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House Resolution

A resolution establishing the Rules of the House of Representatives of the State of Florida for the 2020-2022 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 2020-2022 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

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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

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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.

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

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 meetings, unless
 202 excused, shall constitute automatic removal from the committee
 203 or subcommittee and create a vacancy. Upon notification of
 204 automatic removal, the Speaker may make an appointment to fill
 205 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.

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 daily floor
 295 sessions of the House and maintain order under the direction of
 296 the Speaker or other presiding officer. In case of any

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

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345 (1) Of the seven bills for the 2021 Regular Session, at
 346 least two must be approved for filing with the Clerk no later
 347 than noon on January 29, 2021.

348 (2) Of the seven bills for the 2022 Regular Session, at
 349 least two must be approved for filing with the Clerk no later
 350 than noon on November 23, 2021.

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

352 (1) Local bills.

353 (2) Ceremonial House resolutions.

354 (3) Memorials.

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

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

358 (6) Public records or public meetings exemption bills
 359 adhering to another bill.

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

361 (8) Bills that only repeal or delete, without substantive
 362 replacement, any provision of the Florida Statutes or Laws of
 363 Florida. Such bills may only be amended with technical
 364 amendments.

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

367 (10) Claim bills, whether general or local.

368 (11) Appropriations project bills.

369

370 5.4—Forms of Measures; Sponsorship Transactions

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

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

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

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

403 5.5—Local Bills

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

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

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

417 418 5.6—Claim Bills

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

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

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

437

438 5.7—Reviser's Bills

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

442

443 5.8—Joint Resolutions

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

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

454

455 5.9-Concurrent Resolutions

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

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

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

471 5.10—Memorials

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

476
 477 5.11—Substantive and Ceremonial House Resolutions

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

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

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

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

494 (2) Ceremonial House resolutions should not honor specific
 495 individuals or private, government, or lobbying organizations
 496 for activities performed within the normal course of their
 497 affairs.

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

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

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

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

506

507 5.12-Tributes

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

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

514

515 5.13-Bills Filed During an Interim

516 During the period between the organization session and the
517 convening of the first regular session of the legislative
518 biennium and during the period between the first and second
519 regular sessions of the legislative biennium, members may file
520 for introduction bills that have been prepared or reviewed by
521 the House Bill Drafting Service.

522

523 5.14—Appropriations Project Bills

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

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

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

538 c. An education fixed capital outlay project that was not
539 submitted pursuant to s. 1013.60 or s. 1013.64, Florida
540 Statutes, unless funds for the specific project were

541 appropriated by the Legislature in a prior year and additional
 542 funds are needed to complete the project as originally proposed;

543 d. A specified program, research initiative, institute,
 544 center, or similar entity at a specific state college or
 545 university, unless recommended by the Board of Governors or the
 546 State Board of Education in their Legislative Budget Request; or

547 e. A local water project.

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

549 a. Is specifically authorized by statute;

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

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

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

566 | An appropriations project bill may only request nonrecurring
567 | funds.

568 | (c) Before an appropriations project bill may be placed on
569 | a House committee or subcommittee notice, an attestation from
570 | the organization or entity for which the associated
571 | appropriations project request form was submitted must be filed
572 | with the Public Integrity & Elections Committee in the form
573 | prescribed by the Speaker. The attestation must include
574 | verification under penalty of perjury that the information in
575 | the appropriations project request form is true and accurate,
576 | that any inaccuracies will be promptly corrected, and that the
577 | organization or entity consents to investigation of such
578 | information and any matter relevant thereto.

579 | (d) Except as provided in Joint Rule 2, a House bill is
580 | out of order if it funds an appropriations project that was not
581 | filed as an appropriations project bill that was reported
582 | favorably by a House committee or subcommittee. For the purposes
583 | of this rule, an appropriations project bill that is approved as
584 | part of a consent agenda is considered to be reported favorably
585 | by a House committee or subcommittee.

586 | (e) A House bill is out of order if a recurring
587 | appropriation is used to fund an appropriations project.

588 | (f) A House bill is out of order if it funds an
589 | appropriations project that is not clearly identified.

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590 (g) A House bill is out of order if it funds an
591 appropriations project in an amount less than 50 percent of the
592 amount of funding proposed in an appropriations project bill as
593 originally filed.

594 (h) The portion of an appropriations project which was
595 funded with recurring funds in the fiscal year 2016-2017 General
596 Appropriations Act as approved by the Governor and funded at the
597 same or lesser amount in subsequent fiscal years is exempt from
598 the requirements of subsections (d) and (e). If recurring
599 funding for an appropriations project is reduced in a conference
600 report on the General Appropriations Act in any fiscal year, the
601 appropriations project may receive no more than the reduced
602 amount of recurring funding in any subsequent fiscal year. If in
603 any year the recurring funds are eliminated in the conference
604 report on the General Appropriations Act as approved by the
605 Governor, the appropriations project may not receive any
606 recurring funding in any subsequent fiscal year.

607 (i) Appropriations project bills may be considered on a
608 consent agenda.

609 1. A consent agenda may contain only appropriations
610 project bills, which shall be noticed in accordance with the
611 deadlines in Rule 7.10.

612 2. By single motion, the chair shall call the vote for all
613 of the bills on the consent agenda. A "yes" vote signifies an
614 affirmative vote on every bill on the consent agenda, with the

615 | exception of specific "nay" votes as submitted pursuant to sub-
 616 | subsection 3.

617 | 3. A member wishing to vote against a specific bill or
 618 | bills included on the noticed consent agenda must file with the
 619 | committee or subcommittee considering the bill a "Nay Vote -
 620 | Consent Agenda" form before the chair calls for the vote on the
 621 | consent agenda. The chair shall announce the "nay" votes on
 622 | specific bills before calling for the vote on the consent
 623 | agenda.

624 | 4. When reported, bills included on a consent agenda may
 625 | only be reported favorably or unfavorably, notwithstanding any
 626 | other rule to the contrary.

627 |
 628 | 5.15-Requirements for Introduction

629 | (a) All bills (other than an appropriations bill,
 630 | concurrent resolutions relating to organization of the
 631 | Legislature, resolutions relating to organization of the House,
 632 | concurrent resolutions pertaining to extension of a session,
 633 | reviser's bills, bills proposing any reapportionment or
 634 | redistricting of the state's legislative or congressional
 635 | districts, and recall of acts from the Governor) shall either be
 636 | prepared or, in the case of local bills, reviewed by the House
 637 | Bill Drafting Service. After completion and delivery by the
 638 | House Bill Drafting Service, no change may be made in the text

639 or title of the bill without returning the bill to the House
640 Bill Drafting Service before filing.

641 (b) The House Bill Drafting Service shall notify any
642 member proposing a bill of any identical or substantially
643 similar bill that has been filed and the name of the sponsor of
644 such bill.

645

646 5.16—Identification

647 Each bill shall be given a number and filed with the Clerk by
648 the House Bill Drafting Service. Bills shall be serially
649 numbered in an odd-numbered sequence, except that bills of a
650 similar type may be serially numbered separately. The Clerk
651 shall validate the original copy of each bill, and each page
652 thereof, to ensure its identification as the item introduced in
653 order to prevent unauthorized or improper substitutions
654 therefor.

655

656 5.17—Companion Measures

657 A companion Senate bill must be substantially similar in
658 wording, and identical as to specific intent and purpose, to the
659 House bill for which it is being substituted. Whenever a House
660 bill is reached on the floor for consideration, either on second
661 or third reading, and there is also pending on the Calendar of
662 the House a companion bill already passed by the Senate, it
663 shall be in order to move that the Senate companion bill be

664 substituted and considered in lieu of the House bill. Such
 665 motion may be adopted by a majority vote, provided the Senate
 666 bill is on the same reading; otherwise, the motion shall be to
 667 waive the rules by a two-thirds vote and substitute such Senate
 668 bill. At the moment the House substitutes the Senate companion
 669 bill or takes up a Senate bill in lieu of a House bill, the
 670 House bill so replaced shall be automatically laid on the table.
 671

672 5.18—Legislative Reapportionment and Congressional Redistricting
 673 Bills and Amendments

674 Bills and amendments proposing any reapportionment or
 675 redistricting of the state's legislative or congressional
 676 districts shall be submitted to the Redistricting Committee in
 677 the form prescribed by the Speaker. The committee staff of the
 678 Redistricting Committee shall submit such proposals to the House
 679 Bill Drafting Service as requested by the sponsor. After final
 680 drafting, approval for filing shall be in the ordinary manner.
 681

682 RULE SIX—REFERENCE

683
 684 6.1—Speaker to Refer Legislation

685 The authority to make bill referrals rests with the Speaker,
 686 except as otherwise provided in these rules.
 687

688 6.2—Reference: Generally

689 (a) Bills, upon filing or introduction, whether House or
 690 Senate, may be referred by the Speaker to one or more committees
 691 or subcommittees or any combination thereof or to the Calendar
 692 of the House. The order of reference shall be determined by the
 693 Speaker.

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

696

697 6.3—Reference: Exception

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

701

702 6.4—Reference of Resolutions, Concurrent Resolutions: Exception

703 Resolutions on House organization and concurrent resolutions
 704 pertaining to extension of the session may be taken up upon
 705 motion and adopted at the time of introduction without
 706 reference.

707

708 6.5—Appropriations or Tax Measures: Withdrawal from a Fiscal
 709 Committee or Subcommittee; Additional Reference

710 (a) A bill in the possession of a fiscal committee or
 711 subcommittee that has been amended by report from a committee or
 712 subcommittee of previous reference to remove its fiscal impact
 713 may be withdrawn from the fiscal committee or subcommittee on a

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714 point of order raised by the committee chair of the fiscal
715 committee having possession of the bill or jurisdiction over the
716 subcommittee having possession of the bill.

717 (b) If an amendment adopted on the floor of the House
718 affects an appropriation or a tax matter, upon a point of order
719 made by the chair or vice chair of a fiscal committee, the bill
720 may be referred by the Speaker, with the amendment, to an
721 appropriate committee or subcommittee. If the bill, as amended
722 on the floor, is reported favorably without further amendment,
723 it shall be returned to the same reading as when referred. If
724 the bill, as amended on the floor, is reported favorably with
725 further amendment, it shall be returned to second reading.

726

727 6.6—Policy Bills; Additional Reference

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

732 (a) Substantially revises the bill; or

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

735

736 If the bill, as amended on the floor, is reported favorably by
737 the committee or subcommittee without further amendment, it
738 shall be returned to the same reading as when referred. If the

739 bill, as amended on the floor, is reported favorably by the
 740 committee or subcommittee with further amendment, it shall be
 741 returned to second reading.

742
 743 6.7—Reference of Veto Messages

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

746
 747 RULE SEVEN—COMMITTEES AND SUBCOMMITTEES

748
 749 PART ONE—Organization

750
 751 7.1—Standing Committees and Subcommittees

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

755 (1) Appropriations Committee.

756 a. Agriculture & Natural Resources Appropriations
 757 Subcommittee.

758 b. Health Care Appropriations Subcommittee.

759 c. Higher Education Appropriations Subcommittee.

760 d. Infrastructure & Tourism Appropriations Subcommittee.

761 e. Justice Appropriations Subcommittee.

762 f. PreK-12 Appropriations Subcommittee.

- 763 g. State Administration & Technology Appropriations
- 764 Subcommittee.
- 765 (2) Commerce Committee.
- 766 a. Insurance & Banking Subcommittee.
- 767 b. Regulatory Reform Subcommittee.
- 768 c. Tourism, Infrastructure & Energy Subcommittee.
- 769 (3) Education & Employment Committee.
- 770 a. Early Learning & Elementary Education Subcommittee.
- 771 b. Secondary Education & Career Development Subcommittee.
- 772 c. Post-Secondary Education & Lifelong Learning
- 773 Subcommittee.
- 774 (4) Health & Human Services Committee.
- 775 a. Children, Families & Seniors Subcommittee.
- 776 b. Finance & Facilities Subcommittee.
- 777 c. Professions & Public Health Subcommittee.
- 778 (5) Judiciary Committee.
- 779 a. Civil Justice & Property Rights Subcommittee.
- 780 b. Criminal Justice & Public Safety Subcommittee.
- 781 (6) Pandemics & Public Emergencies Committee.
- 782 (7) Public Integrity & Elections Committee.
- 783 (8) Redistricting Committee.
- 784 a. Congressional Redistricting Subcommittee.
- 785 b. State Legislative Redistricting Subcommittee.
- 786 (9) Rules Committee.
- 787 (10) State Affairs Committee.

- 788 a. Environment, Agriculture & Flooding Subcommittee.
- 789 b. Government Operations Subcommittee.
- 790 c. Local Administration & Veterans Affairs Subcommittee.
- 791 (11) Ways & Means Committee.

792 (b) For purposes of these rules, the term "committee"
 793 includes subcommittee, except where the context indicates
 794 otherwise.

795

796 7.2—Committee and Subcommittee Appointments

797 The Speaker may appoint the chair, the vice chair, and any co-
 798 chairs as he or she deems necessary, as well as all members, for
 799 each standing House committee and subcommittee. The Speaker may
 800 appoint the House chair and all House members of each conference
 801 committee, joint committee, and joint select committee created
 802 by agreement of the House and Senate or of the Speaker and the
 803 President of the Senate. The Speaker shall give written notice
 804 of each such appointment to the Clerk for publication. After the
 805 Speaker has made committee and subcommittee appointments, the
 806 Minority Leader may name a Minority Conference member of any
 807 committee or subcommittee as "ranking member" of that committee
 808 or subcommittee, subject to the approval of the Speaker.

