

By Senator Benacquisto

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Senate Concurrent Resolution

A concurrent resolution establishing the Joint Rules of the Florida Legislature for the 2018-2020 term.

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

That the following joint rules shall govern the Florida Legislature for the 2018-2020 term:

JOINT RULES

Joint Rule One-Lobbyist Registration and Compensation Reporting

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

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

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

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

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

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

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

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

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

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

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

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

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

75 (i) "Payment" or "salary" means wages or any other
76 consideration provided in exchange for services but does not
77 include reimbursement for expenses.

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

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

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88 requirement.

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

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

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

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

99 (d) Representation of a client before the House of
100 Representatives or the Senate, or any member or committee
101 thereof, when the client is subject to disciplinary action by
102 the House of Representatives or the Senate, or any member or
103 committee thereof.

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

106 (a) A member of the Legislature.

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

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

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

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

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

124 (5) When a person, regardless of whether the person is
125 registered as a lobbyist, appears before a committee of the
126 Legislature, that person must submit a Committee Appearance
127 Record as required by the respective house.

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

137

138 1.2-Method of Registration

139 (1) Each person required to register with the LRO must
140 register through the LRCRS and attest to that person's full
141 legal name, business address, e-mail address, and telephone
142 number; the name, business address, e-mail address, and
143 telephone number of each principal that person represents; and
144 the extent of any direct business association or partnership
145 that person has with any member of the Legislature. If the

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146 lobbyist is, or belongs to, a lobbying firm, the lobbyist must
147 state the name, address, and telephone number of the lobbying
148 firm and the e-mail address of the person responsible for the
149 submission of compensation reports. All lobbyists associated
150 with the same firm must register using the identical name,
151 address, and e-mail address of the firm in the LRCRS.
152 Registration is not complete until the LRCRS receives
153 authorization from the principal's representative and the
154 registration fee. Lobbyists may not authorize themselves on
155 behalf of the principal representative. Any changes to the
156 information existing in the LRCRS must be updated online in the
157 LRCRS within 15 days from the effective date of the change.

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

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

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

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

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

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

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

190

191 1.3-Registration Costs; Exemptions

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

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

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

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

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204 (c) Two employees of the Executive Office of the Governor.
205 (d) Two employees of the Commission on Ethics.
206 (e) Two employees of the Florida Public Service Commission.
207 (f) Two employees of the judicial branch designated in
208 writing by the Chief Justice of the Florida Supreme Court.
209 (3) The annual fee is up to \$50 per legislative entity for
210 a person to register to represent one principal and up to an
211 additional \$10 per legislative entity for each additional
212 principal that the person registers to represent. The amount of
213 each fee shall be established annually by the President of the
214 Senate and the Speaker of the House of Representatives. The fees
215 set must be adequate to ensure operation of the lobbyists'
216 registration, compensation, and reporting functions. The fees
217 collected by the LRO under this rule shall be deposited into the
218 State Treasury and credited to the Legislative Lobbyist
219 Registration Trust Fund specifically to cover the costs incurred
220 in administering Joint Rule One.

221

222 1.4-Reporting of Lobbying Firm Compensation

223 (1) (a) Each lobbying firm shall file a compensation report
224 with the LRO through the LRCRS for each calendar quarter during
225 any portion of which one or more of the firm's lobbyists were
226 registered to represent a principal. The report must include
227 the:

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

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

231 3. Total compensation provided or owed to the lobbying firm
232 from all principals for the reporting period, reported in one of

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233 the following categories: \$0; \$1 to \$49,999; \$50,000 to \$99,999;
234 \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to
235 \$999,999; or \$1 million or more.

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

239 1. Full name, business address, and telephone number of the
240 principal; and

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

248 (c) Compensation shall be reported using the accrual basis
249 of accounting.

250 (d) Compensation reports should reflect compensation
251 received for lobbying the legislative branch only.

