

Introduced by Senator Alquist

April 25, 2011

Senate Concurrent Resolution No. 41—Relative to the adoption of the Joint Rules of the Senate and Assembly for the 2011–12 Regular Session.

LEGISLATIVE COUNSEL’S DIGEST

SCR 41, as introduced, Alquist. Joint Rules.

This measure adopts the Joint Rules of the Senate and Assembly for the 2011–12 Regular Session.

Fiscal committee: no.

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the following rules be adopted as the Joint Rules of the Senate and Assembly for the 2011–12 Regular Session:

JOINT RULES OF THE SENATE AND ASSEMBLY

Standing Committees

1. Each house shall appoint standing committees as the business of the house may require, the committees, the number of members, and the manner of selection to be determined by the rules of each house.

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2 Joint Meeting of Committees
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5 3. Whenever any bill has been referred by the Senate to one of
6 its committees, and the same or a like bill has been referred by the
7 Assembly to one of its committees, the chairpersons of the
8 respective committees, when in their judgment the interests of
9 legislation or the expedition of business will be better served
10 thereby, shall arrange for a joint meeting of their committees for
11 the consideration of the bill.
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14 Effect of Adoption of Joint Rules
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17 3.5. The adoption of the Joint Rules for any extraordinary
18 session may not be construed as modifying or rescinding the Joint
19 Rules of the Senate and Assembly for any previous session, nor
20 as affecting in any way the status or powers of the committees
21 created by those rules.
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24 Definition of Word “Bill”
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27 4. Whenever the word “bill” is used in these rules, it includes
28 any constitutional amendment, any resolution ratifying a proposed
29 amendment to the United States Constitution, and any resolution
30 calling for a constitutional convention.
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33 Concurrent and Joint Resolutions
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36 5. Concurrent resolutions relate to matters to be treated by both
37 houses of the Legislature.

38 Joint resolutions relate to matters connected with the federal
39 government.
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Resolutions Treated as Bills

6. Concurrent and joint resolutions, other than resolutions ratifying proposed amendments to the United States Constitution and resolutions calling for constitutional conventions, shall be treated in all respects as bills except as follows:

(a) They shall be given only one formal reading in each house.

(b) They may not be deemed bills within the meaning of subdivision (a) of Section 8 of Article IV of the California Constitution.

(c) They may not be deemed bills for the purposes of Rules 10.8, 53, 55, 56, and 61, subdivisions (a) and (c) of Rule 54, and subdivisions (a) and (b) of Rule 62.

(d) They may not, except for those relating to voting procedures on the floor or in committee, be deemed bills for the purposes of subdivision (c) of Rule 62.

PREPARATION AND INTRODUCTION OF BILLS

Title of Bill

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall indicate the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number is not deemed sufficient.

Division of Bill Into Sections

8. A bill amending more than one section of an existing law shall contain a separate section for each section amended.

Bills that are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the

1 sense of any particular section, to the end that future amendments
2 may be made without the necessity of setting forth and repeating
3 sections of unnecessary length.

6 Digest of Bills Introduced

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9 8.5. A bill may not be introduced unless it is contained in a
10 cover attached by the Legislative Counsel and it is accompanied
11 by a digest, prepared and attached to the bill by the Legislative
12 Counsel, showing the changes in the existing law that are proposed
13 by the bill. A bill may not be printed where the body of the bill or
14 the Legislative Counsel's Digest has been altered, unless the
15 alteration has been approved by the Legislative Counsel. If any
16 bill is presented to the Secretary of the Senate or Chief Clerk of
17 the Assembly for introduction that does not comply with the
18 foregoing requirements of this rule, the Secretary or Chief Clerk
19 shall return it to the Member who presented it. The digest shall be
20 printed on the bill as introduced, commencing on the first page
21 thereof.

24 Digest of Bills Amended

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27 8.6. Whenever a bill is amended in either house, the Secretary
28 of the Senate or the Chief Clerk of the Assembly, as the case may
29 be, shall request the Legislative Counsel to prepare an amended
30 digest and cause it to be printed on the first page of the bill as
31 amended. The digest shall be amended to show changes in the
32 existing law that are proposed by the bill as amended, with any
33 material changes in the digest indicated by the use of appropriate
34 type.

37 Errors in Digest

8.7. If a material error in a printed digest referred to in Rule 8.5 or 8.6 is brought to the attention of the Legislative Counsel, he or she shall prepare a corrected digest that shows the changes made in the digest as provided in Rule 10 for amendments to bills. He or she shall deliver the corrected digest to the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be. If the correction so warrants in the opinion of the President pro Tempore of the Senate or the Speaker of the Assembly, a corrected print of the bill as introduced shall be ordered with the corrected digest printed thereon.

Bills Amending Title 9 of the Government Code

8.8. A Member who is the first-named author of a bill that would amend, add, or repeal any provision of Title 9 (commencing with Section 81000) of the Government Code, upon introduction or amendment of the bill in either house, shall notify the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, of the nature of the bill. Thereafter, the Chief Clerk of the Assembly or the Secretary of the Senate shall deliver a copy of the bill as introduced or amended to the Fair Political Practices Commission pursuant to Section 81012 of the Government Code.

Bills Amending the California Stem Cell Research and Cures Act

8.9. A Member who is the first-named author of a bill that would amend, add, or repeal any statutory provision of the California Stem Cell Research and Cures Act, other than the bond provisions thereof, upon introduction or amendment of the bill in either house, shall notify the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, of the nature of the bill. At least 14 days prior to passage in the Assembly or Senate, respectively, the Chief Clerk of the Assembly or the Secretary of the Senate shall make copies of the bill as introduced or amended available in the Bill Room for access by the public and news media.

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3 Restrictions as to Amendments
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6 9. A substitute or amendment must relate to the same subject
7 as the original bill, constitutional amendment, or resolution under
8 consideration. An amendment is not in order when all that would
9 be done to the bill is the addition of a coauthor or coauthors, unless
10 the Committee on Rules of the house in which the amendment is
11 to be offered grants prior approval.
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14 Changes in Existing Law to be Marked by Author
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17 10. In a bill amending or repealing a code section or a general
18 law, any new matter shall be underlined, and any matter to be
19 omitted shall be in type bearing a horizontal line through the center
20 and commonly known as “strikeout” type. When printed the new
21 matter shall be printed in italics, and the matter to be omitted shall
22 be printed in “strikeout” type.

23 In an amendment to a bill that sets out for the first time a section
24 being amended or repealed, any new matter to be added and any
25 matter to be omitted shall be indicated by the author and shall be
26 printed in the same manner as though the section as amended or
27 repealed was a part of the original bill and was being printed for
28 the first time.

29 When an entire code is repealed as part of a codification or
30 recodification, or when an entire title, part, division, chapter, or
31 article of a code is repealed, the sections comprising the code, title,
32 part, division, chapter, or article shall not be set forth in the bill or
33 amendment in strikeout type.
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36 Rereferral to Fiscal and Rules Committees
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39 10.5. A bill shall be rereferred to the fiscal committee of each
40 house when it would do any of the following:

1 (1) Appropriate money.

2 (2) Result in a substantial expenditure of state money.

3 (3) Result in a substantial loss of revenue to the state.

4 (4) Result in substantial reduction of expenditures of state money
5 by reducing, transferring, or eliminating any existing
6 responsibilities of any state agency, program, or function.

7 Concurrent and joint resolutions shall be rereferred to the fiscal
8 committee of each house when they contemplate any action that
9 would involve any of the following:

10 (1) Any substantial expenditure of state money.

11 (2) Any substantial loss of revenue to the state.

12 The above requirements do not apply to bills or concurrent
13 resolutions that contemplate the expenditure or allocation of
14 operating funds.

15 A bill that assigns, requests, or requires a study, or is amended
16 to assign, request, or require a study, shall be referred to the
17 respective Committees on Rules.

18 This rule may be suspended in either house as to any particular
19 bill by approval of the Committee on Rules of the house and
20 two-thirds vote of the membership of the house.

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23 Short Title

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26 10.6. A bill may not add a short title that names a current or
27 former Member of the Legislature.

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30 Heading of Bills

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33 10.7. A bill or resolution may be authored only by a Member
34 or committee of the house of origin. Members or committees that
35 are not of the house of origin may be “principal coauthors” or
36 “coauthors.” A bill may not indicate in its heading or elsewhere
37 that it was introduced at the request of a state agency or officer or
38 any other person. A bill may not contain the words “By request”
39 or words of similar import.

Consideration of Bills

10.8. The limitation contained in subdivision (a) of Section 8 of Article IV of the Constitution may be dispensed with as follows:

(a) A written request for dispensation entitled “Request to Consider and Act on Bill Within 30 Calendar Days” shall be filed with the Chief Clerk of the Assembly or the Secretary of the Senate, as the case may be, and transmitted to the Committee on Rules of the appropriate house.

(b) The Committee on Rules of the Assembly or Senate, as the case may be, shall determine whether there exists an urgent need for dispensing with the 30-calendar-day waiting period following the bill’s introduction.

(c) If the Committee on Rules recommends that the waiting period be dispensed with, the Member may offer a resolution, without further reference thereof to committee, authorizing hearing and action upon the bill before the 30 calendar days have elapsed. The adoption of the resolution requires an affirmative recorded vote of three-fourths of the elected Members of the house in which the resolution is presented.

Printing of Amendments

11. (a) Any bill amended by either house shall be immediately reprinted. Except as otherwise provided in subdivision (b), if new matter is added by the amendment, the new matter shall be printed in italics in the printed bill; if matter is omitted, the matter to be omitted shall be printed in strikeout type. When a bill is amended in either house, the first or previous markings shall be omitted.

(b) If amendments to a bill, including the report of a committee on conference, are adopted that omit the entire contents of the bill, the matter omitted need not be reprinted in the amended version of the bill. Instead, the Secretary of the Senate or the Chief Clerk of the Assembly, as the case may be, may select the amended bill and cause to be printed a brief statement to appear after the last

1 line of the amended bill identifying which previously printed
2 version of the bill contains the complete text of the omitted matter.

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5 Manner of Printing Bills
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8 12. The State Printer shall observe the directions of the Joint
9 Rules Committee in printing all bills, constitutional amendments,
10 and concurrent and joint resolutions.
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13 Distribution of Legislative Publications
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16 13. The Secretary of the Senate and the Chief Clerk of the
17 Assembly shall order a sufficient number of bills and legislative
18 publications as may be necessary for legislative requirements.

19 A complete list of bills may not be delivered except upon
20 payment therefor of the amount fixed by the Joint Rules Committee
21 for any regular or extraordinary session. No more than one copy
22 of any bill or other legislative publication, nor more than a total
23 of 100 bills or other legislative publications during a session, may
24 be distributed free to any person, office, or organization. The
25 limitations imposed by this paragraph do not apply to Members
26 of the Legislature, the Secretary of the Senate, or the Chief Clerk
27 of the Assembly for the proper functioning of their respective
28 houses; the Legislative Counsel Bureau; the Attorney General's
29 office; the Secretary of State's office; the Controller's office; the
30 State Treasurer's office; the Insurance Commissioner's office; the
31 Superintendent of Public Instruction; the State Board of
32 Equalization; the Governor's office; the Lieutenant Governor's
33 office; the Clerk of the Supreme Court; the clerk of the court of
34 appeal for each district; the Judicial Council; the California Law
35 Revision Commission; the State Library; the Library of Congress;
36 the libraries of the University of California at Berkeley and at Los
37 Angeles; or accredited members of the press. The State Printer
38 shall fix the cost of the bills and publications, including postage,
39 and moneys as may be received by him or her shall, after deducting
40 the cost of handling and mailing, be remitted on the first day of

1 each month, one-half each to the Secretary of the Senate and the
2 Chief Clerk of the Assembly for credit to legislative printing.
3 Legislative publications heretofore distributed through the Bureau
4 of Documents shall be distributed through the Bill Room. Unless
5 otherwise provided for, the total number of each bill to be printed
6 may not exceed 2,500.

