industry Classification System (NAICS) six-  
160 digit numerical code that most accurately describes the  
161 principal's main business.

162 (3) Any person required to register must renew the  
163 registration annually for each calendar year.

164 (4) A lobbyist shall promptly send a notice to the Lobbyist  
165 Registration Office, on forms furnished by the Lobbyist  
166 Registration Office, canceling the registration for a principal  
167 upon termination of the lobbyist's representation of that  
168 principal. A notice of cancellation takes effect the day it is  
169 received by the Lobbyist Registration Office. Notwithstanding  
170 this requirement, the Lobbyist Registration Office may remove  
171 the name of a lobbyist from the list of registered lobbyists if  
172 the principal notifies the Lobbyist Registration Office that the  
173 lobbyist is no longer authorized to represent that principal.

174 (5) The Lobbyist Registration Office shall retain all

6-00001A-120

201220\_\_

175 original registration documents submitted under this rule.

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

180

181 1.3-Registration Costs; Exemptions

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

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

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

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

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

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

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

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

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

6-00001A-120

201220\_\_

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

#### 212 1.4-Reporting of Lobbying Firm Compensation

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

217 1. Full name, business address, and telephone number of the  
218 lobbying firm;

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

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

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

228 1. Full name, business address, and telephone number of the  
229 principal; and

230 2. Total compensation provided or owed to the lobbying firm  
231 for the reporting period, reported in one of the following  
232 categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to



6-00001A-120

201220\_\_

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

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

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

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

246 (d) The senior partner, officer, or owner of the lobbying  
 247 firm shall certify to the veracity and completeness of the  
 248 information submitted pursuant to this rule; certify that no  
 249 compensation has been omitted from this report by deeming such  
 250 compensation as "consulting services," "media services,"  
 251 "professional services," or anything other than compensation;  
 252 and certify that no officer or employee of the firm has made an  
 253 expenditure in violation of s. 11.045, Florida Statutes, as  
 254 amended by chapter 2005-359, Laws of Florida.

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

260

Category (dollars)	Dollar amount to use aggregating
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6-00001A-120

201220\_\_

261

0 0

262

1-9,999 5,000

263

10,000-19,999 15,000

264

20,000-29,999 25,000

265

30,000-39,999 35,000

266

40,000-49,999 45,000

267

50,000 or more Actual amount reported

268

(3) The reporting statements shall be filed no later than 45 days after the end of each reporting period. The four reporting periods are from January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31, respectively. The statements shall be rendered in the identical form provided by the respective houses and shall be open to public inspection. Reporting statements shall be filed by electronic means through the electronic filing system developed by the office, conforming to subsection (4).

(4) The electronic filing system for compensation reporting shall include the following:

(a) As used in this rule, the term "electronic filing system" means an Internet system for recording and reporting lobbying compensation and other required information by

6-00001A-120

201220\_\_

283 reporting period.

284 (b) A report filed pursuant to this rule must be completed  
285 and filed through the electronic filing system not later than  
286 11:59 p.m. of the day designated in subsection (3). A report not  
287 filed by 11:59 p.m. of the day designated is a late-filed report  
288 and is subject to the penalties under Joint Rule 1.5(1).

289 (c) Each person given secure sign-on credentials to file  
290 via the electronic filing system is responsible for protecting  
291 the credentials from disclosure and is responsible for all  
292 filings made by use of such credentials, unless and until the  
293 office is notified that the person's credentials have been  
294 compromised. Each report filed by electronic means pursuant to  
295 this rule shall be deemed certified in accordance with paragraph  
296 (1)(d) by the person given the secure sign-on credentials and,  
297 as such, subjects the person and the lobbying firm to the  
298 provisions of s. 11.045(8), Florida Statutes, as well as any  
299 discipline provided under the rules of the Senate or House of  
300 Representatives.

301 (d) The electronic filing system shall:

302 1. Be based on access by means of the Internet.

303 2. Be accessible by anyone with Internet access using  
304 standard web-browsing software.