252 (e) If the lobbying firm subcontracts work from another
253 lobbying firm and not from the original principal:

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

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

261 (f) The senior partner, officer, or owner of the lobbying

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

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

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

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283 (3) The compensation reports shall be filed no later than
284 45 days after the end of each reporting period. The four
285 reporting periods are from January 1 through March 31, April 1
286 through June 30, July 1 through September 30, and October 1
287 through December 31, respectively. The reports shall be rendered
288 in the identical form provided by the respective houses and
289 shall be open to public inspection.

290 (4) A report filed pursuant to this rule must be completed
291 and filed through the LRCRS not later than 11:59 p.m. of the day
292 designated in subsection (3). A report not filed by 11:59 p.m.
293 of the day designated is a late-filed report and is subject to
294 the penalties under Joint Rule 1.5(1).

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

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

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312 1.5-Failure to File Timely Compensation Report; Notice and
313 Assessment of Fines; Appeals

314 (1) Upon determining that the report is late, the LRCRS
315 shall immediately notify the lobbying firm by e-mail as to the
316 failure to timely file the report and that a fine is being
317 assessed for each late day. The fine shall be \$50 per day per
318 report for each late day, not to exceed \$5,000 per report.

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

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

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

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

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

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

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

367 (b) Such lobbyist may not be reinstated in any capacity
368 representing any principal until the fine is paid and all late
369 reports have been filed or waived or until the fine is waived as

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370 to that lobbyist and all late reports for that lobbyist have
371 been filed or waived. A suspended lobbyist may request a waiver
372 upon good cause shown, based on unusual circumstances. The
373 request must be filed with the General Counsel of the Office of
374 Legislative Services who shall, as soon as practicable, make a
375 recommendation concerning the waiver request to the President of
376 the Senate and the Speaker of the House of Representatives. The
377 President of the Senate and the Speaker of the House of
378 Representatives may, by joint agreement, grant or deny the
379 request.

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

383

384 1.6-Open Records; Internet Publication of Registrations and
385 Compensation Reports

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

389 (2) The LRO shall make information filed pursuant to Joint
390 Rules 1.2 and 1.4 reasonably available on the Internet in an
391 easily understandable and accessible format through the LRCRS.
392 The LRCRS must include, but not be limited to including, the
393 names and business addresses of lobbyists, lobbying firms, and
394 principals; the affiliations between lobbyists and principals;
395 and the classification system designated and identified with
396 respect to principals pursuant to Joint Rule 1.2.

397

398 1.7-Records Retention and Inspection and Complaint Procedure

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

404 (2) Upon receipt of a complaint based on the personal
405 knowledge of the complainant made pursuant to the Senate Rules
406 or the Rules of the House of Representatives, any such documents
407 and records may be inspected when authorized by the President of
408 the Senate or the Speaker of the House of Representatives, as
409 applicable. The person authorized to perform the inspection
410 shall be designated in writing and shall be a member of The
411 Florida Bar or a certified public accountant licensed in
412 Florida. Any information obtained by such an inspection may only
413 be used for purposes authorized by law, Joint Rule One, the
414 Senate Rules, or the Rules of the House of Representatives,
415 which purposes may include the imposition of sanctions against a
416 person subject to Joint Rule One, the Senate Rules, or the Rules
417 of the House of Representatives. Any employee who uses that
418 information for an unauthorized purpose is subject to
419 discipline. Any member who uses that information for an
420 unauthorized purpose is subject to discipline under the
421 applicable rules of each house.

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

424

425 1.8-Questions Regarding Interpretation of Joint Rule One

426 (1) A person may request in writing an informal opinion
427 from the General Counsel of the Office of Legislative Services

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

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

446
447 1.9-Effect of Readoption and Revision

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

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457 Joint Rule Two—General Appropriations Review Period and Budget
458 Conference Committee Rules

459
460 2.1—General Appropriations and Related Bills; Review Periods

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

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

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

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

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

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

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486 2. An electronic copy may be furnished to each member. The
487 Legislature hereby deems and determines that a copy shall have
488 been furnished to the members of the Legislature when an
489 electronic copy is made available to every member of the
490 Legislature. An electronic copy is deemed to have been made
491 available when it is accessible via the Internet or other
492 information network consisting of systems ordinarily serving the
493 members of the Senate or the House of Representatives.