7 8 9 Legislative Index

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12 13.1. The Legislative Counsel shall provide for the periodic
13 publication of a cumulative Legislative Index, which shall include
14 tables of sections affected by pending legislation. The State Printer
15 shall print the Legislative Index in the quantities, and at the times,
16 determined by the Secretary of the Senate and the Chief Clerk of
17 the Assembly. The costs of that printing shall be paid from the
18 legislative printing appropriation.

19 20 21 Summary Digest

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24 13.3. The Legislative Counsel shall compile and prepare for
25 publication a summary digest of legislation passed at each regular
26 and extraordinary session, which digest shall be prepared in a form
27 suitable for inclusion in the publication of statutes. The digest shall
28 be printed as a separate legislative publication on the order of the
29 Joint Rules Committee, and may be made available to the public
30 in the quantities, and at the prices, determined by the Joint Rules
31 Committee.

32 33 34 Statutory Record

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37 13.5. The Legislative Counsel shall prepare for publication
38 from time to time a cumulative statutory record. The statutory
39 record shall be printed as a legislative publication on the order of
40 the Secretary of the Senate or the Chief Clerk of the Assembly.

OTHER LEGISLATIVE PRINTING

Printing of the Daily Journal

14. The State Printer shall print, in the quantities directed by the Secretary of the Senate and the Chief Clerk of the Assembly, copies of the Daily Journal of each day's proceedings of each house. At the end of the session he or she shall also print, as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, a sufficient number of copies properly paged after being corrected and indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, to bind in book form as the Daily Journal of the respective houses of the Legislature.

What Shall Be Printed in the Daily Journal

15. The following shall be printed in the Daily Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions, and constitutional amendments when introduced in, offered to, or acted upon by, the house.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial, or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

Printing of the Daily File

16. A Daily File of bills ready for consideration shall be printed each day for each house when the Legislature is not in joint recess, except days when a house does not meet.

Printing of History

17. Each house shall cause to be printed, once each week, a complete Weekly History of all bills, constitutional amendments, and concurrent, joint, and house resolutions originating in, considered by, or acted upon by, the respective houses and committees thereof. A regular form shall be prescribed by the Secretary of the Senate and the Chief Clerk of the Assembly. The Weekly History shall show the action taken upon each measure up to and including the legislative day preceding its issuance. Except for periods when the houses are in joint recess, for each day intervening there shall be published a Daily History or summary showing the consideration given to or action taken upon any measure since the issuance of the complete Weekly History.

Authority for Printing Orders

18. The State Printer may not print for use of either house, nor charge to legislative printing, any matter other than provided by law or by the rules, except upon a written order signed by the Secretary of the Senate, on behalf of the Senate, or the Chief Clerk of the Assembly or other person authorized by the Assembly, on behalf of the Assembly. Persons authorized to order printing under this rule may, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

The Secretary of the Senate, on behalf of the Senate, and the Chief Clerk of the Assembly or other person authorized by the Assembly, on behalf of the Assembly, are hereby authorized and directed to order and distribute for the Members stationery and legislative publications for which there is a demand, and, subject to the rules of their respective houses, to approve the bills covering those orders. All bills for printing must be presented by the State Printer within 30 days after the completion of the printing.

RECORD OF BILLS

Secretary and Chief Clerk to Keep Records

19. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a complete and accurate record of every action taken by the Senate and Assembly on every bill.

Secretary and Chief Clerk Shall Endorse Bills

20. The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original or engrossed bill a statement of any action taken by the Senate or Assembly concerning the bill.

ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM
THE OTHER

After a Bill Has Been Passed by the Senate or Assembly

21. When a bill has been passed by either house it shall be transmitted promptly to the other, unless a motion to reconsider or a notice of motion to reconsider has been made or it is held pursuant to some rule or order of the house.

The procedure of referring bills to committees shall be determined by the respective houses.

Messages to Be in Writing Under Proper Signatures

1 22. Notice of the action of either house to the other shall be in
2 writing and under the signature of the Secretary of the Senate or
3 the Chief Clerk of the Assembly, as the case may be. A receipt
4 shall be taken from the officer to whom the message is delivered.

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7 Consent Calendar: Uncontested Bills
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10 22.1. Each standing committee may report an uncontested bill
11 out of committee with the recommendation that it be placed on
12 the Consent Calendar. The Secretary of the Senate and the Chief
13 Clerk of the Assembly shall provide to each committee chairperson
14 appropriate forms for that report. As used in this rule, “uncontested
15 bill” means a bill that (a) receives a do-pass or do-pass-as-amended
16 recommendation from the committee to which it is referred, by
17 unanimous vote of the members present provided a quorum is
18 present, (b) has no opposition expressed by any person present at
19 the committee meeting with respect to the final version of the bill
20 as approved by the committee, and (c) prior to final action by the
21 committee, has been requested by the author to be placed on the
22 Consent Calendar.

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25 Consent Calendar
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28 22.2. Following its second reading and the adoption of any
29 committee amendments thereto, any bill certified by the committee
30 chairperson as an uncontested bill shall be placed by the Secretary
31 of the Senate or the Chief Clerk of the Assembly on the Consent
32 Calendar, and shall be known as a “Consent Calendar bill.” Any
33 Consent Calendar bill that is amended from the floor shall cease
34 to be a Consent Calendar bill and shall be returned to the Third
35 Reading File. Upon objection of any Member to the placement or
36 retention of any bill on the Consent Calendar, the bill shall cease
37 to be a Consent Calendar bill and shall be returned to the Third
38 Reading File. No Consent Calendar bill may be considered for
39 adoption until the second legislative day following the day of its
40 placement on the Consent Calendar.

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3 Consideration of Bills on Consent Calendar
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6 22.3. A bill on the Consent Calendar is not debatable, except
7 that the President of the Senate or the Speaker of the Assembly
8 shall allow a reasonable time for questions from the floor and shall
9 permit a proponent of the bill to answer the questions. Immediately
10 prior to voting on the first bill on the Consent Calendar, the
11 President of the Senate or the Speaker of the Assembly shall call
12 to the attention of the Members the fact that the next rollcall will
13 be the rollcall on the first bill on the Consent Calendar.

14 The Consent Calendar shall be considered as the last order of
15 business on the Daily File.
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18 PASSAGE AND ENROLLING OF BILL
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21 Procedure on Defeat of More Than Majority Bill
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24 23.5. Whenever a bill containing a section or sections requiring
25 for passage an affirmative recorded vote of more than 21 votes in
26 the Senate and more than 41 votes in the Assembly is being
27 considered for passage, and the urgency clause, if the bill is an
28 urgency bill, or the bill, in any case, fails to receive the necessary
29 votes to make all sections effective, further action may not be taken
30 on the bill, except that an amendment to remove all sections
31 requiring the higher vote for passage from the bill shall be in order
32 prior to consideration of further business. If the amendment is
33 adopted, the bill shall be reprinted to reflect the amendment. When
34 the bill is reprinted, it shall be returned to the same place on the
35 file that it occupied when it failed to receive the necessary votes.
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38 Enrollment of Bill After Passage
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1 24. After a bill has passed both houses it shall be printed in
2 enrolled form, omitting symbols indicating amendments, and shall
3 be compared by the Engrossing and Enrolling Clerk and the proper
4 committee of the house where it originated to determine that it is
5 in the form approved by the houses. The enrolled bill shall
6 thereupon be signed by the Secretary of the Senate and Chief Clerk
7 of the Assembly and, except as otherwise provided by these rules,
8 presented without delay to the Governor. The committee shall
9 report the time of presentation of the bill to the Governor to the
10 house and the record shall be entered in the Daily Journal. After
11 enrollment and signature by the officers of the Legislature,
12 constitutional amendments, and concurrent and joint resolutions,
13 shall be filed without delay in the office of the Secretary of State
14 and the time of filing shall be reported to the house and the record
15 entered in the Daily Journal.

16 17 18 AMENDMENTS AND CONFERENCES 19

20 21 Amendments to Amended Bills Must Be Attached 22

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24 25. Whenever a bill or resolution that has been passed in one
25 house is amended in the other, it shall immediately be reprinted
26 as amended by the house making the amendment or amendments.
27 One copy of the amendment or amendments shall be attached to
28 the bill or resolution so amended, and endorsed “adopted”; the
29 amendment or amendments, if concurred in by the house in which
30 the bill or resolution originated, shall be endorsed “concurred in”;
31 and the endorsement shall be signed by the Secretary or Assistant
32 Secretary of the Senate, or the Chief Clerk or Assistant Clerk of
33 the Assembly, as the case may be. However, an amendment to the
34 title of a bill adopted after the passage of the bill does not
35 necessitate reprinting, but the amendment must be concurred in
36 by the house in which the bill originated.

37 38 39 Amendments to Concurrent and Joint Resolutions 40

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2 25.5. When a concurrent or joint resolution is amended, and
3 the only effect of the amendments is to add coauthors, the joint or
4 concurrent resolution may not be reprinted unless specifically
5 requested by one of the added coauthors, but a list of the coauthors
6 shall appear in the Daily Journal and History.
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9 To Concur or Refuse to Concur in Amendments
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12 26. If the Senate amends and passes an Assembly bill, or the
13 Assembly amends and passes a Senate bill, the Senate (if it is a
14 Senate bill) or the Assembly (if it is an Assembly bill) must either
15 “concur” or “refuse to concur” in the amendments. If the Senate
16 concurs (if it is a Senate bill), or the Assembly concurs (if it is an
17 Assembly bill), the Secretary of the Senate or Chief Clerk of the
18 Assembly shall so notify the house making the amendments, and
19 the bill shall be ordered to enrollment.
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22 Reference to Committee
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25 26.5. Pursuant to Rule 26, whenever a bill is returned to its
26 house of origin for a vote on concurrence in an amendment made
27 in the other house, the Legislative Counsel shall promptly prepare
28 and transmit to the Chief Clerk of the Assembly and the Speaker
29 of the Assembly in the case of an Assembly bill, or to the Secretary
30 of the Senate and Chair of the Senate Committee on Rules in the
31 case of a Senate bill, a brief digest summarizing the effect of the
32 amendment made in the other house. The Secretary or Chief Clerk
33 shall, upon receipt from the Legislative Counsel, cause the digest
34 to be printed in the Daily File immediately following any reference
35 to the bill covered by the digest. A motion to concur or refuse to
36 concur in the amendment is not in order until the Legislative
37 Counsel’s Digest has appeared in the Daily File or an analysis of
38 the bill has been prepared and distributed pursuant to Senate Rule
39 29.8 or Assembly Rule 77.

1 If the digest discloses that the amendment of the other house has
2 made a substantial substantive change in the bill as first passed by
3 the house of origin, the bill, if it is a Senate bill, shall, on motion
4 of the Chair of the Senate Committee on Rules, be referred to the
5 Senate Committee on Rules for reference to an appropriate standing
6 committee. If the bill is an Assembly bill it shall be referred by
7 the Speaker to the appropriate committee.