809

810 7.3—Powers of the Chair

811 A committee or subcommittee chair has authority to sign all
 812 notices, vouchers, and reports required or permitted by these

813 | rules. The chair has authority, subject to approval by the
814 | Speaker, to sign all subpoenas issued under these rules. The
815 | chair has all authority necessary to ensure the orderly
816 | operation of the committee or subcommittee, including, but not
817 | limited to, presiding over meetings, establishing each meeting
818 | agenda, determining the order in which matters are to be taken
819 | up, recognizing or not recognizing non-member presenters, and
820 | deciding questions of order. Decisions on questions of order may
821 | be appealed pursuant to Rule 2.3(b), but there shall be no
822 | appeal of the chair's recognition.

823 |

824 | 7.4—Absence of the Chair

825 | In the absence of the chair and all co-chairs, the vice chair,
826 | if any, shall assume the duty to convene and preside over
827 | meetings and such other duties as the Speaker may assign, unless
828 | a temporary chair has been appointed by the Speaker. During a
829 | meeting properly convened, the presiding chair, vice chair, or
830 | temporary chair may temporarily assign the duty to preside at
831 | that meeting to another committee or subcommittee member until
832 | the assignment is relinquished or revoked.

833 |

834 | 7.5—Term of Appointment

835 | All standing committee or subcommittee chairs, vice chairs, and
836 | members serve at the pleasure of the Speaker. All standing
837 | committee and subcommittee appointments made by the Speaker in

838 accordance with Rule 7.2 shall be made before each regular
839 session is convened and shall expire on June 30 of odd-numbered
840 years or, if the Legislature is convened in special or extended
841 session on that date, upon adjournment sine die of such session.
842

843 7.6—Creation of Select Committees

844 At any time, the Speaker may create a select committee and shall
845 appoint the membership and name the chair and vice chair. A
846 select committee may include the entire membership of the House.
847 A select committee has the jurisdiction, authority, and powers
848 and duties assigned to it by the Speaker and exists for the
849 period of time specified by the Speaker. The Speaker shall give
850 written notice of the creation of a select committee to the
851 Clerk for publication.
852

853 7.7—Ex officio Members

854 (a) The Speaker may designate the Speaker pro tempore, the
855 Majority Leader, or the Majority Whip as an ex officio, voting
856 member of any committee or subcommittee. In addition, the
857 Speaker may designate a committee chair as an ex officio, voting
858 member of any subcommittee within the committee's jurisdiction.
859 Only one ex officio member may be designated by the Speaker to
860 sit and vote at a time on any one committee or subcommittee.

861 (b) The Minority Leader may serve, or designate a Minority
862 Conference member to serve, as an ex officio, voting member of

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863 any committee or subcommittee when a Minority Conference member
864 appointed to that committee or subcommittee is absent. Only one
865 ex officio member may serve or be designated by the Minority
866 Leader at a time. The ex officio designation terminates upon the
867 return of the absent member to that committee or subcommittee.

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

870 (d) The designation of an ex officio member shall be made
871 in writing and addressed to the chair of the committee or
872 subcommittee. Prior to the start of such meeting, a copy of such
873 notice shall be provided to the Minority Leader if the
874 designation is made by the Speaker, or to the Speaker when the
875 Minority Leader intends to serve as or designates an ex officio
876 member.

877

878 7.8—Meetings of Committees and Subcommittees

879 Committees and subcommittees shall meet only within the dates,
880 times, and locations designated or authorized by the Speaker.
881 Committees and subcommittees shall meet at the call of the
882 chair.

883

884 7.9—Consideration of Proposed Committee and Subcommittee Bills

885 Before a standing committee or subcommittee may consider a
886 proposed committee or subcommittee bill, the chair shall submit
887 a written request to the Speaker for approval. A request for

888 approval to consider a proposed subcommittee bill shall be
 889 cosigned by the chair of the committee with jurisdiction over
 890 the subcommittee. In introducing a proposed committee or
 891 subcommittee bill, the chair must designate a member of the
 892 originating committee or subcommittee as first-named cosponsor,
 893 with the approval of such member.

894

895 PART TWO—Procedures in Committees and Subcommittees

896

897 7.10—Scheduling Committee and Subcommittee Meetings

898 (a) NOTICE OF COMMITTEE AND SUBCOMMITTEE MEETINGS. Any
 899 committee or subcommittee meeting to be held for the purpose of
 900 considering legislation must be noticed. The committee or
 901 subcommittee administrative assistant shall provide electronic
 902 or paper copies of the notice to the Clerk for publication and
 903 to the House Majority Office, the House Minority Office, the
 904 members of the committee or subcommittee, and the first-named
 905 sponsor of each bill noticed.

906 (b) CONTENT OF MEETING NOTICE. The notice shall state the
 907 date, time, and place of the meeting and, for each bill to be
 908 considered, the bill or proposed bill number and a portion of
 909 the title sufficient for identification. Except with respect to
 910 bills retained on reconsideration under Rule 7.15, only such
 911 bills as are included on the notice of a committee or
 912 subcommittee meeting may be considered at that meeting.

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913 (c) PROPOSED BILLS TO BE AVAILABLE. A copy of each
914 proposed bill or proposed committee or subcommittee substitute
915 noticed for consideration must be available to each committee or
916 subcommittee member no later than the time of providing notice
917 of the meeting.

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

923 (e) NOTICE DEADLINES DURING SESSIONS. During the first 45
924 days of a regular session, notice shall be provided no later
925 than 4:30 p.m. of the 2nd day (excluding Saturdays, Sundays, and
926 official state holidays) before the committee or subcommittee
927 meeting for the purpose of considering legislation. After the
928 45th day of a regular session and during any extended session,
929 the notice shall be provided no later than 4:30 p.m. on the day
930 (including Saturdays, Sundays, and official state holidays)
931 before the committee or subcommittee meeting. During any special
932 session, the notice shall be provided no later than 2 hours
933 before the committee or subcommittee meeting.

934 (f) NOTICE OF NOT MEETING. If a committee or subcommittee
935 is authorized and scheduled for a meeting by the Speaker but
936 does not plan to meet, a notice stating that no meeting will be

937 held shall be provided in the time and manner of noticing a
 938 meeting.

939 (g) AMENDED NOTICE AND CANCELLATION. At any time before a
 940 noticed meeting, a bill or other item may be removed from a
 941 meeting notice or the meeting may be cancelled by providing an
 942 amended notice.

943 (h) CLERK DUTIES. The Clerk shall promptly publish the
 944 content of meeting notices in accordance with policies approved
 945 by the Speaker.

946 (i) CONTINUATION OF A NOTICED MEETING. If the majority of
 947 committee or subcommittee members present agree, a committee or
 948 subcommittee may continue the consideration of properly noticed
 949 legislation after the expiration of the time called for the
 950 meeting or may temporarily recess to continue the meeting at a
 951 time and place certain on the same day. However, a committee or
 952 subcommittee may not meet beyond the time authorized or in a
 953 place not authorized by the Speaker without special leave
 954 granted by the Speaker.

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

958

959 7.11—Amendment Deadlines and Standards in Committee and
 960 Subcommittee

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961 (a) Amendments may be offered in any committee or
962 subcommittee by any member of the House, and shall be filed with
963 the committee or subcommittee subject to the following
964 deadlines:

965 (1) For the period when the Legislature is not in session,
966 and during the first 45 days of a regular session, an amendment
967 by a member who is not a member of the committee or subcommittee
968 considering the bill shall be filed by 6 p.m. of the day
969 (excluding Saturdays, Sundays, and official state holidays)
970 before the committee or subcommittee meeting.

971 (2) After the 45th day of a regular session and during any
972 extended session, an amendment by a member who is not a member
973 of the committee or subcommittee considering the bill shall be
974 filed by 6 p.m. of the day (including Saturdays, Sundays, and
975 official state holidays) before the committee or subcommittee
976 meeting.

977 (3) During any special session, an amendment by a member
978 who is not a member of the committee or subcommittee considering
979 the bill shall be filed no later than 1 hour before the
980 committee or subcommittee meeting.

981 (b) Notwithstanding the foregoing, subject to approval by
982 a majority vote of the House, the Rules Committee may establish
983 special amendment deadlines and procedures for appropriations
984 bills, implementing bills, and conforming bills, as defined in
985 Rule 12.5, as well as for bills proposing any reapportionment or

986 | redistricting of the state's legislative or congressional
 987 | districts.

988 | (c) An amendment offered in committee or subcommittee must
 989 | be reasonably related to the general subject matter of the bill
 990 | and must include any necessary title amendment.

991 | (d) A committee or subcommittee may not vote on final
 992 | consideration of a bill with an amended "relating-to clause" in
 993 | the title, but instead the bill shall be temporarily postponed
 994 | without motion once all amendments have been considered. The
 995 | amended bill may be considered at a subsequent meeting upon
 996 | being properly noticed as a proposed committee substitute that
 997 | reflects the amendments and the accurate title.

998 |
 999 | 7.12—Quorum of Committee or Subcommittee

1000 | A majority of any committee's or subcommittee's members shall
 1001 | constitute a quorum necessary for the transaction of business.
 1002 | An ex officio member shall not be counted for purposes of
 1003 | determining a quorum.

1004 |
 1005 | 7.13—Meeting During House Sessions

1006 | No committee or subcommittee shall meet while the House is in
 1007 | session without special leave of the Speaker.

1008 |
 1009 | 7.14—Voting in Committee or Subcommittee

1010 (a) Every vote on final consideration of a bill in
 1011 committee or subcommittee shall be taken by the yeas and nays,
 1012 and the names of the members voting for and against, as well as
 1013 the names of members absent, shall be recorded on the committee
 1014 or subcommittee report. Upon the request of any two members, the
 1015 vote of each member shall be recorded on any other question and
 1016 all such votes shall be reported with the committee or
 1017 subcommittee report.

1018 (b) An absent member may submit an indication of how the
 1019 member would have voted had the member been present, but this
 1020 shall not be counted on a roll call. If submitted after the
 1021 committee or subcommittee report has been filed, such votes
 1022 after roll call shall be filed with the committee or
 1023 subcommittee administrative assistant, who shall file them in
 1024 the committee or subcommittee files and with the Clerk.

1025
 1026 7.15—Reconsideration in Committee or Subcommittee
 1027 A motion for reconsideration in committee or subcommittee shall
 1028 be treated in the following manner:

1029 (a) When a main question has been decided by a committee
 1030 or subcommittee, any member voting with the prevailing side, or
 1031 any member when the vote was a tie, may move for
 1032 reconsideration.

1033 (b) Any member voting on the prevailing side on passage or
 1034 defeat of a bill may, as a matter of right, serve notice that

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1035 | the bill be retained through the next committee or subcommittee
 1036 | meeting for the purpose of reconsideration. Such notice by an
 1037 | individual member may be set aside by adoption of a motion to
 1038 | report the bill immediately, which shall require a two-thirds
 1039 | vote. No bill may be retained under this provision after the
 1040 | 40th day of a regular session or during any extended or special
 1041 | session.

1042 | (c) A motion to reconsider a collateral matter must be
 1043 | disposed of during the course of consideration of the main
 1044 | subject to which it is related.

1045 | (d) If a bill has been retained under subsection (b), any
 1046 | member may move for its reconsideration at the next meeting of
 1047 | the committee or subcommittee. The retained bill is not required
 1048 | to be included on the committee or subcommittee meeting notice.

1049 | (e) If the committee or subcommittee refuses to reconsider
 1050 | or, upon reconsideration, confirms its prior decision, no
 1051 | further motion to reconsider shall be in order except upon
 1052 | unanimous consent of the committee or subcommittee members
 1053 | present.

1054 | (f) If a bill is not retained under subsection (b), it
 1055 | shall be promptly reported to the Clerk.

1056 |

1057 | 7.16-Reports on Bills

1058 | A committee or subcommittee may report a House bill unfavorably,
 1059 | favorably, or favorably with a committee or subcommittee

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1060 substitute. A committee or subcommittee may report a Senate bill
1061 favorably, favorably with one or more amendments, or
1062 unfavorably. A bill may not be reported without recommendation.
1063 A motion to lay a bill on the table shall be construed as a
1064 motion to report the bill unfavorably.

1065

1066 7.17—Bill Reported Unfavorably by a Committee or Subcommittee
1067 A bill reported unfavorably by a committee or subcommittee shall
1068 be laid on the table.

1069

1070 7.18—Committee and Subcommittee Substitutes

1071 (a) A standing committee or subcommittee may introduce a
1072 committee or subcommittee substitute embracing the same general
1073 subject matter of one or more bills, or for a bill as amended as
1074 provided in Rule 7.11(d), and in possession of the committee or
1075 subcommittee. A proposed committee or subcommittee substitute
1076 must be noticed in the manner required for a proposed committee
1077 or subcommittee bill. Upon the filing of a committee or
1078 subcommittee substitute, the original bill or bills shall be
1079 laid on the table of the House.

1080 (b) Committee and subcommittee substitutes shall be
1081 prepared by the House Bill Drafting Service and filed with the
1082 Clerk.

1083 (c) No later than the day (excluding Saturdays, Sundays,
1084 and official state holidays) after it is filed by the committee

1085 or subcommittee, a committee or subcommittee substitute shall be
 1086 read a first time and be subject to referral by the Speaker.

1087

1088 7.19—Subpoena Powers

1089 The standing committees and subcommittees of the House may
 1090 exercise subpoena power and issue other necessary legal process
 1091 pursuant to Rule 16.

1092

1093 7.20—Appearances and Administration of Oaths

1094 (a) A person who appears before a committee or
 1095 subcommittee on any matter must submit a committee appearance
 1096 record as directed by the Speaker. If the person is a lobbyist,
 1097 the person shall also identify any principal on whose behalf the
 1098 person appears or whose interests the person represents with
 1099 respect to such matter.

1100 (b) Whenever desired by a committee or subcommittee, the
 1101 chair or any other member of the committee or subcommittee may
 1102 administer oaths and affirmations in the manner prescribed by
 1103 law to any witness appearing before such committee or
 1104 subcommittee for the purpose of testifying in any matter about
 1105 which such committee or subcommittee may require sworn
 1106 testimony, provided the record of a statement made under oath in
 1107 committee or subcommittee may not be used to controvert a
 1108 factual determination of the Legislature.