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

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

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

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515 computation under this rule.

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

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

529

530 2.2-General Appropriations and Related Bills; Definitions

531 As used in Joint Rule Two, the term:

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

534 (2) "General appropriations bill" means a bill that
535 provides for the salaries of public officers and other current
536 expenses of the state and contains no subject other than
537 appropriations. A bill that contains appropriations that are
538 incidental and necessary solely to implement a substantive law
539 is not included within this term. For the purposes of Joint Rule
540 Two and Section 19(d) of Article III of the Florida
541 Constitution, the Legislature hereby determines that, after a
542 general appropriations bill has been enacted and establishes
543 governing law for a particular fiscal year, a bill considered in

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544 any subsequent session that makes net reductions in such enacted
545 appropriations or that makes supplemental appropriations shall
546 not be deemed to be a general appropriations bill unless such
547 bill provides for the salaries of public officers and other
548 current expenses of the state for a subsequent fiscal year.

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

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

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

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

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

570 4. A specified program, research initiative, institute,
571 center, or similar entity at a specific state college or
572 university, unless recommended by the Board of Governors or the

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573 State Board of Education in their Legislative Budget Request; or

574 5. A local water project.

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

576 1. Is specifically authorized by statute;

577 2. Is part of a statewide distribution to local

578 governments; or

579 3. Was recommended by a commission, council, or other

580 similar entity created in statute to make annual funding

581 recommendations, provided that such appropriation does not

582 exceed the amount of funding recommended by the commission,

583 council, or other similar entity.

584

585 2.3-Budget Conference Committee Rules

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

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

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

594 (2) The information collected must include:

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

596 (b) The date of the submission.

597 (c) The name of the submitting member.

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

600 (e) Whether the most recent funding for the project had
601 been vetoed.

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- 602 (f) The amount of the nonrecurring request.
- 603 (g) The amount of funding received in the prior year on a
604 recurring or nonrecurring basis.
- 605 (h) In what agency the project is best placed and whether
606 the agency has been contacted.
- 607 (i) The name of the organization or entity receiving the
608 funds as well as a point of contact for the organization or
609 entity.
- 610 (j) The name of the registered lobbyist of the entity
611 requesting the appropriations project.
- 612 (k) Whether the organization to receive the funds is a for-
613 profit entity, a not-for-profit entity, a local entity, a state
614 university or college, or other type of organization.
- 615 (l) The specific purpose or goal that will be achieved by
616 the funds requested.
- 617 (m) The activities and services that will be provided to
618 meet the intended purpose of these funds.
- 619 (n) Specific descriptions of how the funds will be
620 expended, including a description and the amounts to be expended
621 on: administrative costs, itemized to include the salary of the
622 executive director or project head, other salaries and benefits,
623 expenses, and consultants, contractors, or studies; operational
624 costs, itemized to include salaries and benefits, expenses, and
625 consultants, contractors, or studies; and fixed capital outlay,
626 itemized to include land purchase, planning, engineering,
627 construction, and renovation.
- 628 (o) The owner of the facility to receive, directly or
629 indirectly, any fixed capital outlay funding, and the
630 relationship between the owners of the facility and the entity.

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

633 (q) A description of the target population to be served and
634 the number of individuals to be served by the appropriations
635 project.

636 (r) A description of the specific benefit or outcome,
637 including the methodology by which this outcome will be
638 measured.

639 (s) The amount and percentage of federal, local, and state
640 funds, excluding the funds requested for the appropriations
641 project, or other matching funds available for the
642 appropriations project.

