

HR 10

20180

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House Resolution

A resolution establishing the Rules of the House of Representatives of the State of Florida for the 2018-2020 term.

Be It Resolved by the House of Representatives of the State of Florida:

That the following rules shall govern the House of Representatives of the State of Florida for the 2018-2020 term:

RULES OF THE FLORIDA HOUSE OF REPRESENTATIVES

RULE ONE—LEGISLATIVE ORGANIZATION

1.1—Officers of the House

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

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

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

(b) HOUSE LEADERSHIP. In addition to the Speaker, the House shall choose a Speaker pro tempore, who shall serve in accordance with Rule 2.5. The Speaker shall appoint a Majority

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

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

32 |

33 | 1.2—Political Party Conferences

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

36 |

37 | 1.3—Seating Challenges

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

HR 10

20180

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

57

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

59

60 2.1—Presiding

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

64

65 2.2—Interpreting Rules

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

68

69 2.3—Deciding Questions of Order

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

HR 10

20180

76 recommendation to the Speaker. Any decision of the Speaker on a
77 point of order is subject to an appeal to the House made timely
78 and separately by any five members.

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

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

HR 10

20180

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

102
103 2.4—Execution of Documents

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

109
110 2.5—Appointment of a Temporary Presiding Officer

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

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

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

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

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

130

131 2.6—Protecting the Interests of the House

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

139

140 2.7—Control of House Facilities

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

144

145 RULE THREE—MEMBERS

146

147 3.1—Membership

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

150

151 3.2-Voting Obligation

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

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

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

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

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

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

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

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

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

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

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

195
 196 3.3-Attendance Obligation

HR 10

20180

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

206 (b) SESSION ATTENDANCE.

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

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

222 3.4—Open Meetings

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

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

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

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

HR 10

20180

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

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

264

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

266

267 4.1—The Clerk

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

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

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

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

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

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

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

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

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

291

292 4.2—The Sergeant at Arms

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

HR 10

20180

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

307

308 4.3—The Employees

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

319

320 RULE FIVE—FORM AND INTRODUCTION OF BILLS

321

322 5.1—"Bill" Stands for All Legislation

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

327
 328 5.2—Member Bill Filing Deadline

329 Filing deadlines for member bills shall be as follows:

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

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

339
 340 5.3—Limitation on Member Bills Filed

341 (a) A member may not file more than six bills for a
 342 regular session. For purposes of this rule, the member
 343 considered to have filed a bill is the first-named sponsor of
 344 the bill.

345 (1) Of the six bills for the 2019 Regular Session, at
 346 least two must be approved for filing with the Clerk no later

347 | than noon of the 6th Tuesday before the first day of the regular
 348 | session.

349 | (2) Of the six bills for the 2020 Regular Session, at
 350 | least two must be approved for filing with the Clerk no later
 351 | than noon of the 7th Tuesday before the first day of the regular
 352 | session.

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

354 | (1) Local bills.

355 | (2) Ceremonial House resolutions.

356 | (3) Memorials.

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

359 | (5) Trust fund bills adhering to another bill.

360 | (6) Public records or public meetings exemption bills
 361 | adhering to another bill.

362 | (7) General bills adhering to a joint resolution.

363 | (8) Bills that only repeal or delete, without substantive
 364 | replacement, any provision of the Florida Statutes or Laws of
 365 | Florida.

366 | (9) Bills withdrawn from further consideration prior to
 367 | the applicable filing deadline.

368 | (10) Claim bills, whether general or local.

369 | (11) Appropriations project bills.

370 |

371 | 5.4—Forms of Measures; Sponsorship Transactions

HR 10

20180

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

374 (b) No member may be added or deleted as a sponsor or
375 cosponsor of a bill without the member's consent. A member
376 desiring to be a cosponsor must submit to the Clerk a
377 cosponsorship request agreed to by the first-named sponsor. A
378 member may withdraw as a cosponsor by submitting a request to
379 the Clerk.

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

397 and do not constitute a part of the bill under consideration.
398 Numerals in the margins of the line-numbered pages do not
399 constitute a part of the bill and are shown on each page only
400 for convenience in identifying lines. Section catchlines of
401 existing text shall not be underlined, nor shall any other
402 portion of a bill covered by this rule other than new material.
403

404 5.5-Local Bills

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

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

412 (c) All local bills, including local claim bills, must
413 either, as required by Section 10 of Article III of the State
414 Constitution, embody provisions for a ratifying referendum
415 (stated in the title as well as in the text of the bill) or be
416 accompanied by an affidavit of proper advertisement, securely
417 attached to the original bill ahead of its first page.
418

419 5.6-Claim Bills

420 (a) The Speaker may appoint a Special Master to review a
421 claim bill or conduct a hearing, if necessary. The Special

HR 10

20180

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

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

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

438

439 5.7—Reviser's Bills

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

443

444 5.8—Joint Resolutions

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

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

455

456 5.9-Concurrent Resolutions

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

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

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

471

472 5.10—Memorials

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

477

478 5.11—Substantive and Ceremonial House Resolutions

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

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

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

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

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

497 | for activities performed within the normal course of their
 498 | affairs.

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

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

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

505 | (d) Copies of House resolutions shall be furnished by the
 506 | Clerk.

507 |

508 | 5.12-Tributes

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

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

515 |

516 | 5.13-Bills Filed During an Interim

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

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

523 |

524 | 5.14—Appropriations Project Bills

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

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

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

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

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

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

548 e. A local water project.

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

550 a. Is specifically authorized by statute;

551 b. Is part of a statewide distribution to local
 552 governments; or

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

558 (b) For purposes of these rules, the term "appropriations
 559 project bill" means a bill proposing funding for an
 560 appropriations project, which must be filed as a stand-alone
 561 bill and must be submitted to the House Bill Drafting Service in
 562 the form prescribed by the Speaker. Before an appropriations
 563 project bill may be filed, an appropriations project request
 564 form must be completed and electronically submitted in the form
 565 prescribed by the Speaker. An appropriations project bill may
 566 not be amended to include any additional appropriations project.
 567 An appropriations project bill may only request nonrecurring
 568 funds.

569 (c) Except as provided in Joint Rule 2, a bill is out of
 570 order if it funds an appropriations project that was not filed

571 as an appropriations project bill that was reported favorably by
 572 a House committee or subcommittee.

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

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

577 (f) The portion of an appropriations project which was
 578 funded with recurring funds in the fiscal year 2016-2017 General
 579 Appropriations Act as approved by the Governor and funded at the
 580 same or lesser amount in subsequent fiscal years is exempt from
 581 the requirements of subsections (c) and (d). If recurring
 582 funding for an appropriations project is reduced in a conference
 583 report on the General Appropriations Act in any fiscal year, the
 584 appropriations project may receive no more than the reduced
 585 amount of recurring funding in any subsequent fiscal year. If in
 586 any year the recurring funds are eliminated in the conference
 587 report on the General Appropriations Act as approved by the
 588 Governor, the appropriations project may not receive any
 589 recurring funding in any subsequent fiscal year.

590
 591 5.15-Requirements for Introduction

592 (a) All bills (other than an appropriations bill,
 593 concurrent resolutions relating to organization of the
 594 Legislature, resolutions relating to organization of the House,
 595 concurrent resolutions pertaining to extension of a session,

596 reviser's bills, bills proposing any reapportionment or
597 redistricting of the state's legislative or congressional
598 districts, and recall of acts from the Governor) shall either be
599 prepared or, in the case of local bills, reviewed by the House
600 Bill Drafting Service. After completion and delivery by the
601 House Bill Drafting Service, no change may be made in the text
602 or title of the bill without returning the bill to the House
603 Bill Drafting Service before filing.

604 (b) The House Bill Drafting Service shall notify any
605 member proposing a bill of any identical or substantially
606 similar bill that has been filed and the name of the sponsor of
607 such bill.

608

609 5.16—Identification

610 Each bill shall be given a number and filed with the Clerk by
611 the House Bill Drafting Service. Bills shall be serially
612 numbered in an odd-numbered sequence, except that bills of a
613 similar type may be serially numbered separately. The Clerk
614 shall validate the original copy of each bill, and each page
615 thereof, to ensure its identification as the item introduced in
616 order to prevent unauthorized or improper substitutions
617 therefor.

618

619 5.17—Companion Measures

HR 10

20180

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

634

635 RULE SIX—REFERENCE

636

637 6.1—Speaker to Refer Legislation

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

640

641 6.2—Reference: Generally

642 (a) Bills, upon filing or introduction, whether House or
643 Senate, may be referred by the Speaker to one or more committees
644 or subcommittees or any combination thereof or to the Calendar

HR 10

20180

645 | of the House. The order of reference shall be determined by the
646 | Speaker.

647 | (b) References of bills and the nature of any documents
648 | referred shall be recorded in the Journal.

649 |

650 | 6.3—Reference: Exception

651 | A Senate bill with a House companion may be paired with the
652 | companion House bill at whatever its stage of consideration,
653 | provided both bills are on the same reading.

654 |

655 | 6.4—Reference of Resolutions, Concurrent Resolutions: Exception
656 | Resolutions on House organization and concurrent resolutions
657 | pertaining to extension of the session may be taken up upon
658 | motion and adopted at the time of introduction without
659 | reference.

660 |

661 | 6.5—Appropriations or Tax Measures: Withdrawal from a Fiscal
662 | Committee or Subcommittee; Additional Reference

663 | (a) A bill in the possession of a fiscal committee or
664 | subcommittee that has been amended by report from a committee or
665 | subcommittee of previous reference to remove its fiscal impact
666 | may be withdrawn from the fiscal committee or subcommittee on a
667 | point of order raised by the committee chair of the fiscal
668 | committee having possession of the bill or jurisdiction over the
669 | subcommittee having possession of the bill.

HR 10

20180

670 (b) If an amendment adopted on the floor of the House
671 affects an appropriation or a tax matter, upon a point of order
672 made by the chair or vice chair of a fiscal committee, the bill
673 may be referred by the Speaker, with the amendment, to an
674 appropriate committee or subcommittee. If the bill, as amended
675 on the floor, is reported favorably without further amendment,
676 it shall be returned to the same reading as when referred. If
677 the bill, as amended on the floor, is reported favorably with
678 further amendment, it shall be returned to second reading.

679

680 6.6—Policy Bills; Additional Reference

681 Upon a point of order made by the chair of the Rules Committee,
682 the bill, as amended, may be referred by the Speaker to an
683 appropriate committee or subcommittee if an amendment or series
684 of amendments adopted on the floor of the House:

685 (a) Substantially revises the bill; or

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

688

689 If the bill, as amended on the floor, is reported favorably by
690 the committee or subcommittee without further amendment, it
691 shall be returned to the same reading as when referred. If the
692 bill, as amended on the floor, is reported favorably by the
693 committee or subcommittee with further amendment, it shall be
694 returned to second reading.

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

RULE SEVEN—COMMITTEES AND SUBCOMMITTEES

PART ONE—Organization

7.1—Standing Committees and Subcommittees

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

(1) Appropriations Committee.

a. Agriculture & Natural Resources Appropriations Subcommittee.

b. Government Operations & Technology Appropriations Subcommittee.

c. Health Care Appropriations Subcommittee.

d. Higher Education Appropriations Subcommittee.

e. Justice Appropriations Subcommittee.

f. PreK-12 Appropriations Subcommittee.

g. Transportation & Tourism Appropriations Subcommittee.

(2) Commerce Committee.

a. Business & Professions Subcommittee.

- 720 b. Energy & Utilities Subcommittee.
- 721 c. Gaming Control Subcommittee.
- 722 d. Insurance & Banking Subcommittee.
- 723 (3) Economic Affairs Committee.
- 724 a. Transportation & Infrastructure Subcommittee.
- 725 b. Workforce Development & Tourism Subcommittee.
- 726 (4) Education Committee.
- 727 a. Higher Education & Career Readiness Subcommittee.
- 728 b. PreK-12 Innovation Subcommittee.
- 729 c. PreK-12 Quality Subcommittee.
- 730 (5) Health & Human Services Committee.
- 731 a. Children, Families & Seniors Subcommittee.
- 732 b. Health Market Reform Subcommittee.
- 733 c. Health Quality Subcommittee.
- 734 (6) Judiciary Committee.
- 735 a. Civil Justice Subcommittee.
- 736 b. Criminal Justice Subcommittee.
- 737 (7) Public Integrity & Ethics Committee.
- 738 (8) Rules Committee.
- 739 (9) State Affairs Committee.
- 740 a. Agriculture & Natural Resources Subcommittee.
- 741 b. Local, Federal & Veterans Affairs Subcommittee.
- 742 c. Oversight, Transparency & Public Management
- 743 Subcommittee.
- 744 (10) Ways & Means Committee.