305 3. Provide for direct entry of compensation-report  
306 information as well as upload of such information from software  
307 authorized by the office.

308 4. Provide a method that prevents unauthorized access to  
309 electronic filing system functions.

310 5. Provide for the issuance of an electronic receipt to the  
311 person submitting the report indicating and verifying the date

6-00001A-120

201220\_\_

312 and time that the report was filed.

313 (5) The office shall provide reasonable public notice of  
314 the electronic filing procedures and of any significant changes  
315 in such procedures. If, whenever they deem it necessary, the  
316 President of the Senate and the Speaker of the House of  
317 Representatives jointly declare the electronic system not to be  
318 operable, the reports shall be filed in the manner required  
319 prior to April 1, 2007, as provided by House Concurrent  
320 Resolution 7011 (2007), enrolled, unless the President of the  
321 Senate and the Speaker of the House of Representatives direct  
322 use of an alternate means of reporting. The office shall develop  
323 and maintain such alternative means as may be practicable.  
324 Public notice of changes in filing procedures and any  
325 declaration or direction of the President of the Senate and the  
326 Speaker of the House of Representatives may be provided by  
327 publication for a continuous period of reasonable time on one or  
328 more Internet websites maintained by the Senate and the House of  
329 Representatives.

330

331 1.5-Failure to File Timely Compensation Report; Notice and  
332 Assessment of Fines; Appeals

333 (1) Upon determining that the report is late, the person  
334 designated to review the timeliness of reports shall immediately  
335 notify the lobbying firm as to the failure to timely file the  
336 report and that a fine is being assessed for each late day. The  
337 fine shall be \$50 per day per report for each late day, not to  
338 exceed \$5,000 per report.

339 (2) Upon receipt of the report, the person designated to  
340 review the timeliness of reports shall determine the amount of

6-00001A-120

201220\_\_

341 the fine based on when the report is actually received by the  
342 office or when the electronic receipt issued by the electronic  
343 filing system is dated, whichever is earlier.

344 (3) Such fine shall be paid within 30 days after the notice  
345 of payment due is transmitted by the person designated to review  
346 the timeliness of reports, unless appeal is made to the office.  
347 The moneys shall be deposited into the Legislative Lobbyist  
348 Registration Trust Fund.

349 (4) A fine shall not be assessed against a lobbying firm  
350 the first time the report for which the lobbying firm is  
351 responsible is not timely filed. However, to receive the one-  
352 time fine waiver, the report for which the lobbying firm is  
353 responsible must be filed within 30 days after notice that the  
354 report has not been timely filed is transmitted by the person  
355 designated to review the timeliness of reports. A fine shall be  
356 assessed for any subsequent late-filed reports.

357 (5) Any lobbying firm may appeal or dispute a fine, based  
358 upon unusual circumstances surrounding the failure to file on  
359 the designated due date, and may request and shall be entitled  
360 to a hearing before the General Counsel of the Office of  
361 Legislative Services, who shall recommend to the President of  
362 the Senate and the Speaker of the House of Representatives, or  
363 their respective designees, that the fine be waived in whole or  
364 in part for good cause shown. The President of the Senate and  
365 the Speaker of the House of Representatives, or their respective  
366 designees, may by joint agreement concur in the recommendation  
367 and waive the fine in whole or in part. Any such request shall  
368 be made within 30 days after the notice of payment due is  
369 transmitted by the person designated to review the timeliness of

6-00001A-120

201220\_\_

370 reports. In such case, the lobbying firm shall, within the 30-  
371 day period, notify the person designated to review the  
372 timeliness of reports in writing of the firm's intention to  
373 request a hearing.

374 (6) A lobbying firm may request that the filing of a report  
375 be waived upon good cause shown, based on unusual circumstances.  
376 The request must be filed with the General Counsel of the Office  
377 of Legislative Services, who shall make a recommendation  
378 concerning the waiver request to the President of the Senate and  
379 the Speaker of the House of Representatives. The President of  
380 the Senate and the Speaker of the House of Representatives may,  
381 by joint agreement, grant or deny the request.