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1110 7.21—Open Meetings; Decorum

1111 (a) All meetings of committees and subcommittees shall be
 1112 open to the public at all times, subject always to the authority
 1113 of the chair to maintain order and decorum; however, when
 1114 reasonably necessary for security purposes or the protection of
 1115 a witness, a chair, with the concurrence of the Speaker and the
 1116 Minority Leader, may close a meeting or portion thereof, and the
 1117 record of such meeting may not disclose the identity of any
 1118 witness appearing before the committee or subcommittee during a
 1119 closed session.

1120 (b) The chair shall exercise all authority necessary to
 1121 maintain order and decorum, including the authority to impose
 1122 time limitations on testimony and presentations by non-members
 1123 and to require all persons attending a committee or subcommittee
 1124 meeting to silence all audible electronic equipment.

1125

1126 PART THREE—Conference Committees

1127

1128 7.22—Conference Committees

1129 (a) The Speaker shall determine the number of House
 1130 managers needed for all conference committees. A conference
 1131 committee report shall require the signatures which indicate the
 1132 affirmative votes of a majority of the managers on the part of
 1133 each house. Such reports may recommend action on amendments
 1134 previously adopted by the House or Senate, recommend action on

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1135 additional compromise amendments, or offer an amendment deleting
1136 everything after the enacting clause. New amendments recommended
1137 by the conference committee shall accompany the report.

1138 (b) A meeting of the House and Senate conferees is a
1139 meeting of the two groups. Conference committee meeting notices
1140 shall be published at least 1 hour before the time scheduled for
1141 the meeting. Each conference committee may determine its own
1142 procedures and select a member to preside if a majority of
1143 managers of each house agree.

1144 (c) The receiving of conference committee reports shall
1145 always be in order, except when the House is voting on any
1146 proposition. When a conference committee report is presented to
1147 the House, the procedure shall be:

1148 (1) First to vote on a motion to accept the report in its
1149 entirety. The motion shall not be subject to amendment. If this
1150 vote fails, the report shall be automatically recommitted to the
1151 conference committee.

1152 (2) If the report is accepted, the final vote shall be a
1153 roll call on the passage of the bill as amended by the report.
1154 The bill as amended by the report is not subject to further
1155 amendment.

1156 (d) When House managers report inability of a conference
1157 committee to agree, no action of the House taken before such
1158 appointment shall preclude further action by the House as the
1159 House may determine.

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PART FOUR—Oversight Powers and Responsibilities

7.23—Oversight Powers and Responsibilities of Standing Committees and Subcommittees

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

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

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

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

RULE EIGHT—DEBATE AND CHAMBER PROTOCOL

PART ONE—Privilege of the Floor

1185 8.1—Privilege of the Floor

1186 (a) MEMBERS' ACCESS. Members of the House shall have the
 1187 exclusive right to enter the Chamber during daily floor
 1188 sessions, and no other person shall be admitted unless granted
 1189 privilege of the floor as provided below.

1190 (b) PRIVILEGED GUESTS. Subject to the Speaker's discretion
 1191 to maintain safety, order, and decorum, the Governor, the
 1192 Lieutenant Governor, the Chief Financial Officer, the Attorney
 1193 General, the Commissioner of Agriculture, members of the Senate,
 1194 Justices of the Supreme Court, former members of the House, the
 1195 Doctor of the Day, the Guest Chaplain, and the Law Enforcement
 1196 Officer of the Day are granted the privilege of the floor;
 1197 however, no registered lobbyist may be so admitted.

1198 (c) EMPLOYEES' ADMISSION. House employees may be admitted
 1199 to the Chamber as determined by the Speaker.

1200 (d) OTHER GUESTS. Other guests may be granted the
 1201 privilege of the floor by the Speaker or by the House.

1202 (e) RESTRICTIONS ON NON-MEMBERS. Persons granted the
 1203 privilege of the floor may not lobby the members while the House
 1204 is in session, unless granted leave to address the House.

1205 (f) SESSION ATTIRE. When the House is in session, all
 1206 persons in the Chamber shall be dressed in proper business
 1207 attire.

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1209 PART TWO—Speaking

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8.2-Addressing the House; Requirements to Spread Remarks Upon the Journal

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

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

8.3-When Two Members Rise at Once

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

8.4-Recognition of Members

There shall be no appeal of the Speaker's recognition, but the Speaker shall be governed by the rules and usage in priority of entertaining motions from the floor. When a member seeks recognition, the Speaker may ask, "For what purpose does the

1234 member rise?" or "For what purpose does the member seek
 1235 recognition?"

1236

1237 8.5—Recognition of Visitors and Guests

1238 On written request by a member, on a form approved by the Clerk,
 1239 the Speaker may recognize or permit the member to recognize any
 1240 person or persons in the gallery. After granting a request for
 1241 recognition, the Speaker shall afford that recognition at a
 1242 convenient place in the order of business, considering the need
 1243 for order and decorum and the need for continuity of debate. At
 1244 an appropriate time during proceedings on the floor, the Speaker
 1245 may recognize the Doctor of the Day and the Law Enforcement
 1246 Officer of the Day.

1247

1248 PART THREE—Debate

1249

1250 8.6—Decorum

1251 The members shall attend to the debates unless necessarily
 1252 prevented, and no member shall stand between the Speaker and a
 1253 member recognized to speak.

1254

1255 8.7—Speaking and Debate; Right to Close

1256 (a) A member may not speak more than once nor occupy more
 1257 than 15 minutes in debate on any question, except as provided in
 1258 Rule 10.11(c).

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1259 (b) A member who has the floor may not be interrupted by
1260 another member for any purpose, save the privilege of the House,
1261 unless he or she consents to yield to the other member. A member
1262 desiring to interrupt another in debate should first address the
1263 Speaker for the permission of the member speaking. The Speaker
1264 shall then ask the member who has the floor if he or she wishes
1265 to yield and shall then announce the decision of that member.
1266 Whether to yield shall be entirely within the speaking member's
1267 discretion. This subsection shall not, however, deprive the
1268 first-named sponsor or mover of the right to close when the
1269 effect of an amendment or motion would be to foreclose favorable
1270 action on the bill, amendment, or motion.

1271

1272 8.8—Asking Questions of Members

1273 It is entirely within a speaking member's discretion whether to
1274 yield to a question. The proper purpose of a question is for the
1275 questioner to obtain information in good faith when the
1276 questioner does not know the answer, not for the questioner to
1277 supply information to the body. Questions should not be used to
1278 editorialize, explicate, pontificate, or provide commentary.
1279 Neither a question nor an answer to a question may contain
1280 arguments or debate.

1281

1282 8.9—Right to Open and Close Debate

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1283 The member presenting a motion shall have the right to open and
 1284 close the debate and, for this purpose, may speak each time up
 1285 to 10 minutes, unless otherwise limited by majority vote of the
 1286 House, notwithstanding the limitation in Rule 8.7.

1287

1288 PART FOUR—Materials and Meals in Chamber

1289

1290 8.10—Distribution of Materials in Chamber; Meals in Chamber

1291 (a) The following constitutes policy regarding material
 1292 distributed to the general membership through the Sergeant at
 1293 Arms' Office and pages:

1294 (1) All material must be approved by the chair of the
 1295 Rules Committee prior to such distribution.

1296 (2) The following official materials are approved: House
 1297 and Senate bills, resolutions, memorials, and amendments
 1298 thereto, and official calendars and journals; committee and
 1299 subcommittee meeting notices; communications from the Speaker
 1300 and Clerk and official communications from the Senate; and
 1301 official staff reports of standing or select committees or
 1302 subcommittees or of the majority or minority party.

1303 (b) While members may consume nonalcoholic beverages on
 1304 the floor, meals will not be allowed on the floor without
 1305 concurrence of a majority vote.

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1307 PART FIVE—Miscellaneous Papers

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8.11—Miscellaneous Papers

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

RULE NINE—VOTING

9.1—Members Shall Vote

Every member shall be within the Chamber at the time announced for a daily floor session unless excused or necessarily prevented, and shall vote on each question put, unless required to abstain under Rule 3.2.

9.2—Taking the Yeas and Nays

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

1333 these rules. This system likewise may be used to determine the
1334 presence of a quorum. When the House is ready to vote upon a
1335 question requiring roll call, and the vote is by electronic roll
1336 call, the Speaker shall say, "The question now recurs on
1337 (designating the matter to be voted upon). The Clerk will unlock
1338 the machine and the House will proceed to vote." When sufficient
1339 time has elapsed for each member to vote, the Speaker shall ask,
1340 "Have all members voted?" After a short pause, the Speaker shall
1341 say, "The Clerk will lock the machine and record the vote." When
1342 the vote is completely recorded, the Speaker shall announce the
1343 result to the House, and the Clerk shall record the action upon
1344 the Journal.

1345

1346 9.3—Vote of the Speaker or Temporary Presiding Officer

1347 The Speaker or temporary presiding officer is not required to
1348 vote in legislative proceedings other than on final passage of a
1349 bill, except when the Speaker's or temporary presiding officer's
1350 vote would be decisive. In all yea and nay votes, the Speaker's
1351 or temporary presiding officer's name shall be called last. With
1352 respect to voting, the Speaker or temporary presiding officer is
1353 subject to the same disqualification and disclosure requirements
1354 as any other member.

1355

1356 9.4—Votes After Roll Call; Finality of a Roll Call Vote

1357 (a) After the result of a roll call has been announced, a
 1358 member may submit to the Clerk an indication of how the member
 1359 would have voted or would have voted differently. The Clerk
 1360 shall provide forms for the recording of these actions. When
 1361 timely submitted, the vote after roll call shall be shown
 1362 beneath the roll call in the Journal. Otherwise, the vote after
 1363 roll call shall be shown separately in the Journal.

1364 (b) In no instance, other than by reason of an electronic
 1365 or mechanical malfunction, shall the result of a voting machine
 1366 roll call on any question be changed.

1367
 1368 9.5—No Member to Vote for Another Except by Request and
 1369 Direction

1370 (a) No member may vote for another member except at the
 1371 other member's specific request and direction. No member may
 1372 vote for another member who is absent from the Chamber, nor may
 1373 any person who is not a member cast a vote for a member.

1374 (b) In no case shall a member vote for another on a quorum
 1375 call.

1376 (c) Any member who votes or attempts to vote for another
 1377 member in violation of this rule or who requests another member
 1378 to vote for the requesting member in violation of this rule may
 1379 be disciplined in such a manner as the House may deem proper.

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1380 (d) Any person who is not a member and who votes in the
 1381 place of a member shall be subject to such discipline as the
 1382 House may deem proper.

1383

1384 9.6-Explanation of Vote

1385 A member may not explain his or her vote during a roll call but
 1386 may reduce his or her explanation to writing in not more than
 1387 200 words in an electronic format approved by the Clerk. Upon
 1388 submission to the Clerk, this explanation shall be spread upon
 1389 the Journal.

1390

1391 RULE TEN-ORDER OF BUSINESS AND CALENDARS

1392

1393 PART ONE-Order of Business

1394

1395 10.1-Daily Sessions

1396 The House shall meet each legislative day as stated in the
 1397 motion adjourning the House on the prior legislative day on
 1398 which the House met.

1399

1400 10.2-Daily Order of Business

1401 (a) When the House convenes on a new legislative day, the
 1402 daily order of business shall be as follows:

1403 (1) Call to Order.

1404 (2) Prayer.

- 1405 (3) Roll Call.
- 1406 (4) Pledge of Allegiance.
- 1407 (5) Correction of the Journal.
- 1408 (6) Communications.
- 1409 (7) Messages from the Senate.
- 1410 (8) Reports of Committees.
- 1411 (9) Motions Relating to Committee and Subcommittee
- 1412 References.
- 1413 (10) Matters on Reconsideration.
- 1414 (11) Bills and Joint Resolutions on Third Reading.
- 1415 (12) Special Orders.
- 1416 (13) House Resolutions.
- 1417 (14) Unfinished Business.
- 1418 (15) Introduction and Reference.
- 1419 (b) During special sessions, the order of business of
- 1420 Introduction and Reference shall be called for immediately
- 1421 following the order of business of Correction of the Journal.
- 1422 (c) Within each order of business, matters shall be
- 1423 considered in the order in which they appear on the daily
- 1424 printed Calendar of the House.
- 1425 (d) After the 45th day of a regular session, by a majority
- 1426 vote, the House may, on motion of the chair or vice chair of the
- 1427 Rules Committee, move to Communications, Messages from the
- 1428 Senate, Bills and Joint Resolutions on Third Reading, or Special

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1429 Orders. The motion may provide which matter on such order of
 1430 business may be considered.

1431 (e) The following orders may be omitted on any regular
 1432 session day if there is no relevant business on the desk:

- 1433 (1) Communications.
- 1434 (2) Messages from the Senate.
- 1435 (3) Reports of Committees.
- 1436 (4) House Resolutions.
- 1437 (5) Unfinished Business.
- 1438 (6) Introduction and Reference.

1439
 1440 10.3—Opening Prayer

1441 A chaplain or other person designated by the Speaker shall
 1442 attend at the beginning of each day's floor session and open the
 1443 same with prayer.

1444
 1445 10.4—Quorum

1446 A majority of the membership of the House shall constitute a
 1447 quorum to conduct business.

1448
 1449 10.5—Consideration of Senate Messages: Generally

1450 Senate messages may be considered by the House at the time and
 1451 in the order determined by the Speaker.

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 1453 PART TWO—Readings

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10.6—"Reading" Defined

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

10.7—Reading of Bills and Joint Resolutions

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

10.8—Reading of Concurrent Resolutions and Memorials

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

10.9—Reading of House Resolutions

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

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1477 (b) Ceremonial resolutions may be shown as read and
 1478 adopted by publication in full in the Journal in accordance with
 1479 Rule 10.17.