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

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

649 (3) With respect to an appropriations project that is also
650 a local water project, the information collected must also
651 include:

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

656 (b) Whether the project is for a financially disadvantaged
657 community, as defined in chapter 62-552, Florida Administrative
658 Code; a financially disadvantaged municipality; a rural area of
659 critical economic concern; or a rural area of opportunity, as

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660 defined in s. 288.0656, Florida Statutes.

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

662 (d) The percentage of construction completed and the
663 estimated completion date.

664 (4) Each chamber must collect the required information
665 described in subsections (2) and (3) in the form and manner
666 prescribed by that chamber.

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

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

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

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

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

687 (b) An appropriations project funded with recurring funds
688 in the most recently enacted general appropriation act that is

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689 not appropriated any additional funds is exempt from the
690 provisions of paragraph (a).

691 (10) The conference committee must allow for public
692 testimony regarding appropriations projects at each noticed
693 meeting.

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

701

702 Joint Rule Three—Joint Offices and Policies

703

704 3.1—Joint Legislative Offices

705 (1) The following offices of the Legislature are
706 established:

707 (a) Office of Economic and Demographic Research.

708 (b) Office of Legislative Information Technology Services.

709 (c) Office of Legislative Services.

710 (d) Office of Program Policy Analysis and Government
711 Accountability.

712 (2) Offices established under this rule shall provide
713 support services to the Legislature that are determined by the
714 President of the Senate and the Speaker of the House of
715 Representatives to be necessary and that can be effectively
716 provided jointly to both houses and other units of the
717 Legislature. Each office shall be directed by a coordinator

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718 selected by and serving at the pleasure of the President of the
719 Senate and the Speaker of the House of Representatives. Upon the
720 initial adoption of these joint rules in a biennium, each
721 coordinator position shall be deemed vacant until an appointment
722 is made.

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

727 (4) The Office of Legislative Services shall provide
728 legislative support services other than those prescribed in
729 subsections (5)-(7).

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

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

738 (7) The Office of Program Policy Analysis and Government
739 Accountability shall:

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

746 (b) Transmit to the President of the Senate and the Speaker

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747 of the House of Representatives, by December 1 of each year, a
748 list of statutory and fiscal changes recommended by office
749 reports. The recommendations shall be presented in two
750 categories: one addressing substantive law and policy issues and
751 the other addressing budget issues.

752

753 3.2-Joint Policies

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

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

765

766 Joint Rule Four-Joint Committees

767

768 4.1-Standing Joint Committees

769 (1) The following standing joint committees are
770 established:

771 (a) Administrative Procedures Committee.

772 (b) Committee on Public Counsel Oversight.

773 (c) Legislative Auditing Committee.

774 (2) No other joint committee shall exist except as agreed
775 to by the presiding officers or by concurrent resolution

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776 approved by the Senate and the House of Representatives.

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

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

787 1. The Legislative Auditing Committee and the Committee on
788 Public Counsel Oversight, for the period from the Organization
789 Session until noon on August 1 of the calendar year following
790 the general election.

791 2. The Administrative Procedures Committee for the period
792 from noon on August 1 of the calendar year following the general
793 election until the next general election.

794 (b) The Speaker of the House of Representatives shall
795 appoint a member of the House of Representatives to serve as the
796 chair, and the President of the Senate shall appoint a member of
797 the Senate to serve as the vice chair, for:

798 1. The Legislative Auditing Committee and the Committee on
799 Public Counsel Oversight, for the period from noon on August 1
800 of the calendar year following the general election until the
801 next general election.

802 2. The Administrative Procedures Committee for the period
803 from the Organization Session until noon on August 1 of the
804 calendar year following the general election.

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

807

808 4.2-~~Procedures~~ in Joint Committees

809 The following rules shall govern procedures in joint committees
810 other than conference committees:

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

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

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

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

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834 (d) If a majority of its members from each house agree, a
835 joint committee may continue a properly noticed meeting after
836 the expiration of the time called for the meeting. However, a
837 joint committee may not meet beyond the time authorized by the
838 presiding officers without special leave granted by both
839 presiding officers.