8 Upon receipt of the bill, the committee may, by a vote of a
9 majority of its membership, recommend concurrence or
10 nonconcurrence in the amendment or hold the bill in committee.
11 The committee shall be subject to all the requirements for
12 procedure provided under Rule 62 for committees, other than
13 committees of first referral, and shall be subject to other
14 requirements for normal committee procedure as the Assembly or
15 Senate may separately provide in the standing rules of their
16 respective houses.

17 Any of the provisions of this rule may be dispensed with regard
18 to a particular bill in its house of origin upon an affirmative vote
19 of a majority of the Members of that house.

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22 Concurring in Amendments Adding Urgency Section
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25 27. When a bill that has been passed in one house is amended
26 in the other by the addition of a section providing that the act shall
27 take effect immediately as an urgency statute, and is returned to
28 the house in which it originated for concurrence in the amendment
29 or amendments thereto, the procedure and vote thereon shall be
30 as follows:

31 The presiding officer shall first direct that the urgency section
32 be read and put to a vote. If two-thirds of the membership of the
33 house vote in the affirmative, the presiding officer shall then direct
34 that the question of whether the house shall concur in the
35 amendment or amendments shall be put to a vote. If two-thirds of
36 the membership of the house vote in the affirmative, concurrence
37 in the amendments shall be effective.

38 If the affirmative vote on either of the questions is less than
39 two-thirds of the membership of the house, the effect is a refusal

1 to concur in the amendment or amendments, and the procedure
2 thereupon shall be as provided in Rule 28.

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5 When Senate or Assembly Refuses to Concur
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8 28. If the Senate (if it is a Senate bill) or the Assembly (if it is
9 an Assembly bill) refuses to concur in amendments to the bill made
10 by the other house, and the other house has been notified of the
11 refusal to concur, a conference committee shall be appointed for
12 each house in the manner prescribed by these rules. The Senate
13 Committee on Rules, on behalf of the Senate, and the Speaker of
14 the Assembly, on behalf of the Assembly, shall each appoint a
15 committee of three on conference, and the Secretary of the Senate
16 or the Chief Clerk of the Assembly shall immediately notify the
17 other house of the action taken.
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20 Committee on Conference
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23 28.1. (a) The Senate Committee on Rules and the Speaker of
24 the Assembly, in appointing a committee on conference, shall each
25 select two Members from those voting with the majority on the
26 point about which the difference has arisen, and the other Member
27 from the minority, in the event there is a minority vote.

28 Whether a Member has voted with the majority or minority on
29 the point about which the difference has arisen is determined by
30 his or her vote on the appropriate rollcall, as follows:

31 (1) In the Assembly—

32 (A) The rollcall on the question of final passage of a Senate bill
33 amended in the Assembly when the Senate has refused to concur
34 with the Assembly amendments.

35 (B) The rollcall on the question of concurrence with Senate
36 amendments to an Assembly bill.

37 (2) In the Senate—

38 (A) The rollcall on the question of final passage of an Assembly
39 bill amended in the Senate when the Assembly has refused to
40 concur with the Senate amendments.

1 (B) The rollcall on the question of concurrence with Assembly
2 amendments to a Senate bill.

3 (b) Either house may suspend this rule by a two-thirds vote of
4 the membership of the house.

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7 Meetings and Reports of Committees on Conference
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10 29. The first Senator named on the conference committee shall
11 act as chairperson of the committee from the Senate, and the first
12 Member of the Assembly named on the committee shall act as
13 chairperson of the committee from the Assembly. The chairperson
14 of the committee on conference for the house of origin of the bill
15 shall arrange the time and place of meeting of the conference
16 committee, and shall prepare or direct the preparation of reports.
17 It shall require an affirmative vote of not less than two of the
18 Assembly Members and two of the Senate Members constituting
19 the committee on conference to agree upon a report, and the report
20 shall be submitted to both the Senate and the Assembly. The
21 committee on conference shall report to both the Senate and the
22 Assembly. The report is not subject to amendment. If either house
23 refuses to adopt the report, the conferees shall be discharged and
24 other conferees appointed, except that no more than three different
25 conference committees may be appointed on any one bill. A
26 Member who has served on a committee on conference may not
27 be appointed a member of another committee on conference on
28 the same bill. It shall require the same affirmative recorded vote
29 to adopt any conference report as required by the California
30 Constitution upon the final passage of the bill affected by the
31 report. It shall require an affirmative recorded vote of two-thirds
32 of the entire elected membership of each house to adopt any
33 conference report affecting any bill that contains an item or items
34 of appropriation that are subject to subdivision (d) of Section 12
35 of Article IV of the California Constitution. The report of a
36 conference committee shall be in writing, and shall have affixed
37 thereto the signatures of each Senator and each Member of the
38 Assembly consenting to the report. Space shall also be provided
39 where a member of a conference committee may indicate his or
40 her dissent in the committee's findings. Any dissenting member

1 may have attached to a conference committee report a dissenting
2 report which shall not exceed, in length, the majority committee
3 report. A copy of any amendments proposed in the majority report
4 shall be placed on the desk of each Member of the house before
5 it is acted upon by the house.

6 The vote on concurrence or upon the adoption of the conference
7 report shall be deemed the vote upon final passage of the bill.

8
9
10 Conference Committees

11
12
13 29.5. (a) All meetings of any conference committee on the
14 Budget Bill shall be open and readily accessible to the public.

15 A conference committee on any bill may not meet, consider, or
16 act on the subject matter of the bill except in a meeting that is open
17 and readily accessible to the public, unless the action is on a report
18 determined by the Legislative Counsel to be nonsubstantive. The
19 Legislative Counsel shall examine each proposed report and shall
20 note upon the face of the report that the amendments proposed are
21 “substantive” or “nonsubstantive” as the case may be.

22 The chairperson of the conference committee of each house shall
23 give notice to the File Clerk of their respective houses of the time
24 and place of the meeting. Notice of each public meeting shall be
25 published in the Daily File of each house one calendar day prior
26 to the meeting, except that the notice is not required for a meeting
27 of a conference committee on the Budget Bill. When this
28 subdivision is waived with respect to a meeting of any public
29 conference committee, or when there is a meeting of a conference
30 committee on the Budget Bill, every effort shall be made to inform
31 the public that a meeting has been called. When this subdivision
32 has been waived with respect to the meeting of any public
33 conference committee, the chairperson of the conference committee
34 of each house shall immediately notify the chairperson of the policy
35 committee of their respective houses that considered the bill in
36 question of the waiver, and of the time and place of the meeting.

37 (b) The first committee on conference of the Budget Bill, if a
38 committee is appointed, shall submit its report to each house no
39 later than 15 days after the Budget Bill has been passed by both
40 houses. If the report is not submitted by that date, the conference

1 committee shall be deemed to have reached no agreement and shall
2 so inform each house pursuant to Rule 30.7.

3 (c) A committee on conference of the Budget Bill may consider
4 only differences between the Assembly version of the Budget Bill
5 as passed by the Assembly and the Senate version of the Budget
6 Bill as passed by the Senate, and may not approve any item of
7 expenditure or control that exceeds that contained in one of the
8 two versions before the conference committee.

9 (d) A conference committee on any bill, other than the Budget
10 Bill, may not approve any substantial financial provision in any
11 bill if the financial provision has not been heard by the fiscal
12 committee of each house, nor may any conference committee
13 approve substantial policy changes that have not been heard by
14 the policy committee of each house.

15 (e) A waiver of the one-calendar-day Daily File notice
16 requirement of subdivision (a) is not effective for longer than three
17 calendar days.

18 19 20 Conference Committee Reports 21 22

23 30. Upon submission of any report of a committee on
24 conference recommending that the bill be further amended, the
25 bill shall be reprinted incorporating the amendments recommended
26 by the conference committee. The consideration of the report of
27 a committee on conference is not in order until the bill, in the form
28 recommended by the report of the committee on conference, has
29 both been in print and been noticed in the Daily File for not less
30 than one legislative day.

31 If the conference committee's report recommends only that the
32 amendments of the Senate or the Assembly "be concurred in,"
33 consideration of the report shall be in order at any time, and
34 reprinting of the bill is not required, but notice shall appear in the
35 Daily File for not less than one legislative day.

36 A conference committee report is not in order unless it has been
37 received by the Secretary of the Senate and the Chief Clerk of the
38 Assembly at least three calendar days preceding the scheduled
39 commencement of the summer, interim, or final recess of the
40 Legislature.

1 This rule may be suspended as to any particular conference
2 committee report by a two-thirds vote of the membership of either
3 house.

4 This rule does not apply to a report of a committee on conference
5 on the Budget Bill.

6
7
8 Conference Committee Reports on Urgency Statutes
9

10
11 30.5. When the report of a committee on conference
12 recommends the amendment of a bill by the addition of a section
13 providing that the act shall take effect immediately as an urgency
14 statute, the procedure and the vote thereon shall be as follows:

15 The presiding officer shall first direct that the urgency section
16 be read and put to a vote. If two-thirds of the Members elected to
17 the house vote in the affirmative, the presiding officer shall then
18 direct that the question of whether the house shall adopt the report
19 of the committee on conference shall be put to a vote. If two-thirds
20 of the Members elected to the house vote in the affirmative, the
21 adoption of the report and the amendments proposed thereby shall
22 be effective.

23 If the affirmative vote on either of the questions is less than
24 two-thirds of the Members elected to the house, the effect is a
25 refusal to adopt the report of the committee on conference.

26
27
28 Failure to Agree on Report
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30

31 30.7. A conference committee may find and determine that it
32 is unable to submit a report to the respective houses, upon the
33 affirmative vote to that effect of not less than two of the Assembly
34 Members and not less than two of the Senate Members constituting
35 the committee. That finding may be submitted to the Chief Clerk
36 of the Assembly and the Secretary of the Senate in the form of a
37 letter from the chairperson of the committee on conference for the
38 house of origin of the bill, containing the signatures of the members
39 of the committee consenting to the finding and determination that
40 the committee is unable to submit a report. The Chief Clerk of the

1 Assembly and the Secretary of the Senate, upon being notified that
2 a conference committee is unable to submit a report, shall so inform
3 each house, whereupon the conferees shall be discharged and other
4 conferees appointed, in accordance with Rule 29.

5
6
7 MISCELLANEOUS PROVISIONS
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9

10 Authority When Rules Do Not Govern
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12

13 31. All relations between the houses that are not covered by
14 these rules shall be governed by Mason's Manual.
15
16

17 Press Rules
18
19

20 32. (a) Any person desiring privileges of an accredited press
21 representative shall make application to the Joint Rules Committee.
22 The application shall constitute compliance with any provisions
23 of the rules of the Assembly or the Senate with respect to
24 registration of news correspondents. The application shall state in
25 writing the name of any print or electronic periodic news
26 publication, news association, or radio or television station that
27 employs the press representative, and any other occupations or
28 employment he or she may have. The press representative shall
29 further declare in the application that he or she is not employed,
30 directly or indirectly, to assist in the prosecution of the legislative
31 business of any person, corporation, or association, and will not
32 become so employed while retaining the privilege of an accredited
33 press representative.

34 (b) The application required by subdivision (a) of this rule shall
35 be authenticated in a manner that is satisfactory to the Standing
36 Committee of the Capitol Correspondents Association, which shall
37 see that occupation of seats and desks in the Senate and the
38 Assembly Chambers is confined to bona fide correspondents of
39 reputable standing in their business, who represent news media
40 identified in subdivision (a). It is the duty of the standing

1 committee, at its discretion, to report any violation of accredited
2 press privileges to the Speaker of the Assembly or the Senate
3 Committee on Rules and, pending action thereon, the offending
4 correspondent may be suspended by the standing committee.