382 (7) (a) All lobbyist registrations for lobbyists who are  
383 partners, owners, officers, or employees of a lobbying firm that  
384 fails to timely pay a fine are automatically suspended until the  
385 fine is paid or waived and all late reports have been filed or  
386 waived. The office shall promptly notify all affected  
387 principals, the President of the Senate, and the Speaker of the  
388 House of Representatives of any suspension or reinstatement. All  
389 lobbyists who are partners, owners, officers, or employees of a  
390 lobbying firm are jointly and severally liable for any  
391 outstanding fine owed by a lobbying firm.

392 (b) No such lobbyist may be reinstated in any capacity  
393 representing any principal until the fine is paid and all late  
394 reports have been filed or waived or until the fine is waived as  
395 to that lobbyist and all late reports for that lobbyist have  
396 been filed or waived. A suspended lobbyist may request a waiver  
397 upon good cause shown, based on unusual circumstances. The  
398 request must be filed with the General Counsel of the Office of

6-00001A-120

201220\_\_

399 Legislative Services who shall, as soon as practicable, make a  
400 recommendation concerning the waiver request to the President of  
401 the Senate and the Speaker of the House of Representatives. The  
402 President of the Senate and the Speaker of the House of  
403 Representatives may, by joint agreement, grant or deny the  
404 request.

405 (8) The person designated to review the timeliness of  
406 reports shall notify the director of the office of the failure  
407 of a lobbying firm to file a report after notice or of the  
408 failure of a lobbying firm to pay the fine imposed.

409

410 1.6-Open Records; Internet Publication of Registrations and  
411 Compensation Reports

412 (1) All of the lobbyist registration forms and compensation  
413 reports received by the Lobbyist Registration Office shall be  
414 available for public inspection and for duplication at  
415 reasonable cost.

416 (2) The office shall make information filed pursuant to  
417 Joint Rules 1.2 and 1.4 reasonably available on the Internet in  
418 an easily understandable and accessible format. The Internet  
419 website shall include, but not be limited to, the names and  
420 business addresses of lobbyists, lobbying firms, and principals,  
421 the affiliations between lobbyists and principals, and the  
422 classification system designated and identified with respect to  
423 principals pursuant to Joint Rule 1.2.

424

425 1.7-Records Retention and Inspection and Complaint Procedure

426 (1) Each lobbying firm and each principal shall preserve  
427 for a period of 4 years all accounts, bills, receipts, computer

6-00001A-120

201220\_\_

428 records, books, papers, and other documents and records  
429 necessary to substantiate compensation reports.

430 (2) Upon receipt of a complaint based upon the personal  
431 knowledge of the complainant made pursuant to the Senate Rules  
432 or Rules of the House of Representatives, any such documents and  
433 records may be inspected when authorized by the President of the  
434 Senate or the Speaker of the House of Representatives, as  
435 applicable. The person authorized to perform the inspection  
436 shall be designated in writing and shall be a member of The  
437 Florida Bar or a certified public accountant licensed in  
438 Florida. Any information obtained by such an inspection may only  
439 be used for purposes authorized by law, this Joint Rule One,  
440 Senate Rules, or Rules of the House of Representatives, which  
441 purposes may include the imposition of sanctions against a  
442 person subject to Joint Rule One, the Senate Rules, or the Rules  
443 of the House of Representatives. Any employee who uses that  
444 information for an unauthorized purpose is subject to  
445 discipline. Any member who uses that information for an  
446 unauthorized purpose is subject to discipline under the  
447 applicable rules of each house.