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

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

850

851 4.3-Powers of Joint Committees

852 (1) A joint committee may exercise the subpoena powers
853 vested by law in a standing committee of the Legislature. A
854 subpoena issued under this rule must be approved and signed by
855 the President of the Senate and the Speaker of the House of
856 Representatives and attested by the Secretary of the Senate and
857 the Clerk of the House.

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

862 (3) A joint committee may not create subcommittees or

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863 workgroups unless authorized by both presiding officers.

864

865 4.4-Administration of Joint Committees

866 (1) Within the monetary limitations of the approved
867 operating budget, the expenses of the members and the salaries
868 and expenses of the staff of each joint committee shall be
869 governed by joint policies adopted under Joint Rule 3.2.

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

878

879 4.5-Special Powers and Duties of the Legislative Auditing
880 Committee

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

886 (2) The Legislative Auditing Committee may receive requests
887 for audits and reviews from legislators and any audit request,
888 petition for audit, or other matter for investigation directed
889 or referred to it pursuant to general law. The committee may
890 make any appropriate disposition of such requests or referrals
891 and shall, within a reasonable time, report to the requesting

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892 party the disposition of any audit request.

893 (3) The Legislative Auditing Committee may review the
894 performance of the Auditor General and report thereon to the
895 Senate and the House of Representatives.

896

897 4.6—Special Powers and Duties of the Administrative Procedures
898 Committee

899 The Administrative Procedures Committee shall:

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

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

909 (3) Review administrative rules and advise the agencies
910 concerned of its findings.

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

913 (5) Generally review agency action pursuant to the
914 operation of chapter 120, Florida Statutes, the Administrative
915 Procedure Act.

916 (6) Report to the President of the Senate and the Speaker
917 of the House of Representatives at least annually, no later than
918 the first week of the regular session, and recommend needed
919 legislation or other appropriate action. Such report shall
920 include the number of objections voted by the committee, the

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921 number of suspensions recommended by the committee, the number
922 of administrative determinations filed on the invalidity of a
923 proposed or existing rule, the number of petitions for judicial
924 review filed on the invalidity of a proposed or existing rule,
925 and the outcomes of such actions. Such report shall also include
926 any recommendations provided to the standing committees during
927 the preceding year under subsection (11).

928 (7) Consult regularly with legislative standing committees
929 that have jurisdiction over the subject areas addressed in
930 agency proposed rules regarding legislative authority for the
931 proposed rules and other matters relating to legislative
932 authority for agency action.

933 (8) Subject to the approval of the President of the Senate
934 and the Speaker of the House of Representatives, have standing
935 to seek judicial review, on behalf of the Legislature or the
936 citizens of this state, of the validity or invalidity of any
937 administrative rule to which the committee has voted an
938 objection and that has not been withdrawn, modified, repealed,
939 or amended to meet the objection. Judicial review under this
940 subsection may not be initiated until the Governor and the head
941 of the agency making the rule to which the committee has
942 objected have been notified of the committee's proposed action
943 and have been given a reasonable opportunity, not to exceed 60
944 days, for consultation with the committee. The committee may
945 expend public funds from its appropriation for the purpose of
946 seeking judicial review.

947 (9) Maintain a continuous review of the administrative
948 rulemaking process, including a review of agency procedure and
949 of complaints based on such agency procedure.

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

953 (11) Maintain a continuous review of statutes that
954 authorize agencies to adopt rules and shall make recommendations
955 to the appropriate standing committees of the Senate and the
956 House of Representatives as to the advisability of considering
957 changes to the delegated legislative authority to adopt rules in
958 specific circumstances.

959

960 4.7-Special Powers and Duties of the Committee on Public Counsel
961 Oversight

962 (1) The Committee on Public Counsel Oversight shall appoint
963 a Public Counsel.