1480

1481 10.10—Measures on Third Reading

1482 (a) Bills on third reading shall be taken up in the order
 1483 in which the House concluded action on them on second reading.

1484 (b) Before any bill shall be read the third time, whether
 1485 amended or not, it shall be referred without motion to the
 1486 Engrossing Clerk for examination and, if amended, the engrossing
 1487 of amendments. In the case of any Senate bill amended in the
 1488 House, the amendment adopted shall be reproduced and attached to
 1489 the bill amended in such manner that it will not be lost
 1490 therefrom.

1491 (c) A bill shall be deemed on its third reading when it
 1492 has been read a second time on a previous day and has no motion
 1493 pending.

1494

1495 PART THREE—Calendars

1496

1497 10.11—Special Order Calendar

1498 (a) REGULAR SESSION.

1499 (1) The Rules Committee shall periodically submit, as
 1500 needed, a Special Order Calendar determining the sequence for
 1501 consideration of legislation. The Special Order Calendar may

1502 include bills on second reading, bills on unfinished business,
 1503 resolutions, and specific sections for local bills, trust fund
 1504 bills, and bills to be taken up at a time certain. Upon adoption
 1505 of a Special Order Calendar, no other bills shall be considered
 1506 for the time period set forth for that Special Order Calendar,
 1507 except that any bill appearing on that Special Order Calendar
 1508 may be stricken from it by a majority vote or any bill may be
 1509 added to it pursuant to Rule 10.13. A previously adopted Special
 1510 Order Calendar shall expire upon adoption by the House of a new
 1511 Special Order Calendar.

1512 (2) Any committee, subcommittee, or member may apply in
 1513 writing to the chair of the Rules Committee to place a bill on
 1514 the Special Order Calendar. The Rules Committee may grant such
 1515 requests by a majority vote.

1516 (3) During the first 55 days of a regular session, the
 1517 Special Order Calendar shall be published in three Calendars of
 1518 the House, and it may be taken up on the day of the third
 1519 published Calendar. After the 55th day of a regular session, the
 1520 Special Order Calendar shall be published in one Calendar of the
 1521 House and may be taken up on the day the Calendar is published.

1522 (b) EXTENDED OR SPECIAL SESSION.

1523 (1) If the Legislature extends a legislative session, all
 1524 bills on the Calendar of the House at the time of expiration of
 1525 the regular session shall be placed in the Rules Committee.

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1526 (2) During any extended or special session, all bills upon
1527 being reported favorably by the last committee or subcommittee
1528 of reference shall be placed in the Rules Committee.

1529 (3) During any extended or special session, the Rules
1530 Committee shall establish a Special Order Calendar and only
1531 those bills on such Special Order Calendar shall be placed on
1532 the Calendar of the House.

1533 (4) During any extended or special session, the Special
1534 Order Calendar shall be published in one Calendar of the House
1535 and bills thereon may be taken up on the day the Calendar is
1536 published.

1537 (c) FLOOR PROCEDURES INCLUDED ON THE SPECIAL ORDER
1538 CALENDAR. The Special Order Calendar submitted by the Rules
1539 Committee shall include procedures to manage questions and
1540 debate regarding every bill listed on the Special Order
1541 Calendar. The procedures shall apply to any Senate bill
1542 substituted for or taken up in lieu of a House bill and shall
1543 include allocations of time for questions and debate on bills
1544 and amendments. The time allocated for questions shall include
1545 the question and the answer. Neither question nor answer shall
1546 be protracted in an attempt to use up the time. Such procedures
1547 shall be reasonable to allow for proper consideration and
1548 implemented upon adoption of the Special Order Calendar by
1549 majority vote in session.

1550

1551 10.12—Special Floor Procedures

1552 The Rules Committee may recommend special floor procedures for
 1553 the management of amendments and debate on a particular bill, on
 1554 second and third readings, which procedures may include
 1555 limitations on amendments and debate. Such procedures may not be
 1556 implemented unless approved by a majority vote in session.

1557
 1558 10.13—Consideration of Bills Not on Special Order Calendar

1559 A bill not included on the Special Order Calendar may be
 1560 considered by the House upon a two-thirds vote.

1561
 1562 10.14—Consent Calendar

1563 The Rules Committee may submit Consent Calendar procedures to
 1564 expedite the consideration of noncontroversial legislation.

1565
 1566 10.15—Requirements for Placement on Special Order Calendar

1567 No measure may be placed on a Special Order Calendar until it
 1568 has been reported favorably by each committee and subcommittee
 1569 of reference and is available for consideration on the floor.

1570
 1571 10.16—Informal Deferral of Bills

1572 Whenever the member who introduced a bill or the first-named
 1573 member sponsor of a committee or subcommittee bill is absent
 1574 from the Chamber when the bill has been reached in the regular
 1575 order on second or third reading, consideration shall be

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1576 | informally deferred until such member's return, unless another
1577 | member consents to offer the bill on behalf of the original
1578 | member. The bill shall retain its position on the Calendar of
1579 | the House during the same legislative day. The member shall have
1580 | the responsibility of making the motion for its subsequent
1581 | consideration.

1582

1583 | PART FOUR—Ceremonial Resolutions

1584

1585 | 10.17—Ceremonial Resolutions Published in Journal

1586 | Upon approval of the chair of the Rules Committee, a ceremonial
1587 | resolution may be shown as read and adopted by publication in
1588 | full in the Journal. The Rules Committee shall distribute a list
1589 | of such resolutions 1 day (excluding Saturdays, Sundays, and
1590 | official state holidays) prior to the day of their publication,
1591 | during which time any member may file with the Rules Committee
1592 | an objection to any resolution listed. Each resolution for which
1593 | an objection has been filed shall be removed from the list and
1594 | placed on the Calendar of the House. All resolutions without
1595 | objections shall be printed on the next legislative day in the
1596 | Journal and considered adopted by the House.

1597

1598 | PART FIVE—Procedural Limitations in Final Week

1599

1600 | 10.18—Consideration Limits to Bills after Day 55

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1601 After the 55th day of a regular session, no House bills on
 1602 second reading may be taken up and considered by the House.

1603

1604 10.19—Consideration Limits after Day 58

1605 After the 58th day of a regular session, the House may consider
 1606 only:

- 1607 (a) Returning messages.
- 1608 (b) Conference reports.
- 1609 (c) Concurrent resolutions.

1610

1611 RULE ELEVEN—MOTIONS

1612

1613 11.1—Motions; How Made

1614 Every motion shall be made orally, except when requested by the
 1615 Speaker to be reduced to writing.

1616

1617 11.2—Precedence of Motions

1618 (a) When a question is under consideration, the Speaker or
 1619 the chair of a committee or subcommittee shall receive no motion
 1620 except:

- 1621 (1) To adjourn at a time certain.
- 1622 (2) To adjourn.
- 1623 (3) To recess to a time certain.
- 1624 (4) To lay on the table.
- 1625 (5) To reconsider.

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1626 (6) For the previous question.

1627 (7) To limit debate.

1628 (8) To temporarily postpone.

1629 (9) To postpone to a time or day certain.

1630 (10) To refer to or to recommit to committee or
1631 subcommittee.

1632 (11) To amend.

1633 (12) To amend by removing the enacting or resolving
1634 clause.

1635 (b) Such motions shall have precedence in the descending
1636 order given.

1637 (c) Notwithstanding paragraph (a)(10) above, the Motion to
1638 Withdraw or Refer a Bill pursuant to Rule 11.11 and the Motion
1639 to Refer or Recommit pursuant to Rule 11.12 are not available in
1640 committee or subcommittee.

1641

1642 11.3—Questions of Order Decided Without Debate

1643 The Speaker shall decide, without debate, all procedural
1644 questions of order that arise when a motion is before the House
1645 or on appeal.

1646

1647 11.4—Motion to Divide Question

1648 If a question before the House is susceptible of separation into
1649 two or more parts, any member may move for a division of the

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1650 | question so that each part may be voted on separately. However,
 1651 | a motion to remove and insert cannot be divided.

1652 |
 1653 | 11.5—Motion to Recess to a Time Certain
 1654 | A motion to recess to a time certain shall be treated the same
 1655 | as a motion to adjourn, except that the motion is debatable when
 1656 | no business is before the House and can be amended as to the
 1657 | time to recess and duration of the recess. It yields only to a
 1658 | motion to adjourn.

1659 |
 1660 | 11.6—Motion to Lay on the Table
 1661 | (a) A motion to lay on the table is not debatable and
 1662 | cannot be amended; however, before the motion is put to a vote,
 1663 | the first-named sponsor of a bill or the mover of a debatable
 1664 | motion shall be allowed 5 minutes within which to discuss the
 1665 | same and may divide the time with, or waive this right in favor
 1666 | of, some other member.

1667 | (b) A motion to lay an amendment on the table, if adopted,
 1668 | does not carry with it the measure to which it adheres.

1669 |
 1670 | 11.7—Motion to Reconsider; Immediate Certification of Bills
 1671 | (a) When a motion or main question has been made and
 1672 | carried or lost, it shall be in order at any time as a matter of
 1673 | right on the same or succeeding legislative day for a member

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1674 voting with the prevailing side, or for any member in the case
1675 of a voice or tie vote, to move for reconsideration thereof.

1676 (b) When a majority of members vote in the affirmative but
1677 the proposition is lost because it is one in which the
1678 concurrence of a greater number than a majority is necessary for
1679 adoption or passage, any member may move for reconsideration.

1680 (c) The motion to reconsider shall require a majority vote
1681 for adoption.

1682 (d) If the House refuses to reconsider or upon
1683 reconsideration confirms its prior decision, no further motion
1684 to reconsider shall be in order except upon unanimous consent of
1685 the members present.

1686 (e) Debate shall be allowed on a motion to reconsider only
1687 when the question that it is proposing to reconsider is
1688 debatable. When debate upon a motion to reconsider is in order,
1689 no member shall speak thereon more than once or for more than 5
1690 minutes.

1691 (f) The adoption of a motion to reconsider a vote upon any
1692 secondary matter shall not remove the main subject under
1693 consideration from consideration of the House.

1694 (g) A motion to reconsider a collateral matter must be
1695 disposed of at once during the course of the consideration of
1696 the main subject to which it is related, and such motion shall
1697 be out of order after the House has passed to other business.

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1698 (h) No bill referred or recommitted to a committee or
 1699 subcommittee by a vote of the House shall be brought back into
 1700 the House on a motion to reconsider.

1701 (i) The Clerk shall retain possession of all bills and
 1702 joint resolutions for the period after passage during which
 1703 reconsideration may be moved, except that local bills,
 1704 concurrent resolutions, and memorials shall be transmitted to
 1705 the Senate without delay.

1706 (j) The adoption of a motion to waive the rules and
 1707 immediately certify any bill to the Senate shall be construed as
 1708 releasing the measure from the Clerk's possession for the period
 1709 of reconsideration.

1710 (k) Unless otherwise directed by the Speaker, during the
 1711 last 14 days of a regular session or any extension thereof and
 1712 during any special session, all measures acted on by the House
 1713 shall be transmitted to the Senate without delay.

1714

1715 11.8—Motion for the Previous Question

1716 (a) The previous question may be asked and ordered upon
 1717 any debatable single motion, series of motions, or amendment
 1718 pending and the effect thereof shall be to conclude all action
 1719 on the same day. If third reading is reached on another day, the
 1720 order for the previous question must be renewed on that day.

1721 (b) The motion for the previous question shall be decided
 1722 without debate. If the motion prevails, the sponsor of a bill or

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1723 debatable motion and an opponent shall be allowed 3 minutes each
1724 within which to debate the pending question, and each may divide
1725 the time with, or waive this right in favor of, some other
1726 member. On second reading, the final available question is the
1727 main amendment; on third reading, it is the bill.

1728 (c) When the motion for the previous question is adopted
1729 on a main question, the sense of the House shall be taken
1730 without delay on pending amendments and such question in the
1731 regular order.

1732 (d) The motion for the previous question may not be made
1733 by the first-named sponsor or mover.

1734

1735 11.9—Motion to Limit Debate

1736 When there is debate by the House, it shall be in order for a
1737 member to move to limit debate and such motion shall be decided
1738 without debate, except that the first-named sponsor or mover of
1739 the question under debate shall have 5 minutes within which to
1740 discuss the motion and may divide the allotted time with, or
1741 waive it in favor of, some other member. If, by majority vote,
1742 the question is decided in the affirmative, debate shall be
1743 limited to 10 minutes for each side, unless a different time is
1744 stated in the motion, such time to be apportioned by the
1745 Speaker; however, the first-named sponsor or mover shall have an
1746 additional 5 minutes within which to close the debate and may

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1747 divide the allotted time with, or waive it in favor of, some
1748 other member.

1749

1750 11.10—Motion to Temporarily Postpone

1751 (a) The motion to temporarily postpone shall be decided
1752 without debate and shall cause a measure to be set aside but
1753 retained on the desk.

1754 (b) If a main question has been temporarily postponed
1755 after having been debated or after motions have been applied and
1756 is not brought back before the House on the same legislative
1757 day, it shall be placed under the order of unfinished business
1758 on the Calendar of the House. If a main question is temporarily
1759 postponed before debate has commenced or motions have been
1760 applied, its reading shall be considered a nullity and the bill
1761 shall retain its original position on the order of business on
1762 the same legislative day; otherwise, the bill reverts to the
1763 status of bills on second or third reading, as applicable.

1764 (c) The motion to return to consideration of a temporarily
1765 postponed main question shall be made under the proper order of
1766 business when no other matter is pending.

1767 (d) If applied to a collateral matter, the motion to
1768 temporarily postpone shall not cause the main question to be
1769 carried with it. After having been temporarily postponed, if a
1770 collateral matter is not brought back before the House in the

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1771 course of consideration of the adhering or main question, it
1772 shall be deemed abandoned.