745 (b) For purposes of these rules, the term "committee"
746 includes subcommittee, except where the context indicates
747 otherwise.
748

749 7.2—Committee and Subcommittee Appointments

750 The Speaker may appoint the chair, the vice chair, and any co-
751 chairs as he or she deems necessary, as well as all members, for
752 each standing House committee and subcommittee. The Speaker may
753 appoint the House chair and all House members of each conference
754 committee, joint committee, and joint select committee created
755 by agreement of the House and Senate or of the Speaker and the
756 President of the Senate. The Speaker shall give written notice
757 of each such appointment to the Clerk for publication. After the
758 Speaker has made committee and subcommittee appointments, the
759 Minority Leader may name a Minority Conference member of any
760 committee or subcommittee as "ranking member" of that committee
761 or subcommittee, subject to the approval of the Speaker.
762

763 7.3—Powers of the Chair

764 A committee or subcommittee chair has authority to sign all
765 notices, vouchers, and reports required or permitted by these
766 rules. The chair has authority, subject to approval by the
767 Speaker, to sign all subpoenas issued under these rules. The
768 chair has all authority necessary to ensure the orderly
769 operation of the committee or subcommittee, including, but not

770 limited to, presiding over meetings, establishing each meeting
771 agenda, determining the order in which matters are to be taken
772 up, recognizing or not recognizing non-member presenters, and
773 deciding questions of order. Decisions on questions of order may
774 be appealed pursuant to Rule 2.3(b), but there shall be no
775 appeal of the chair's recognition.

776

777 7.4—Absence of the Chair

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

786

787 7.5—Term of Appointment

788 All standing committee or subcommittee chairs, vice chairs, and
789 members serve at the pleasure of the Speaker. All standing
790 committee and subcommittee appointments made by the Speaker in
791 accordance with Rule 7.2 shall be made before each regular
792 session is convened and shall expire on June 30 of odd-numbered
793 years or, if the Legislature is convened in special or extended
794 session on that date, upon adjournment sine die of such session.

795

796 7.6—Creation of Select Committees

797 At any time, the Speaker may create a select committee and shall
798 appoint the membership and name the chair and vice chair. A
799 select committee may include the entire membership of the House.
800 A select committee has the jurisdiction, authority, and powers
801 and duties assigned to it by the Speaker and exists for the
802 period of time specified by the Speaker. The Speaker shall give
803 written notice of the creation of a select committee to the
804 Clerk for publication.

805

806 7.7—Ex officio Members

807 (a) The Speaker may designate the Speaker pro tempore, the
808 Majority Leader, or the Majority Whip as an ex officio, voting
809 member of any committee or subcommittee. In addition, the
810 Speaker may designate a committee chair as an ex officio, voting
811 member of any subcommittee within the committee's jurisdiction.
812 Only one ex officio member may be designated by the Speaker to
813 sit and vote at a time on any one committee or subcommittee.

814 (b) The Minority Leader may serve, or designate a Minority
815 Conference member to serve, as an ex officio, voting member of
816 any committee or subcommittee when a Minority Conference member
817 appointed to that committee or subcommittee is absent. Only one
818 ex officio member may serve or be designated by the Minority

819 Leader at a time. The ex officio designation terminates upon the
 820 return of the absent member to that committee or subcommittee.

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

823 (d) The designation of an ex officio member shall be made
 824 in writing and addressed to the chair of the committee or
 825 subcommittee. Prior to the start of such meeting, a copy of such
 826 notice shall be provided to the Minority Leader if the
 827 designation is made by the Speaker, or to the Speaker when the
 828 Minority Leader intends to serve as or designates an ex officio
 829 member.

830

831 7.8—Meetings of Committees and Subcommittees

832 Committees and subcommittees shall meet only within the dates,
 833 times, and locations designated or authorized by the Speaker.

834 Committees and subcommittees shall meet at the call of the
 835 chair.

836

837 7.9—Consideration of Proposed Committee and Subcommittee Bills

838 Before a standing committee or subcommittee may consider a
 839 proposed committee or subcommittee bill, the chair shall submit

840 a written request to the Speaker for approval. A request for

841 approval to consider a proposed subcommittee bill shall be

842 cosigned by the chair of the committee with jurisdiction over

843 the subcommittee. In introducing a proposed committee or

844 subcommittee bill, the chair must designate a member of the
 845 originating committee or subcommittee as first-named cosponsor,
 846 with the approval of such member.

847

848 PART TWO—Procedures in Committees and Subcommittees

849

850 7.10—Scheduling Committee and Subcommittee Meetings

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

859 (b) CONTENT OF MEETING NOTICE. The notice shall state the
 860 date, time, and place of the meeting and, for each bill to be
 861 considered, the bill or proposed bill number and a portion of
 862 the title sufficient for identification. Except with respect to
 863 bills retained on reconsideration under Rule 7.15, only such
 864 bills as are included on the notice of a committee or
 865 subcommittee meeting may be considered at that meeting.

866 (c) PROPOSED BILLS TO BE AVAILABLE. A copy of each
 867 proposed bill or proposed committee or subcommittee substitute
 868 noticed for consideration must be available to each committee or

HR 10

20180

869 | subcommittee member no later than the time of providing notice
870 | of the meeting.

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

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

887 | (f) NOTICE OF NOT MEETING. If a committee or subcommittee
888 | is authorized and scheduled for a meeting by the Speaker but
889 | does not plan to meet, a notice stating that no meeting will be
890 | held shall be provided in the time and manner of noticing a
891 | meeting.

892 | (g) AMENDED NOTICE AND CANCELLATION. At any time before a
893 | noticed meeting, a bill or other item may be removed from a

894 meeting notice or the meeting may be cancelled by providing an
 895 amended notice.

896 (h) CLERK DUTIES. The Clerk shall promptly publish the
 897 content of meeting notices in accordance with policies approved
 898 by the Speaker.

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

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

911

912 7.11-Amendment Deadlines in Committee and Subcommittee

913 (a) Amendments may be offered in any committee or
 914 subcommittee by any member of the House, subject to the
 915 following deadlines:

916 (1) For the period when the Legislature is not in session,
 917 and during the first 45 days of a regular session, an amendment
 918 by a member who is not a member of the committee or subcommittee

HR 10

20180

919 | considering the bill shall be filed by 6 p.m. of the day
920 | (excluding Saturdays, Sundays, and official state holidays)
921 | before the committee or subcommittee meeting.

922 | (2) After the 45th day of a regular session and during any
923 | extended session, an amendment by a member who is not a member
924 | of the committee or subcommittee considering the bill shall be
925 | filed by 6 p.m. of the day (including Saturdays, Sundays, and
926 | official state holidays) before the committee or subcommittee
927 | meeting.

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

932 | (b) Notwithstanding the foregoing, subject to approval by
933 | a majority vote of the House, the Rules Committee may establish
934 | special amendment deadlines and procedures for appropriations
935 | bills, implementing bills, and conforming bills, as defined in
936 | Rule 12.5, as well as for bills proposing any reapportionment or
937 | redistricting of the state's legislative or congressional
938 | districts.

939

940 | 7.12—Quorum of Committee or Subcommittee

941 | A majority of any committee's or subcommittee's members shall
942 | constitute a quorum necessary for the transaction of business.

943 An ex officio member shall not be counted for purposes of
 944 determining a quorum.

945
 946 7.13—Meeting During House Sessions

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

949
 950 7.14—Voting in Committee or Subcommittee

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

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

966
 967 7.15—Reconsideration in Committee or Subcommittee

HR 10

20180

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

970 (a) When a main question has been decided by a committee
971 or subcommittee, any member voting with the prevailing side, or
972 any member when the vote was a tie, may move for
973 reconsideration.

974 (b) Any member voting on the prevailing side on passage or
975 defeat of a bill may, as a matter of right, serve notice that
976 the bill be retained through the next committee or subcommittee
977 meeting for the purpose of reconsideration. Such notice by an
978 individual member may be set aside by adoption of a motion to
979 report the bill immediately, which shall require a two-thirds
980 vote. No bill may be retained under this provision after the
981 40th day of a regular session or during any extended or special
982 session.

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

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

990 (e) If the committee or subcommittee refuses to reconsider
991 or, upon reconsideration, confirms its prior decision, no
992 further motion to reconsider shall be in order except upon

HR 10

20180

993 unanimous consent of the committee or subcommittee members
 994 present.

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

997

998 7.16—Reports on Bills

999 A committee or subcommittee may report a House bill unfavorably,
 1000 favorably, or favorably with a committee or subcommittee
 1001 substitute. A committee or subcommittee may report a Senate bill
 1002 favorably, favorably with one or more amendments, or
 1003 unfavorably. A bill may not be reported without recommendation.
 1004 A motion to lay a bill on the table shall be construed as a
 1005 motion to report the bill unfavorably.

1006

1007 7.17—Bill Reported Unfavorably by a Committee or Subcommittee

1008 A bill reported unfavorably by a committee or subcommittee shall
 1009 be laid on the table.

1010

1011 7.18—Committee and Subcommittee Substitutes

1012 (a) A standing committee or subcommittee may introduce a
 1013 committee or subcommittee substitute embracing the same general
 1014 subject matter of one or more bills in possession of the
 1015 committee or subcommittee. A proposed committee or subcommittee
 1016 substitute must be noticed in the manner required for a proposed
 1017 committee or subcommittee bill. Upon the filing of a committee

HR 10

20180

1018 or subcommittee substitute, the original bill or bills shall be
1019 laid on the table of the House.

1020 (b) Committee and subcommittee substitutes shall be
1021 prepared by the House Bill Drafting Service and filed with the
1022 Clerk.

1023 (c) No later than the day (excluding Saturdays, Sundays,
1024 and official state holidays) after it is filed by the committee
1025 or subcommittee, a committee or subcommittee substitute shall be
1026 read a first time and be subject to referral by the Speaker.

1027

1028 7.19—Subpoena Powers

1029 The standing committees and subcommittees of the House may
1030 exercise subpoena power and issue other necessary legal process
1031 pursuant to Rule 16.

1032

1033 7.20—Appearances and Administration of Oaths

1034 (a) A person who appears before a committee or
1035 subcommittee on any matter must submit a committee appearance
1036 record as directed by the Speaker. If the person is a lobbyist,
1037 the person shall also identify any principal on whose behalf the
1038 person appears or whose interests the person represents with
1039 respect to such matter.

1040 (b) Whenever desired by a committee or subcommittee, the
1041 chair or any other member of the committee or subcommittee may
1042 administer oaths and affirmations in the manner prescribed by

HR 10

20180

1043 law to any witness appearing before such committee or
1044 subcommittee for the purpose of testifying in any matter about
1045 which such committee or subcommittee may require sworn
1046 testimony, provided the record of a statement made under oath in
1047 committee or subcommittee may not be used to controvert a
1048 factual determination of the Legislature.

1049

1050 7.21—Open Meetings; Decorum

1051 (a) All meetings of committees and subcommittees shall be
1052 open to the public at all times, subject always to the authority
1053 of the chair to maintain order and decorum; however, when
1054 reasonably necessary for security purposes or the protection of
1055 a witness, a chair, with the concurrence of the Speaker and the
1056 Minority Leader, may close a meeting or portion thereof, and the
1057 record of such meeting may not disclose the identity of any
1058 witness appearing before the committee or subcommittee during a
1059 closed session.

1060 (b) The chair shall exercise all authority necessary to
1061 maintain order and decorum, including the authority to impose
1062 time limitations on testimony and presentations by non-members
1063 and to require all persons attending a committee or subcommittee
1064 meeting to silence all audible electronic equipment.

1065

1066 PART THREE—Conference Committees

1067

HR 10

20180

1068 7.22—Conference Committees

1069 (a) The Speaker shall determine the number of House
1070 managers needed for all conference committees. A conference
1071 committee report shall require the signatures which indicate the
1072 affirmative votes of a majority of the managers on the part of
1073 each house. Such reports may recommend action on amendments
1074 previously adopted by the House or Senate, recommend action on
1075 additional compromise amendments, or offer an amendment deleting
1076 everything after the enacting clause. New amendments recommended
1077 by the conference committee shall accompany the report.

1078 (b) A meeting of the House and Senate conferees is a
1079 meeting of the two groups. Conference committee meeting notices
1080 shall be published at least 1 hour before the time scheduled for
1081 the meeting. Each conference committee may determine its own
1082 procedures and select a member to preside if a majority of
1083 managers of each house agree.

1084 (c) The receiving of conference committee reports shall
1085 always be in order, except when the House is voting on any
1086 proposition. When a conference committee report is presented to
1087 the House, the procedure shall be:

1088 (1) First to vote on a motion to accept the report in its
1089 entirety. The motion shall not be subject to amendment. If this
1090 vote fails, the report shall be automatically recommitted to the
1091 conference committee.

1092 (2) If the report is accepted, the final vote shall be a
 1093 roll call on the passage of the bill as amended by the report.
 1094 The bill as amended by the report is not subject to further
 1095 amendment.