964 (2) The Committee on Public Counsel Oversight may file a
965 complaint with the Commission on Ethics alleging a violation of
966 chapter 350, Florida Statutes, by a current or former public
967 service commissioner, an employee of the Public Service
968 Commission, or a member of the Public Service Commission
969 Nominating Council.

970 (3) Notwithstanding Joint Rule 4.4(2), the Committee on
971 Public Counsel Oversight shall not have any permanent staff but
972 shall be served as needed by other legislative staff selected by
973 the President of the Senate and the Speaker of the House of
974 Representatives.

975

976 Joint Rule Five-Auditor General

977

978 5.1-Rulemaking Authority

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979 The Auditor General shall make and enforce reasonable rules and
980 regulations necessary to facilitate audits that he or she is
981 authorized to perform.

982

983 5.2-Budget and Accounting

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

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

995

996 5.3-Audit Report Distribution

997 (1) A copy of each audit report shall be submitted to the
998 Governor, to the Chief Financial Officer, and to the officer or
999 person in charge of the state agency or political subdivision
1000 audited. One copy shall be filed as a permanent public record in
1001 the office of the Auditor General. In the case of county
1002 reports, one copy of the report of each county office, school
1003 district, or other district audited shall be submitted to the
1004 board of county commissioners of the county in which the audit
1005 was made and shall be filed in the office of the clerk of the
1006 circuit court of that county as a public record. When an audit
1007 is made of the records of the district school board, a copy of

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1008 the audit report shall also be filed with the district school
1009 board, and thereupon such report shall become a part of the
1010 public records of such board.

1011 (2) A copy of each audit report shall be made available to
1012 each member of the Legislative Auditing Committee.

1013 (3) The Auditor General shall transmit a copy of each audit
1014 report to the appropriate substantive and fiscal committees of
1015 the Senate and House of Representatives.

1016 (4) Other copies may be furnished to other persons who, in
1017 the opinion of the Auditor General, are directly interested in
1018 the audit or who have a duty to perform in connection therewith.

1019 (5) The Auditor General shall transmit to the President of
1020 the Senate and the Speaker of the House of Representatives, by
1021 December 1 of each year, a list of statutory and fiscal changes
1022 recommended by audit reports. The recommendations shall be
1023 presented in two categories: one addressing substantive law and
1024 policy issues and the other addressing budget issues. The
1025 Auditor General may also transmit recommendations at other times
1026 of the year when the information would be timely and useful for
1027 the Legislature.

1028 (6) A copy required to be provided under this rule may be
1029 provided in an electronic or other digital format if the Auditor
1030 General determines that the intended recipient has appropriate
1031 resources to review the copy. Copies to members, committees, and
1032 offices of the Legislature shall be provided in electronic
1033 format as may be provided in joint policies adopted under Joint
1034 Rule 3.2.

1035

1036 Joint Rule Six—Joint Legislative Budget Commission

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6.1-General Responsibilities

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

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

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

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

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

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

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

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1066 6.2-Organizational Structure

1067 (1) The commission is not subject to Joint Rule Four. The
1068 commission shall be composed of seven members of the Senate
1069 appointed by the President of the Senate and seven members of
1070 the House of Representatives appointed by the Speaker of the
1071 House of Representatives.

1072 (2) The commission shall be jointly staffed by the
1073 appropriations committees of both houses. The Senate shall
1074 provide the lead staff when the chair of the commission is a
1075 member of the Senate. The House of Representatives shall provide
1076 the lead staff when the chair of the commission is a member of
1077 the House of Representatives.

1078

1079 6.3-Notice of Commission Meetings

1080 Not less than 7 days prior to a meeting of the commission, a
1081 notice of the meeting, stating the items to be considered, date,
1082 time, and place, shall be filed with the Secretary of the Senate
1083 when the chair of the commission is a member of the Senate or
1084 with the Clerk of the House when the chair of the commission is
1085 a member of the House of Representatives. The Secretary of the
1086 Senate or the Clerk of the House shall distribute notice to the
1087 Legislature and the public, consistent with the rules and
1088 policies of their respective houses.