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

450

451 1.8-Questions Regarding Interpretation of this Joint Rule One

452 (1) A person may request in writing an informal opinion  
453 from the General Counsel of the Office of Legislative Services  
454 as to the application of this Joint Rule One to a specific  
455 situation involving that person's conduct. The General Counsel  
456 shall issue the opinion within 10 days after receiving the



6-00001A-120

201220\_\_

457 request. The informal opinion may be relied upon by the person  
458 who requested the informal opinion. A copy of each informal  
459 opinion that is issued shall be provided to the presiding  
460 officer of each house. A committee of either house designated  
461 pursuant to section 11.045(5), Florida Statutes, may revise any  
462 informal opinion rendered by the General Counsel through an  
463 advisory opinion to the person who requested the informal  
464 opinion. The advisory opinion shall supersede the informal  
465 opinion as of the date the advisory opinion is issued.

466 (2) A person in doubt about the applicability or  
467 interpretation of this Joint Rule One with respect to that  
468 person's conduct may submit in writing the facts for an advisory  
469 opinion to the committee of either house designated pursuant to  
470 s. 11.045(5), Florida Statutes, and may appear in person before  
471 the committee in accordance with s. 11.045(5), Florida Statutes.

472

473 1.9-Effect of Readoption and Revision

474 All obligations existing under Joint Rule One as of the last day  
475 of the previous legislative biennium are hereby ratified,  
476 preserved, and reimposed pursuant to the terms thereof as of  
477 that date. The provisions of Joint Rule One are imposed  
478 retroactively to the first day of the present legislative  
479 biennium except that provisions new to this revision are  
480 effective on the date of adoption or as otherwise expressly  
481 provided herein.

482

483 Joint Rule Two-General Appropriations Review Period

484

485 2.1-General Appropriations and Related Bills; Review Periods

6-00001A-120

201220\_\_

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

490 (2) If a bill is returned to the house in which the bill  
491 originated and the originating house does not concur in all the  
492 amendments or adds additional amendments, no further action  
493 shall be taken on the bill by the nonoriginating house, and a  
494 conference committee shall be established by operation of this  
495 rule to consider the bill.

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

500 (4) A copy of the bill, a copy of the bill with amendments  
501 adopted by the nonoriginating house, or the conference committee  
502 report shall be furnished to each member of the Legislature, the  
503 Governor, the Chief Justice of the Supreme Court, and each  
504 member of the Cabinet. Copies for the Governor, Chief Justice,  
505 and members of the Cabinet shall be furnished to the official's  
506 office in the Capitol or Supreme Court Building.

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

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

511 2. An electronic copy may be furnished to each member. The  
512 Legislature hereby deems and determines that a copy shall have  
513 been furnished to the members of the Legislature when an  
514 electronic copy is made available to every member of the

6-00001A-120

201220\_\_

515 Legislature. An electronic copy is deemed to have been made  
516 available when it is accessible via the Internet or other  
517 information network consisting of systems ordinarily serving the  
518 members of the Senate or the House of Representatives.

519 (b) An official other than a member of the Legislature who  
520 is to be furnished a copy of a general appropriations bill under  
521 subsection (4) may officially request that an electronic copy of  
522 the bill be furnished in lieu of a printed copy, and, if  
523 practicable, the copy may be furnished to the official in the  
524 manner requested.

525 (6) The Secretary of the Senate shall be responsible for  
526 furnishing copies under this rule for Senate bills, House bills  
527 as amended by the Senate, and conference committee reports on  
528 Senate bills. The Clerk of the House shall be responsible for  
529 furnishing copies under this rule for House bills, Senate bills  
530 as amended by the House, and conference committee reports on  
531 House bills.

532 (7) The 72-hour public review period shall begin to run  
533 upon completion of the furnishing of copies required to be  
534 furnished under subsection (4). The Speaker of the House of  
535 Representatives and the President of the Senate, as appropriate,  
536 shall be informed of the completion time, and such time shall be  
537 announced on the floor prior to vote on final passage in each  
538 house and shall be entered in the journal of each house.  
539 Saturdays, Sundays, and holidays shall be included in the  
540 computation under this rule.

541 (8) An implementing or conforming bill recommended by a  
542 conference committee shall be subject to a 24-hour public review  
543 period before a vote is taken on the conference committee report

6-00001A-120

201220\_\_

544 by either house, if the conference committee submits its report  
545 after the furnishing of a general appropriations bill to which  
546 the 72-hour public review period applies.