1773

1774 11.11—Motion to Withdraw or Refer a Bill

1775 (a) A motion to withdraw a bill from a committee or
1776 subcommittee shall require a two-thirds vote on the floor.

1777 (b) Any member may, no later than under the order of
1778 business of Motions Relating to Committee and Subcommittee
1779 References on the legislative day following reference of a bill,
1780 move for reference from one committee or subcommittee to a
1781 different committee or subcommittee, which shall be decided by a
1782 majority vote.

1783 (c) A motion to refer a bill from one committee or
1784 subcommittee to another committee or subcommittee, other than as
1785 provided in subsection (b), may be made during the regular order
1786 of business and shall require a two-thirds vote.

1787 (d) A motion to refer a bill to an additional committee or
1788 subcommittee may be made during the regular order of business
1789 and shall require a two-thirds vote.

1790 (e) A motion to refer shall be debated only as to the
1791 propriety of the reference.

1792 (f) A motion to withdraw a bill from further consideration
1793 of the House shall require a two-thirds vote.

1794 (1) The chair or vice chair of the Rules Committee, at the
 1795 request of the first-named member sponsor, may move for the
 1796 withdrawal of a bill from further consideration.

1797 (2) The first-named member sponsor of a bill may, prior to
 1798 its introduction and provided no substantive action has been
 1799 taken on it, withdraw the bill by written notice to the Clerk.

1800 (3) In moving for the withdrawal of a bill from further
 1801 consideration by floor motion, the introducer shall be required
 1802 to identify the nature of the bill.

1803

1804 11.12—Motion to Refer or Recommit

1805 (a) Any bill on the Calendar of the House may be referred
 1806 or recommitted by the House to a committee or subcommittee by a
 1807 majority vote.

1808 (b) A motion to refer or recommit a bill that is before
 1809 the House may be made during the regular order of business. The
 1810 motion shall be debatable only as to the propriety of that
 1811 reference and shall require an affirmative majority vote.

1812 (c) If a bill on third reading is referred or recommitted
 1813 to a committee or subcommittee that subsequently reports the
 1814 bill favorably with a committee or subcommittee substitute or
 1815 with one or more amendments, the bill shall return to second
 1816 reading.

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1817 (d) Referral or recommitment of a House bill shall
 1818 automatically carry with it a Senate companion bill then on the
 1819 Calendar of the House.

1820

1821 11.13—Dilatory Motions

1822 Dilatory or delaying motions shall not be in order.

1823

1824 11.14—Withdrawal of Motion

1825 (a) The mover of a motion may withdraw the motion at any
 1826 time before it has been amended or a vote on it has commenced.

1827 (b) Notwithstanding subsection (a), once the proposer of
 1828 an amendment is recognized, the amendment may be withdrawn only
 1829 with the consent of the body.

1830

1831 RULE TWELVE—AMENDMENTS

1832

1833 12.1—Form

1834 (a) Floor amendments shall be prepared by the House Bill
 1835 Drafting Service and filed with the Clerk.

1836 (b) A floor amendment filed with the Clerk after the
 1837 applicable filing deadline is late filed. A late-filed floor
 1838 amendment may be taken up for consideration only upon motion
 1839 adopted by a two-thirds vote.

1840

1841 12.2—Filing Deadlines for Floor Amendments

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- 1842 (a) During the first 55 days of a regular session:
- 1843 (1) Main floor amendments must be submitted to the House
- 1844 Bill Drafting Service by 3 p.m. and approved for filing with the
- 1845 Clerk by 4 p.m. of the first day a bill appears on the Special
- 1846 Order Calendar in the Calendar of the House; and
- 1847 (2) Amendments to main floor amendments, substitute
- 1848 amendments for main floor amendments, and amendments to
- 1849 substitute amendments must be submitted to the House Bill
- 1850 Drafting Service by 6:30 p.m. and approved for filing by 7 p.m.
- 1851 of the same day.
- 1852 (b) After the 55th day of a regular session and during any
- 1853 extended or special session:
- 1854 (1) Main floor amendments must be approved for filing with
- 1855 the Clerk not later than 2 hours before session is scheduled to
- 1856 convene on the day a bill appears on the Special Order Calendar
- 1857 in the Calendar of the House; and
- 1858 (2) Amendments to main floor amendments, substitute
- 1859 amendments for main floor amendments, and amendments to
- 1860 substitute amendments must be approved for filing not later than
- 1861 1 hour after the main floor amendment deadline.
- 1862 (c) Notwithstanding the foregoing, subject to approval by
- 1863 a majority vote of the House, the Rules Committee may establish
- 1864 special amendment deadlines and procedures for appropriations
- 1865 bills, implementing bills, and conforming bills, as well as for

1866 bills proposing any reapportionment or redistricting of the
1867 state's legislative or congressional districts.

1868

1869 12.3—Presentation and Consideration

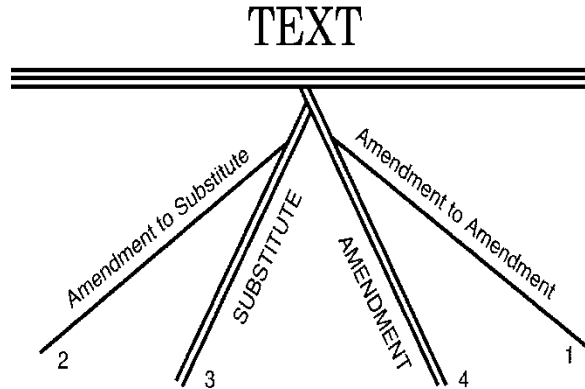
1870 (a) Amendments shall be taken up only as sponsors gain
1871 recognition from the Speaker, except that the chair of the
1872 committee or subcommittee (or any member thereof designated by
1873 the chair) reporting the measure under consideration shall have
1874 preference for the presentation of committee or subcommittee
1875 amendments to Senate bills.

1876 (b) An amendment to a pending main amendment may be
1877 received, but until it is disposed of, no other motion to amend
1878 will be in order except a substitute amendment or an amendment
1879 to the substitute. Such amendments are to be disposed of in the
1880 following order:

1881 (1) Amendments to the amendment are voted on before the
1882 substitute is taken up. Only one amendment to the amendment is
1883 in order at a time.

1884 (2) Amendments to the substitute are next voted on.

1885 (3) The substitute then is voted on. The adoption of a
1886 substitute amendment in lieu of an original amendment shall be
1887 treated and considered as an amendment to the bill itself.



1888

1889 (c) The adoption of an amendment to a section shall not
 1890 preclude further amendment of that section. If a bill is being
 1891 considered section by section or item by item, only amendments
 1892 to the section or item under consideration shall be in order.

1893 (d) For the purpose of this rule, an amendment shall be
 1894 deemed pending only after its proposer has been recognized by
 1895 the Speaker.

1896 (e) A bill or proposed committee bill designated as a
 1897 reviser's bill may be amended only by making deletions.

1898 (f) An amendment that is frivolous in its content is not
 1899 in order.

1900

1901 12.4—Second and Third Reading; Vote Required on Third Reading

1902 (a) A motion to amend is in order during the second or
 1903 third reading of any bill.

1904 (b) Amendments proposed on third reading shall require a
 1905 two-thirds vote for adoption, except that technical amendments
 1906 introduced in the name of the chair of the Rules Committee shall

1907 require a majority vote for adoption. Amendments on third
 1908 reading, other than technical amendments introduced in the name
 1909 of the chair of the Rules Committee, must be submitted to the
 1910 House Bill Drafting Service no later than 1 hour before the
 1911 applicable filing deadline and approved for filing not later
 1912 than the earlier of the following deadlines:

1913 (1) Nine a.m. on the day session is scheduled to convene
 1914 on the day the bill is reached on third reading; or

1915 (2) One hour before session is scheduled to convene on the
 1916 day the bill is reached on third reading.

1917 (c) A motion for reconsideration of an amendment on third
 1918 reading requires a two-thirds vote for adoption.

1919
 1920 12.5—Amendment of Appropriations Bills, Implementing Bills, and
 1921 Conforming Bills

1922 (a) For purposes of these rules:

1923 (1) An "appropriations bill" is a general appropriations
 1924 bill or any other bill the title text of which begins "An act
 1925 making appropriations," "An act making special appropriations,"
 1926 or "An act making supplemental appropriations."

1927 (2) An "implementing bill" is a bill, effective for one
 1928 fiscal year, implementing an appropriations bill.

1929 (3) A "conforming bill" is a bill designated as such by
 1930 the Speaker that amends the Florida Statutes to conform to an
 1931 appropriations bill.

1932 (b) Whether on the floor or in any committee or
 1933 subcommittee, whenever an amendment is offered to an
 1934 appropriations bill that would either increase any state
 1935 appropriation or decrease any state revenue for any fund, such
 1936 amendment shall show the amount of the appropriation increase or
 1937 revenue decrease for a fund by line item and by section and
 1938 shall decrease an appropriation from within the same
 1939 appropriations allocation and sub-allocation (as determined by
 1940 the Speaker) or increase a revenue to the fund in an amount
 1941 equivalent to or greater than the corresponding appropriation
 1942 increase or revenue decrease required by the amendment.

1943 (c) Whether on the floor or in any committee or
 1944 subcommittee, an amendment offered to an implementing bill or to
 1945 a conforming bill shall not increase a state appropriation to a
 1946 level that is in excess of the allocations or sub-allocations
 1947 determined by the Speaker for a fund.

1948 (d) Whether on the floor or in any committee or
 1949 subcommittee, any amendment offered to an implementing bill or
 1950 to a conforming bill that reduces revenues supporting
 1951 appropriations must raise the equivalent or greater revenue for
 1952 the same fund from other sources.

1953

1954 12.6—Consideration of Senate Amendments

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1955 (a) After the reading of a Senate amendment to a House
 1956 bill, the following motions shall be in order and shall be
 1957 privileged in the order named:

1958 (1) Amend the Senate amendment.

1959 (2) Concur in the Senate amendment.

1960 (3) Refuse to concur and ask the Senate to recede.

1961 (4) Request the Senate to recede and, if the Senate
 1962 refuses to recede, to appoint a conference committee to meet
 1963 with a like committee appointed by the Speaker.

1964 (b) If the Senate refuses to concur in a House amendment
 1965 to a Senate bill, the following motions shall be in order and
 1966 shall be privileged in the order named:

1967 (1) That the House recede.

1968 (2) That the House insist and ask for a conference
 1969 committee.

1970 (3) That the House insist.

1971 (c) The Speaker may, upon determining that a Senate
 1972 amendment substantially changes the bill as passed by the House,
 1973 refer the Senate message, with the bill and Senate amendment or
 1974 amendments, to the appropriate House committee or subcommittee
 1975 for review and report to the House. The Speaker, upon such
 1976 reference, shall announce the date and time for the committee or
 1977 subcommittee to meet. The committee or subcommittee shall report
 1978 to the House the recommendation for disposition of the Senate
 1979 amendment or amendments under one of the four options presented

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1980 | in subsection (a). The report shall be furnished to the Clerk
 1981 | and to the House, in writing, by the chair of the reporting
 1982 | committee or subcommittee.

1983

1984 | 12.7—Motion to Amend by Removing Enacting or Resolving Clause
 1985 | An amendment to remove the enacting clause of a bill or the
 1986 | resolving clause of a resolution or memorial shall, if carried,
 1987 | be considered equivalent to rejection of the bill, resolution,
 1988 | or memorial by the House.

1989

1990 | 12.8—Germanity of House Floor Amendments

1991 | (a) GERMANY.

1992 | (1) The House shall not consider a floor amendment that
 1993 | relates to a different subject or is intended to accomplish a
 1994 | different purpose than that of the pending question or that, if
 1995 | adopted, would require a title amendment for the bill that is
 1996 | substantially different from the bill's original title or that
 1997 | would unreasonably alter the nature of the bill.

1998 | (2) The Speaker shall determine the germanity of any
 1999 | amendment when the question is timely raised.

2000 | (3) An amendment of the second degree or a substitute
 2001 | amendment must be germane to both the main amendment and the
 2002 | measure to which it adheres.

2003 | (b) AMENDMENTS THAT ARE NOT GERMANE. Floor amendments that
 2004 | are not germane include:

2005 (1) A general proposition amending a specific proposition.

2006 (2) An amendment amending a statute or session law when
 2007 the purpose of the bill is limited to repealing such law, or an
 2008 amendment repealing a statute or session law when the purpose of
 2009 the bill is limited to amending such law.

2010 (3) An amendment that substantially expands the scope of
 2011 the bill.

2012 (4) An amendment to a bill when legislative action on that
 2013 bill is by law or these rules limited to passage, concurrence,
 2014 or nonconcurrence as introduced.

2015 (c) AMENDMENTS THAT ARE GERMANE. Floor amendments that are
 2016 germane include:

2017 (1) A specific provision amending a general provision.

2018 (2) An amendment that accomplishes the same purpose in a
 2019 different manner.

2020 (3) An amendment limiting the scope of the proposal.

2021 (4) An amendment providing appropriations necessary to
 2022 fulfill the original intent of a proposal.

2023 (5) An amendment that changes the effective date of a
 2024 repeal, reduces the scope of a repeal, or adds a short-term
 2025 nonstatutory transitional provision to facilitate repeal.

2026 (d) WAIVER OF RULE. Waiver of this rule shall require
 2027 unanimous consent of the House.

2028 (e) APPLICABILITY. Committee and subcommittee amendment
 2029 standards outlined in Rules 7.11(c) and (d) do not apply to
 2030 floor amendments.

2031

2032 12.9—Floor Amendments Out of Order

2033 A floor amendment is out of order if it contains the principal
 2034 substance of a bill that has:

2035 (a) Received an unfavorable committee or subcommittee
 2036 report;

2037 (b) Been withdrawn from further consideration; or

2038 (c) Not been reported favorably by at least one committee
 2039 or subcommittee of reference

2040

2041 and may not be offered to a bill on second or third reading. Any
 2042 amendment containing language that is substantially the same,
 2043 and identical as to specific intent and purpose, as a measure
 2044 residing in a committee or subcommittee of reference is covered
 2045 by this rule.

