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1 House Concurrent Resolution

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

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

7  
8 That the following joint rules shall govern the Florida  
9 Legislature for the 2012-2014 term:

10  
11 JOINT RULES

12  
13 Joint Rule One—Lobbyist Registration and Compensation Reporting

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

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

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

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

27 (b) "Legislative action" means introduction, sponsorship,  
28 testimony, debate, voting, or any other official action on any

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29 | measure, resolution, amendment, nomination, appointment, or  
30 | report of, or any matter that may be the subject of action by,  
31 | either house of the Legislature or any committee thereof.

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

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

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

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

67 | (f) "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  
78 | of a person to satisfy a filing requirement, means uncommon,  
79 | rare, or sudden events over which the person has no control and  
80 | which 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

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

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

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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.

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

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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  
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  
150 respect to each principal prior to commencement of lobbying on  
151 behalf of that principal. At the time of registration, the  
152 registrant shall provide a statement on a form provided by the  
153 Lobbyist Registration Office, signed by the principal or  
154 principal's representative, that the registrant is authorized to  
155 represent the principal. On the authorization statement, the  
156 principal or principal's representative shall also identify and  
157 designate the principal's main business pursuant to a  
158 classification system approved by the Office of Legislative  
159 Services, which shall be the North American Industry  
160 Classification System (NAICS) six-digit numerical code that most  
161 accurately describes the 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  
165 Lobbyist 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  
 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  
 183 Rule One, each person who registers under Joint Rule 1.1 must  
 184 pay an annual registration fee to the Lobbyist Registration  
 185 Office. The annual period runs from January 1 to December 31.  
 186 These fees 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

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197 Commission.

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

200 (3) The annual fee is up to \$50 per each house for a  
201 person to register to represent one principal and up to an  
202 additional \$10 per house for each additional principal that the  
203 person registers to represent. The amount of each fee shall be  
204 established annually by the President of the Senate and the  
205 Speaker of the House of Representatives. The fees set shall be  
206 adequate to ensure operation of the lobbyist registration and  
207 reporting operations of the Lobbyist Registration Office. The  
208 fees collected by the Lobbyist Registration Office under this  
209 rule shall be deposited in the State Treasury and credited to  
210 the Legislative Lobbyist Registration Trust Fund specifically to  
211 cover the costs incurred in administering Joint Rule One.

212

213 1.4-Reporting of Lobbying Firm Compensation

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

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

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

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



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225 \$999,999; or \$1 million or more.

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

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

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

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

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

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

247 (d) The senior partner, officer, or owner of the lobbying  
 248 firm shall certify to the veracity and completeness of the  
 249 information submitted pursuant to this rule; certify that no  
 250 compensation has been omitted from this report by deeming such  
 251 compensation as "consulting services," "media services,"  
 252 "professional services," or anything other than compensation;

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253 and certify that no officer or employee of the firm has made an  
 254 expenditure in violation of s. 11.045, Florida Statutes, as  
 255 amended by chapter 2005-359, Laws of Florida.

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

261

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

269

270 (3) The reporting statements shall be filed no later than  
 271 45 days after the end of each reporting period. The four  
 272 reporting periods are from January 1 through March 31, April 1

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273 through June 30, July 1 through September 30, and October 1  
274 through December 31, respectively. The statements shall be  
275 rendered in the identical form provided by the respective houses  
276 and shall be open to public inspection. Reporting statements  
277 shall be filed by electronic means through the electronic filing  
278 system developed by the office, conforming to subsection (4).

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

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

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

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

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301 Representatives.

302 (d) The electronic filing system shall:

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

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

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

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

311 5. Provide for the issuance of an electronic receipt to  
312 the person submitting the report indicating and verifying the  
313 date and time that the report was filed.

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

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329 | more Internet websites maintained by the Senate and the House of  
330 | Representatives.

331

332 | 1.5—Failure to File Timely Compensation Report; Notice and  
333 | Assessment of Fines; Appeals

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

340 |       (2) Upon receipt of the report, the person designated to  
341 | review the timeliness of reports shall determine the amount of  
342 | the fine based on when the report is actually received by the  
343 | office or when the electronic receipt issued by the electronic  
344 | filing system is dated, whichever is earlier.

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

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

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357 assessed for any subsequent late-filed reports.

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

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

384 (7) (a) All lobbyist registrations for lobbyists who are

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

394 (b) No such lobbyist may be reinstated in any capacity  
395 representing any principal until the fine is paid and all late  
396 reports have been filed or waived or until the fine is waived as  
397 to that lobbyist and all late reports for that lobbyist have  
398 been filed or waived. A suspended lobbyist may request a waiver  
399 upon good cause shown, based on unusual circumstances. The  
400 request must be filed with the General Counsel of the Office of  
401 Legislative Services who shall, as soon as practicable, make a  
402 recommendation concerning the waiver request to the President of  
403 the Senate and the Speaker of the House of Representatives. The  
404 President of the Senate and the Speaker of the House of  
405 Representatives may, by joint agreement, grant or deny the  
406 request.