1096 (d) When House managers report inability of a conference
 1097 committee to agree, no action of the House taken before such
 1098 appointment shall preclude further action by the House as the
 1099 House may determine.

1100

1101 PART FOUR—Oversight Powers and Responsibilities

1102

1103 7.23—Oversight Powers and Responsibilities of Standing
 1104 Committees and Subcommittees

1105 (a) Each standing committee or subcommittee is authorized
 1106 to exercise all powers authorized for committees pursuant to s.
 1107 11.143, Florida Statutes, to carry out oversight
 1108 responsibilities within its respective subject matter
 1109 jurisdiction. For purposes of this rule, the Speaker shall
 1110 determine the subject matter jurisdiction of each committee or
 1111 subcommittee.

1112 (b) Select committees shall exercise committee powers
 1113 authorized by s. 11.143, Florida Statutes, whenever specifically
 1114 authorized in writing by the Speaker.

HR 10

20180

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

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

1120

1121 RULE EIGHT—DEBATE AND CHAMBER PROTOCOL

1122

1123 PART ONE—Privilege of the Floor

1124

1125 8.1—Privilege of the Floor

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

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

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

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

HR 10

20180

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

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

1146

1147 PART TWO—Speaking

1148

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

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

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

1161

1162 8.3—When Two Members Rise at Once

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

1166 |
 1167 | 8.4—Recognition of Members

1168 | There shall be no appeal of the Speaker's recognition, but the
 1169 | Speaker shall be governed by the rules and usage in priority of
 1170 | entertaining motions from the floor. When a member seeks
 1171 | recognition, the Speaker may ask, "For what purpose does the
 1172 | member rise?" or "For what purpose does the member seek
 1173 | recognition?"

1174 |
 1175 | 8.5—Recognition of Gallery Visitors and Doctor of the Day

1176 | On written request by a member, on a form approved by the Clerk,
 1177 | the Speaker may recognize or permit the member to recognize any
 1178 | person or persons in the gallery. After granting a request for
 1179 | recognition, the Speaker shall afford that recognition at a
 1180 | convenient place in the order of business, considering the need
 1181 | for order and decorum and the need for continuity of debate. At
 1182 | an appropriate time during proceedings on the floor, the Speaker
 1183 | may recognize a Doctor of the Day.

1184 |
 1185 | PART THREE—Debate

1186 |
 1187 | 8.6—Decorum

1188 The members shall attend to the debates unless necessarily
 1189 prevented, and no member shall stand between the Speaker and a
 1190 member recognized to speak.

1191

1192 8.7—Speaking and Debate; Right to Close

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

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

1207

1208 8.8—Asking Questions of Members

1209 It is entirely within a speaking member's discretion whether to
 1210 yield to a question. The proper purpose of a question is for the
 1211 questioner to obtain information in good faith when the
 1212 questioner does not know the answer, not for the questioner to

1213 supply information to the body. Questions should not be used to
 1214 editorialize, explicate, pontificate, or provide commentary.
 1215 Neither a question nor an answer to a question may contain
 1216 arguments or debate.

1217
 1218 8.9—Right to Open and Close Debate

1219 The member presenting a motion shall have the right to open and
 1220 close the debate and, for this purpose, may speak each time up
 1221 to 10 minutes, unless otherwise limited by majority vote of the
 1222 House, notwithstanding the limitation in Rule 8.7.

1223
 1224 PART FOUR—Materials and Meals in Chamber

1225
 1226 8.10—Distribution of Materials in Chamber; Meals in Chamber

1227 (a) The following constitutes policy regarding material
 1228 distributed to the general membership through the Sergeant at
 1229 Arms' Office and pages:

1230 (1) All material must be approved by the chair of the
 1231 Rules Committee prior to such distribution.

1232 (2) The following official materials are approved: House
 1233 and Senate bills, resolutions, memorials, and amendments
 1234 thereto, and official calendars and journals; committee and
 1235 subcommittee meeting notices; communications from the Speaker
 1236 and Clerk and official communications from the Senate; and

HR 10

20180

1237 official staff reports of standing or select committees or
 1238 subcommittees or of the majority or minority party.

1239 (b) While members may consume nonalcoholic beverages on
 1240 the floor, meals will not be allowed on the floor without
 1241 concurrence of a majority vote.

1242

1243 PART FIVE—Miscellaneous Papers

1244

1245 8.11—Miscellaneous Papers

1246 Papers of a miscellaneous nature addressed to the House may, at
 1247 the discretion of the Speaker, be read, noted in the Journal, or
 1248 filed with the appropriate committee or subcommittee. When the
 1249 reading of a paper other than one upon which the House is called
 1250 to give a final vote is demanded and such reading is objected to
 1251 by any member, whether the paper shall be read shall be
 1252 determined without debate by the House by a majority vote.

1253

1254 RULE NINE—VOTING

1255

1256 9.1—Members Shall Vote

1257 Every member shall be within the Chamber during its sittings,
 1258 unless excused or necessarily prevented, and shall vote on each
 1259 question put, unless required to abstain under Rule 3.2.

1260

1261 9.2—Taking the Yeas and Nays

HR 10

20180

1262 The Speaker shall declare all votes, but if any member rises to
1263 doubt a vote, upon a showing of hands by five members, the
1264 Speaker shall take the sense of the House by oral or electronic
1265 roll call. When taking the yeas and nays on any question, the
1266 electronic roll-call system may be used and when so used shall
1267 have the force and effect of a roll call taken as provided in
1268 these rules. This system likewise may be used to determine the
1269 presence of a quorum. When the House is ready to vote upon a
1270 question requiring roll call, and the vote is by electronic roll
1271 call, the Speaker shall say, "The question now recurs on
1272 (designating the matter to be voted upon). The Clerk will unlock
1273 the machine and the House will proceed to vote." When sufficient
1274 time has elapsed for each member to vote, the Speaker shall ask,
1275 "Have all members voted?" After a short pause, the Speaker shall
1276 say, "The Clerk will lock the machine and record the vote." When
1277 the vote is completely recorded, the Speaker shall announce the
1278 result to the House, and the Clerk shall record the action upon
1279 the Journal.

1280

1281 9.3—Vote of the Speaker or Temporary Presiding Officer

1282 The Speaker or temporary presiding officer is not required to
1283 vote in legislative proceedings other than on final passage of a
1284 bill, except when the Speaker's or temporary presiding officer's
1285 vote would be decisive. In all yea and nay votes, the Speaker's
1286 or temporary presiding officer's name shall be called last. With

1287 respect to voting, the Speaker or temporary presiding officer is
 1288 subject to the same disqualification and disclosure requirements
 1289 as any other member.

1290

1291 9.4-Votes After Roll Call; Finality of a Roll Call Vote

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

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

1302

1303 9.5-No Member to Vote for Another Except by Request and
 1304 Direction

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

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

HR 10

20180

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

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

1318

1319 9.6—Explanation of Vote

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

1325

1326 RULE TEN—ORDER OF BUSINESS AND CALENDARS

1327

1328 PART ONE—Order of Business

1329

1330 10.1—Daily Sessions

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

1334

1335 10.2—Daily Order of Business

HR 10

20180

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

- 1338 (1) Call to Order.
- 1339 (2) Prayer.
- 1340 (3) Roll Call.
- 1341 (4) Pledge of Allegiance.
- 1342 (5) Correction of the Journal.
- 1343 (6) Communications.
- 1344 (7) Messages from the Senate.
- 1345 (8) Reports of Committees.
- 1346 (9) Motions Relating to Committee and Subcommittee
 1347 References.
- 1348 (10) Matters on Reconsideration.
- 1349 (11) Bills and Joint Resolutions on Third Reading.
- 1350 (12) Special Orders.
- 1351 (13) House Resolutions.
- 1352 (14) Unfinished Business.
- 1353 (15) Introduction and Reference.

1354 (b) During special sessions, the order of business of
 1355 Introduction and Reference shall be called for immediately
 1356 following the order of business of Correction of the Journal.

1357 (c) Within each order of business, matters shall be
 1358 considered in the order in which they appear on the daily
 1359 printed Calendar of the House.

HR 10

20180

1360 (d) After the 45th day of a regular session, by a majority
 1361 vote, the House may, on motion of the chair or vice chair of the
 1362 Rules Committee, move to Communications, Messages from the
 1363 Senate, Bills and Joint Resolutions on Third Reading, or Special
 1364 Orders. The motion may provide which matter on such order of
 1365 business may be considered.

1366 (e) The following orders may be omitted on any regular
 1367 session day if there is no relevant business on the desk:

- 1368 (1) Communications.
- 1369 (2) Messages from the Senate.
- 1370 (3) Reports of Committees.
- 1371 (4) House Resolutions.
- 1372 (5) Unfinished Business.
- 1373 (6) Introduction and Reference.

1374

1375 10.3—Chaplain to Offer Prayer

1376 A chaplain shall attend at the beginning of each day's sitting
 1377 of the House and open the same with prayer. In the absence of a
 1378 chaplain, the Speaker may designate someone else to offer
 1379 prayer.

1380

1381 10.4—Quorum

1382 A majority of the membership of the House shall constitute a
 1383 quorum to conduct business.

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HR 10

20180

1385 10.5—Consideration of Senate Messages: Generally
 1386 Senate messages may be considered by the House at the time and
 1387 in the order determined by the Speaker.

1388
 1389 PART TWO—Readings

1390
 1391 10.6—"Reading" Defined
 1392 "Reading" means the stage of consideration of a bill,
 1393 resolution, or memorial after reading of a portion of the title
 1394 sufficient for identification, as determined by the Speaker.

1395
 1396 10.7—Reading of Bills and Joint Resolutions
 1397 Each bill and each joint resolution shall be read on 3 separate
 1398 days prior to a vote upon final passage unless this rule is
 1399 waived by a two-thirds vote, provided the publication of a bill
 1400 or joint resolution by its title in the Journal shall satisfy
 1401 the requirements of first reading.

1402
 1403 10.8—Reading of Concurrent Resolutions and Memorials
 1404 Concurrent resolutions and memorials shall be read on 2 separate
 1405 days prior to a voice vote upon adoption, except that concurrent
 1406 resolutions extending a legislative session or involving other
 1407 procedural legislative matters may be read twice without motion
 1408 on the same legislative day.

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HR 10

20180

1410 10.9—Reading of House Resolutions

1411 (a) A House resolution shall receive two readings by title
1412 only prior to a voice vote upon adoption.

1413 (b) Ceremonial resolutions may be shown as read and
1414 adopted by publication in full in the Journal in accordance with
1415 Rule 10.17.

1416

1417 10.10—Measures on Third Reading

1418 (a) Bills on third reading shall be taken up in the order
1419 in which the House concluded action on them on second reading.

1420 (b) Before any bill shall be read the third time, whether
1421 amended or not, it shall be referred without motion to the
1422 Engrossing Clerk for examination and, if amended, the engrossing
1423 of amendments. In the case of any Senate bill amended in the
1424 House, the amendment adopted shall be reproduced and attached to
1425 the bill amended in such manner that it will not be lost
1426 therefrom.

1427 (c) A bill shall be deemed on its third reading when it
1428 has been read a second time on a previous day and has no motion
1429 pending.

1430

1431 PART THREE—Calendars

1432

1433 10.11—Special Order Calendar

1434 (a) REGULAR SESSION.

HR 10

20180

1435 (1) The Rules Committee shall periodically submit, as
1436 needed, a Special Order Calendar determining the sequence for
1437 consideration of legislation. The Special Order Calendar may
1438 include bills on second reading, bills on unfinished business,
1439 resolutions, and specific sections for local bills, trust fund
1440 bills, and bills to be taken up at a time certain. Upon adoption
1441 of a Special Order Calendar, no other bills shall be considered
1442 for the time period set forth for that Special Order Calendar,
1443 except that any bill appearing on that Special Order Calendar
1444 may be stricken from it by a majority vote or any bill may be
1445 added to it pursuant to Rule 10.13. A previously adopted Special
1446 Order Calendar shall expire upon adoption by the House of a new
1447 Special Order Calendar.

1448 (2) Any committee, subcommittee, or member may apply in
1449 writing to the chair of the Rules Committee to place a bill on
1450 the Special Order Calendar. The Rules Committee may grant such
1451 requests by a majority vote.

1452 (3) During the first 55 days of a regular session, the
1453 Special Order Calendar shall be published in three Calendars of
1454 the House, and it may be taken up on the day of the third
1455 published Calendar. After the 55th day of a regular session, the
1456 Special Order Calendar shall be published in one Calendar of the
1457 House and may be taken up on the day the Calendar is published.

1458 (b) EXTENDED OR SPECIAL SESSION.