2046

2047 12.10—Printing of Amendments in Journal

2048 All amendments taken up, unless withdrawn, shall be printed in
 2049 the Journal, except that an amendment to an appropriations bill
 2050 constituting an entirely new bill shall not be printed except
 2051 upon consideration of the conference committee report.

2052

2053 | RULE THIRTEEN—RULES

2054

2055 | 13.1—Parliamentary Authorities

2056 | In all cases not provided for by the State Constitution, the
 2057 | Rules of the House, or the Joint Rules of the Senate and House
 2058 | of Representatives, the guiding, but nonbinding, authority shall
 2059 | be first the Rulings of the Speaker and then the latest edition
 2060 | of Mason's Manual of Legislative Procedure.

2061

2062 | 13.2—Standing Rules Amendment

2063 | Any standing rule may be rescinded or changed by a majority vote
 2064 | of the members, provided that the proposed change or changes be
 2065 | submitted at least 1 day in advance by the Rules Committee in
 2066 | writing to the members together with notice of the consideration
 2067 | thereof. Any standing rule may be suspended temporarily by a
 2068 | two-thirds vote of the members present, except as otherwise
 2069 | provided in these rules.

2070

2071 | 13.3—Rules Apply for Term

2072 | The standing rules adopted after the beginning of the term
 2073 | govern all acts of the House during the course of the term
 2074 | unless amended or repealed.

2075

2076 | 13.4—Joint Rules

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2077 The House shall be governed by joint rules approved by the House
2078 and Senate during the term. Such joint rules may not be waived
2079 except by agreement of both the House and Senate. A majority
2080 vote of the House is required for such agreement.

2081

2082 13.5—Authority and Interpretation

2083 These rules are adopted pursuant to the specific authority
2084 granted and the inherent powers vested in the House of
2085 Representatives by the State Constitution. These rules are
2086 intended to facilitate the orderly, practical, and efficient
2087 completion of legislative work undertaken by the House. These
2088 rules shall govern procedures in the House notwithstanding any
2089 inconsistent parliamentary tradition and notwithstanding any
2090 joint rule or any statute enacted by a prior Legislature.

2091 Adoption of these rules constitutes the determination of the
2092 House that they do not violate any express regulation or
2093 limitation contained in the State Constitution. These rules may
2094 not be construed to limit any of the powers, rights, privileges,
2095 or immunities vested in or granted to the House by the State
2096 Constitution or other organic law.

2097

2098 13.6—Majority Action

2099 Unless otherwise indicated by these rules, all action by the
2100 House or its committees or subcommittees shall be by majority

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20200

2101 | vote of those members present and voting. When the body is
 2102 | equally divided, the question is defeated.

2103

2104 | 13.7—Extraordinary Action

2105 | Unless otherwise required by these rules or the State
 2106 | Constitution, all extraordinary votes shall be by vote of those
 2107 | members present and voting.

2108

2109 | 13.8—"Days" Defined

2110 | Wherever used in these rules, a "legislative day" means a day
 2111 | when the House convenes and a quorum is present. All other
 2112 | references to a "day" mean a calendar day.

2113

2114 | RULE FOURTEEN—MISCELLANEOUS PROVISIONS

2115

2116 | PART ONE—Public Records

2117

2118 | 14.1—Legislative Records

2119 | There shall be available for public inspection, whether
 2120 | maintained in Tallahassee or in a district office, the papers
 2121 | and records developed and received in connection with official
 2122 | legislative business, except as provided in s. 11.0431, Florida
 2123 | Statutes, or other provision of law. Any person who is denied
 2124 | access to a legislative record and who believes that he or she

2125 | is wrongfully being denied such access may appeal to the Speaker
 2126 | the decision to deny access.

2127 |

2128 | 14.2—Legislative Records; Maintenance, Control, Destruction,
 2129 | Disposal, and Disposition

2130 | (a) Records that are required to be created by these rules
 2131 | or that are of vital, permanent, or archival value shall be
 2132 | maintained in a safe location that is easily accessible for
 2133 | convenient use. No such record need be maintained if the
 2134 | substance of the record is published or retained in another form
 2135 | or location. Whenever necessary, but no more often than annually
 2136 | or less often than biennially, records required to be maintained
 2137 | may be archived.

2138 | (b) Other records that are no longer needed for any
 2139 | purpose and that do not have sufficient administrative, legal,
 2140 | or fiscal significance to warrant their retention shall be
 2141 | disposed of systematically.

2142 | (c) (1) The administrative assistant for each existing
 2143 | committee or subcommittee shall ensure compliance with this rule
 2144 | for all records created or received by the committee or
 2145 | subcommittee or for a former committee or subcommittee whose
 2146 | jurisdiction has been assigned to the committee or subcommittee.

2147 | (2) The Speaker, the Speaker pro tempore, the Minority
 2148 | Leader, the Majority Leader, and the Sergeant at Arms shall
 2149 | ensure compliance with this rule for all records created or

2150 received by their respective offices and their predecessors in
 2151 office.

2152 (3) Each member shall ensure compliance with this rule for
 2153 all records created or received by the member or the member's
 2154 district office.

2155 (4) The director of an ancillary House office shall ensure
 2156 compliance with this rule for all records created or received by
 2157 the director's office.

2158 (5) The Clerk shall ensure compliance with this rule for
 2159 all other records created or received by the House of
 2160 Representatives.

2161 (d) If a committee, subcommittee, or office is not
 2162 continued in existence, the records of such committee,
 2163 subcommittee, or office shall be forwarded to the committee,
 2164 subcommittee, or office assuming the jurisdiction or
 2165 responsibility of the former committee, subcommittee, or office,
 2166 if any. Otherwise, such records shall be forwarded to the Clerk.

2167 (e) The Clerk shall establish a schedule of reasonable and
 2168 appropriate fees for copies of legislative records and
 2169 documents.

2170

2171 PART TWO—Distribution of Documents; Display of Signs

2172

2173 14.3—Distribution of Documents

2174 Documents required by these rules to be printed or published may
 2175 be produced and distributed on paper or in electronic form.

2176
 2177 14.4—Display of Signs, Placards, and the Like
 2178 Signs, placards, or other objects of similar nature shall be
 2179 permitted in the rooms, lobby, galleries, or Chamber of the
 2180 House only upon approval of the chair of the Rules Committee.

2181
 2182 PART THREE—House Seal

2183
 2184 14.5—House Seal

2185 (a) REQUIREMENT. There shall be an official seal of the
 2186 House of Representatives. The seal shall be used only by or on
 2187 behalf of a member or officer of the House in conjunction with
 2188 his or her official duties or when specifically authorized in
 2189 writing by the chair of the Rules Committee.

2190 (b) CONFIGURATION. The seal shall be a circle having in
 2191 the center thereof a view of the sun's rays over a highland in
 2192 the distance, a palm tree, a steamboat on the water, and a
 2193 Native American female scattering flowers in the foreground,
 2194 encircled by the words "House of Representatives."

2195 (c) USE. Unless a written exception is otherwise granted
 2196 by the chair of the Rules Committee:

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2197 (1) Material carrying the official seal shall be used only
 2198 by a member, officer, or employee of the House or other persons
 2199 employed or retained by the House.

2200 (2) The use, printing, publication, or manufacture of the
 2201 seal, or items or materials bearing the seal or a facsimile of
 2202 the seal, shall be limited to official business of the House or
 2203 official legislative business.

2204 (d) CUSTODIAN. The Clerk shall be the custodian of the
 2205 official seal.

2206

2207 RULE FIFTEEN—ETHICS AND CONDUCT OF MEMBERS

2208

2209 15.1—Legislative Ethics and Official Conduct

2210 Legislative office is a trust to be performed with integrity in
 2211 the public interest. A member is respectful of the confidence
 2212 placed in the member by the other members and by the people. By
 2213 personal example and by admonition to colleagues whose behavior
 2214 may threaten the honor of the lawmaking body, the member shall
 2215 watchfully guard the responsibility of office and the
 2216 responsibilities and duties placed on the member by the House.
 2217 To this end, each member shall be accountable to the House for
 2218 violations of this rule or any provision of Rules 15.1-15.7,
 2219 which shall be known as the House Code of Conduct.

2220

2221 15.2—The Integrity of the House

2222 A member shall respect and comply with the law and shall perform
 2223 at all times in a manner that promotes public confidence in the
 2224 integrity and independence of the House and of the Legislature.
 2225 Each member shall perform at all times in a manner that promotes
 2226 a professional environment in the House, which shall be free
 2227 from unlawful employment discrimination.

2228
 2229 15.3-Improper Influence; Solicitation of Campaign Contributions

2230 (a) A member may neither solicit nor accept anything that
 2231 reasonably may be construed to improperly influence the member's
 2232 official act, decision, or vote.

2233 (b) A member may not fly on an aircraft that is a private
 2234 conveyance owned, leased, or procured by a lobbyist, a lobbying
 2235 firm, or a principal, regardless of whether the member pays for
 2236 the flight.

2237 (c) A member may neither solicit nor accept any campaign
 2238 contribution for state, district, county, or municipal office
 2239 during the 60-day regular legislative session or any extended or
 2240 special session on the member's own behalf, on behalf of a
 2241 political party, on behalf of any organization with respect to
 2242 which the member's solicitation is regulated under s. 106.0701,
 2243 Florida Statutes, or on behalf of a candidate for the House of
 2244 Representatives; however, a member may contribute to the
 2245 member's own campaign.

2246

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2247 15.4—Ethics; Conflicting Employment

2248 A member shall:

2249 (a) Scrupulously comply with the requirements of all laws
2250 related to the ethics of public officers.

2251 (b) Not allow personal employment to impair the member's
2252 independence of judgment in the exercise of official duties.

2253 (c) Not directly or indirectly receive or agree to receive
2254 any compensation for any services rendered or to be rendered
2255 either by the member or any other person when such activity is
2256 in substantial conflict with the duties of a member of the
2257 House.

2258 (d) Upon acceptance of any new employment with any entity
2259 that receives state funds directly by appropriation or with any
2260 public employer, file with the Public Integrity & Elections
2261 Committee a written statement disclosing the employer, position,
2262 and salary. Such disclosure must be filed prior to the effective
2263 date of the change, or within 30 days after acceptance thereof,
2264 whichever is earlier.

2265 (e) Not accept any compensation to lobby any local
2266 government or governmental agency, except for the provision of
2267 licensed professional services under circumstances that require
2268 registration as a lobbyist.

2269

2270 15.5—Use of Official Position

2271 A member may not corruptly use or attempt to use the member's
 2272 official position or any property or resource which may be
 2273 within the member's trust in a manner contrary to the trust or
 2274 authority placed in the member, either by the public or by other
 2275 members, for the purpose of securing a special privilege,
 2276 benefit, or exemption for the member or for others. A member may
 2277 not solicit or accept an employment offer or investment advice
 2278 arising out of legislative activities or political activities
 2279 engaged in while he or she is a member of, or candidate for, the
 2280 House. A member may not enter into any investment, joint
 2281 venture, or other profitmaking relationship with or advised by a
 2282 lobbyist or principal, except that a member may buy or sell
 2283 listed, publicly traded securities of a principal unless in
 2284 violation of Rule 15.6. For purposes of this rule, "investment,
 2285 joint venture, or other profitmaking relationship" does not
 2286 include an employment relationship or professional partnership
 2287 or similar venture engaging the professional services of the
 2288 member.

2289
 2290 15.6—Use of Information Obtained by Reason of Official Position
 2291 A member may engage in business and professional activity in
 2292 competition with others but may not use or provide to others,
 2293 for the member's personal gain or benefit or for the personal
 2294 gain or benefit of any other person or business entity, any
 2295 information that has been obtained by reason of the member's

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2296 official capacity as a member and that is unavailable to members
2297 of the public as a matter of law. A member may not use any
2298 nonpublic information obtained by reason of the member's
2299 legislative activities for the purpose of buying or selling any
2300 investment or to otherwise create income for the member or any
2301 other person.

2302

2303 15.7—Representation of Another Before a State Agency

2304 A member may not personally represent another person or entity
2305 for compensation before any state agency other than a judicial
2306 tribunal. For the purposes of this rule, "state agency" means
2307 any entity of the legislative or executive branch of state
2308 government over which the Legislature exercises plenary
2309 budgetary and statutory control.

2310

2311 15.8—Advisory Opinions

2312 (a) A member, when in doubt about the applicability and
2313 interpretation of the House Code of Conduct or ethics laws to
2314 the member's conduct, may convey the facts of the situation to
2315 the House general counsel for an advisory opinion. The general
2316 counsel shall issue the opinion within 10 days after receiving
2317 the request. The advisory opinion may be relied upon by the
2318 member requesting the opinion. Upon request of any member, the
2319 committee or subcommittee designated by the Speaker to have
2320 responsibility for the ethical conduct of members may revise an

2321 advisory opinion rendered by the House general counsel through
 2322 an advisory opinion issued to the member who requested the
 2323 opinion.

2324 (b) An advisory opinion rendered by the House general
 2325 counsel or the committee or subcommittee shall be numbered,
 2326 dated, and published. Advisory opinions from the House general
 2327 counsel or the committee or subcommittee may not identify the
 2328 member seeking the opinion unless such member so requests.

2329

2330 15.9—Penalties for Violations

2331 Separately from any prosecutions or penalties otherwise provided
 2332 by law, any member determined to have violated the requirements
 2333 of these rules relating to ethics or member conduct shall be
 2334 fined, censured, reprimanded, placed on probation, or expelled
 2335 or have such other lesser penalty imposed as may be appropriate.
 2336 Such determination and disciplinary action shall be taken by a
 2337 two-thirds vote of the House, except that expulsions shall
 2338 require two-thirds vote of the membership, upon recommendation
 2339 of the Public Integrity & Elections Committee pursuant to Rule
 2340 18.