1089

1090 6.4-Effect of Adoption; Intent

1091 This Joint Rule Six replaces all prior joint rules governing the
1092 Joint Legislative Budget Commission and is intended to implement
1093 constitutional provisions relating to the Joint Legislative
1094 Budget Commission existing as of the date of the rule's

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1095 adoption.

1096

1097 Joint Rule Seven—Qualifications of Members

1098

1099 7.1—Residency

1100 (1) A member shall be a legal resident and elector of his
1101 or her district at the time of election and shall maintain his
1102 or her legal residence within that district for the duration of
1103 his or her term of office. While a member may have multiple
1104 residences, he or she shall have only one legal residence. The
1105 legal residence of a member at a designated location is
1106 demonstrated by a totality of the circumstances. Factors to be
1107 considered include, but are not limited to:

1108 (a) Where one claims to reside, as reflected in statements
1109 to others or in official documents;

1110 (b) The abandonment of a prior legal residence, as
1111 evidenced by moving from or selling a prior legal residence;

1112 (c) The abandonment of rights and privileges associated
1113 with a prior legal residence;

1114 (d) Where one is registered as a voter;

1115 (e) Where one claims a legal residence for a homestead
1116 exemption;

1117 (f) Where one claims a legal residence for a driver license
1118 or other government privilege or benefit;

1119 (g) The transfer of one's bank accounts to the district
1120 where one maintains a legal residence;

1121 (h) Where one's spouse and minor children maintain a legal
1122 residence, work, and attend school;

1123 (i) Where one receives mail and other correspondence;

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1124 (j) Where one customarily resides;
1125 (k) Where one conducts business affairs;
1126 (l) Where one rents or leases property; and
1127 (m) Where one plans the construction of a new legal
1128 residence.

1129 (2) In accordance with Section 3 of Article X of the
1130 Florida Constitution, a vacancy in office occurs when a member
1131 fails to maintain a legal residence within his or her district
1132 as required at the time of election.

1133 (3) In accordance with Section 2 of Article III of the
1134 Florida Constitution, each house of the Legislature shall be the
1135 sole judge of the qualifications of its members, including
1136 whether a member no longer satisfies his or her qualifications
1137 for office.

1138 (4) Each member shall affirm in writing that he or she is a
1139 legal resident and elector of his or her district based on the
1140 provisions of this Joint Rule. Each member shall file the
1141 written affirmation with the Secretary of the Senate or the
1142 Clerk of the House of Representatives before the convening of
1143 Organization Session following each general election. For a
1144 member who is elected pursuant to a special election, the member
1145 must execute the written affirmation before or concurrent with
1146 taking the oath of office and provide such affirmation to the
1147 Secretary of the Senate or the Clerk of the House of
1148 Representatives. The form of the written affirmation shall be
1149 prescribed by the Secretary of the Senate and the Clerk of the
1150 House of Representatives for members of their respective house
1151 of the Legislature.
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1153 Joint Rule Eight-Adjourning and Reconvening of Each House of the
1154 Legislature and Providing for Adjournment Sine Die

1155

1156 8.1-Adjourning and Reconvening

1157 Pursuant to Section 3(e) of Article III of the Florida
1158 Constitution, during any legislative session, each house of the
1159 Legislature may, without consent from the other house, determine
1160 its respective dates and times for adjourning and reconvening
1161 daily sittings.

1162

1163 8.2-Adjournment Sine Die

1164 (1) During regular sessions, both houses of the Legislature
1165 shall adjourn sine die by concurrent resolution or concurrent
1166 motions or on the 60th day at 11:59 p.m., unless extended.

1167 (2) During special sessions, both houses shall adjourn sine
1168 die by concurrent resolution or concurrent motions or upon
1169 reaching the hour on which the special session is adjourned sine
1170 die by operation of the proclamation, unless extended.