HR 10

20180

1459 (1) If the Legislature extends a legislative session, all
 1460 bills on the Calendar of the House at the time of expiration of
 1461 the regular session shall be placed in the Rules Committee.

1462 (2) During any extended or special session, all bills upon
 1463 being reported favorably by the last committee or subcommittee
 1464 of reference shall be placed in the Rules Committee.

1465 (3) During any extended or special session, the Rules
 1466 Committee shall establish a Special Order Calendar and only
 1467 those bills on such Special Order Calendar shall be placed on
 1468 the Calendar of the House.

1469 (4) During any extended or special session, the Special
 1470 Order Calendar shall be published in one Calendar of the House
 1471 and bills thereon may be taken up on the day the Calendar is
 1472 published.

1473

1474 10.12—Special Floor Procedures

1475 The Rules Committee may recommend special floor procedures for
 1476 the management of amendments and debate on a particular bill, on
 1477 second and third readings, which procedures may include
 1478 limitations on amendments and debate. Such procedures may not be
 1479 implemented unless approved by a majority vote in session.

1480

1481 10.13—Consideration of Bills Not on Special Order Calendar

1482 A bill not included on the Special Order Calendar may be
 1483 considered by the House upon a two-thirds vote.

HR 10

20180

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10.14—Consent Calendar

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

10.15—Requirements for Placement on Special Order Calendar

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

10.16—Informal Deferral of Bills

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

PART FOUR—Ceremonial Resolutions

10.17—Ceremonial Resolutions Published in Journal

HR 10

20180

1509 Upon approval of the chair of the Rules Committee, a ceremonial
 1510 resolution may be shown as read and adopted by publication in
 1511 full in the Journal. The Rules Committee shall distribute a list
 1512 of such resolutions 1 day (excluding Saturdays, Sundays, and
 1513 official state holidays) prior to the day of their publication,
 1514 during which time any member may file with the Rules Committee
 1515 an objection to any resolution listed. Each resolution for which
 1516 an objection has been filed shall be removed from the list and
 1517 placed on the Calendar of the House. All resolutions without
 1518 objections shall be printed on the next legislative day in the
 1519 Journal and considered adopted by the House.

1520

1521 PART FIVE—Procedural Limitations in Final Week

1522

1523 10.18—Consideration Limits to Bills after Day 55

1524 After the 55th day of a regular session, no House bills on
 1525 second reading may be taken up and considered by the House.

1526

1527 10.19—Consideration Limits after Day 58

1528 After the 58th day of a regular session, the House may consider
 1529 only:

- 1530 (a) Returning messages.
- 1531 (b) Conference reports.
- 1532 (c) Concurrent resolutions.

1533

HR 10

20180

1534 | RULE ELEVEN—MOTIONS

1535

1536 | 11.1—Motions; How Made

1537 | Every motion shall be made orally, except when requested by the
1538 | Speaker to be reduced to writing.

1539

1540 | 11.2—Precedence of Motions During Debate

1541 | (a) When a question is under debate, the Speaker or the
1542 | chair of a committee or subcommittee shall receive no motion
1543 | except:

1544 | (1) To adjourn at a time certain.

1545 | (2) To adjourn.

1546 | (3) To recess to a time certain.

1547 | (4) To lay on the table.

1548 | (5) To reconsider.

1549 | (6) For the previous question.

1550 | (7) To limit debate.

1551 | (8) To temporarily postpone.

1552 | (9) To postpone to a time or day certain.

1553 | (10) To refer to or to recommit to committee or
1554 | subcommittee.

1555 | (11) To amend.

1556 | (12) To amend by removing the enacting or resolving
1557 | clause.

HR 10

20180

1558 (b) Such motions shall have precedence in the descending
 1559 order given.

1560 (c) Notwithstanding paragraph (a) (10) above, the Motion to
 1561 Withdraw or Refer a Bill pursuant to House Rule 11.11 and the
 1562 Motion to Refer or Recommit pursuant to House Rule 11.12 are not
 1563 available in committee or subcommittee.

1564

1565 11.3—Questions of Order Decided Without Debate

1566 The Speaker shall decide, without debate, all procedural
 1567 questions of order that arise when a motion is before the House
 1568 or on appeal.

1569

1570 11.4—Division of Question

1571 If a question before the House is susceptible of separation into
 1572 two or more parts, any member may call for a division of the
 1573 question so that each part may be voted on separately. However,
 1574 a motion to remove and insert cannot be divided.

1575

1576 11.5—Motion to Recess to a Time Certain

1577 A motion to recess to a time certain shall be treated the same
 1578 as a motion to adjourn, except that the motion is debatable when
 1579 no business is before the House and can be amended as to the
 1580 time to recess and duration of the recess. It yields only to a
 1581 motion to adjourn.

1582

HR 10

20180

1583 11.6—Motion to Lay on the Table

1584 (a) A motion to lay on the table is not debatable and
 1585 cannot be amended; however, before the motion is put to a vote,
 1586 the first-named sponsor of a bill or the mover of a debatable
 1587 motion shall be allowed 5 minutes within which to discuss the
 1588 same and may divide the time with, or waive this right in favor
 1589 of, some other member.

1590 (b) A motion to lay an amendment on the table, if adopted,
 1591 does not carry with it the measure to which it adheres.

1592

1593 11.7—Motion to Reconsider; Immediate Certification of Bills

1594 (a) When a motion or main question has been made and
 1595 carried or lost, it shall be in order at any time as a matter of
 1596 right on the same or succeeding legislative day for a member
 1597 voting with the prevailing side, or for any member in the case
 1598 of a voice or tie vote, to move for reconsideration thereof.

1599 (b) When a majority of members vote in the affirmative but
 1600 the proposition is lost because it is one in which the
 1601 concurrence of a greater number than a majority is necessary for
 1602 adoption or passage, any member may move for reconsideration.

1603 (c) The motion to reconsider shall require a majority vote
 1604 for adoption.

1605 (d) If the House refuses to reconsider or upon
 1606 reconsideration confirms its prior decision, no further motion

HR 10

20180

1607 to reconsider shall be in order except upon unanimous consent of
1608 the members present.

1609 (e) Debate shall be allowed on a motion to reconsider only
1610 when the question that it is proposing to reconsider is
1611 debatable. When debate upon a motion to reconsider is in order,
1612 no member shall speak thereon more than once or for more than 5
1613 minutes.

1614 (f) The adoption of a motion to reconsider a vote upon any
1615 secondary matter shall not remove the main subject under
1616 consideration from consideration of the House.

1617 (g) A motion to reconsider a collateral matter must be
1618 disposed of at once during the course of the consideration of
1619 the main subject to which it is related, and such motion shall
1620 be out of order after the House has passed to other business.

1621 (h) No bill referred or recommitted to a committee or
1622 subcommittee by a vote of the House shall be brought back into
1623 the House on a motion to reconsider.

1624 (i) The Clerk shall retain possession of all bills and
1625 joint resolutions for the period after passage during which
1626 reconsideration may be moved, except that local bills,
1627 concurrent resolutions, and memorials shall be transmitted to
1628 the Senate without delay.

1629 (j) The adoption of a motion to waive the rules and
1630 immediately certify any bill to the Senate shall be construed as

HR 10

20180

1631 releasing the measure from the Clerk's possession for the period
1632 of reconsideration.

1633 (k) Unless otherwise directed by the Speaker, during the
1634 last 14 days of a regular session or any extension thereof and
1635 during any special session, all measures acted on by the House
1636 shall be transmitted to the Senate without delay.

1637

1638 11.8—Motion for the Previous Question

1639 (a) The previous question may be asked and ordered upon
1640 any debatable single motion, series of motions, or amendment
1641 pending and the effect thereof shall be to conclude all action
1642 on the same day. If third reading is reached on another day, the
1643 order for the previous question must be renewed on that day.

1644 (b) The motion for the previous question shall be decided
1645 without debate. If the motion prevails, the sponsor of a bill or
1646 debatable motion and an opponent shall be allowed 3 minutes each
1647 within which to debate the pending question, and each may divide
1648 the time with, or waive this right in favor of, some other
1649 member. On second reading, the final available question is the
1650 main amendment; on third reading, it is the bill.

1651 (c) When the motion for the previous question is adopted
1652 on a main question, the sense of the House shall be taken
1653 without delay on pending amendments and such question in the
1654 regular order.

HR 10

20180

1655 (d) The motion for the previous question may not be made
 1656 by the first-named sponsor or mover.

1657

1658 11.9—Motion to Limit Debate

1659 When there is debate by the House, it shall be in order for a
 1660 member to move to limit debate and such motion shall be decided
 1661 without debate, except that the first-named sponsor or mover of
 1662 the question under debate shall have 5 minutes within which to
 1663 discuss the motion and may divide the allotted time with, or
 1664 waive it in favor of, some other member. If, by majority vote,
 1665 the question is decided in the affirmative, debate shall be
 1666 limited to 10 minutes for each side, unless a different time is
 1667 stated in the motion, such time to be apportioned by the
 1668 Speaker; however, the first-named sponsor or mover shall have an
 1669 additional 5 minutes within which to close the debate and may
 1670 divide the allotted time with, or waive it in favor of, some
 1671 other member.

1672

1673 11.10—Motion to Temporarily Postpone

1674 (a) The motion to temporarily postpone shall be decided
 1675 without debate and shall cause a measure to be set aside but
 1676 retained on the desk.

1677 (b) If a main question has been temporarily postponed
 1678 after having been debated or after motions have been applied and
 1679 is not brought back before the House on the same legislative

HR 10

20180

1680 day, it shall be placed under the order of unfinished business
1681 on the Calendar of the House. If a main question is temporarily
1682 postponed before debate has commenced or motions have been
1683 applied, its reading shall be considered a nullity and the bill
1684 shall retain its original position on the order of business on
1685 the same legislative day; otherwise, the bill reverts to the
1686 status of bills on second or third reading, as applicable.

1687 (c) The motion to return to consideration of a temporarily
1688 postponed main question shall be made under the proper order of
1689 business when no other matter is pending.

1690 (d) If applied to a collateral matter, the motion to
1691 temporarily postpone shall not cause the main question to be
1692 carried with it. After having been temporarily postponed, if a
1693 collateral matter is not brought back before the House in the
1694 course of consideration of the adhering or main question, it
1695 shall be deemed abandoned.

1696

1697 11.11-Motion to Withdraw or Refer a Bill

1698 (a) A motion to withdraw a bill from a committee or
1699 subcommittee shall require a two-thirds vote on the floor.

1700 (b) Any member may, no later than under the order of
1701 business of Motions Relating to Committee and Subcommittee
1702 References on the legislative day following reference of a bill,
1703 move for reference from one committee or subcommittee to a

HR 10

20180

1704 different committee or subcommittee, which shall be decided by a
 1705 majority vote.

1706 (c) A motion to refer a bill from one committee or
 1707 subcommittee to another committee or subcommittee, other than as
 1708 provided in subsection (b), may be made during the regular order
 1709 of business and shall require a two-thirds vote.

1710 (d) A motion to refer a bill to an additional committee or
 1711 subcommittee may be made during the regular order of business
 1712 and shall require a two-thirds vote.

1713 (e) A motion to refer shall be debated only as to the
 1714 propriety of the reference.

1715 (f) A motion to withdraw a bill from further consideration
 1716 of the House shall require a two-thirds vote.

1717 (1) The chair or vice chair of the Rules Committee, at the
 1718 request of the first-named member sponsor, may move for the
 1719 withdrawal of a bill from further consideration.

1720 (2) The first-named member sponsor of a bill may, prior to
 1721 its introduction and provided no substantive action has been
 1722 taken on it, withdraw the bill by written notice to the Clerk.

1723 (3) In moving for the withdrawal of a bill from further
 1724 consideration by floor motion, the introducer shall be required
 1725 to identify the nature of the bill.

1726
 1727 11.12-Motion to Refer or Recommit

HR 10

20180

1728 (a) Any bill on the Calendar of the House may be referred
 1729 or recommitted by the House to a committee or subcommittee by a
 1730 majority vote.

1731 (b) A motion to refer or recommit a bill that is before
 1732 the House may be made during the regular order of business. The
 1733 motion shall be debatable only as to the propriety of that
 1734 reference and shall require an affirmative majority vote.

1735 (c) If a bill on third reading is referred or recommitted
 1736 to a committee or subcommittee that subsequently reports the
 1737 bill favorably with a committee or subcommittee substitute or
 1738 with one or more amendments, the bill shall return to second
 1739 reading.

1740 (d) Referral or recommitment of a House bill shall
 1741 automatically carry with it a Senate companion bill then on the
 1742 Calendar of the House.

1743
 1744 11.13—Dilatory Motions
 1745 Dilatory or delaying motions shall not be in order as determined
 1746 by the Speaker.

1747
 1748 11.14—Withdrawal of Motion

1749 (a) The mover of a motion may withdraw the motion at any
 1750 time before it has been amended or a vote on it has commenced.