2341

2342 15.10—Felony Indictment or Information of a Member

2343 (a) If an indictment or information for a felony of any
 2344 jurisdiction is filed against a member of the House, the member
 2345 indicted or informed against may request the Speaker to excuse

2346 | the member, without pay, from all privileges of membership of
 2347 | the House pending final adjudication.

2348 | (b) If the indictment or information is either nolle
 2349 | prosecuted or dismissed, or if the member is found not guilty of
 2350 | all felonies, the member shall be paid all back pay and other
 2351 | benefits retroactive to the date the member was excused.

2352 |
 2353 | 15.11–Felony Guilty Plea of a Member

2354 | A member who enters a plea of guilty or nolo contendere to a
 2355 | felony of any jurisdiction may, at the discretion of the
 2356 | Speaker, be suspended immediately, without a hearing and without
 2357 | pay, from all privileges of membership of the House through the
 2358 | remainder of that member's term.

2359 |
 2360 | 15.12–Felony Conviction of a Member

2361 | (a) A member convicted of a felony of any jurisdiction
 2362 | may, at the discretion of the Speaker, be suspended immediately,
 2363 | without a hearing and without pay, from all privileges of
 2364 | membership of the House pending appellate action or the end of
 2365 | the member's term, whichever occurs first.

2366 | (b) A member suspended under the provisions of this rule
 2367 | may, within 10 days after such suspension, file a written
 2368 | request for a hearing, setting forth specific reasons contesting
 2369 | the member's suspension. Upon receipt of a written request for a
 2370 | hearing, the Speaker shall appoint a select committee, which

2371 shall commence a hearing on the member's suspension within 30
 2372 days and issue a report to the House within 10 days after the
 2373 conclusion of the hearing. The report of the select committee
 2374 shall be final unless the member, within 10 days after the
 2375 issuance of the report, requests in writing that the Speaker
 2376 convene the full House to consider the report of the select
 2377 committee. Upon receipt of a request for such consideration, the
 2378 Speaker shall timely convene the House for such purpose.

2379 (c) If the final appellate decision is to sustain the
 2380 conviction, then the member's suspension shall continue to the
 2381 end of the member's term. If the final appellate decision is to
 2382 vacate the conviction and there is a rehearing, the member shall
 2383 be subject to Rule 15.10. If the final appellate decision is to
 2384 vacate the conviction and no felony charges remain against the
 2385 member, the member shall be entitled to restitution of back pay
 2386 and other benefits retroactive to the date of suspension.

2387
 2388 15.13—Ethics Training

2389 The House shall provide ethics training as directed by the
 2390 Speaker.

2391
 2392 RULE SIXTEEN—PROCEDURES FOR CONDUCTING INVESTIGATIVE AND
 2393 ENFORCEMENT PROCEEDINGS

2394
 2395 16.1—Issuance of Subpoenas; Administration of Oaths

2396 (a) In order to carry out its duties, each standing or
 2397 select committee, whenever required, may issue subpoenas and
 2398 other necessary process to compel the attendance of witnesses
 2399 before such committee or the taking of sworn testimony pursuant
 2400 to these rules.

2401 (b) Each standing or select committee, whenever required,
 2402 may also compel by subpoena duces tecum the production of any
 2403 books, letters, or other documentary evidence it may need to
 2404 examine in reference to any matter before it.

2405 (c) The chair of the standing or select committee shall
 2406 issue such process on behalf of such committee after a majority
 2407 of the committee votes to approve issuance and the Speaker has
 2408 provided written approval. The chair or any other member of such
 2409 committee may administer all oaths and affirmations in the
 2410 manner prescribed by law to witnesses who shall appear before
 2411 such committee for the purpose of testifying in any matter about
 2412 which such committee may require evidence.

2413

2414 16.2—Contempt Proceedings

2415 (a) The House may punish, by fine or imprisonment, any
 2416 person who is not a member and who is guilty of disorderly or
 2417 contemptuous conduct in its presence or of a refusal to obey its
 2418 lawful summons.

2419 (b) A person shall be deemed in contempt if the person:

2420 (1) Fails or refuses to appear in compliance with a
 2421 subpoena or, having appeared, fails or refuses to testify under
 2422 oath or affirmation;

2423 (2) Fails or refuses to answer any relevant question or
 2424 fails or refuses to furnish any relevant book, paper, or other
 2425 document subpoenaed on behalf of such committee; or

2426 (3) Commits any other act or offense against such
 2427 committee that, if committed against the Legislature or either
 2428 house thereof, would constitute contempt.

2429 (c) During a legislative session, a standing or select
 2430 committee may, by majority vote of all of its members, apply to
 2431 the House for contempt citation. The application shall be
 2432 considered as though the alleged contempt had been committed in
 2433 or against the House itself. If such committee is meeting during
 2434 the interim, its application shall be made to the circuit court
 2435 pursuant to Rule 16.6.

2436 (d) A person guilty of contempt under this rule may be
 2437 punished in accordance with the provisions of Section 5 of
 2438 Article 3 of the State Constitution, or may be subject to such
 2439 other punishment as the House may, in the exercise of its
 2440 inherent powers, impose prior to and in lieu of the imposition
 2441 of the aforementioned penalty.

2442 (e) The sheriffs in the several counties shall make such
 2443 service and execute all process or orders when required by

2444 standing or select committees. Sheriffs shall be paid as
 2445 provided for in s. 30.231, Florida Statutes.

2446

2447 16.3—False Swearing

2448 Whoever willfully affirms or swears falsely in regard to any
 2449 material matter or thing before any standing or select committee
 2450 is guilty of false swearing in an official proceeding, which is
 2451 a felony of the second degree and shall be punished as provided
 2452 in s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.

2453

2454 16.4—Rights of Witnesses

2455 (a) All witnesses summoned before any standing or select
 2456 committee shall receive reimbursement for travel expenses and
 2457 per diem at the rates provided in s. 112.061, Florida Statutes.
 2458 However, the fact that such reimbursement is not tendered at the
 2459 time that the subpoena is served shall not excuse the witness
 2460 from appearing as directed therein.

2461 (b) Service of a subpoena requiring the attendance of a
 2462 person at a meeting of a standing or select committee shall be
 2463 made in the manner provided by law for the service of subpoenas
 2464 in a civil action at least 7 days prior to the date of the
 2465 meeting unless a shorter period of time is authorized by
 2466 majority vote of all the members of such committee. If a shorter
 2467 period of time is authorized, the persons subpoenaed shall be

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2468 given reasonable notice of the meeting, consistent with the
2469 particular circumstances involved.

2470 (c) Any person who is served with a subpoena to attend a
2471 meeting of any standing or select committee also shall be served
2472 with a general statement informing the person of the subject
2473 matter of such committee's investigation or inquiry and a notice
2474 that the person may be accompanied at the meeting by private
2475 counsel.

2476 (d) Upon the request of any party and the approval of a
2477 majority of the standing or select committee, the chair shall
2478 instruct all witnesses to leave the meeting room and retire to a
2479 designated place. The witness shall be instructed by the chair
2480 not to discuss the testimony of the witness or the testimony of
2481 any other person with anyone until the meeting has been
2482 adjourned and the witness has been discharged by the chair. The
2483 witness shall be further instructed that if any person discusses
2484 or attempts to discuss the matter under investigation with the
2485 witness after receiving such instructions, the witness shall
2486 bring such matter to the attention of such committee. No member
2487 of such committee or representative thereof may discuss any
2488 matter or matters pertinent to the subject matter under
2489 investigation with any witness to be called before such
2490 committee from the time that these instructions are given until
2491 the meeting has been adjourned and the witness has been

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2492 discharged by the chair. Any person violating this subsection
2493 shall be in contempt of the House.

2494 (e) Any standing or select committee taking sworn
2495 testimony from witnesses as provided in these rules shall cause
2496 a record to be made of all proceedings in which testimony or
2497 other evidence is demanded or adduced, which record shall
2498 include rulings of the chair, questions of such committee and
2499 its staff, the testimony or responses of witnesses, sworn
2500 written statements submitted to the committee, and such other
2501 matters as the committee or its chair may direct.

2502 (f) A witness at a meeting, upon advance request and at
2503 the witness's own expense, shall be furnished a certified
2504 transcript of the witness's testimony at the meeting.

2505

2506 16.5—Right of Other Persons to be Heard

2507 (a) Any person who, in the opinion of the committee, is
2508 adversely affected as a result of being mentioned or otherwise
2509 identified during a meeting being conducted for the purpose of
2510 taking sworn testimony from witnesses of any standing or select
2511 committee may, upon the request of the person or upon the
2512 request of any member of such committee, appear personally
2513 before such committee and testify on the person's own behalf,
2514 or, with such committee's consent, file a sworn written
2515 statement of facts or other documentary evidence for
2516 incorporation into the record of the meeting. Any such witness,

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2517 | however, shall, before filing such statement, consent to answer
2518 | questions from such committee regarding the contents of the
2519 | statement.

2520 | (b) Upon the consent of a majority of the members present,
2521 | a quorum having been established, any standing or select
2522 | committee may permit any other person to appear and testify at a
2523 | meeting or submit a sworn written statement of facts or other
2524 | documentary evidence for incorporation into the record. No
2525 | request to appear, appearance, or submission shall limit in any
2526 | way the committee's power of subpoena. Any such witness,
2527 | however, shall, before filing such statement, consent to answer
2528 | questions from any standing or select committee regarding the
2529 | contents of the statement.

2530

2531 | 16.6—Enforcement of Subpoena Out of Session

2532 | If any witness fails to respond to the lawful subpoena of any
2533 | standing or select committee at a time when the Legislature is
2534 | not in session or, having responded, fails to answer all lawful
2535 | inquiries or to turn over evidence that has been subpoenaed,
2536 | such committee may file a complaint before any circuit court of
2537 | the state setting up such failure on the part of the witness. On
2538 | the filing of such complaint, the court shall take jurisdiction
2539 | of the witness and the subject matter of the complaint and shall
2540 | direct the witness to respond to all lawful questions and to
2541 | produce all documentary evidence in the possession of the

2542 witness that is lawfully demanded. The failure of any witness to
 2543 comply with such order of the court shall constitute a direct
 2544 and criminal contempt of court, and the court shall punish such
 2545 witness accordingly.

2546

2547 16.7-Definition

2548 Pursuant to Rule 7.1(b) and for purposes of Rule 16, the term
 2549 "committee" includes the House and any subcommittee thereof.

2550

2551 RULE SEVENTEEN-ETHICS AND CONDUCT OF LOBBYISTS

2552

2553 17.1-Obligations of a Lobbyist

2554 (a) A lobbyist shall supply facts, information, and
 2555 opinions of principals to legislators from the point of view
 2556 that the lobbyist openly declares. A lobbyist shall not offer or
 2557 propose anything that may reasonably be construed to improperly
 2558 influence the official act, decision, or vote of a legislator,
 2559 nor shall a lobbyist attempt to improperly influence the
 2560 selection of officers or employees of the House. A lobbyist, by
 2561 personal example and admonition to colleagues, shall maintain
 2562 the honor of the legislative process, including faithful
 2563 adherence to the rules of the House, by the integrity of the
 2564 lobbyist's relationship with legislators as well as with the
 2565 principals whom the lobbyist represents. Each lobbyist shall
 2566 conduct himself or herself at all times in a manner that

2567 promotes a professional environment in the House, exemplifies
2568 proper conduct in public meetings, promotes lawful conduct by
2569 all involved in the legislative process, and contributes to an
2570 environment free from harassment and discrimination. Each
2571 lobbyist shall respect and support the honorable conduct of the
2572 members of the House and discourage unlawful conduct.

2573 (b) A lobbyist shall not knowingly and willfully falsify,
2574 conceal, or cover up, by any trick, scheme, or device, a
2575 material fact; make any false, fictitious, or fraudulent
2576 statement or representation; or make or use any writing or
2577 document knowing the same to contain any false, fictitious, or
2578 fraudulent statement or entry.

2579 (c) During a regular session or any extended or special
2580 session, a lobbyist may not contribute to a member's campaign.

2581 (d) A lobbyist may not make any expenditure prohibited by
2582 s. 11.045(4)(a), Florida Statutes.

2583 (e) No registered lobbyist shall be permitted upon the
2584 floor of the House while it is in session.

2585 (f) A member shall not be directly or indirectly lobbied
2586 via electronic communication while the House is in daily session
2587 or during any meeting of a committee or subcommittee to which
2588 the House member has been appointed. The term "electronic
2589 communication" includes, but is not limited to, e-mail, text
2590 messaging, social media messaging, and image sharing.

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2591 (g) A lobbyist who was a member of the Legislature at any
2592 time after November 8, 2016, may not lobby the House for a
2593 period of 6 years following vacation of office as a member of
2594 the Legislature. This rule does not apply to a public officer
2595 who is carrying out the duties of his or her public office.

2596 (h) A lobbyist may not lobby the House for any purpose
2597 with respect to any issue, amendment, bill, or appropriation
2598 unless the lobbyist has filed a House appearance record with the
2599 Public Integrity & Elections Committee identifying the specific
2600 matter and each principal represented thereon. The record shall
2601 be filed in the manner directed by the Speaker in advance of
2602 lobbying on the matter. On matters other than specific bills or
2603 amendments identified by bill or amendment number, an issue or
2604 appropriation must be identified with specificity sufficient to
2605 give notice of each particular legislative subject or proposal
2606 that is a subject of any communication that constitutes
2607 lobbying.