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

411

412 1.6—Open Records; Internet Publication of Registrations and

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413 Compensation Reports

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

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

426

427 1.7—Records Retention and Inspection and Complaint Procedure

428 (1) Each lobbying firm and each principal shall preserve  
 429 for a period of 4 years all accounts, bills, receipts, computer  
 430 records, books, papers, and other documents and records  
 431 necessary to substantiate compensation reports.

432 (2) Upon receipt of a complaint based upon the personal  
 433 knowledge of the complainant made pursuant to the Senate Rules  
 434 or Rules of the House of Representatives, any such documents and  
 435 records may be inspected when authorized by the President of the  
 436 Senate or the Speaker of the House of Representatives, as  
 437 applicable. The person authorized to perform the inspection  
 438 shall be designated in writing and shall be a member of The  
 439 Florida Bar or a certified public accountant licensed in  
 440 Florida. Any information obtained by such an inspection may only



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441 | be used for purposes authorized by law, this Joint Rule One,  
 442 | Senate Rules, or Rules of the House of Representatives, which  
 443 | purposes may include the imposition of sanctions against a  
 444 | person subject to Joint Rule One, the Senate Rules, or the Rules  
 445 | of the House of Representatives. Any employee who uses that  
 446 | information for an unauthorized purpose is subject to  
 447 | discipline. Any member who uses that information for an  
 448 | unauthorized purpose is subject to discipline under the  
 449 | applicable rules of each house.

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

452 |  
 453 | 1.8-Questions Regarding Interpretation of this Joint Rule One

454 |         (1) A person may request in writing an informal opinion  
 455 | from the General Counsel of the Office of Legislative Services  
 456 | as to the application of this Joint Rule One to a specific  
 457 | situation involving that person's conduct. The General Counsel  
 458 | shall issue the opinion within 10 days after receiving the  
 459 | request. The informal opinion may be relied upon by the person  
 460 | who requested the informal opinion. A copy of each informal  
 461 | opinion that is issued shall be provided to the presiding  
 462 | officer of each house. A committee of either house designated  
 463 | pursuant to section 11.045(5), Florida Statutes, may revise any  
 464 | informal opinion rendered by the General Counsel through an  
 465 | advisory opinion to the person who requested the informal  
 466 | opinion. The advisory opinion shall supersede the informal  
 467 | opinion as of the date the advisory opinion is issued.

468 |         (2) A person in doubt about the applicability or

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469 interpretation of this Joint Rule One with respect to that  
 470 person's conduct may submit in writing the facts for an advisory  
 471 opinion to the committee of either house designated pursuant to  
 472 s. 11.045(5), Florida Statutes, and may appear in person before  
 473 the committee in accordance with s. 11.045(5), Florida Statutes.  
 474

475 1.9—Effect of Readoption and Revision

476 All obligations existing under Joint Rule One as of the last day  
 477 of the previous legislative biennium are hereby ratified,  
 478 preserved, and reimposed pursuant to the terms thereof as of  
 479 that date. The provisions of Joint Rule One are imposed  
 480 retroactively to the first day of the present legislative  
 481 biennium except that provisions new to this revision are  
 482 effective on the date of adoption or as otherwise expressly  
 483 provided herein.  
 484

485 Joint Rule Two—General Appropriations Review Period

486  
 487 2.1—General Appropriations and Related Bills; Review Periods

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

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

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497 rule to consider the bill.

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

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

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

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

513 2. An electronic copy may be furnished to each member. The  
 514 Legislature hereby deems and determines that a copy shall have  
 515 been furnished to the members of the Legislature when an  
 516 electronic copy is made available to every member of the  
 517 Legislature. An electronic copy is deemed to have been made  
 518 available when it is accessible via the Internet or other  
 519 information network consisting of systems ordinarily serving the  
 520 members of the Senate or the House of Representatives.

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

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525 | practicable, the copy may be furnished to the official in the  
526 | manner requested.

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

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

543 |       (8) An implementing or conforming bill recommended by a  
544 | conference committee shall be subject to a 24-hour public review  
545 | period before a vote is taken on the conference committee report  
546 | by either house, if the conference committee submits its report  
547 | after the furnishing of a general appropriations bill to which  
548 | the 72-hour public review period applies.

549 |       (9) With respect to each bill that may be affected, a  
550 | member of the Senate or the House of Representatives may not  
551 | raise a point of order under this rule after a vote is taken on  
552 | the bill. Except as may be required by the Florida Constitution,

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553 noncompliance with any requirement of this rule may be waived by  
 554 a two-thirds vote of those members present and voting in each  
 555 house.