HR 10

20180

1751 (b) Notwithstanding subsection (a), once the proposer of
 1752 an amendment is recognized, the amendment may be withdrawn only
 1753 with the consent of the body.

1754

1755 RULE TWELVE—AMENDMENTS

1756

1757 12.1—Form

1758 (a) Floor amendments shall be prepared by the House Bill
 1759 Drafting Service and filed with the Clerk.

1760 (b) A floor amendment filed with the Clerk after the
 1761 applicable filing deadline is late filed. A late-filed floor
 1762 amendment may be taken up for consideration only upon motion
 1763 adopted by a two-thirds vote.

1764

1765 12.2—Filing Deadlines for Floor Amendments

1766 (a) During the first 55 days of a regular session:

1767 (1) Main floor amendments must be submitted to the House
 1768 Bill Drafting Service by 3 p.m. and approved for filing with the
 1769 Clerk by 4 p.m. of the first day a bill appears on the Special
 1770 Order Calendar in the Calendar of the House; and

1771 (2) Amendments to main floor amendments and substitute
 1772 amendments for main floor amendments must be submitted to the
 1773 House Bill Drafting Service by 6:30 p.m. and approved for filing
 1774 by 7 p.m. of the same day.

HR 10

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

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

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

1784 (c) Notwithstanding the foregoing, subject to approval by
 1785 a majority vote of the House, the Rules Committee may establish
 1786 special amendment deadlines and procedures for appropriations
 1787 bills, implementing bills, and conforming bills, as well as for
 1788 bills proposing any reapportionment or redistricting of the
 1789 state's legislative or congressional districts.

1790
 1791 12.3—Presentation and Consideration

1792 (a) Amendments shall be taken up only as sponsors gain
 1793 recognition from the Speaker, except that the chair of the
 1794 committee or subcommittee (or any member thereof designated by
 1795 the chair) reporting the measure under consideration shall have
 1796 preference for the presentation of committee or subcommittee
 1797 amendments to Senate bills.

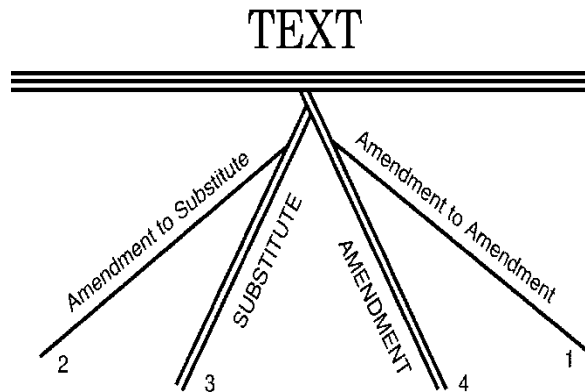
1798 (b) An amendment to a pending main amendment may be
 1799 received, but until it is disposed of, no other motion to amend

1800 will be in order except a substitute amendment or an amendment
 1801 to the substitute. Such amendments are to be disposed of in the
 1802 following order:

1803 (1) Amendments to the amendment are voted on before the
 1804 substitute is taken up. Only one amendment to the amendment is
 1805 in order at a time.

1806 (2) Amendments to the substitute are next voted on.

1807 (3) The substitute then is voted on. The adoption of a
 1808 substitute amendment in lieu of an original amendment shall be
 1809 treated and considered as an amendment to the bill itself.



1810
 1811 (c) The adoption of an amendment to a section shall not
 1812 preclude further amendment of that section. If a bill is being
 1813 considered section by section or item by item, only amendments
 1814 to the section or item under consideration shall be in order.

1815 (d) For the purpose of this rule, an amendment shall be
 1816 deemed pending only after its proposer has been recognized by
 1817 the Speaker.

HR 10

20180

1818 (e) Reviser's bills may be amended only by making
 1819 deletions.

1820
 1821 12.4—Second and Third Reading; Vote Required on Third Reading

1822 (a) A motion to amend is in order during the second or
 1823 third reading of any bill.

1824 (b) Amendments proposed on third reading shall require a
 1825 two-thirds vote for adoption, except that technical amendments
 1826 introduced in the name of the chair of the Rules Committee shall
 1827 require a majority vote for adoption. Amendments on third
 1828 reading, other than technical amendments introduced in the name
 1829 of the chair of the Rules Committee, must be submitted to the
 1830 House Bill Drafting Service no later than 1 hour before the
 1831 applicable filing deadline and approved for filing not later
 1832 than the earlier of the following deadlines:

1833 (1) Nine a.m. on the day session is scheduled to convene
 1834 on the day the bill is reached on third reading; or

1835 (2) One hour before session is scheduled to convene on the
 1836 day the bill is reached on third reading.

1837 (c) A motion for reconsideration of an amendment on third
 1838 reading requires a two-thirds vote for adoption.

1839
 1840 12.5—Amendment of Appropriations Bills, Implementing Bills, and
 1841 Conforming Bills

1842 (a) For purposes of these rules:

HR 10

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1843 (1) An "appropriations bill" is a general appropriations
1844 bill or any other bill the title text of which begins "An act
1845 making appropriations," "An act making special appropriations,"
1846 or "An act making supplemental appropriations."

1847 (2) An "implementing bill" is a bill, effective for one
1848 fiscal year, implementing an appropriations bill.

1849 (3) A "conforming bill" is a bill designated as such by
1850 the Speaker that amends the Florida Statutes to conform to an
1851 appropriations bill.

1852 (b) Whether on the floor or in any committee or
1853 subcommittee, whenever an amendment is offered to an
1854 appropriations bill that would either increase any state
1855 appropriation or decrease any state revenue for any fund, such
1856 amendment shall show the amount of the appropriation increase or
1857 revenue decrease for a fund by line item and by section and
1858 shall decrease an appropriation from within the same
1859 appropriations allocation and sub-allocation (as determined by
1860 the Speaker) or increase a revenue to the fund in an amount
1861 equivalent to or greater than the corresponding appropriation
1862 increase or revenue decrease required by the amendment.

1863 (c) Whether on the floor or in any committee or
1864 subcommittee, an amendment offered to an implementing bill or to
1865 a conforming bill shall not increase a state appropriation to a
1866 level that is in excess of the allocations or sub-allocations
1867 determined by the Speaker for a fund.

HR 10

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1868 (d) Whether on the floor or in any committee or
 1869 subcommittee, any amendment offered to an implementing bill or
 1870 to a conforming bill that reduces revenues supporting
 1871 appropriations must raise the equivalent or greater revenue for
 1872 the same fund from other sources.

1873

1874 12.6—Consideration of Senate Amendments

1875 (a) After the reading of a Senate amendment to a House
 1876 bill, the following motions shall be in order and shall be
 1877 privileged in the order named:

1878 (1) Amend the Senate amendment.

1879 (2) Concur in the Senate amendment.

1880 (3) Refuse to concur and ask the Senate to recede.

1881 (4) Request the Senate to recede and, if the Senate
 1882 refuses to recede, to appoint a conference committee to meet
 1883 with a like committee appointed by the Speaker.

1884 (b) If the Senate refuses to concur in a House amendment
 1885 to a Senate bill, the following motions shall be in order and
 1886 shall be privileged in the order named:

1887 (1) That the House recede.

1888 (2) That the House insist and ask for a conference
 1889 committee.

1890 (3) That the House insist.

1891 (c) The Speaker may, upon determining that a Senate
 1892 amendment substantially changes the bill as passed by the House,

HR 10

20180

1893 refer the Senate message, with the bill and Senate amendment or
 1894 amendments, to the appropriate House committee or subcommittee
 1895 for review and report to the House. The Speaker, upon such
 1896 reference, shall announce the date and time for the committee or
 1897 subcommittee to meet. The committee or subcommittee shall report
 1898 to the House the recommendation for disposition of the Senate
 1899 amendment or amendments under one of the four options presented
 1900 in subsection (a). The report shall be furnished to the Clerk
 1901 and to the House, in writing, by the chair of the reporting
 1902 committee or subcommittee.

1903
 1904 12.7—Motion to Amend by Removing Enacting or Resolving Clause
 1905 An amendment to remove the enacting clause of a bill or the
 1906 resolving clause of a resolution or memorial shall, if carried,
 1907 be considered equivalent to rejection of the bill, resolution,
 1908 or memorial by the House.

1909
 1910 12.8—Germanity of House Amendments

1911 (a) GERMANITY.

1912 (1) Neither the House nor any committee or subcommittee
 1913 shall consider an amendment that relates to a different subject
 1914 or is intended to accomplish a different purpose than that of
 1915 the pending question or that, if adopted, would require a title
 1916 amendment for the bill that is substantially different from the

HR 10

20180

1917 | bill's original title or that would unreasonably alter the
 1918 | nature of the bill.

1919 | (2) The Speaker, or the chair in the case of an amendment
 1920 | offered in committee or subcommittee, shall determine the
 1921 | germanity of any amendment when the question is timely raised.

1922 | (3) An amendment of the second degree or a substitute
 1923 | amendment must be germane to both the main amendment and the
 1924 | measure to which it adheres.

1925 | (b) AMENDMENTS THAT ARE NOT GERMANE. House amendments that
 1926 | are not germane include:

1927 | (1) A general proposition amending a specific proposition.

1928 | (2) An amendment amending a statute or session law when
 1929 | the purpose of the bill is limited to repealing such law, or an
 1930 | amendment repealing a statute or session law when the purpose of
 1931 | the bill is limited to amending such law.

1932 | (3) An amendment that substantially expands the scope of
 1933 | the bill.

1934 | (4) An amendment to a bill when legislative action on that
 1935 | bill is by law or these rules limited to passage, concurrence,
 1936 | or nonconcurrence as introduced.

1937 | (c) AMENDMENTS THAT ARE GERMANE. Amendments that are
 1938 | germane include:

1939 | (1) A specific provision amending a general provision.

1940 | (2) An amendment that accomplishes the same purpose in a
 1941 | different manner.

HR 10

20180

- 1942 (3) An amendment limiting the scope of the proposal.
- 1943 (4) An amendment providing appropriations necessary to
- 1944 fulfill the original intent of a proposal.
- 1945 (5) An amendment that changes the effective date of a
- 1946 repeal, reduces the scope of a repeal, or adds a short-term
- 1947 nonstatutory transitional provision to facilitate repeal.
- 1948 (d) WAIVER OF RULE. Waiver of this rule shall require
- 1949 unanimous consent of the House.

1950

1951 12.9—Floor Amendments Out of Order

1952 A floor amendment is out of order if it is the principal
 1953 substance of a bill that has:

- 1954 (a) Received an unfavorable committee or subcommittee
- 1955 report;
- 1956 (b) Been withdrawn from further consideration; or
- 1957 (c) Not been reported favorably by at least one committee
- 1958 or subcommittee of reference

1959

1960 and may not be offered to a bill on second or third reading. Any
 1961 amendment that is substantially the same, and identical as to
 1962 specific intent and purpose, as the measure residing in a
 1963 committee or subcommittee of reference is covered by this rule.

1964

1965 12.10—Printing of Amendments in Journal

HR 10

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1966 All amendments taken up, unless withdrawn, shall be printed in
 1967 the Journal, except that an amendment to an appropriations bill
 1968 constituting an entirely new bill shall not be printed except
 1969 upon consideration of the conference committee report.

1970

1971 RULE THIRTEEN—RULES

1972

1973 13.1—Parliamentary Authorities

1974 In all cases not provided for by the State Constitution, the
 1975 Rules of the House, or the Joint Rules of the Senate and House
 1976 of Representatives, the guiding, but nonbinding, authority shall
 1977 be first the Rulings of the Speaker and then the latest edition
 1978 of Mason's Manual of Legislative Procedure.

1979

1980 13.2—Standing Rules Amendment

1981 Any standing rule may be rescinded or changed by a majority vote
 1982 of the members, provided that the proposed change or changes be
 1983 submitted at least 1 day in advance by the Rules Committee in
 1984 writing to the members together with notice of the consideration
 1985 thereof. Any standing rule may be suspended temporarily by a
 1986 two-thirds vote of the members present, except as otherwise
 1987 provided in these rules.

1988

1989 13.3—Rules Apply for Term

1990 | The standing rules adopted after the beginning of the term
 1991 | govern all acts of the House during the course of the term
 1992 | unless amended or repealed.

1993 |
 1994 | 13.4—Joint Rules

1995 | The House shall be governed by joint rules approved by the House
 1996 | and Senate during the term. Such joint rules may not be waived
 1997 | except by agreement of both the House and Senate. A majority
 1998 | vote of the House is required for such agreement.