5 (c) Except as otherwise provided in this subdivision, persons
6 engaged in other occupations whose chief attention is not given
7 to newspaper correspondence or to news associations requiring
8 telegraphic, radio, television, or electronic service are not entitled
9 to the privileges accorded accredited press representatives. The
10 press list in the Handbook of the California Legislature and the
11 Senate and Assembly Histories shall be a list of only those persons
12 authenticated by the Standing Committee of the Capitol
13 Correspondents Association. Accreditation may be granted to any
14 bona fide correspondent of reputable standing employed by a
15 periodic publication of general circulation if the applicant is
16 employed on a regular basis in the Capitol area preparing articles
17 dealing with state government and politics and the publication is
18 not an organ or organization involved in legislative advocacy.

19 (d) The press seats and desks in the Senate and Assembly
20 Chambers shall be under the control of the standing committee of
21 correspondents, subject to the approval and supervision of the
22 Speaker of the Assembly and the Senate Committee on Rules.
23 Press cards shall be issued by the President pro Tempore of the
24 Senate and the Speaker of the Assembly only to correspondents
25 properly accredited in accordance with this rule.

26 (e) An accredited member of the Capitol Correspondents
27 Association may not, for compensation, perform any service for
28 state constitutional officers or members of their staffs, for state
29 agencies, for the Legislature, for candidates for state office, for a
30 state officeholder, or for any person registered or performing as a
31 legislative advocate.

32 (f) An accredited member of the association who violates
33 subdivision (a) or (e) of this rule shall be subject to the following
34 penalties:

35 (1) For the first offense, the Standing Committee of the Capitol
36 Correspondents Association shall send a letter of admonition to
37 the offending member, his or her employer, and the Joint Rules
38 Committee. The letter shall state the nature of the member's rule
39 violation and shall warn of an additional penalty for a second
40 offense.

(2) For a second offense, the Standing Committee of the Capitol Correspondents Association shall recommend to the Joint Rules Committee that the member's accreditation be suspended or revoked and that he or she lose all rights and privileges attached thereto. The Standing Committee of the Capitol Correspondents Association shall also dismiss the member from the association.

Any member of the Standing Committee of the Capitol Correspondents Association may propose that the committee make an inquiry to determine if an association member has violated subdivision (a) or (e) of this rule. Upon a majority vote of the Standing Committee of the Capitol Correspondents Association, an inquiry shall be made.

Upon receipt of a signed, written notice from any association member of his or her belief that another association member may have violated subdivision (a) or (e) of this rule, the Standing Committee of the Capitol Correspondents Association shall commence an inquiry into the possible violation.

If the Standing Committee of the Capitol Correspondents Association determines by majority vote that an association member has violated an association rule, it shall inform the member of its finding. Within two weeks of notification, the member may request a meeting of the membership. If the member makes that request, the Standing Committee of the Capitol Correspondents Association shall promptly schedule a meeting at the earliest possible time. After hearing the member and the committee review the circumstances of the alleged violation, the membership may, by majority vote, nullify the finding of the Standing Committee of the Capitol Correspondents Association. If nullification does not occur, the Standing Committee of the Capitol Correspondents Association immediately shall impose the appropriate penalty.

Dispensing with Joint Rules

33. A joint rule may not be dispensed with except by a vote of two-thirds of each house or as otherwise provided in these rules. If either house violates a joint rule, a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the rules of the house. If it is decided that

1 the joint rules have been violated, the bill involving the violation
2 shall be returned to the house in which it originated, and the
3 disputed matter shall be considered in like manner as in conference
4 committee.

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6
7 Dispensing with Joint Rules: Unanimous Consent
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9

10 33.1. Notwithstanding any other rule, a joint rule that may be
11 dispensed with by one house may be done so by unanimous consent
12 if the rules committee of that house has approved.
13

14
15 Opinions of Legislative Counsel
16
17

18 34. Whenever the Legislative Counsel issues a written opinion
19 to any person other than the first-named author analyzing the
20 constitutionality, operation, or effect of a bill or other legislative
21 measure that is then pending before the Legislature or of any
22 amendment made or proposed to be made to the bill or measure,
23 he or she is authorized and instructed to deliver two copies of the
24 opinion to the first-named author as promptly as feasible after the
25 delivery of the original opinion and also to deliver a copy to any
26 other author of the bill or measure who so requests. A copy of any
27 letter prepared by the Legislative Counsel for the sole purpose of
28 advising a Member of a conflict between two or more bills as to
29 the sections of law being amended, repealed, or added shall be
30 submitted to the chairperson of the committee to which each bill
31 has been referred.
32

33
34 Resolutions Prepared by Legislative Counsel
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36

37 34.1. Whenever the Legislative Counsel has been requested to
38 draft a resolution commemorating or taking note of any event, or
39 a resolution congratulating or expressing sympathy toward any
40 person, and subsequently receives a similar request from another

1 Member of the Legislature, he or she shall inform that requester
2 and each subsequent requester that a resolution is being, or has
3 been, prepared, and shall inform them of the name of the Member
4 for whom the resolution was, or is being, prepared.

7 Resolutions

10 34.2. A concurrent resolution, Senate resolution, or House
11 resolution may be introduced to memorialize the death of a present
12 or former state or federal elected official or a member of his or her
13 immediate family. In all other instances, a resolution other than a
14 concurrent resolution, as specified by the Committee on Rules of
15 each house, or as provided by the Joint Rules Committee in those
16 cases requiring that the resolution should emanate from both
17 houses, shall be used for the purpose of commendation,
18 congratulation, sympathy, or regret with respect to any person,
19 group, or organization.

20 A concurrent resolution requesting the Governor to issue a
21 proclamation may not be introduced without the prior approval of
22 the Committee on Rules of the house in which the resolution is to
23 be introduced.

26 Identical Drafting Requests

29 34.5. Whenever it comes to the attention of the Legislative
30 Counsel that a Member has requested the drafting of a bill that
31 will be substantially identical to one already introduced, the
32 Legislative Counsel shall inform the Member of that fact.

35 Expense of Members

38 35. As provided in Section 8902 of the Government Code, each
39 Member of the Legislature is entitled to reimbursement for living
40 expenses while required to be in Sacramento to attend a session

1 of the Legislature, while traveling to and from or in attendance at
2 a committee meeting, or while attending to any legislative function
3 or responsibility as authorized or directed by legislative rules or
4 the Committee on Rules of the house of which he or she is a
5 Member, at the same rate as may be established by the California
6 Victim Compensation and Government Claims Board for other
7 elected state officers. Each Member shall be reimbursed for travel
8 expenses incurred in traveling to and from a session of the
9 Legislature, when traveling to and from a meeting of a committee
10 of which he or she is a member, or when traveling pursuant to any
11 other legislative function or responsibility as authorized or directed
12 by legislative rules or the Committee on Rules of the house of
13 which he or she is a Member, at the rate prescribed by Section
14 8903 of the Government Code.

15 Expense allowances for Members of the Senate and Assembly
16 shall be approved and certified to the Controller by the Secretary
17 of the Senate, on behalf of the Senate, and the Chief Clerk of the
18 Assembly or other person authorized by the Assembly Committee
19 on Rules, on behalf of the Assembly, weekly or as otherwise
20 directed by either house, and upon certification the Controller shall
21 draw his or her warrants in payment of the allowances to the
22 respective Members.

23
24
25 Issuance of Subpoenas
26
27

28 35.5. A subpoena requiring the attendance of a witness or the
29 production of documents may be issued by the Senate Committee
30 on Rules, the Speaker of the Assembly, or the chairperson of a
31 committee conducting an investigation only if permission has been
32 secured from the rules committee of the respective house, or from
33 the Joint Rules Committee if the subpoena is issued by the
34 chairperson of a joint committee.

35
36
37 Investigating Committees
38
39

1 36. In order to expedite the work of the Legislature, either
2 house, or both houses jointly, may by resolution or statute provide
3 for the appointment of committees to ascertain facts and to make
4 recommendations as to any subject within the scope of legislative
5 regulation or control.

6 The resolution providing for the appointment of a committee
7 pursuant to this rule shall state the purpose of the committee and
8 the scope of the subject concerning which it is to act, and may
9 authorize it to act either during sessions of the Legislature or, when
10 authorization may lawfully be made, after final adjournment.

11 In the exercise of the power granted by this rule, each committee
12 may employ clerical, legal, and technical assistants as may be
13 authorized by: (a) the Joint Rules Committee in the case of a joint
14 committee, (b) the Senate Committee on Rules in the case of a
15 Senate committee, or (c) the Assembly Committee on Rules in the
16 case of an Assembly committee.

17 Except as otherwise provided herein for joint committees or by
18 the rules of the Senate or the Assembly for single house
19 committees, each committee may adopt and amend rules governing
20 its procedure as may appear necessary and proper to carry out the
21 powers granted and duties imposed under this rule. The rules may
22 include provisions fixing the quorum of the committee and the
23 number of votes necessary to take action on any matter. With
24 respect to all joint committees, a majority of the membership from
25 each house constitutes a quorum, and an affirmative vote of a
26 majority of the membership from each house is necessary for the
27 committee to take action.

28 Each committee is authorized and empowered to summon and
29 subpoena witnesses, to require the production of papers, books,
30 accounts, reports, documents, records, and papers of every kind
31 and description, to issue subpoenas, and to take all necessary means
32 to compel the attendance of witnesses and to procure testimony,
33 oral and documentary. A committee's issuance of a subpoena shall
34 comply with Rule 35.5.

35 Each member of the committees is authorized and empowered
36 to administer oaths, and all of the provisions of Chapter 4
37 (commencing with Section 9400) of Part 1 of Division 2 of Title
38 2 of the Government Code, relating to the attendance and
39 examination of witnesses before the Legislature and the committees
40 thereof, apply to the committees. A committee may grant a witness

1 immunity from criminal prosecution, pursuant to subdivision (a)
2 of Section 9410 of the Government Code, only after securing
3 permission from the rules committee of the respective house, or
4 from the Joint Rules Committee in the case of a joint committee.

5 The Sergeant at Arms of the Senate or Assembly, or other person
6 as may be designated by the chairperson of the committee, shall
7 serve any and all subpoenas, orders, and other process that may
8 be issued by the committee, when directed to do so by the
9 chairperson, or by a majority of the membership of the committee.

10 Every department, commission, board, agency, officer, and
11 employee of the state government, including the Legislative
12 Counsel and the Attorney General and their subordinates, and of
13 every political subdivision, county, city, or public district of or in
14 this state, shall give and furnish to these committees and to their
15 subcommittees upon request information, records, and documents
16 as the committees deem necessary or proper for the achievement
17 of the purposes for which each committee was created.

18 Each committee or subcommittee of either house, in accordance
19 with the rules of that respective house, and each joint committee
20 or subcommittee thereof, may meet at any time during the period
21 in which it is authorized to act, either at the State Capitol or at any
22 other place in the State of California, in public or executive session,
23 and do any and all things necessary or convenient to enable it to
24 exercise the powers and perform the duties herein granted to it or
25 accomplish the objects and purposes of the resolution creating it,
26 subject to the following exceptions:

27 (a) When the Legislature is in session:

28 (1) A committee or subcommittee of either house may not meet
29 outside the State Capitol without the prior approval of the Senate
30 Committee on Rules with respect to Senate committees and
31 subcommittees, or the Speaker of the Assembly with respect to
32 Assembly committees and subcommittees.