547 (9) With respect to each bill that may be affected, a  
548 member of the Senate or the House of Representatives may not  
549 raise a point of order under this rule after a vote is taken on  
550 the bill. Except as may be required by the Florida Constitution,  
551 noncompliance with any requirement of this rule may be waived by  
552 a two-thirds vote of those members present and voting in each  
553 house.

554

555 2.2-General Appropriations and Related Bills; Definitions

556 As used in Joint Rule Two, the term:

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

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

6-00001A-120

201220\_\_

573 current expenses of the state for a subsequent fiscal year.

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

576

577 Joint Rule Three—Joint Offices and Policies

578

579 3.1—Joint Legislative Offices

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

582 (a) Office of Economic and Demographic Research.

583 (b) Office of Legislative Information Technology Services.

584 (c) Office of Legislative Services.

585 (d) Office of Program Policy Analysis and Government  
586 Accountability.

587 (2) Offices established under this rule shall provide  
588 support services to the Legislature that are determined by the  
589 President of the Senate and the Speaker of the House of  
590 Representatives to be necessary and that can be effectively  
591 provided jointly to both houses and other units of the  
592 Legislature. Each office shall be directed by a coordinator  
593 selected by and serving at the pleasure of the President of the  
594 Senate and the Speaker of the House of Representatives. Upon the  
595 initial adoption of these joint rules in a biennium, each  
596 coordinator position shall be deemed vacant until an appointment  
597 is made.

598 (3) Within the monetary limitations of the approved  
599 operating budget, the salaries and expenses of the coordinator  
600 and the staff of each office shall be governed by joint  
601 policies.

6-00001A-120

201220\_\_

602 (4) The Office of Legislative Services shall provide  
603 legislative support services other than those prescribed in  
604 subsections (5)-(7).

605 (5) The Office of Legislative Information Technology  
606 Services shall provide support services to assist the  
607 Legislature in achieving its objectives through the application  
608 of cost-effective information technology.

609 (6) The Office of Economic and Demographic Research shall  
610 provide research support services, principally regarding  
611 forecasting economic and social trends that affect policymaking,  
612 revenues, and appropriations.

613 (7) The Office of Program Policy Analysis and Government  
614 Accountability shall:

615 (a) Perform independent examinations, program reviews, and  
616 other projects as provided by general law, as provided by  
617 concurrent resolution, as directed by the Legislative Auditing  
618 Committee, or as directed by the President of the Senate or the  
619 Speaker of the House and shall provide recommendations,  
620 training, or other services to assist the Legislature.

621 (b) Transmit to the President of the Senate and the Speaker  
622 of the House of Representatives, by December 1 of each year, a  
623 list of statutory and fiscal changes recommended by office  
624 reports. The recommendations shall be presented in two  
625 categories: one addressing substantive law and policy issues and  
626 the other addressing budget issues.

627

### 628 3.2-Joint Policies

629 (1) The President of the Senate and the Speaker of the  
630 House of Representatives shall jointly adopt policies they

6-00001A-120

201220\_\_

631 consider advisable to carry out the functions of the  
632 Legislature. Such policies shall be binding on all employees of  
633 joint offices and joint committees.

634 (2) The employees of all joint committees and joint  
635 legislative offices shall be under the exclusive control of the  
636 Legislature. No officer or agency in the executive or judicial  
637 branch shall exercise any manner of control over legislative  
638 employees with respect to the exercise of their duties or the  
639 terms and conditions of their employment.

640

#### 641 Joint Rule Four-Joint Committees

642

##### 643 4.1-Standing Joint Committees

644 (1) The following standing joint committees are  
645 established:

646 (a) Administrative Procedures Committee.

647 (b) Committee on Public Counsel Oversight.

648 (c) Legislative Auditing Committee.