1999 |
 2000 | 13.5—Authority and Interpretation

2001 | These rules are adopted pursuant to the specific authority
 2002 | granted and the inherent powers vested in the House of
 2003 | Representatives by the State Constitution. These rules are
 2004 | intended to facilitate the orderly, practical, and efficient
 2005 | completion of legislative work undertaken by the House. These
 2006 | rules shall govern procedures in the House notwithstanding any
 2007 | inconsistent parliamentary tradition and notwithstanding any
 2008 | joint rule or any statute enacted by a prior Legislature.
 2009 | Adoption of these rules constitutes the determination of the
 2010 | House that they do not violate any express regulation or
 2011 | limitation contained in the State Constitution. These rules may
 2012 | not be construed to limit any of the powers, rights, privileges,
 2013 | or immunities vested in or granted to the House by the State
 2014 | Constitution or other organic law.

HR 10

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13.6—Majority Action

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

13.7—Extraordinary Action

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

13.8—"Days" Defined

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

RULE FOURTEEN—MISCELLANEOUS PROVISIONS

PART ONE—Public Records

14.1—Legislative Records

There shall be available for public inspection, whether maintained in Tallahassee or in a district office, the papers and records developed and received in connection with official

HR 10

20180

2040 legislative business, except as provided in s. 11.0431, Florida
2041 Statutes, or other provision of law. Any person who is denied
2042 access to a legislative record and who believes that he or she
2043 is wrongfully being denied such access may appeal to the Speaker
2044 the decision to deny access.

2045

2046 14.2—Legislative Records; Maintenance, Control, Destruction,
2047 Disposal, and Disposition

2048 (a) Records that are required to be created by these rules
2049 or that are of vital, permanent, or archival value shall be
2050 maintained in a safe location that is easily accessible for
2051 convenient use. No such record need be maintained if the
2052 substance of the record is published or retained in another form
2053 or location. Whenever necessary, but no more often than annually
2054 or less often than biennially, records required to be maintained
2055 may be archived.

2056 (b) Other records that are no longer needed for any
2057 purpose and that do not have sufficient administrative, legal,
2058 or fiscal significance to warrant their retention shall be
2059 disposed of systematically.

2060 (c) (1) The administrative assistant for each existing
2061 committee or subcommittee shall ensure compliance with this rule
2062 for all records created or received by the committee or
2063 subcommittee or for a former committee or subcommittee whose
2064 jurisdiction has been assigned to the committee or subcommittee.

HR 10

20180

2065 (2) The Speaker, the Speaker pro tempore, the Minority
 2066 Leader, the Majority Leader, and the Sergeant at Arms shall
 2067 ensure compliance with this rule for all records created or
 2068 received by their respective offices and their predecessors in
 2069 office.

2070 (3) Each member shall ensure compliance with this rule for
 2071 all records created or received by the member or the member's
 2072 district office.

2073 (4) The director of an ancillary House office shall ensure
 2074 compliance with this rule for all records created or received by
 2075 the director's office.

2076 (5) The Clerk shall ensure compliance with this rule for
 2077 all other records created or received by the House of
 2078 Representatives.

2079 (d) If a committee, subcommittee, or office is not
 2080 continued in existence, the records of such committee,
 2081 subcommittee, or office shall be forwarded to the committee,
 2082 subcommittee, or office assuming the jurisdiction or
 2083 responsibility of the former committee, subcommittee, or office,
 2084 if any. Otherwise, such records shall be forwarded to the Clerk.

2085 (e) The Clerk shall establish a schedule of reasonable and
 2086 appropriate fees for copies of legislative records and
 2087 documents.

2088

2089 PART TWO—Distribution of Documents; Display of Signs

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14.3—Distribution of Documents

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

14.4—Display of Signs, Placards, and the Like

Signs, placards, or other objects of similar nature shall be permitted in the rooms, lobby, galleries, or Chamber of the House only upon approval of the chair of the Rules Committee.

PART THREE—House Seal

14.5—House Seal

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

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

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

HR 10

20180

2115 (1) Material carrying the official seal shall be used only
 2116 by a member, officer, or employee of the House or other persons
 2117 employed or retained by the House.

2118 (2) The use, printing, publication, or manufacture of the
 2119 seal, or items or materials bearing the seal or a facsimile of
 2120 the seal, shall be limited to official business of the House or
 2121 official legislative business.

2122 (d) CUSTODIAN. The Clerk shall be the custodian of the
 2123 official seal.

2124

2125 RULE FIFTEEN—ETHICS AND CONDUCT OF MEMBERS

2126

2127 15.1—Legislative Ethics and Official Conduct

2128 Legislative office is a trust to be performed with integrity in
 2129 the public interest. A member is respectful of the confidence
 2130 placed in the member by the other members and by the people. By
 2131 personal example and by admonition to colleagues whose behavior
 2132 may threaten the honor of the lawmaking body, the member shall
 2133 watchfully guard the responsibility of office and the
 2134 responsibilities and duties placed on the member by the House.
 2135 To this end, each member shall be accountable to the House for
 2136 violations of this rule or any provision of Rules 15.1-15.7,
 2137 which shall be known as the House Code of Conduct.

2138

2139 15.2—The Integrity of the House

2140 A member shall respect and comply with the law and shall perform
 2141 at all times in a manner that promotes public confidence in the
 2142 integrity and independence of the House and of the Legislature.
 2143 Each member shall perform at all times in a manner that promotes
 2144 a professional environment in the House, which shall be free
 2145 from unlawful employment discrimination.

2146
 2147 15.3—Improper Influence; Solicitation of Campaign Contributions

2148 (a) A member may neither solicit nor accept anything that
 2149 reasonably may be construed to improperly influence the member's
 2150 official act, decision, or vote.

2151 (b) A member may not fly on an aircraft that is a private
 2152 conveyance owned, leased, or procured by a lobbyist, a lobbying
 2153 firm, or a principal, regardless of whether the member pays for
 2154 the flight.

2155 (c) A member may neither solicit nor accept any campaign
 2156 contribution during the 60-day regular legislative session or
 2157 any extended or special session on the member's own behalf, on
 2158 behalf of a political party, on behalf of any organization with
 2159 respect to which the member's solicitation is regulated under s.
 2160 106.0701, Florida Statutes, or on behalf of a candidate for the
 2161 House of Representatives; however, a member may contribute to
 2162 the member's own campaign.

2163
 2164 15.4—Ethics; Conflicting Employment

2165 A member shall:

2166 (a) Scrupulously comply with the requirements of all laws
2167 related to the ethics of public officers.

2168 (b) Not allow personal employment to impair the member's
2169 independence of judgment in the exercise of official duties.

2170 (c) Not directly or indirectly receive or agree to receive
2171 any compensation for any services rendered or to be rendered
2172 either by the member or any other person when such activity is
2173 in substantial conflict with the duties of a member of the
2174 House.

2175 (d) Upon acceptance of any new employment with any entity
2176 that receives state funds directly by appropriation or with any
2177 public employer, file with the Public Integrity & Ethics
2178 Committee a written statement disclosing the employer, position,
2179 and salary. Such disclosure must be filed prior to the effective
2180 date of the change, or within 30 days after acceptance thereof,
2181 whichever is earlier.

2182 (e) Not accept any compensation to lobby any local
2183 government or governmental agency, except for the provision of
2184 licensed professional services under circumstances that require
2185 registration as a lobbyist.

2186

2187 15.5—Use of Official Position

2188 A member may not corruptly use or attempt to use the member's
2189 official position or any property or resource which may be

2190 within the member's trust in a manner contrary to the trust or
 2191 authority placed in the member, either by the public or by other
 2192 members, for the purpose of securing a special privilege,
 2193 benefit, or exemption for the member or for others. A member may
 2194 not solicit or accept an employment offer or investment advice
 2195 arising out of legislative activities or political activities
 2196 engaged in while he or she is a member of, or candidate for, the
 2197 House. A member may not enter into any investment, joint
 2198 venture, or other profitmaking relationship with or advised by a
 2199 lobbyist or principal, except that a member may buy or sell
 2200 listed, publicly traded securities of a principal unless in
 2201 violation of Rule 15.6. For purposes of this rule, "investment,
 2202 joint venture, or other profitmaking relationship" does not
 2203 include an employment relationship or professional partnership
 2204 or similar venture engaging the professional services of the
 2205 member.

2206
 2207 15.6—Use of Information Obtained by Reason of Official Position
 2208 A member may engage in business and professional activity in
 2209 competition with others but may not use or provide to others,
 2210 for the member's personal gain or benefit or for the personal
 2211 gain or benefit of any other person or business entity, any
 2212 information that has been obtained by reason of the member's
 2213 official capacity as a member and that is unavailable to members
 2214 of the public as a matter of law. A member may not use any

2215 nonpublic information obtained by reason of the member's
 2216 legislative activities for the purpose of buying or selling any
 2217 investment or to otherwise create income for the member or any
 2218 other person.

2219

2220 15.7—Representation of Another Before a State Agency

2221 A member may not personally represent another person or entity
 2222 for compensation before any state agency other than a judicial
 2223 tribunal. For the purposes of this rule, "state agency" means
 2224 any entity of the legislative or executive branch of state
 2225 government over which the Legislature exercises plenary
 2226 budgetary and statutory control.

2227

2228 15.8—Advisory Opinions

2229 (a) A member, when in doubt about the applicability and
 2230 interpretation of the House Code of Conduct or ethics laws to
 2231 the member's conduct, may convey the facts of the situation to
 2232 the House general counsel for an advisory opinion. The general
 2233 counsel shall issue the opinion within 10 days after receiving
 2234 the request. The advisory opinion may be relied upon by the
 2235 member requesting the opinion. Upon request of any member, the
 2236 committee or subcommittee designated by the Speaker to have
 2237 responsibility for the ethical conduct of members may revise an
 2238 advisory opinion rendered by the House general counsel through

2239 | an advisory opinion issued to the member who requested the
 2240 | opinion.

2241 | (b) An advisory opinion rendered by the House general
 2242 | counsel or the committee or subcommittee shall be numbered,
 2243 | dated, and published. Advisory opinions from the House general
 2244 | counsel or the committee or subcommittee may not identify the
 2245 | member seeking the opinion unless such member so requests.

2246 |

2247 | 15.9—Penalties for Violations

2248 | Separately from any prosecutions or penalties otherwise provided
 2249 | by law, any member determined to have violated the requirements
 2250 | of these rules relating to ethics or member conduct shall be
 2251 | fined, censured, reprimanded, placed on probation, or expelled
 2252 | or have such other lesser penalty imposed as may be appropriate.
 2253 | Such determination and disciplinary action shall be taken by a
 2254 | two-thirds vote of the House, except that expulsions shall
 2255 | require two-thirds vote of the membership, upon recommendation
 2256 | of the Public Integrity & Ethics Committee pursuant to Rule 18.

2257 |

2258 | 15.10—Felony Indictment or Information of a Member

2259 | (a) If an indictment or information for a felony of any
 2260 | jurisdiction is filed against a member of the House, the member
 2261 | indicted or informed against may request the Speaker to excuse
 2262 | the member, without pay, from all privileges of membership of
 2263 | the House pending final adjudication.

2264 (b) If the indictment or information is either nolle
 2265 prosecuted or dismissed, or if the member is found not guilty of
 2266 all felonies, the member shall be paid all back pay and other
 2267 benefits retroactive to the date the member was excused.

2268

2269 15.11—Felony Guilty Plea of a Member

2270 A member who enters a plea of guilty or nolo contendere to a
 2271 felony of any jurisdiction may, at the discretion of the
 2272 Speaker, be suspended immediately, without a hearing and without
 2273 pay, from all privileges of membership of the House through the
 2274 remainder of that member's term.

2275

2276 15.12—Felony Conviction of a Member

2277 (a) A member convicted of a felony of any jurisdiction
 2278 may, at the discretion of the Speaker, be suspended immediately,
 2279 without a hearing and without pay, from all privileges of
 2280 membership of the House pending appellate action or the end of
 2281 the member's term, whichever occurs first.

2282 (b) A member suspended under the provisions of this rule
 2283 may, within 10 days after such suspension, file a written
 2284 request for a hearing, setting forth specific reasons contesting
 2285 the member's suspension. Upon receipt of a written request for a
 2286 hearing, the Speaker shall appoint a select committee, which
 2287 shall commence a hearing on the member's suspension within 30
 2288 days and issue a report to the House within 10 days after the

2289 conclusion of the hearing. The report of the select committee
 2290 shall be final unless the member, within 10 days after the
 2291 issuance of the report, requests in writing that the Speaker
 2292 convene the full House to consider the report of the select
 2293 committee. Upon receipt of a request for such consideration, the
 2294 Speaker shall timely convene the House for such purpose.

2295 (c) If the final appellate decision is to sustain the
 2296 conviction, then the member's suspension shall continue to the
 2297 end of the member's term. If the final appellate decision is to
 2298 vacate the conviction and there is a rehearing, the member shall
 2299 be subject to Rule 15.10. If the final appellate decision is to
 2300 vacate the conviction and no felony charges remain against the
 2301 member, the member shall be entitled to restitution of back pay
 2302 and other benefits retroactive to the date of suspension.