33 (2) A committee or subcommittee of either house, other than a
34 standing committee or subcommittee thereof, may not meet unless
35 notice of the meeting has been printed in the Daily File for four
36 days prior thereto. This requirement may be waived by a majority
37 vote of either house with respect to a particular bill.

38 (3) A joint committee or subcommittee thereof, other than the
39 Joint Committees on Legislative Audit, Legislative Budget, and

1 Rules, may not meet outside the State Capitol without the prior
2 approval of the Joint Rules Committee.

3 (4) A joint committee or subcommittee thereof, other than the
4 Joint Committees on Legislative Audit, Legislative Budget, and
5 Rules, may not meet unless notice of the meeting has been printed
6 in the Daily File for four days prior thereto.

7 (b) When the Legislature is in joint recess, each joint committee
8 or subcommittee, other than the Joint Committees on Legislative
9 Audit, Legislative Budget, and Rules, shall notify the Joint Rules
10 Committee at least two weeks prior to a meeting.

11 (c) The requirements placed upon joint committees by
12 subdivisions (a) and (b) of this rule may be waived as deemed
13 necessary by the Joint Rules Committee.

14 Each committee may expend such money as is made available
15 to it for its purpose, but a committee may not incur any
16 indebtedness unless money has been first made available therefor.

17 Living expenses may not be allowed in connection with
18 legislative business for a day on which the Member receives
19 reimbursement for expenses while required to be in Sacramento
20 to attend a session of the Legislature. The chairperson of each
21 committee shall audit and approve the expense claims of the
22 members of the committee, including claims for mileage in
23 connection with attendance on committee business, or in
24 connection with specific assignments by the committee chairperson,
25 but excluding other types of mileage, and shall certify the amount
26 approved to the Controller. The Controller shall draw his or her
27 warrants upon the certification of the chairperson.

28 Subject to the rules of each house for the respective committees
29 of each house, or the joint rules for any joint committee, with the
30 permission of the appointing authority of the respective house, or
31 the permission of the appointing authorities of the two houses in
32 the case of a joint committee, the chairperson of any committee
33 may appoint subcommittees and chairpersons thereof for the
34 purpose of more expeditiously handling and considering matters
35 referred to it, and the subcommittees and the chairpersons thereof
36 shall have all the powers and authority herein conferred upon the
37 committee and its chairperson. The chairperson of a subcommittee
38 shall audit the expense claims of the members of the subcommittee,
39 and other claims and the expenses incurred by it, and shall certify
40 the amount thereof to the chairperson of the committee, who shall,

1 if he or she approves the same, certify the amount thereof to the
2 Controller; the Controller shall draw his or her warrant therefor
3 upon that certification, and the Treasurer shall pay the same. Any
4 committee or subcommittee thereof that is authorized to leave the
5 State of California in the performance of its duties shall, while out
6 of the state, have the same authority as if it were acting and
7 functioning within the state, and the members thereof shall be
8 reimbursed for expenses.

9 Notwithstanding any other provision of this rule, if the standing
10 rules of either house require that expense claims of committees
11 for goods or services, pursuant to contracts, or for expenses of
12 employees or members of committees be audited or approved,
13 after approval of the committee chairperson, by another agency
14 of either house, the Controller shall draw his or her warrants only
15 upon the certification of the other agency. All expense claims
16 approved by the chairperson of any joint committee, other than
17 the Joint Legislative Budget Committee and the Joint Legislative
18 Audit Committee, shall be approved by the Joint Rules Committee,
19 and the Controller shall draw his or her warrants only upon the
20 certification of the Joint Rules Committee.

21 Except salary claims of employees clearly subject to federal
22 withholding taxes and the requirement as to loyalty oaths, claims
23 presented for services or pursuant to contract shall refer to the
24 agreement, the terms of which shall be made available to the
25 Controller.

26
27
28 Expenses of Committee Employees
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30

31 36.1. Unless otherwise provided by respective house or
32 committee rule or resolution, employees of legislative committees,
33 when entitled to traveling expenses, are entitled to allowances in
34 lieu of actual expenses for hotel accommodations, breakfast, lunch,
35 and dinner, at the rates fixed by the California Victim
36 Compensation and Government Claims Board from time to time
37 in limitation of reimbursement of expenses of state employees
38 generally. However, if an allowance for hotel accommodations,
39 breakfast, lunch, and dinner is made by a committee at a rate in
40 excess of the rate fixed by the California Victim Compensation

1 and Government Claims Board, the chairperson of the committee
2 shall notify the Controller of that fact in writing.

3
4
5 Appointment of Committees
6
7

8 36.5. This rule applies whenever a joint committee is created
9 by a statute or resolution that either provides that appointments be
10 made and vacancies be filled in the manner provided for in the
11 Joint Rules, or makes no provision for the appointment of members
12 or the filling of vacancies.

13 The Senate members of the committee shall be appointed by the
14 Senate Committee on Rules; the Assembly members of the
15 committee shall be appointed by the Speaker of the Assembly; and
16 vacancies occurring in the membership of the committee shall be
17 filled by the respective appointing powers. The members appointed
18 shall hold over until their successors are regularly selected.

19
20
21 Appointment of Joint Committee Chairpersons
22
23

24 36.7. The chairperson of each joint committee heretofore or
25 hereafter created, except the Joint Legislative Budget Committee
26 and the Joint Legislative Audit Committee, shall be appointed by
27 the Joint Rules Committee from a Member or Members
28 recommended by the Senate Committee on Rules and the Speaker
29 of the Assembly.
30

31
32 Joint Committee Funds
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34

35 36.8. Each joint committee heretofore or hereafter created,
36 except the Joint Legislative Budget Committee and the Joint
37 Legislative Audit Committee, shall expend the funds heretofore
38 or hereafter made available to it in compliance with the policies
39 set forth by the Joint Rules Committee with respect to personnel,
40 salaries, purchasing, office space assignment, contractual services,

1 rental or lease agreements, travel, and any and all other matters
2 relating to the management and administration of committee affairs.

3
4
5 Joint Legislative Budget Committee
6
7

8 37. In addition to any other committee provided for by these
9 rules, there is a joint committee to be known as the Joint Legislative
10 Budget Committee, which is hereby declared to be a continuing
11 body.

12 It is the duty of the committee to ascertain facts and make
13 recommendations to the Legislature and to the houses thereof
14 concerning the State Budget, the revenues and expenditures of the
15 state, and the organization and functions of the state and its
16 departments, subdivisions, and agencies, with a view to reducing
17 the cost of the state government and securing greater efficiency
18 and economy.

19 The committee consists of eight Members of the Senate and
20 eight Members of the Assembly. The Senate members of the
21 committee shall be appointed by the Senate Committee on Rules.
22 The Assembly members of the committee shall be appointed by
23 the Speaker of the Assembly. The committee shall select its own
24 chairperson.

25 Any vacancy occurring at any time in the Senate membership
26 of the Joint Legislative Budget Committee shall be filled by the
27 Senate Committee on Rules, and the Senators appointed shall hold
28 over until their successors are regularly selected. For the purposes
29 of this rule, a vacancy shall be deemed to exist as to a Senator
30 whose term is expiring whenever he or she is not reelected at the
31 general election.

32 Any vacancy occurring at any time in the Assembly membership
33 of the Joint Legislative Budget Committee shall be filled by
34 appointment by the Speaker of the Assembly, and the Members
35 of the Assembly appointed shall hold over between regular sessions
36 until their successors are regularly selected. For the purposes of
37 this rule, a vacancy shall be deemed to exist as to a Member of the
38 Assembly whose term is expiring whenever he or she is not
39 reelected at the general election.

1 The committee may adopt rules to govern its own proceedings
2 and its employees. The committee, with the permission of the
3 appointing authorities of the two houses, may also create
4 subcommittees from its membership, assigning to its
5 subcommittees any study, inquiry, investigation, or hearing that
6 the committee itself has authority to undertake or hold. A
7 subcommittee for the purpose of this assignment has and may
8 exercise all the powers conferred upon the committee, limited only
9 by the express terms of any rule or resolution of the committee
10 defining the powers and duties of the subcommittee. Those powers
11 may be withdrawn or terminated at any time by the committee.

12 The Joint Legislative Budget Committee may render services to
13 any investigating committee of the Legislature pursuant to contract
14 between the Joint Legislative Budget Committee and the committee
15 for which the services are to be performed. The contract may
16 provide for payment to the Joint Legislative Budget Committee
17 of the cost of the services from the funds appropriated to the
18 contracting investigating committee. All legislative investigating
19 committees are authorized to enter into those contracts with the
20 Joint Legislative Budget Committee. Money received by the Joint
21 Legislative Budget Committee pursuant to any agreement shall be
22 in augmentation of the current appropriation for the support of the
23 Joint Legislative Budget Committee.

24 The provisions of Rule 36 shall apply to the Joint Legislative
25 Budget Committee, which has all the authority provided in that
26 rule or pursuant to Section 11 of Article IV of the California
27 Constitution.

28 The committee has authority to appoint a Legislative Analyst,
29 to fix his or her compensation, to prescribe his or her duties, and
30 to appoint any other clerical and technical employees as may appear
31 necessary. The duties of the Legislative Analyst are as follows:

32 (1) To ascertain the facts and make recommendations to the
33 Joint Legislative Budget Committee and, under its direction, to
34 the committees of the Legislature concerning:

35 (a) The State Budget.

36 (b) The revenues and expenditures of the state.

37 (c) The organization and functions of the state and its
38 departments, subdivisions, and agencies.

39 (2) To assist the Senate Committee on Appropriations, the
40 Senate Budget and Fiscal Review Committee, and the Assembly

1 Committees on Appropriations and Budget in consideration of the
2 Budget, all bills carrying express or implied appropriations, and
3 all legislation affecting state departments and their efficiency; to
4 appear before any other legislative committee; and to assist any
5 other legislative committee upon instruction by the Joint Legislative
6 Budget Committee.

7 (3) To provide all legislative committees and Members of the
8 Legislature with information obtained under the direction of the
9 Joint Legislative Budget Committee.

10 (4) To maintain a record of all work performed by the
11 Legislative Analyst under the direction of the Joint Legislative
12 Budget Committee, and to keep and make available all documents,
13 data, and reports submitted to him or her by any Senate, Assembly,
14 or joint committee. The committee may meet either during sessions
15 of the Legislature, any recess thereof, or after final adjournment,
16 and may meet or conduct business at any place within the State of
17 California.

18 The chairperson of the committee or, in the event of that person's
19 inability to act, the vice chairperson, shall audit and approve the
20 expenses of members of the committee or salaries of the
21 employees, and all other expenses incurred in connection with the
22 performance of its duties by the committee. The chairperson shall
23 certify to the Controller the expense amount approved, the
24 Controller shall draw his or her warrants upon the certification of
25 the chairperson, and the Treasurer shall pay the same to the
26 chairperson of the committee, to be disbursed by the chairperson.

27 On and after the commencement of a succeeding regular session,
28 those members of the committee who continue to be Members of
29 the Senate and Assembly, respectively, continue as members of
30 the committee until their successors are appointed, and the
31 committee continues with all its powers, duties, authority, records,
32 papers, personnel, and staff, and all funds theretofore made
33 available for its use.