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

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

658 (4) (a) The President of the Senate shall appoint a member  
659 of the Senate to serve as the chair, and the Speaker of the

6-00001A-120

201220

660 House of Representatives shall appoint a member of the House of  
661 Representatives to serve as the vice chair, for:

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

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

669 (b) The Speaker of the House of Representatives shall  
670 appoint a member of the House of Representatives to serve as the  
671 chair, and the President of the Senate shall appoint a member of  
672 the Senate to serve as the vice chair, for:

673 1. The Legislative Auditing Committee and the Committee on  
674 Public Counsel Oversight, for the period from noon on December 1  
675 of the calendar year following the general election until the  
676 next general election.

677 2. The Administrative Procedures Committee for the period  
678 from the Organization Session until noon on December 1 of the  
679 calendar year following the general election.

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

682  
683 4.2-~~Procedures~~ in Joint Committees

684 The following rules shall govern procedures in joint committees  
685 other than conference committees:

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



6-00001A-120

201220\_\_

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

692           (b) Joint committee meetings shall meet at the call of the  
693 chair. In the absence of the chair, the vice chair shall assume  
694 the duty to convene and preside over meetings and such other  
695 duties as provided by law or joint rule. During a meeting  
696 properly convened, the presiding chair may temporarily assign  
697 the duty to preside at that meeting to another joint committee  
698 member until the assignment is relinquished or revoked.

699           (c) Before any joint committee may hold a meeting, a notice  
700 of such meeting shall be provided to the Secretary of the Senate  
701 and the Clerk of the House of Representatives no later than 4:30  
702 p.m. of the 7th day before the meeting. For purposes of  
703 effecting notice to members of the house to which the chair does  
704 not belong, notice to the Secretary of the Senate shall be  
705 deemed notice to members of the Senate and notice to the Clerk  
706 of the House shall be deemed notice to members of the House of  
707 Representatives. Noticed meetings may be canceled by the chair  
708 with the approval of at least one presiding officer.

709           (d) If a majority of its members from each house agree, a  
710 joint committee may continue a properly noticed meeting after  
711 the expiration of the time called for the meeting. However, a  
712 joint committee may not meet beyond the time authorized by the  
713 presiding officers without special leave granted by both  
714 presiding officers.

715           (3) The presiding officers shall interpret, apply, and  
716 enforce rules governing joint committees by agreement when the  
717 rule at issue is a joint rule. Unless otherwise determined or

6-00001A-120

201220

718 overruled by an agreement of the presiding officers, the chair  
719 shall determine all questions of order arising in joint  
720 committee meetings, but such determinations may be appealed to  
721 the committee during the meeting.

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

725

#### 726 4.3-Powers of Joint Committees

727 (1) A joint committee may exercise the subpoena powers  
728 vested by law in a standing committee of the Legislature. A  
729 subpoena issued under this rule must be approved and signed by  
730 the President of the Senate and the Speaker of the House of  
731 Representatives and attested by the Secretary of the Senate and  
732 the Clerk of the House.

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

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

739

#### 740 4.4-Administration of Joint Committees

741 (1) Within the monetary limitations of the approved  
742 operating budget, the expenses of the members and the salaries  
743 and expenses of the staff of each joint committee shall be  
744 governed by joint policies adopted under Joint Rule 3.2. Within  
745 such operating budget, the chair of each joint committee shall  
746 approve all authorized member expenses.

6-00001A-120

201220\_\_

747           (2) Subject to joint policies adopted under Joint Rule 3.2,  
748 the presiding officers shall appoint and remove the staff  
749 director and, if needed, a general counsel and any other staff  
750 necessary to assist each joint committee. All joint committee  
751 staff shall serve at the pleasure of the presiding officers.  
752 Upon the initial adoption of these joint rules in a biennium,  
753 each joint committee staff director position shall be deemed  
754 vacant until an appointment is made.