2303

2304 15.13—Ethics Training

2305 The House shall provide ethics training as directed by the
 2306 Speaker.

2307

2308 RULE SIXTEEN—PROCEDURES FOR CONDUCTING INVESTIGATIVE AND
 2309 ENFORCEMENT PROCEEDINGS

2310

2311 16.1—Issuance of Subpoenas; Administration of Oaths

2312 (a) In order to carry out its duties, each standing or
 2313 select committee, whenever required, may issue subpoenas and

2314 other necessary process to compel the attendance of witnesses
 2315 before such committee or the taking of a deposition pursuant to
 2316 these rules.

2317 (b) Each standing or select committee, whenever required,
 2318 may also compel by subpoena duces tecum the production of any
 2319 books, letters, or other documentary evidence it may need to
 2320 examine in reference to any matter before it.

2321 (c) The chair of the standing or select committee shall
 2322 issue such process on behalf of such committee after a majority
 2323 of the committee votes to approve issuance and the Speaker has
 2324 provided written approval. The chair or any other member of such
 2325 committee may administer all oaths and affirmations in the
 2326 manner prescribed by law to witnesses who shall appear before
 2327 such committee for the purpose of testifying in any matter about
 2328 which such committee may require evidence.

2329

2330 16.2—Contempt Proceedings

2331 (a) The House may punish, by fine or imprisonment, any
 2332 person who is not a member and who is guilty of disorderly or
 2333 contemptuous conduct in its presence or of a refusal to obey its
 2334 lawful summons.

2335 (b) A person shall be deemed in contempt if the person:

2336 (1) Fails or refuses to appear in compliance with a
 2337 subpoena or, having appeared, fails or refuses to testify under
 2338 oath or affirmation;

2339 (2) Fails or refuses to answer any relevant question or
 2340 fails or refuses to furnish any relevant book, paper, or other
 2341 document subpoenaed on behalf of such committee; or

2342 (3) Commits any other act or offense against such
 2343 committee that, if committed against the Legislature or either
 2344 house thereof, would constitute contempt.

2345 (c) During a legislative session, a standing or select
 2346 committee may, by majority vote of all of its members, apply to
 2347 the House for contempt citation. The application shall be
 2348 considered as though the alleged contempt had been committed in
 2349 or against the House itself. If such committee is meeting during
 2350 the interim, its application shall be made to the circuit court
 2351 pursuant to Rule 16.6.

2352 (d) A person guilty of contempt under this rule may be
 2353 fined not more than \$500 or imprisoned not more than 90 days or
 2354 both, or may be subject to such other punishment as the House
 2355 may, in the exercise of its inherent powers, impose prior to and
 2356 in lieu of the imposition of the aforementioned penalty.

2357 (e) The sheriffs in the several counties shall make such
 2358 service and execute all process or orders when required by
 2359 standing or select committees. Sheriffs shall be paid as
 2360 provided for in s. 30.231, Florida Statutes.

2361
 2362 16.3-False Swearing

HR 10

20180

2363 | Whoever willfully affirms or swears falsely in regard to any
2364 | material matter or thing before any standing or select committee
2365 | is guilty of false swearing in an official proceeding, which is
2366 | a felony of the second degree and shall be punished as provided
2367 | in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.

2368

2369 | 16.4—Rights of Witnesses

2370 | (a) All witnesses summoned before any standing or select
2371 | committee shall receive reimbursement for travel expenses and
2372 | per diem at the rates provided in s. 112.061, Florida Statutes.
2373 | However, the fact that such reimbursement is not tendered at the
2374 | time that the subpoena is served shall not excuse the witness
2375 | from appearing as directed therein.

2376 | (b) Service of a subpoena requiring the attendance of a
2377 | person at a meeting of a standing or select committee shall be
2378 | made in the manner provided by law for the service of subpoenas
2379 | in a civil action at least 7 days prior to the date of the
2380 | meeting unless a shorter period of time is authorized by
2381 | majority vote of all the members of such committee. If a shorter
2382 | period of time is authorized, the persons subpoenaed shall be
2383 | given reasonable notice of the meeting, consistent with the
2384 | particular circumstances involved.

2385 | (c) Any person who is served with a subpoena to attend a
2386 | meeting of any standing or select committee also shall be served
2387 | with a general statement informing the person of the subject

HR 10

20180

2388 matter of such committee's investigation or inquiry and a notice
2389 that the person may be accompanied at the meeting by private
2390 counsel.

2391 (d) Upon the request of any party and the approval of a
2392 majority of the standing or select committee, the chair shall
2393 instruct all witnesses to leave the meeting room and retire to a
2394 designated place. The witness shall be instructed by the chair
2395 not to discuss the testimony of the witness or the testimony of
2396 any other person with anyone until the meeting has been
2397 adjourned and the witness has been discharged by the chair. The
2398 witness shall be further instructed that if any person discusses
2399 or attempts to discuss the matter under investigation with the
2400 witness after receiving such instructions, the witness shall
2401 bring such matter to the attention of such committee. No member
2402 of such committee or representative thereof may discuss any
2403 matter or matters pertinent to the subject matter under
2404 investigation with any witness to be called before such
2405 committee from the time that these instructions are given until
2406 the meeting has been adjourned and the witness has been
2407 discharged by the chair. Any person violating this subsection
2408 shall be in contempt of the House.

2409 (e) Any standing or select committee taking sworn
2410 testimony from witnesses as provided in these rules shall cause
2411 a record to be made of all proceedings in which testimony or
2412 other evidence is demanded or adduced, which record shall

2413 include rulings of the chair, questions of such committee and
 2414 its staff, the testimony or responses of witnesses, sworn
 2415 written statements submitted to the committee, and such other
 2416 matters as the committee or its chair may direct.

2417 (f) A witness at a meeting, upon advance request and at
 2418 the witness's own expense, shall be furnished a certified
 2419 transcript of the witness's testimony at the meeting.

2420

2421 16.5—Right of Other Persons to be Heard

2422 (a) Any person who, in the opinion of the committee, is
 2423 adversely affected as a result of being mentioned or otherwise
 2424 identified during a meeting being conducted for the purpose of
 2425 taking sworn testimony from witnesses of any standing or select
 2426 committee may, upon the request of the person or upon the
 2427 request of any member of such committee, appear personally
 2428 before such committee and testify on the person's own behalf,
 2429 or, with such committee's consent, file a sworn written
 2430 statement of facts or other documentary evidence for
 2431 incorporation into the record of the meeting. Any such witness,
 2432 however, shall, before filing such statement, consent to answer
 2433 questions from such committee regarding the contents of the
 2434 statement.

2435 (b) Upon the consent of a majority of the members present,
 2436 a quorum having been established, any standing or select
 2437 committee may permit any other person to appear and testify at a

HR 10

20180

2438 meeting or submit a sworn written statement of facts or other
2439 documentary evidence for incorporation into the record. No
2440 request to appear, appearance, or submission shall limit in any
2441 way the committee's power of subpoena. Any such witness,
2442 however, shall, before filing such statement, consent to answer
2443 questions from any standing or select committee regarding the
2444 contents of the statement.

2445

2446 16.6—Enforcement of Subpoena Out of Session

2447 If any witness fails to respond to the lawful subpoena of any
2448 standing or select committee at a time when the Legislature is
2449 not in session or, having responded, fails to answer all lawful
2450 inquiries or to turn over evidence that has been subpoenaed,
2451 such committee may file a complaint before any circuit court of
2452 the state setting up such failure on the part of the witness. On
2453 the filing of such complaint, the court shall take jurisdiction
2454 of the witness and the subject matter of the complaint and shall
2455 direct the witness to respond to all lawful questions and to
2456 produce all documentary evidence in the possession of the
2457 witness that is lawfully demanded. The failure of any witness to
2458 comply with such order of the court shall constitute a direct
2459 and criminal contempt of court, and the court shall punish such
2460 witness accordingly.

2461

2462 16.7—Definition

HR 10

20180

2463 Pursuant to Rule 7.1(b) and for purposes of Rule 16, the term
2464 "committee" includes the House and any subcommittee thereof.

2465

2466 RULE SEVENTEEN—ETHICS AND CONDUCT OF LOBBYISTS

2467

2468 17.1—Obligations of a Lobbyist

2469 (a) A lobbyist shall supply facts, information, and
2470 opinions of principals to legislators from the point of view
2471 that the lobbyist openly declares. A lobbyist shall not offer or
2472 propose anything that may reasonably be construed to improperly
2473 influence the official act, decision, or vote of a legislator,
2474 nor shall a lobbyist attempt to improperly influence the
2475 selection of officers or employees of the House. A lobbyist, by
2476 personal example and admonition to colleagues, shall maintain
2477 the honor of the legislative process, including faithful
2478 adherence to the rules of the House, by the integrity of the
2479 lobbyist's relationship with legislators as well as with the
2480 principals whom the lobbyist represents. Each lobbyist shall
2481 conduct himself or herself at all times in a manner that
2482 promotes a professional environment in the House, exemplifies
2483 proper conduct in public meetings, promotes lawful conduct by
2484 all involved in the legislative process, and contributes to an
2485 environment free from harassment and discrimination. Each
2486 lobbyist shall respect and support the honorable conduct of the
2487 members of the House and discourage unlawful conduct.

HR 10

20180

2488 (b) A lobbyist shall not knowingly and willfully falsify,
2489 conceal, or cover up, by any trick, scheme, or device, a
2490 material fact; make any false, fictitious, or fraudulent
2491 statement or representation; or make or use any writing or
2492 document knowing the same to contain any false, fictitious, or
2493 fraudulent statement or entry.

2494 (c) During a regular session or any extended or special
2495 session, a lobbyist may not contribute to a member's campaign.

2496 (d) A lobbyist may not make any expenditure prohibited by
2497 s. 11.045(4)(a), Florida Statutes.

2498 (e) No registered lobbyist shall be permitted upon the
2499 floor of the House while it is in session.

2500 (f) A member shall not be directly or indirectly lobbied
2501 via electronic communication while the House is in daily session
2502 or during any meeting of a committee or subcommittee to which
2503 the House member has been appointed. The term "electronic
2504 communication" includes, but is not limited to, e-mail, text
2505 messaging, social media messaging, and image sharing.

2506 (g) A lobbyist who was a member of the Legislature at any
2507 time after November 8, 2016, may not lobby the House for a
2508 period of 6 years following vacation of office as a member of
2509 the Legislature.

2510 (h) A lobbyist may not lobby the House for any purpose
2511 with respect to any issue, amendment, bill, or appropriation
2512 unless the lobbyist has filed a House appearance record with the

HR 10

20180

2513 Public Integrity & Ethics Committee identifying the specific
2514 matter and each principal represented thereon. The record shall
2515 be filed in the manner directed by the Speaker in advance of
2516 lobbying on the matter. On matters other than specific bills or
2517 amendments identified by bill or amendment number, an issue or
2518 appropriation must be identified with specificity sufficient to
2519 give notice of each particular legislative subject or proposal
2520 that is a subject of any communication that constitutes
2521 lobbying.

2522 (i) A lobbyist or lobbying firm shall file with the Public
2523 Integrity & Ethics Committee a true and correct copy of the
2524 lobbying contract and any addendum thereto, including accurate
2525 information regarding fees to be paid under such contract, when
2526 the lobbyist or lobbying firm registers to lobby the Legislature
2527 or the Executive Branch on behalf of any officer of this state;
2528 any executive or judicial department of this state; any
2529 political subdivision, special district, public authority,
2530 public hospital, council, commission, unit of local government,
2531 or public education entity in this state; or any authority,
2532 council, commission, direct-support organization, institution,
2533 foundation, or similar entity that is created by law or
2534 ordinance to pursue a public purpose, entitled by law or
2535 ordinance to any distribution of tax or fee revenues, or
2536 organized for the sole purpose of supporting one of the public
2537 entities listed in this subsection. This subsection does not

HR 10

20180

2538 | apply if the lobbyist is an employee of such principal, the
2539 | lobbyist's salary is published on the Internet, and the lobbyist
2540 | does not engage in lobbying on behalf of any other principal.
2541 |

2542 | 17.2—Advisory Opinions; Compilation Thereof

2543 | A lobbyist, when in doubt about the applicability and
2544 | interpretation of Rule 17.1 in a particular context related to
2545 | that lobbyist's conduct, or any person when in doubt about the
2546 | applicability and interpretation of s. 11.045, s. 112.3148, or
2547 | s. 112.3149, Florida Statutes, as such statute or statutes may
2548 | apply to that person, may request an advisory opinion under this
2549 | rule. Such request shall be in writing, addressed to the
2550 | Speaker, and shall contain the relevant facts. The Speaker shall
2551 | either refer the issue to the House general counsel for review
2552 | and drafting of an advisory opinion of the Speaker or refer the
2553 | issue to a committee designated by the Speaker to have
2554 | responsibility for the ethical conduct of lobbyists, and the
2555 | person requesting the advisory opinion may appear in person
2556 | before such committee. The Speaker or this committee shall
2557 | render advisory opinions to the person who seeks advice as to
2558 | whether the facts as described in the request and any
2559 | supplemental communication would constitute a violation of such
2560 | rule or statute by that person. Such opinion, until amended or
2561 | revoked, shall be binding upon the House in any proceeding upon
2562 | a subsequent complaint concerning the person who sought the

HR 10

20180

2563 opinion and acted on it in good faith, unless material facts
2564 were omitted or misstated in the request for the advisory
2565 opinion. Upon request of the person who requested the advisory
2566 opinion or any member, the committee designated by the Speaker
2567 to have responsibility for the ethical conduct of lobbyists may
2568 revise any advisory opinion issued by the Speaker or may revise
2569 any advisory opinion issued by the general counsel of the Office
2570 of Legislative Services under Joint Rule 1.8. The House general
2571 counsel or this committee shall make sufficient deletions to
2572 prevent disclosing the identity of persons in the decisions or
2573 opinions. All advisory opinions of the Speaker or this committee
2574 shall be numbered, dated, and published in an annual publication
2575 of the House. The Clerk shall keep a compilation of all advisory
2576 opinions.