34 Upon the conclusion of its work, any Assembly, Senate, or joint
35 committee (other than a standing committee) shall deliver to the
36 Legislative Analyst for use and custody all documents, data,
37 reports, and other materials that have come into the possession of
38 the committee and that are not included within the final report of
39 the committee to the Assembly, Senate, or the Legislature, as the
40 case may be. The documents, data, reports, and other materials

1 shall be available, upon request, to Members of the Legislature,
2 the Senate Office of Research, and the Assembly Office of
3 Research.

4 The Legislative Analyst, with the consent of the committee, shall
5 make available to any Member or committee of the Legislature
6 any other reports, records, documents, or other data under his or
7 her control, except that reports prepared by the Legislative Analyst
8 in response to a request from a Member or committee of the
9 Legislature may be made available only with the written permission
10 of the Member or committee who made the request.

11 The Legislative Analyst, upon the receipt of a request from any
12 committee or Member of the Legislature to conduct a study or
13 provide information that falls within the scope of his or her
14 responsibilities and that concerns the administration of the
15 government of the State of California, shall at once advise the Joint
16 Legislative Budget Committee of the nature of the request without
17 disclosing the name of the Member or committee making the
18 request.

19 The Legislative Analyst shall immediately undertake to provide
20 the requesting committee or legislator with the service or
21 information requested, and shall inform the committee or legislator
22 of the approximate date when this information will be available.
23 Should there be any material delay, he or she shall subsequently
24 communicate this fact to the requester.

25 Neither the Committee on Rules of either house nor the Joint
26 Rules Committee may assign any matter for study to the Joint
27 Legislative Budget Committee or the Legislative Analyst without
28 first obtaining from the Joint Legislative Budget Committee an
29 estimate of the amount required to be expended by it to make the
30 study.

31 Any concurrent, joint, Senate, or House resolution assigning a
32 study to the Joint Legislative Budget Committee or to the
33 Legislative Analyst shall be referred to the respective rules
34 committees. Before the committees may act upon or assign the
35 resolution, they shall obtain an estimate from the Joint Legislative
36 Budget Committee of the amount required to be expended to make
37 the study.

1
2
3 37.1. Any Member or committee of the Legislature may
4 recommend that the Legislative Analyst prepare a citizen cost
5 impact analysis on proposed legislation. However, the
6 recommendation shall first be reviewed by the Committee on Rules
7 of the house where the recommendation originated, and this
8 committee shall make the final determination as to which bills
9 shall be assigned for preparation of an impact analysis.

10 In selecting specific bills for assignment to the Legislative
11 Analyst for preparation of citizen cost impact analyses, the
12 Committee on Rules shall request the Legislative Analyst to present
13 an estimate of his or her time and prospective costs for preparing
14 the analyses. Only those bills that have a potential significant cost
15 impact shall be assigned. Where necessary, the Committee on
16 Rules shall provide funds to offset added costs incurred by the
17 Legislative Analyst.

18 The citizen cost impact analyses shall include those economic
19 effects that the Legislative Analyst deems significant and that he
20 or she believes will result directly from the proposed legislation.
21 Insofar as feasible, the economic effects considered by the
22 Legislative Analyst shall include, but not be limited to, the
23 following:

24 (a) The economic effect on the public generally.

25 (b) Any specific economic effect on persons or businesses in
26 the case of legislation that is regulatory.

27 The Legislative Analyst shall submit the citizen cost impact
28 analyses to the committee or committees when completed, and at
29 the time or times designated by the Committee on Rules.

30 The Legislative Analyst shall submit from time to time, but at
31 least once a year, a report to the Legislature on the trends and
32 directions of the state's economy, and shall list the alternatives
33 and make recommendations as to legislative actions that, in his or
34 her judgment, will ensure a sound and stable state economy.

35
36
37 Joint Legislative Audit Committee
38
39

1 37.3. The Joint Legislative Audit Committee is created pursuant
2 to the Legislature's rulemaking authority under the California
3 Constitution, and pursuant to Chapter 4 (commencing with Section
4 10500) of Part 2 of Division 2 of Title 2 of the Government Code.
5 The committee consists of seven Members of the Senate and seven
6 Members of the Assembly, who shall be selected in the manner
7 provided for in these rules. Notwithstanding any other provision
8 of these rules, four Members from each house constitute a quorum
9 of the Joint Legislative Audit Committee and the number of votes
10 necessary to take action on any matter. The Chairman or
11 Chairwoman of the Joint Legislative Audit Committee, upon
12 receiving a request by any Member of the Legislature or committee
13 thereof for a copy of a report prepared or being prepared by the
14 Bureau of State Audits, shall provide the Member or committee
15 with a copy of the report when it is, or has been, submitted by the
16 Bureau of State Audits to the Joint Legislative Audit Committee.
17
18

19 Study or Audits 20 21

22 37.4. (a) Notwithstanding any other provision of law, the Joint
23 Legislative Audit Committee shall establish priorities and assign
24 all work to be done by the Bureau of State Audits.

25 (b) Any bill requiring action by the Bureau of State Audits shall
26 contain an appropriation for the cost of any study or audit.

27 (c) Any bill or concurrent, joint, Senate, or House resolution
28 assigning a study or audit to the Joint Legislative Audit Committee
29 or to the Bureau of State Audits shall be referred to the respective
30 rules committees. Before the committees may act upon or assign
31 the bill or resolution, they shall obtain an estimate from the Joint
32 Legislative Audit Committee of the amount required to be
33 expended to make the study or audit.
34

35 Waiver 36 37 38

39 37.5. Subdivision (b) of Rule 37.4 may be waived by the Joint
40 Legislative Audit Committee. The chairperson of the committee

1 shall notify the Secretary of the Senate, the Chief Clerk of the
2 Assembly, and the Legislative Counsel in writing when subdivision
3 (b) of Rule 37.4 has been waived. If the cost of a study or audit is
4 less than one hundred thousand dollars (\$100,000), the chairperson
5 of the committee may exercise the committee's authority to waive
6 subdivision (b) of Rule 37.4.

7
8
9 Administrative Regulations

10
11
12 37.7. (a) Any Member of the Senate may request the Senate
13 Committee on Rules, and any Member of the Assembly may
14 request the Speaker of the Assembly, to direct a standing committee
15 or the Office of Research of his or her respective house to study
16 any proposed or existing regulation or group of related regulations.
17 Upon receipt of a request, the Senate Committee on Rules or the
18 Speaker of the Assembly shall, after review, determine whether a
19 study shall be made. In reviewing the request, the Senate
20 Committee on Rules or the Speaker of the Assembly shall
21 determine:

- 22 (1) The cost of making the study.
23 (2) The potential public benefit to be derived from the study.
24 (3) The scope of the study.
25 (b) The study may consider, among other relevant issues,
26 whether the proposed or existing regulation:
27 (1) Exceeds the agency's statutory authority.
28 (2) Fails to conform to the legislative intent of the enabling
29 statute.
30 (3) Contradicts or duplicates other regulations adopted by
31 federal, state, or local agencies.
32 (4) Involves an excessive delegation of regulatory authority to
33 a particular state agency.
34 (5) Unfairly burdens particular elements of the public.
35 (6) Imposes social or economic costs that outweigh its intended
36 benefits to the public.
37 (7) Imposes unreasonable penalties for violation.

38 The respective reviewing unit shall, in a timely manner, transmit
39 its concerns, if any, to the Senate Committee on Rules or the
40 Speaker of the Assembly, and the promulgating agency.

1 In the event that a state agency takes a regulatory action that the
2 reviewing unit finds to be unacceptable, the unit shall file a report
3 for publication in the Daily Journal of its respective house
4 indicating the specific reasons why the regulatory action should
5 not have been taken. The report may include a recommendation
6 that the Legislature adopt a concurrent resolution requesting the
7 state agency to reconsider its action or that the Legislature enact
8 a statute to restrict the regulatory powers of the state agency taking
9 the action.

10
11
12 Joint Rules Committee
13
14

15 40. The Joint Rules Committee is hereby created. The
16 committee has a continuing existence and may meet, act, and
17 conduct its business during sessions of the Legislature or any recess
18 thereof.

19 The committee consists of the members of the Assembly
20 Committee on Rules, the Assembly Majority Floor Leader, the
21 Assembly Minority Floor Leader, the Speaker of the Assembly,
22 four members of the Senate Committee on Rules, and as many
23 Members of the Senate as may be required to maintain equality in
24 the number of Assembly Members and Senators on the committee,
25 to be appointed by the Senate Committee on Rules. Vacancies
26 occurring in the membership shall be filled by the appointing
27 power.

28 The committee and its members have and may exercise all of
29 the rights, duties, and powers conferred upon investigating
30 committees and their members by the Joint Rules of the Senate
31 and Assembly as they are adopted and amended from time to time,
32 which provisions are incorporated herein and made applicable to
33 this committee and its members.

34 The committee shall ascertain facts and make recommendations
35 to the Legislature and to the houses thereof concerning:

36 (a) The relationship between the two houses and procedures
37 calculated to expedite the affairs of the Legislature by improving
38 that relationship.

39 (b) The legislative branch of the state government and any
40 defects or deficiencies in the law governing that branch.

1 (c) Methods whereby legislation is proposed, considered, and
2 acted upon.

3 (d) The operation of the Legislature and the committees thereof,
4 and the means of coordinating the work thereof and avoiding
5 duplication of effort.

6 (e) Aids to the Legislature.

7 (f) Information and statistics for the use of the Legislature, the
8 respective houses thereof, and the Members.

9 Any matter of business of either house, the transaction of which
10 would affect the interests of the other house, may be referred to
11 the committee for action if the Legislature is not in recess, and
12 shall be referred to the committee for action if the Legislature is
13 in recess.

14 The committee has the following additional powers and duties:

15 (a) To select a chairperson from its membership. The vice
16 chairperson of the committee shall be one of the Senate members
17 of the committee, to be selected by the Senate Committee on Rules.

18 (b) To allocate space in the State Capitol Building and all
19 annexes and additions thereto as provided by law.

20 (c) To approve, as provided by law, the appearance of the
21 Legislative Counsel in litigation.

22 (d) To contract with other agencies, public or private, for the
23 rendition and affording of services, facilities, studies, and reports
24 to the committee as the committee deems necessary to assist it to
25 carry out the purposes for which it is created.

26 (e) To cooperate with and secure the cooperation of county,
27 city, city and county, and other local law enforcement agencies in
28 investigating any matter within the scope of this rule, and to direct
29 the sheriff of any county to serve subpoenas, orders, and other
30 process issued by the committee.

31 (f) To report its findings and recommendations, including
32 recommendations for the needed revision of any and all laws and
33 constitutional provisions relating to the Legislature, to the
34 Legislature and to the people from time to time.

35 (g) The committee, and any subcommittee when so authorized
36 by the committee, may meet and act without as well as within the
37 State of California, and are authorized to leave the state in the
38 performance of their duties.

1 (h) To expend funds as may be made available to it to carry out
2 the functions and activities related to the legislative affairs of the
3 Senate and Assembly.

4 (i) To appoint a chief administrative officer of the committee,
5 who shall have duties relating to the administrative, fiscal, and
6 business affairs of the committee as the committee shall prescribe.
7 The committee may terminate the services of the chief
8 administrative officer at any time.

9 (j) To employ persons as may be necessary to assist all other
10 joint committees, except the Joint Legislative Budget Committee
11 and the Joint Legislative Audit Committee, in the exercise of their
12 powers and performance of their duties. In accordance with Rule
13 36.8, the committee shall govern and administer the expenditure
14 of funds by other joint committees, requiring that the claims of
15 joint committees be approved by the Joint Rules Committee or its
16 designee. All expenses of the committee and of all other joint
17 committees may be paid from the Operating Funds of the Assembly
18 and Senate.