755

756 4.5—Special Powers and Duties of the Legislative Auditing  
757 Committee

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

763           (2) The Legislative Auditing Committee may receive requests  
764 for audits and reviews from legislators and any audit request,  
765 petition for audit, or other matter for investigation directed  
766 or referred to it pursuant to general law. The committee may  
767 make any appropriate disposition of such requests or referrals  
768 and shall, within a reasonable time, report to the requesting  
769 party the disposition of any audit request.

770           (3) The Legislative Auditing Committee may review the  
771 performance of the Auditor General and report thereon to the  
772 Senate and the House of Representatives.

773

774 4.6—Special Powers and Duties of the Administrative Procedures  
775 Committee

6-00001A-120

201220\_\_

776 The Administrative Procedures Committee shall:

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

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

786 (3) Review administrative rules and advise the agencies  
787 concerned of its findings.

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

790 (5) Generally review agency action pursuant to the  
791 operation of chapter 120, Florida Statutes, the Administrative  
792 Procedure Act.

793 (6) Report to the President of the Senate and the Speaker  
794 of the House of Representatives at least annually, no later than  
795 the first week of the regular session, and recommend needed  
796 legislation or other appropriate action. Such report shall  
797 include the number of objections voted by the committee, the  
798 number of suspensions recommended by the committee, the number  
799 of administrative determinations filed on the invalidity of a  
800 proposed or existing rule, the number of petitions for judicial  
801 review filed on the invalidity of a proposed or existing rule,  
802 and the outcomes of such actions. Such report shall also include  
803 any recommendations provided to the standing committees during  
804 the preceding year under subsection (11).

6-00001A-120

201220

805 (7) Consult regularly with legislative standing committees  
806 that have jurisdiction over the subject areas addressed in  
807 agency proposed rules regarding legislative authority for the  
808 proposed rules and other matters relating to legislative  
809 authority for agency action.

810 (8) Subject to the approval of the President of the Senate  
811 and the Speaker of the House of Representatives, have standing  
812 to seek judicial review, on behalf of the Legislature or the  
813 citizens of this state, of the validity or invalidity of any  
814 administrative rule to which the committee has voted an  
815 objection and that has not been withdrawn, modified, repealed,  
816 or amended to meet the objection. Judicial review under this  
817 subsection may not be initiated until the Governor and the head  
818 of the agency making the rule to which the committee has  
819 objected have been notified of the committee's proposed action  
820 and have been given a reasonable opportunity, not to exceed 60  
821 days, for consultation with the committee. The committee may  
822 expend public funds from its appropriation for the purpose of  
823 seeking judicial review.

824 (9) Maintain a continuous review of the administrative  
825 rulemaking process, including a review of agency procedure and  
826 of complaints based on such agency procedure.

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

830 (11) Maintain a continuous review of statutes that  
831 authorize agencies to adopt rules and shall make recommendations  
832 to the appropriate standing committees of the Senate and the  
833 House of Representatives as to the advisability of considering

6-00001A-120

201220\_\_

834 changes to the delegated legislative authority to adopt rules in  
835 specific circumstances.

836

837 4.7-Special Powers and Duties of the Committee on Public Counsel  
838 Oversight

839 (1) The Committee on Public Counsel Oversight shall appoint  
840 a Public Counsel.

841 (2) The Committee on Public Counsel Oversight may file a  
842 complaint with the Commission on Ethics alleging a violation of  
843 chapter 350, Florida Statutes, by a current or former public  
844 service commissioner, an employee of the Public Service  
845 Commission, or a member of the Public Service Commission  
846 Nominating Council.

847 (3) Notwithstanding Joint Rule 4.4(2), the Committee on  
848 Public Counsel Oversight shall not have any permanent staff but  
849 shall be served as needed by other legislative staff selected by  
850 the President of the Senate and the Speaker of the House of  
851 Representatives.

852

853 Joint Rule Five-Auditor General

854

855 5.1-Rulemaking Authority

856 The Auditor General shall make and enforce reasonable rules and  
857 regulations necessary to facilitate audits that he or she is  
858 authorized to perform.