2608 (i) A lobbyist or lobbying firm shall file with the Public
2609 Integrity & Elections Committee a true and correct copy of the
2610 lobbying contract and any addendum thereto, including accurate
2611 information regarding fees to be paid under such contract, when
2612 the lobbyist or lobbying firm registers to lobby the Legislature
2613 or the Executive Branch on behalf of any officer of this state;
2614 any executive or judicial department of this state; any
2615 political subdivision, special district, public authority,

2616 public hospital, council, commission, unit of local government,
2617 or public education entity in this state; or any authority,
2618 council, commission, direct-support organization, institution,
2619 foundation, or similar entity that is created by law or
2620 ordinance to pursue a public purpose, entitled by law or
2621 ordinance to any distribution of tax or fee revenues, or
2622 organized for the sole purpose of supporting one of the public
2623 entities listed in this subsection. This subsection does not
2624 apply if the lobbyist is an employee of such principal, the
2625 lobbyist's salary is published on the Internet, and the lobbyist
2626 does not engage in lobbying on behalf of any other principal.

2627

2628 17.2-Advisory Opinions; Compilation Thereof

2629 A lobbyist, when in doubt about the applicability and
2630 interpretation of Rule 17.1 in a particular context related to
2631 that lobbyist's conduct, or any person when in doubt about the
2632 applicability and interpretation of s. 11.045, s. 112.3148, or
2633 s. 112.3149, Florida Statutes, as such statute or statutes may
2634 apply to that person, may request an advisory opinion under this
2635 rule. Such request shall be in writing, addressed to the
2636 Speaker, and shall contain the relevant facts. The Speaker shall
2637 either refer the issue to the House general counsel for review
2638 and drafting of an advisory opinion of the Speaker or refer the
2639 issue to a committee designated by the Speaker to have
2640 responsibility for the ethical conduct of lobbyists, and the

2641 person requesting the advisory opinion may appear in person
2642 before such committee. The Speaker or this committee shall
2643 render advisory opinions to the person who seeks advice as to
2644 whether the facts as described in the request and any
2645 supplemental communication would constitute a violation of such
2646 rule or statute by that person. Such opinion, until amended or
2647 revoked, shall be binding upon the House in any proceeding upon
2648 a subsequent complaint concerning the person who sought the
2649 opinion and acted on it in good faith, unless material facts
2650 were omitted or misstated in the request for the advisory
2651 opinion. Upon request of the person who requested the advisory
2652 opinion or any member, the committee designated by the Speaker
2653 to have responsibility for the ethical conduct of lobbyists may
2654 revise any advisory opinion issued by the Speaker or may revise
2655 any advisory opinion issued by the general counsel of the Office
2656 of Legislative Services under Joint Rule 1.8. The House general
2657 counsel or this committee shall make sufficient deletions to
2658 prevent disclosing the identity of persons in the decisions or
2659 opinions. All advisory opinions of the Speaker or this committee
2660 shall be numbered, dated, and published in an annual publication
2661 of the House. The Clerk shall keep a compilation of all advisory
2662 opinions.

2663

2664 17.3—Penalties for Violations

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2665 Separately from any prosecutions or penalties otherwise provided
2666 by law, any person determined to have violated the foregoing
2667 requirements of Rule 17, any provision in Joint Rule One, or s.
2668 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, may be
2669 reprimanded, censured, prohibited from lobbying for all or any
2670 part of the legislative biennium during which the recommended
2671 order is proposed, or have such other penalty imposed as may be
2672 appropriate. Such determination shall be made by a majority of
2673 the House, upon recommendation of the Public Integrity &
2674 Elections Committee pursuant to Rule 18. Any prohibition or
2675 other limitation imposed by the House may be continued for up to
2676 a total of 2 years by a determination made by a majority of the
2677 House at or following the organization session following the
2678 biennium during which such prohibition or other limitation was
2679 imposed.

2680

2681 RULE EIGHTEEN—COMPLAINTS AGAINST MEMBERS AND OFFICERS OF THE
2682 HOUSE, LOBBYISTS, AND OTHER PERSONS

2683

2684 18.1—Complaints Against Members and Officers of the House,
2685 Lobbyists, and Other Persons; Procedure
2686 Rule 18 governs proceedings on all complaints under the
2687 jurisdiction of the House. Such complaints include, but are not
2688 limited to:

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2689 (a) Those alleging violation of law, violation of the
 2690 House Code of Conduct, or improper conduct of a member or
 2691 officer that may reflect upon the House; or

2692 (b) Violations of House Rule 17.1, Joint Rule One, or s.
 2693 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, by any
 2694 lobbyist or person other than a member of the House. For
 2695 purposes of this rule, receipt of audit information indicating a
 2696 possible violation of Joint Rule One shall be treated as a
 2697 complaint.

2698
 2699 18.2-Violations; Investigations

2700 (a) Any person may file a sworn complaint with the chair
 2701 of the Public Integrity & Elections Committee alleging a
 2702 violation as provided in Rule 18.1. The complaint shall contain
 2703 the name and legal address of the person filing the complaint
 2704 ("complainant"), be based on the complainant's personal
 2705 knowledge, state detailed facts, specify the actions of the
 2706 named respondent which form the basis for the complaint, and
 2707 identify each specific rule or law alleged by the complainant to
 2708 have been violated.

2709 (b) Upon a determination by the chair of the Public
 2710 Integrity & Elections Committee that the complaint states facts
 2711 supporting a finding of probable cause, the Speaker shall refer
 2712 the complaint to a special master or to a select committee. Upon
 2713 a determination by the chair of the Public Integrity & Elections

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2714 Committee that the complaint fails to state facts supporting a
2715 finding of probable cause, the complaint shall be dismissed.

2716 (c) Upon referral by the Speaker of a complaint under
2717 subsection (b), the special master or select committee shall
2718 conduct an investigation, shall give reasonable notice to the
2719 respondent, and shall grant the respondent an opportunity to be
2720 heard unless the investigation fails to reveal facts supporting
2721 a finding of probable cause. A special master's or select
2722 committee's report and recommendation is advisory only and shall
2723 be presented to the chair of the Public Integrity & Elections
2724 Committee as soon as practicable after the close of the
2725 investigation. If the report and recommendation conclude that
2726 the facts do not support a finding of probable cause, the
2727 complaint shall be dismissed by the chair of the Public
2728 Integrity & Elections Committee.

2729 (d) If the report and recommendation of the special master
2730 or the select committee conclude that the facts support a
2731 finding of probable cause, the Public Integrity & Elections
2732 Committee shall consider the report and recommendation, may make
2733 further inquiry, shall grant the respondent an opportunity to be
2734 heard, and shall develop its own recommendation. If the
2735 complaint is against the chair of the Public Integrity &
2736 Elections Committee, the chair is excused and the vice chair
2737 shall preside over the deliberation. If the Public Integrity &
2738 Elections Committee votes to dismiss the complaint, the chair of

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2739 | the Public Integrity & Elections Committee or vice chair shall
 2740 | dismiss the complaint. Otherwise, the special master's or select
 2741 | committee's report and recommendation and the recommendation of
 2742 | the Public Integrity & Elections Committee shall be presented to
 2743 | the Speaker.

2744 | (e) The Speaker shall present the committee's
 2745 | recommendation, along with the report and recommendation of the
 2746 | special master or the select committee, to the House for final
 2747 | action.

2748 | (f) Nothing in this rule prohibits the chair of the Public
 2749 | Integrity & Elections Committee from correcting or preventing
 2750 | the alleged violation by informal means if the chair determines
 2751 | that a violation is inadvertent, technical, or otherwise de
 2752 | minimis.

2753 | (g) Nothing in this rule prohibits the respondent and the
 2754 | chair of the Public Integrity & Elections Committee, the special
 2755 | master, or a select committee from agreeing to a consent decree,
 2756 | which shall state findings of fact, and such penalty as may be
 2757 | appropriate. If the House accepts the consent decree, the
 2758 | complaint pursuant to these rules shall be resolved.

2759 | (h) The House may move forward with disciplinary
 2760 | proceedings without waiting for the outcome of a criminal case.

2761 |
 2762 | 18.3—Confidentiality

2763 Any material provided to the House in response to a complaint
2764 filed under Rule 18 that is confidential under applicable law
2765 shall remain confidential and shall not be disclosed except as
2766 authorized by applicable law. Except as otherwise provided in
2767 this rule, a complaint and the records relating to a complaint
2768 shall be available for public inspection upon the dismissal of a
2769 complaint, a determination as to probable cause, informal
2770 resolution of a complaint, or the receipt by the Speaker of a
2771 request in writing from the respondent that the complaint and
2772 other records relating to the complaint be made public records.

2773

2774 18.4—Conflict

2775 If a complaint is filed against the chair of the Public
2776 Integrity & Elections Committee, the initial review of the
2777 complaint shall be managed by the Speaker or, if designated by
2778 the Speaker, the Speaker pro tempore. If a complaint is filed
2779 against the Speaker, the duties of the Speaker pursuant to Rule
2780 18 shall be transferred to the Speaker pro tempore.

2781

2782 18.5—Time Limitations

2783 (a) A complaint must be filed with the chair of the Public
2784 Integrity & Elections Committee within 2 years after the alleged
2785 violation.

2786 (b) A violation of the House Code of Conduct is committed
2787 when every element necessary to establish a violation of the

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2788 rule has occurred, and time starts to run on the day after the
 2789 violation occurred.

2790 (c) The applicable period of limitation is tolled on the
 2791 day a sworn complaint is filed with the chair of the Public
 2792 Integrity & Elections Committee.

2793

2794 RULE NINETEEN—IMPEACHMENT

2795

2796 19.1—Definitions

2797 (a) The House construes "misdemeanor in office" to
 2798 include, without limitation:

2799 (1) Any wrongful act that is contrary to justice, honesty,
 2800 principles, or good morals performed by virtue or under
 2801 authority of office;

2802 (2) Any willful malfeasance, misfeasance, or nonfeasance
 2803 in office;

2804 (3) Any breach of expectations of conduct and motivation
 2805 associated with the office, including, but not limited to:

2806 a. A wrongful official act or omission to perform an
 2807 official duty;

2808 b. Acceptance of any bribe;

2809 c. Failure to report any attempted bribe to appropriate
 2810 law enforcement officials;

2811 d. Acceptance of any gift, compensation, or other benefit
 2812 prohibited to the officer by any law or binding rule of conduct;

2813 e. Acceptance of any undisclosed income if disclosure is
 2814 required by law or binding rule of conduct;

2815 f. Acceptance of any undisclosed compensation, gift,
 2816 reimbursement, or other benefit valued in excess of \$100 without
 2817 making public disclosure on an official internet website within
 2818 180 days after receipt, or as otherwise required by law or
 2819 binding rule of conduct, if the law would require disclosure if
 2820 such benefit were accepted by a member of the Legislature;

2821 g. Failure to maintain a professional environment in the
 2822 administration of the office free of unlawful discrimination and
 2823 free of harassment or abuse of employees or members of the
 2824 public served by the office;

2825 h. Failure to abide by ethics laws and rules or public
 2826 corruption laws governing conduct in office;

2827 i. Failure to avoid any appearance of impropriety;

2828 j. Any act injurious to the honor of the State of Florida
 2829 or of any of its officers or employees unless such act is
 2830 justified by official duty; or

2831 k. Gross failure to discourage such misconduct by other
 2832 officers subject to impeachment; or

2833 (4) Any conduct unbecoming of a public officer, including,
 2834 but not limited to:

2835 a. Commission of any felony under any jurisdiction;

2836 b. Commission of any breach of peace in any place;

2837 c. Sexual harassment;

- 2838 d. Invidious discrimination;
- 2839 e. Solicitation or acceptance of campaign contributions or
 2840 expenditure of campaign funds in a manner that violates any law
 2841 or binding rule of conduct, or acquiescence in such conduct by
 2842 an agent of the candidate's campaign;
- 2843 f. Any act contrary to the peace and dignity of the State
 2844 of Florida; or
- 2845 g. Gross failure to discourage such conduct by
 2846 subordinates or by other officers subject to impeachment.
- 2847 (b) For purposes of this rule:
- 2848 (1) "Sexual harassment" means engaging in a sexual or
 2849 romantic relationship with any person other than one's spouse if
 2850 such person is a subordinate or an employee of a subordinate or
 2851 an employee of a colleague officer or any related conduct that
 2852 would be grounds for dismissal if committed by a state employee
 2853 in any state agency or legislative or judicial body. It also
 2854 includes solicitation of such relationship. For purposes of this
 2855 definition, "colleague officer" means:
- 2856 a. For a statewide elected officer, any other statewide
 2857 elected officer.
- 2858 b. For any other constitutional officer, any
 2859 constitutional officer serving the same county, circuit, or
 2860 district.
- 2861 (2) "Breach of peace" means any act or conduct that
 2862 seriously endangers or disturbs public peace and order,

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2863 including, but not limited to, any act of unjustified violence
2864 against any person or property and malicious destruction of
2865 property.

2866 (3) "Gross failure to discourage" means having actual
2867 knowledge of wrongful conduct of another person and neglecting
2868 to admonish appropriate behavior of such person, covering up
2869 inappropriate behavior of such person, failing to exercise
2870 vested authority to correct or discipline inappropriate behavior
2871 of such person, or failing to report inappropriate behavior of
2872 such person when there is a duty to report.

2873

2874 19.2—Procedure

2875 The House may act in session upon any resolution of impeachment
2876 filed in the House, notwithstanding any deadline for filing
2877 substantive resolutions, or may proceed on any complaint against
2878 an officer subject to impeachment in accordance with Rule 18.

2879

2880 19.3—Impeachment Managers

2881 When the House is in recess or not in session, the Speaker may
2882 appoint a replacement for any impeachment manager appointed by
2883 the House if the manager neglects or cannot perform the duties
2884 of a manager or if the manager resigns. The Speaker shall be the
2885 sole judge of such matters subject only to an appeal to the
2886 House filed with the Clerk during a legislative session if filed

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2887 | within 48 hours after the Clerk publishes such replacement
2888 | appointment.