2577

2578 17.3—Penalties for Violations

2579 Separately from any prosecutions or penalties otherwise provided
2580 by law, any person determined to have violated the foregoing
2581 requirements of Rule 17, any provision in Joint Rule One, or s.
2582 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, may be
2583 reprimanded, censured, prohibited from lobbying for all or any
2584 part of the legislative biennium during which the recommended
2585 order is proposed, or have such other penalty imposed as may be
2586 appropriate. Such determination shall be made by a majority of
2587 the House, upon recommendation of the Public Integrity & Ethics

HR 10

20180

2588 Committee pursuant to Rule 18. Any prohibition or other
 2589 limitation imposed by the House may be continued for up to a
 2590 total of 2 years by a determination made by a majority of the
 2591 House at or following the organization session following the
 2592 biennium during which such prohibition or other limitation was
 2593 imposed.

2594
 2595 RULE EIGHTEEN—COMPLAINTS AGAINST MEMBERS AND OFFICERS OF THE
 2596 HOUSE, LOBBYISTS, AND OTHER PERSONS

2597
 2598 18.1—Complaints Against Members and Officers of the House,
 2599 Lobbyists, and Other Persons; Procedure
 2600 Rule 18 governs proceedings on all complaints under the
 2601 jurisdiction of the House. Such complaints include, but are not
 2602 limited to:

2603 (a) Those alleging violation of law, violation of the
 2604 House Code of Conduct, or improper conduct of a member or
 2605 officer that may reflect upon the House; or

2606 (b) Violations of House Rule 17.1, Joint Rule One, or s.
 2607 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, by any
 2608 lobbyist or person other than a member of the House. For
 2609 purposes of this rule, receipt of audit information indicating a
 2610 possible violation of Joint Rule One shall be treated as a
 2611 complaint.

2612

HR 10

20180

2613 18.2—Violations; Investigations

2614 (a) Any person may file a sworn complaint with the chair
2615 of the Public Integrity & Ethics Committee alleging a violation
2616 as provided in Rule 18.1. The complaint shall contain the name
2617 and legal address of the person filing the complaint
2618 ("complainant"), be based on the complainant's personal
2619 knowledge, state detailed facts, specify the actions of the
2620 named respondent which form the basis for the complaint, and
2621 identify each specific rule or law alleged by the complainant to
2622 have been violated.

2623 (b) Upon a determination by the chair of the Public
2624 Integrity & Ethics Committee that the complaint states facts
2625 supporting a finding of probable cause, the Speaker shall refer
2626 the complaint to a special master or to a select subcommittee of
2627 the Public Integrity & Ethics Committee, as recommended by the
2628 chair. Upon a determination by the chair of the Public Integrity
2629 & Ethics Committee that the complaint fails to state facts
2630 supporting a finding of probable cause, the complaint shall be
2631 dismissed.

2632 (c) Upon referral by the Speaker of a complaint under
2633 subsection (b), the special master or select subcommittee shall
2634 conduct an investigation, shall give reasonable notice to the
2635 respondent, and shall grant the respondent an opportunity to be
2636 heard unless the investigation fails to reveal facts supporting
2637 a finding of probable cause. A special master's or select

HR 10

20180

2638 subcommittee's report and recommendation is advisory only and
2639 shall be presented to the chair of the Public Integrity & Ethics
2640 Committee as soon as practicable after the close of the
2641 investigation. If the report and recommendation conclude that
2642 the facts do not support a finding of probable cause, the
2643 complaint shall be dismissed by the chair of the Public
2644 Integrity & Ethics Committee.

2645 (d) If the report and recommendation of the special master
2646 or the select subcommittee conclude that the facts support a
2647 finding of probable cause, the Public Integrity & Ethics
2648 Committee shall consider the report and recommendation, may make
2649 further inquiry, shall grant the respondent an opportunity to be
2650 heard, and shall develop its own recommendation. If the
2651 complaint is against the chair of the Public Integrity & Ethics
2652 Committee, the chair is excused and the vice chair shall preside
2653 over the deliberation. If the Public Integrity & Ethics
2654 Committee votes to dismiss the complaint, the chair of the
2655 Public Integrity & Ethics Committee or vice chair shall dismiss
2656 the complaint. Otherwise, the special master's or select
2657 subcommittee's report and recommendation and the recommendation
2658 of the Public Integrity & Ethics Committee shall be presented to
2659 the Speaker.

2660 (e) The Speaker shall present the committee's
2661 recommendation, along with the report and recommendation of the

2662 special master or the select subcommittee, to the House for
 2663 final action.

2664 (f) Nothing in this rule prohibits the chair of the Public
 2665 Integrity & Ethics Committee from correcting or preventing the
 2666 alleged violation by informal means if the chair determines that
 2667 a violation is inadvertent, technical, or otherwise de minimis.

2668 (g) Nothing in this rule prohibits the respondent and the
 2669 chair of the Public Integrity & Ethics Committee, the special
 2670 master, or a select subcommittee from agreeing to a consent
 2671 decree, which shall state findings of fact, and such penalty as
 2672 may be appropriate. If the House accepts the consent decree, the
 2673 complaint pursuant to these rules shall be resolved.

2674 (h) The House may move forward with disciplinary
 2675 proceedings without waiting for the outcome of a criminal case.

2676

2677 18.3—Confidentiality

2678 Any material provided to the House in response to a complaint
 2679 filed under Rule 18 that is confidential under applicable law
 2680 shall remain confidential and shall not be disclosed except as
 2681 authorized by applicable law. Except as otherwise provided in
 2682 this rule, a complaint and the records relating to a complaint
 2683 shall be available for public inspection upon the dismissal of a
 2684 complaint, a determination as to probable cause, informal
 2685 resolution of a complaint, or the receipt by the Speaker of a

HR 10

20180

2686 request in writing from the respondent that the complaint and
 2687 other records relating to the complaint be made public records.
 2688

2689 18.4—Conflict

2690 If a complaint is filed against the chair of the Public
 2691 Integrity & Ethics Committee, the initial review of the
 2692 complaint shall be managed by the Speaker or, if designated by
 2693 the Speaker, the Speaker pro tempore. If a complaint is filed
 2694 against the Speaker, the duties of the Speaker pursuant to Rule
 2695 18 shall be transferred to the Speaker pro tempore.
 2696

2697 18.5—Time Limitations

2698 (a) A complaint must be filed with the chair of the Public
 2699 Integrity & Ethics Committee within 2 years after the alleged
 2700 violation.

2701 (b) A violation of the House Code of Conduct is committed
 2702 when every element necessary to establish a violation of the
 2703 rule has occurred, and time starts to run on the day after the
 2704 violation occurred.

2705 (c) The applicable period of limitation is tolled on the
 2706 day a sworn complaint is filed with the chair of the Public
 2707 Integrity & Ethics Committee.
 2708

2709 RULE NINETEEN—IMPEACHMENT
 2710

2711 19.1-Definitions

2712 (a) The House construes "misdemeanor in office" to
 2713 include, without limitation:

2714 (1) Any wrongful act that is contrary to justice, honesty,
 2715 principles, or good morals performed by virtue or under
 2716 authority of office;

2717 (2) Any willful malfeasance, misfeasance, or nonfeasance
 2718 in office;

2719 (3) Any breach of expectations of conduct and motivation
 2720 associated with the office, including, but not limited to:

2721 a. A wrongful official act or omission to perform an
 2722 official duty;

2723 b. Acceptance of any bribe;

2724 c. Failure to report any attempted bribe to appropriate
 2725 law enforcement officials;

2726 d. Acceptance of any gift, compensation, or other benefit
 2727 prohibited to the officer by any law or binding rule of conduct;

2728 e. Acceptance of any undisclosed income if disclosure is
 2729 required by law or binding rule of conduct;

2730 f. Acceptance of any undisclosed compensation, gift,
 2731 reimbursement, or other benefit valued in excess of \$100 without
 2732 making public disclosure on an official internet website within
 2733 180 days after receipt, or as otherwise required by law or
 2734 binding rule of conduct, if the law would require disclosure if
 2735 such benefit were accepted by a member of the Legislature;

HR 10

20180

2736 g. Failure to maintain a professional environment in the
 2737 administration of the office free of unlawful discrimination and
 2738 free of harassment or abuse of employees or members of the
 2739 public served by the office;

2740 h. Failure to abide by ethics laws and rules or public
 2741 corruption laws governing conduct in office;

2742 i. Failure to avoid any appearance of impropriety;

2743 j. Any act injurious to the honor of the State of Florida
 2744 or of any of its officers or employees unless such act is
 2745 justified by official duty; or

2746 k. Gross failure to discourage such misconduct by other
 2747 officers subject to impeachment; or

2748 (4) Any conduct unbecoming of a public officer, including,
 2749 but not limited to:

2750 a. Commission of any felony under any jurisdiction;

2751 b. Commission of any breach of peace in any place;

2752 c. Sexual harassment;

2753 d. Invidious discrimination;

2754 e. Solicitation or acceptance of campaign contributions or
 2755 expenditure of campaign funds in a manner that violates any law
 2756 or binding rule of conduct, or acquiescence in such conduct by
 2757 an agent of the candidate's campaign;

2758 f. Any act contrary to the peace and dignity of the State
 2759 of Florida; or

2760 g. Gross failure to discourage such conduct by
 2761 subordinates or by other officers subject to impeachment.
 2762 (b) For purposes of this rule:
 2763 (1) "Sexual harassment" means engaging in a sexual or
 2764 romantic relationship with any person other than one's spouse if
 2765 such person is a subordinate or an employee of a subordinate or
 2766 an employee of a colleague officer or any related conduct that
 2767 would be grounds for dismissal if committed by a state employee
 2768 in any state agency or legislative or judicial body. It also
 2769 includes solicitation of such relationship. For purposes of this
 2770 definition, "colleague officer" means:
 2771 a. For a statewide elected officer, any other statewide
 2772 elected officer.
 2773 b. For any other constitutional officer, any
 2774 constitutional officer serving the same county, circuit, or
 2775 district.
 2776 (2) "Breach of peace" means any act or conduct that
 2777 seriously endangers or disturbs public peace and order,
 2778 including, but not limited to, any act of unjustified violence
 2779 against any person or property and malicious destruction of
 2780 property.
 2781 (3) "Gross failure to discourage" means having actual
 2782 knowledge of wrongful conduct of another person and neglecting
 2783 to admonish appropriate behavior of such person, covering up
 2784 inappropriate behavior of such person, failing to exercise

HR 10

20180

2785 | vested authority to correct or discipline inappropriate behavior
2786 | of such person, or failing to report inappropriate behavior of
2787 | such person when there is a duty to report.

2788

2789 | 19.2—Procedure

2790 | The House may act in session upon any resolution of impeachment
2791 | filed in the House, notwithstanding any deadline for filing
2792 | substantive resolutions, or may proceed on any complaint against
2793 | an officer subject to impeachment in accordance with Rule 18.

2794

2795 | 19.3—Impeachment Managers

2796 | When the House is in recess or not in session, the Speaker may
2797 | appoint a replacement for any impeachment manager appointed by
2798 | the House if the manager neglects or cannot perform the duties
2799 | of a manager or if the manager resigns. The Speaker shall be the
2800 | sole judge of such matters subject only to an appeal to the
2801 | House filed with the Clerk during a legislative session if filed
2802 | within 48 hours after the Clerk publishes such replacement
2803 | appointment.