859

860 5.2-Budget and Accounting

861 (1) The Auditor General shall prepare and submit annually  
862 to the President of the Senate and the Speaker of the House of

6-00001A-120

201220\_\_

863 Representatives for their joint approval a proposed budget for  
864 the ensuing fiscal year.

865 (2) Within the limitations of the approved operating  
866 budget, the salaries and expenses of the Auditor General and the  
867 staff of the Auditor General shall be paid from the  
868 appropriation for legislative expense or any other moneys  
869 appropriated by the Legislature for that purpose. The Auditor  
870 General shall approve all bills for salaries and expenses for  
871 his or her staff before the same shall be paid.

872

### 873 5.3-Audit Report Distribution

874 (1) A copy of each audit report shall be submitted to the  
875 Governor, to the Chief Financial Officer, and to the officer or  
876 person in charge of the state agency or political subdivision  
877 audited. One copy shall be filed as a permanent public record in  
878 the office of the Auditor General. In the case of county  
879 reports, one copy of the report of each county office, school  
880 district, or other district audited shall be submitted to the  
881 board of county commissioners of the county in which the audit  
882 was made and shall be filed in the office of the clerk of the  
883 circuit court of that county as a public record. When an audit  
884 is made of the records of the district school board, a copy of  
885 the audit report shall also be filed with the district school  
886 board, and thereupon such report shall become a part of the  
887 public records of such board.

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

890 (3) The Auditor General shall transmit a copy of each audit  
891 report to the appropriate substantive and fiscal committees of

6-00001A-120

201220\_\_

892 the Senate and House of Representatives.

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

896 (5) The Auditor General shall transmit to the President of  
897 the Senate and the Speaker of the House of Representatives, by  
898 December 1 of each year, a list of statutory and fiscal changes  
899 recommended by audit reports. The recommendations shall be  
900 presented in two categories: one addressing substantive law and  
901 policy issues and the other addressing budget issues. The  
902 Auditor General may also transmit recommendations at other times  
903 of the year when the information would be timely and useful for  
904 the Legislature.

905 (6) A copy required to be provided under this rule may be  
906 provided in an electronic or other digital format if the Auditor  
907 General determines that the intended recipient has appropriate  
908 resources to review the copy. Copies to members, committees, and  
909 offices of the Legislature shall be provided in electronic  
910 format as may be provided in joint policies adopted under Joint  
911 Rule 3.2.

912

913 Joint Rule Six—Joint Legislative Budget Commission

914

915 6.1—General Responsibilities

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



6-00001A-120

201220\_\_

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

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

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

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

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

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

942

#### 943 6.2-Organizational Structure

944 (1) The commission is not subject to Joint Rule Four. The  
945 commission shall be composed of seven members of the Senate  
946 appointed by the President of the Senate and seven members of  
947 the House of Representatives appointed by the Speaker of the  
948 House of Representatives.

949 (2) The commission shall be jointly staffed by the

6-00001A-120

201220\_\_

950 appropriations committees of both houses. The Senate shall  
951 provide the lead staff when the chair of the commission is a  
952 member of the Senate. The House of Representatives shall provide  
953 the lead staff when the chair of the commission is a member of  
954 the House of Representatives.

955

#### 956 6.3-Notice of Commission Meetings

957 Not less than 7 days prior to a meeting of the commission, a  
958 notice of the meeting, stating the items to be considered, date,  
959 time, and place, shall be filed with the Secretary of the Senate  
960 when the chair of the commission is a member of the Senate or  
961 with the Clerk of the House when the chair of the commission is  
962 a member of the House of Representatives. The Secretary of the  
963 Senate or the Clerk of the House shall distribute notice to the  
964 Legislature and the public, consistent with the rules and  
965 policies of their respective houses.

966

#### 967 6.4-Effect of Adoption; Intent

968 This Joint Rule Six replaces all prior joint rules governing the  
969 Joint Legislative Budget Commission and is intended to implement  
970 constitutional provisions relating to the Joint Legislative  
971 Budget Commission existing as of the date of the rule's  
972 adoption.