19 (k) To appoint the chairpersons of joint committees, as
20 authorized by Rule 36.7.

21 (l) To do any and all other things necessary or convenient to
22 enable it fully and adequately to exercise its powers, perform its
23 duties, and accomplish the objects and purposes of this rule.

24 The members of the Joint Rules Committee from the Senate may
25 meet separately as a unit, and the members of the Joint Rules
26 Committee from the Assembly may meet separately as a unit, and
27 consider any action that is required to be taken by the Joint Rules
28 Committee. If the majority of members of the Joint Rules
29 Committee of each house at the separate meetings vote in favor
30 of that action, the action shall be deemed to be action taken by the
31 Joint Rules Committee.

32 The Joint Rules Committee shall meet not less than biweekly
33 during a session of the Legislature, other than during a joint recess,
34 at a regularly scheduled time and place. If the full committee fails
35 to so meet, the members of the committee from the Senate shall
36 meet separately as a unit and the members of the committee from
37 the Assembly shall meet separately as a unit within five days of
38 the regularly scheduled meeting date.

39 The committee succeeds to, and is vested with, all of the powers
40 and duties of the Joint Committee on Legislative Organization,

1 the State Capitol Committee, the Joint Committee on Interhouse
2 Cooperation, the Joint Legislative Committee for School
3 Visitations, and the Joint Standing Committee on the Joint Rules
4 of the Senate and the Assembly.

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7 Review of Administrative Regulations
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10 40.1. The Joint Rules Committee, with regard to joint
11 committees, and the respective rules committee of each house,
12 with regard to standing and select committees of the house, shall
13 approve any request for a priority review made by a committee
14 pursuant to Section 11349.7 of the Government Code and shall
15 submit approved requests to the Office of Administrative Law.
16 The Joint Rules Committee or the respective rules committee, and
17 the committee initiating the request, shall each receive a copy of
18 the priority review.

19
20
21 Subcommittee on Legislative Space and Facilities
22
23

24 40.3. (a) A subcommittee of the Joint Rules Committee is
25 hereby created, to be known as the Subcommittee on Legislative
26 Space and Facilities. The subcommittee consists of three Members
27 of the Senate and three Members of the Assembly, appointed by
28 the Chairman or Chairwoman of the Joint Rules Committee, and
29 the chairperson of the fiscal committee of each house who shall
30 have full voting rights on the subcommittee. The chairperson of
31 the subcommittee shall be appointed by the members thereof. For
32 purposes of this subcommittee, the chairpersons of the fiscal
33 committees are ex officio members of the Joint Rules Committee,
34 but do not have voting rights on that committee, nor may they be
35 counted in determining a quorum. The subcommittee shall consider
36 the housing of the Legislature and legislative facilities.

37 (b) The subcommittee and its members have and may exercise
38 all of the rights, duties, and powers conferred upon investigating
39 committees and their members by the Joint Rules of the Senate
40 and Assembly as they are adopted and amended from time to time,

1 which provisions are incorporated herein and made applicable to
2 this subcommittee and its members.

3 (c) The subcommittee has the following additional powers and
4 duties:

5 (1) To contract with other agencies, public or private, for the
6 rendition and affording of services, facilities, studies, and reports
7 to the subcommittee as the committee deems necessary to assist
8 it to carry out the purposes for which it is created.

9 (2) To cooperate with and secure the cooperation of county,
10 city, city and county, and other local law enforcement agencies in
11 investigating any matter within the scope of this rule, and to direct
12 the sheriff of any county to serve subpoenas, orders, and other
13 process issued by the subcommittee.

14 (3) To report its findings and recommendations to the
15 Legislature and to the people from time to time.

16 (4) To do any and all other things necessary or convenient to
17 enable it fully and adequately to exercise its powers, perform its
18 duties, and accomplish the objects and purposes of this rule.

19 (d) The subcommittee is authorized to leave the State of
20 California in the performance of its duties.

21
22
23 Claims for Workers' Compensation
24
25

26 41. The Chairman or Chairwoman of the Committee on Rules
27 of each house, or a designated representative, shall sign any
28 required worker's compensation report regarding injuries or death
29 arising out of and within the course of employment suffered by
30 any Member, officer, or employee of the house, or any employee
31 of a standing or investigating committee thereof. In the case of a
32 joint committee, the Chairman or Chairwoman of the Committee
33 on Rules of either house, or a designated representative, may sign
34 any report with respect to a member or employee of a joint
35 committee.

36
37
38 Information Concerning Committees
39
40

1 42. The Committee on Rules of each house shall provide for a
2 continuous cumulation of information concerning the membership,
3 organization, meetings, and studies of legislative investigating
4 committees. Each Committee on Rules shall be responsible for
5 information concerning the investigating committees of its own
6 house, and concerning joint investigating committees under a
7 chairperson who is a Member of that house. To the extent possible,
8 each Committee on Rules shall seek to ensure that the investigating
9 committees for which it has responsibility under this rule have
10 organized, including the organization of any subcommittees, and
11 have had all topics for study assigned to them within a reasonable
12 period of time.

13 The information thus cumulated shall be made available to the
14 public by the Committee on Rules of each house and shall be
15 published periodically under their joint direction.

16
17
18 Joint Committees
19
20

21 43. Any concurrent resolution creating a joint committee of the
22 Legislature and any concurrent resolution allocating moneys from
23 the Operating Funds of the Assembly and Senate to the committee
24 shall be referred to the Committee on Rules of the respective
25 houses.

26
27
28 Conflict of Interest
29
30

31 44. (a) A Member of the Legislature may not, while serving,
32 have any interest, financial or otherwise, direct or indirect, engage
33 in any business or transaction or professional activity, or incur any
34 obligation of any nature, that is in substantial conflict with the
35 proper discharge of his or her duties in the public interest and of
36 his or her responsibilities as prescribed by the laws of this state.

37 (b) A Member of the Legislature may not, during the term for
38 which he or she was elected:

39 (1) Accept other employment that he or she has reason to believe
40 will either impair his or her independence of judgment as to his

1 or her official duties, or require him or her, or induce him or her,
2 to disclose confidential information acquired by him or her in the
3 course of and by reason of his or her official duties.

4 (2) Willfully and knowingly disclose, for pecuniary gain, to any
5 other person, confidential information acquired by him or her in
6 the course of and by reason of his or her official duties, or use the
7 information for the purpose of pecuniary gain.

8 (3) Accept or agree to accept, or be in partnership with any
9 person who accepts or agrees to accept, any employment, fee, or
10 other thing of value, or portion thereof, in consideration of his or
11 her appearance, agreeing to appear, or taking of any other action
12 on behalf of another person regarding a licensing or regulatory
13 matter, before any state board or agency that is established by law
14 for the primary purpose of licensing or regulating the professional
15 activity of persons licensed, pursuant to state law.

16 This rule does not prohibit a Member who is an attorney at law
17 from practicing in that capacity before the Workers' Compensation
18 Appeals Board or the Commissioner of Corporations, and receiving
19 compensation therefor, or from practicing for compensation before
20 any state board or agency in connection with, or in any matter
21 related to, any case, action, or proceeding filed and pending in any
22 state or federal court. This rule does not prohibit a Member from
23 making inquiry for information on behalf of a constituent before
24 a state board or agency, if no fee or reward is given or promised
25 in consequence thereof. The prohibition contained in this rule does
26 not apply to a partnership in which a Member of the Legislature
27 is a member if the Member of the Legislature does not share
28 directly or indirectly in the fee resulting from the transaction, nor
29 does it apply in connection with any matter pending before any
30 state board or agency on the operative date of this rule if the
31 affected Member of the Legislature is attorney of record or
32 representative in the matter prior to the operative date.

33 (4) Receive or agree to receive, directly or indirectly, any
34 compensation, reward, or gift from any source except the State of
35 California for any service, advice, assistance, or other matter related
36 to the legislative process, except fees for speeches or published
37 works on legislative subjects and except, in connection therewith,
38 the reimbursement of expenses for actual expenditures for travel
39 and reasonable subsistence for which no payment or reimbursement
40 is made by the State of California.

1 (5) Participate, by voting or any other action, on the floor of
2 either house, or in committee or elsewhere, in the enactment or
3 defeat of legislation in which he or she has a personal interest,
4 except as follows:

5 (i) If, on the vote for final passage, by the house of which he or
6 she is a Member, of the legislation in which he or she has a
7 personal interest, he or she first files a statement (which shall be
8 entered verbatim in the Daily Journal) stating in substance that he
9 or she has a personal interest in the legislation to be voted on and
10 that, notwithstanding that interest, he or she is able to cast a fair
11 and objective vote on the legislation, he or she may cast his or her
12 vote without violating any provision of this rule.

13 (ii) If the Member believes that, because of his or her personal
14 interest, he or she should abstain from participating in the vote on
15 the legislation, he or she shall so advise the presiding officer prior
16 to the commencement of the vote and shall be excused from voting
17 on the legislation without any entry in the Daily Journal of the fact
18 of his or her personal interest. In the event that a rule of the house
19 requiring that each Member who is present vote aye or nay is
20 invoked, the presiding officer shall order the Member excused
21 from compliance and shall order entered in the Daily Journal a
22 simple statement that the Member was excused from voting on the
23 legislation pursuant to law.

24 (c) A person subject to this rule has an interest that is in
25 substantial conflict with the proper discharge of his or her duties
26 in the public interest and of his or her responsibilities as prescribed
27 by the laws of this state, or a personal interest, arising from any
28 situation, within the scope of this rule, if he or she has reason to
29 believe or expect that he or she will derive a direct monetary gain
30 or suffer a direct monetary loss, as the case may be, by reason of
31 his or her official activity. He or she does not have an interest that
32 is in substantial conflict with the proper discharge of his or her
33 duties in the public interest and of his or her responsibilities as
34 prescribed by the laws of this state, or a personal interest, arising
35 from any situation, within the scope of this rule, if any benefit or
36 detriment accrues to him or her as a member of a business,
37 profession, occupation, or group to no greater extent than any other
38 member of the business, profession, occupation, or group.

39 (d) A person who is subject to this rule may not be deemed to
40 be engaged in any activity that is in substantial conflict with the

1 proper discharge of his or her duties in the public interest and of
2 his or her responsibilities as prescribed by the laws of this state,
3 or to have a personal interest, arising from any situation, within
4 the scope of this rule, solely by reason of any of the following:

5 (1) His or her relationship to any potential beneficiary of any
6 situation is one that is defined as a remote interest by Section 1091
7 of the Government Code or is otherwise not deemed to be a
8 prohibited interest under Section 1091.1 or 1091.5 of the
9 Government Code.

10 (2) Receipt of a campaign contribution that is regulated,
11 received, reported, and accounted for pursuant to Chapter 4
12 (commencing with Section 84100) of Title 9 of the Government
13 Code, so long as the contribution is not made on the understanding
14 or agreement, in violation of law, that the person's vote, opinion,
15 judgment, or action will be influenced thereby.

16 (e) The enumeration in this rule of specific situations or
17 conditions that are deemed not to result in substantial conflict with
18 the proper discharge of the duties and responsibilities of a legislator
19 or legislative employee, or in a personal interest, may not be
20 construed as exclusive.