556  
 557 2.2—General Appropriations and Related Bills; Definitions  
 558 As used in Joint Rule Two, the term:

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

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

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

578  
 579 Joint Rule Three—Joint Offices and Policies

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581 3.1-Joint Legislative Offices

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

584 (a) Office of Economic and Demographic Research.

585 (b) Office of Legislative Information Technology Services.

586 (c) Office of Legislative Services.

587 (d) Office of Program Policy Analysis and Government  
588 Accountability.

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

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

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

607 (5) The Office of Legislative Information Technology  
608 Services shall provide support services to assist the

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609 Legislature in achieving its objectives through the application  
 610 of cost-effective information technology.

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

615 (7) The Office of Program Policy Analysis and Government  
 616 Accountability shall:

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

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

629

630 3.2-Joint Policies

631 (1) The President of the Senate and the Speaker of the  
 632 House of Representatives shall jointly adopt policies they  
 633 consider advisable to carry out the functions of the  
 634 Legislature. Such policies shall be binding on all employees of  
 635 joint offices and joint committees.

636 (2) The employees of all joint committees and joint

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637 legislative offices shall be under the exclusive control of the  
 638 Legislature. No officer or agency in the executive or judicial  
 639 branch shall exercise any manner of control over legislative  
 640 employees with respect to the exercise of their duties or the  
 641 terms and conditions of their employment.

642  
 643 Joint Rule Four—Joint Committees

644  
 645 4.1—Standing Joint Committees

646 (1) The following standing joint committees are  
 647 established:

648 (a) Administrative Procedures Committee.

649 (b) Committee on Public Counsel Oversight.

650 (c) Legislative Auditing Committee.

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

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

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

664 1. The Legislative Auditing Committee and the Committee on



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665 Public Counsel Oversight, for the period from the Organization  
 666 Session until noon on December 1 of the calendar year following  
 667 the general election.

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

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

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

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

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

684  
 685 4.2-~~Procedures~~ in Joint Committees

686 The following rules shall govern procedures in joint committees  
 687 other than conference committees:

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

691 (2) (a) Joint committees shall meet only within the dates,  
 692 times, and locations authorized by both the President of the

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693 Senate and the Speaker of the House of Representatives.

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

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

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

717 (3) The presiding officers shall interpret, apply, and  
718 enforce rules governing joint committees by agreement when the  
719 rule at issue is a joint rule. Unless otherwise determined or  
720 overruled by an agreement of the presiding officers, the chair

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721 shall determine all questions of order arising in joint  
722 committee meetings, but such determinations may be appealed to  
723 the committee during the meeting.

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

727

#### 728 4.3—Powers of Joint Committees

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

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

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

741

#### 742 4.4—Administration of Joint Committees

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

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

757

758 4.5—Special Powers and Duties of the Legislative Auditing  
 759 Committee

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

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

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

775

776 4.6—Special Powers and Duties of the Administrative Procedures

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777 Committee

778 The Administrative Procedures Committee shall:

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

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

788 (3) Review administrative rules and advise the agencies  
 789 concerned of its findings.

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

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

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

805 any recommendations provided to the standing committees during  
 806 the preceding year under subsection (11).

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

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

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

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

832 (11) Maintain a continuous review of statutes that

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833 authorize agencies to adopt rules and shall make recommendations  
 834 to the appropriate standing committees of the Senate and the  
 835 House of Representatives as to the advisability of considering  
 836 changes to the delegated legislative authority to adopt rules in  
 837 specific circumstances.

838  
 839 4.7—Special Powers and Duties of the Committee on Public Counsel  
 840 Oversight

841 (1) The Committee on Public Counsel Oversight shall  
 842 appoint a Public Counsel.

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

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

854  
 855 Joint Rule Five—Auditor General

856  
 857 5.1—Rulemaking Authority  
 858 The Auditor General shall make and enforce reasonable rules and  
 859 regulations necessary to facilitate audits that he or she is  
 860 authorized to perform.

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5.2-Budget and Accounting

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

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

5.3-Audit Report Distribution

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



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889 public records of such board.

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

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

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

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

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

914

915 Joint Rule Six—Joint Legislative Budget Commission

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917 | 6.1-General Responsibilities

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

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

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

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

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

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

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

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## 945 | 6.2—Organizational Structure

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

951 |       (2) The commission shall be jointly staffed by the  
952 | appropriations committees of both houses. The Senate shall  
953 | provide the lead staff when the chair of the commission is a  
954 | member of the Senate. The House of Representatives shall provide  
955 | the lead staff when the chair of the commission is a member of  
956 | the House of Representatives.

957 |

## 958 | 6.3—Notice of Commission Meetings

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

968 |

## 969 | 6.4—Effect of Adoption; Intent

970 | This Joint Rule Six replaces all prior joint rules governing the  
971 | Joint Legislative Budget Commission and is intended to implement  
972 | constitutional provisions relating to the Joint Legislative

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973 | Budget Commission existing as of the date of the rule's  
974 | adoption.