21 The Legislature, in adopting this rule, recognizes that Members
22 of the Legislature and legislative employees may need to engage
23 in employment, professional, or business activities other than
24 legislative activities in order to maintain a continuity of
25 professional or business activity, or may need to maintain
26 investments, which activities or investments do not conflict with
27 specific provisions of this rule. However, in construing and
28 administering this rule, weight should be given to any coincidence
29 of income, employment, investment, or other profit from sources
30 that may be identified with the interests represented by those
31 sources that are seeking action of any character on matters then
32 pending before the Legislature.

33 (f) An employee of either house of the Legislature may not,
34 during the time he or she is so employed, commit any act or engage
35 in any activity prohibited by any part of this rule.

36 (g) A person may not induce or seek to induce any Member of
37 the Legislature to violate any part of this rule.

38 (h) A violation of any part of this rule is punishable as provided
39 in Section 8926 of the Government Code.

40

Ethics Committees

45. The Senate Committee on Legislative Ethics and the Assembly Legislative Ethics Committee, respectively, shall receive complaints concerning Members of their respective houses, and may investigate and make findings and recommendations concerning violations by Members of their respective houses of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code. Each house shall adopt rules governing the establishment and procedures of the committee of that house.

Designating Legislative Sessions

50. Regular sessions shall be identified with the odd-numbered year subsequent to each general election, followed by a hyphen, and then the last two digits of the following even-numbered year. For example: 2011–12 Regular Session.

Designating Extraordinary Sessions

50.3. All extraordinary sessions shall be designated in numerical order by the session in which convened.

Days and Dates

50.5. (a) As used in these rules, “day” means a calendar day, unless otherwise specified.

(b) When the date of a deadline, recess requirement, or circumstance falls on a Saturday, Sunday, or Monday that is a holiday, the date shall be deemed to refer to the preceding Friday.

1 When the date falls on a holiday on a weekday other than a
2 Monday, the date shall be deemed to refer to the preceding day.

3
4
5 Legislative Calendar
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7

8 51. (a) The Legislature shall observe the following calendar
9 during the first year of the regular session:

10 (1) Organizational Recess—The Legislature shall meet on the
11 first Monday in December following the general election to
12 organize. Thereafter, each house shall be in recess from the time
13 it determines until the first Monday in January, except when the
14 first Monday is January 1 or January 1 is a Sunday, in which case,
15 the following Wednesday.

16 (2) Spring Recess—The Legislature shall be in recess from the
17 10th day prior to Easter until the Monday after Easter.

18 (3) Summer Recess—The Legislature shall be in recess from
19 July 15 until August 15. This recess shall not commence until the
20 Budget Bill is passed.

21 (4) Interim Study Recess—The Legislature shall be in recess
22 from September 9 until the first Monday in January, except when
23 the first Monday is January 1 or January 1 is a Sunday, in which
24 case, the following Wednesday.

25 (b) The Legislature shall observe the following calendar for the
26 remainder of the legislative session:

27 (1) Spring Recess—The Legislature shall be in recess from the
28 10th day prior to Easter until the Monday after Easter.

29 (2) Summer Recess—The Legislature shall be in recess from
30 July 6 until August 6. This recess may not commence until the
31 Budget Bill is passed.

32 (3) Final Recess—The Legislature shall be in recess on
33 September 1 until adjournment sine die on November 30.

34 (c) Recesses shall be from the hour of adjournment on the day
35 specified, reconvening at the time designated by the respective
36 houses.

37 (d) The recesses specified by this rule shall be designated as
38 joint recesses.

Recall from Recess

52. Notwithstanding the power of the Governor to call a special session, the Legislature may be recalled from joint recess and reconvene in regular session by any of the following means:

(a) It may be recalled by joint proclamation, which shall be entered in the Daily Journal, of the Senate Committee on Rules and the Speaker of the Assembly or, in his or her absence from the state, the Assembly Committee on Rules.

(b) Ten or more Members of the Legislature may present a request for recall from joint recess to the Chief Clerk of the Assembly and the Secretary of the Senate. The request immediately shall be printed in the Daily Journal. Within 10 days thereafter, the Speaker of the Assembly or, if the Speaker is absent from the state, the Assembly Committee on Rules, and the Senate Committee on Rules shall act upon the request. If they concur in desiring to recall the Legislature from joint recess, they shall issue their joint proclamation to that effect entered in the Daily Journal no later than 20 days after publication of the request in the Daily Journal.

(c) If either or both of the parties specified in subdivision (b) does not concur, 10 or more Members of the Legislature may request the Chief Clerk of the Assembly or the Secretary of the Senate to petition the membership of the respective house. The petition shall be entered in the Daily Journal and shall contain a specified reconvening date commencing not later than 20 days after the date of the petition. If two-thirds of the Members of the house or each of the two houses concur, the Legislature shall reconvene on the date specified. The necessary concurrences must be received at least 10 days prior to the date specified for reconvening.

Procedure on Suspending Rules by Single House

53. Whenever these rules authorize suspension of the Joint Rules as to a particular bill by action of a single house after

1 approval by the Committee on Rules of that house, the following
2 procedure shall be followed:

3 (a) A written request to suspend the joint rule shall be filed with
4 the Chief Clerk of the Assembly or the Secretary of the Senate, as
5 the case may be, and shall be transmitted to the Committee on
6 Rules of the appropriate house.

7 (b) The Assembly Committee on Rules or the Senate Committee
8 on Rules, as the case may be, shall determine whether there exists
9 an urgent need for the suspension of the joint rule with regard to
10 the bill.

11 (c) If the appropriate rules committee recommends that the
12 suspension be permitted, the Member may offer a resolution,
13 without further reference thereof to committee, granting permission
14 to suspend the joint rule. The adoption of the resolution granting
15 permission shall require an affirmative recorded vote of the elected
16 Members of the house in which the request is made.

17 18 19 Introduction of Bills 20 21

22 54. (a) A bill may not be introduced in the first year of the
23 regular session after February 18 and a bill may not be introduced
24 in the second year of the regular session after February 24. These
25 deadlines do not apply to constitutional amendments, committee
26 bills introduced pursuant to Assembly Rule 47 or Senate Rule 23,
27 bills introduced in the Assembly with the permission of the Speaker
28 of the Assembly, or bills introduced in the Senate with the
29 permission of the Senate Committee on Rules. Subject to these
30 deadlines, a bill may be introduced at any time except when the
31 houses are in joint summer, interim, or final recess. Each house
32 may provide for introduction of bills during a recess other than a
33 joint recess. Bills shall be numbered consecutively during the
34 regular session.

35 (b) The Desks of the Senate and Assembly shall remain open
36 during a joint recess, other than a joint spring, summer, interim,
37 or final recess, for the introduction of bills during business hours
38 on Monday through Friday, inclusive, except holidays. Bills
39 received at the Senate Desk during these periods shall be numbered
40 and printed. After printing, the bills shall be delivered to the

Secretary of the Senate and referred by the Senate Committee on Rules to a standing committee. Bills received at the Assembly Desk during these periods shall be numbered, printed, and referred to a committee by the Assembly Committee on Rules. After printing, the bills shall be delivered to the Chief Clerk of the Assembly. On the reconvening of each house, the bills shall be read the first time, and shall be delivered to the committee to which they were referred.

(c) A Member may not author a bill during a session that would have substantially the same effect as a bill he or she previously introduced during that session. This restriction does not apply in cases where the previously introduced bill was vetoed by the Governor or its provisions were “chaptered out” by a later chaptered bill pursuant to Section 9605 of the Government Code. An objection based on this restriction may be raised only while the bill is being considered by the house in which it is introduced. The objection shall be referred to the Committee on Rules of the house for a determination. The bill shall remain on the Daily File or with a committee, as the case may be, until a determination is made. If, upon consideration of the objection, the Committee on Rules determines that the bill objected to would have substantially the same effect as another bill previously introduced during the session by the author, the bill objected to shall be stricken from the Daily File or returned to the desk by the committee, as the case may be, and may not be acted upon during the remainder of the session. If the Committee on Rules determines that the bill objected to would not have substantially the same effect as a bill previously introduced during the session by the author, the bill may thereafter be acted upon by the committee or the house, as the case may be. The Committee on Rules may obtain assistance as it may desire from the Legislative Counsel as to the similarity of a bill or amendments to a prior bill.

Except as provided in subdivision (e), this joint rule may be suspended by approval of the Committee on Rules and three-fourths vote of the membership of the house.

(d) During a joint recess, the Chief Clerk of the Assembly or Secretary of the Senate shall order the preparation of preprint bills when so ordered by any of the following:

- (1) The Speaker of the Assembly.
- (2) The Committee on Rules of the respective house.

1 (3) A committee, with respect to bills within the subject matter
2 jurisdiction of the committee.

3 Preprint bills shall be designated and shall be printed in the order
4 received and numbered in the order printed. To facilitate
5 subsequent amendment, a preprint bill shall be so prepared that,
6 when introduced as a bill, the page and the line numbers will not
7 change. The Chief Clerk of the Assembly and Secretary of the
8 Senate shall publish a list periodically of preprint bills showing
9 the preprint bill number, the title, and the Legislative Counsel's
10 Digest. The Speaker of the Assembly and Senate Committee on
11 Rules may refer any preprint bill to committee for study.

12 (e) (1) Bills providing for appropriations related to the Budget
13 Bill, within the meaning of subdivision (e) of Section 12 of Article
14 IV of the California Constitution, shall be authored only by the
15 Senate Committee on Budget and Fiscal Review or the Assembly
16 Committee on Budget.

17 (2) This subdivision may be suspended by approval of the
18 Committee on Rules and two-thirds vote of the membership of the
19 house.

20 21 22 30-Day Waiting Period 23 24

25 55. A bill other than the Budget Bill may not be heard or acted
26 upon by committee or either house until the bill has been in print
27 for 30 days. The date a bill is returned from the printer shall be
28 entered in the Daily History. This rule may be suspended
29 concurrently with the suspension of the requirement of Section 8
30 of Article IV of the Constitution or, if that period has expired, this
31 rule may be suspended by approval of the Committee on Rules
32 and two-thirds vote of the house in which the bill is being
33 considered.

34 35 36 Return of Bills 37 38

39 56. Bills introduced in the first year of the regular session and
40 passed by the house of origin on or before the January 31st

1 constitutional deadline are “carryover bills.” Immediately after
2 January 31, bills introduced in the first year of the regular session
3 that do not become “carryover bills” shall be returned to the Chief
4 Clerk of the Assembly or Secretary of the Senate, respectively.
5 Notwithstanding Rule 4, as used in this rule “bills” does not include
6 constitutional amendments.

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9 Appropriation Bills

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12 57. Appropriation bills that, pursuant to paragraph (4) of
13 subdivision (b) of Section 12 of Article IV of the California
14 Constitution, may not be sent to the Governor shall be held, after
15 enrollment, by the Chief Clerk of the Assembly or Secretary of
16 the Senate, respectively. The bills shall be sent to the Governor
17 immediately after the Budget Bill has been enacted.

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20 Urgency Clauses

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23 58. An amendment to add a section to a bill to provide that the
24 act shall take effect immediately as an urgency statute may not be
25 adopted unless the author of the amendment has first secured the
26 approval of the Committee on Rules of the house in which the
27 amendments are offered.

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30 Vetoes

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33 58.5. The Legislature may consider a Governor’s veto for only
34 60 days, not counting days when the Legislature is in joint recess.

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37 Publications

1 59. During periods of joint recess, weekly, if necessary, the
2 following documents shall be published: Daily Files, Histories,
3 and Daily Journals.

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6 Committee Hearings
7

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9 60. (a) A standing committee or subcommittee thereof may
10 not take action on a bill at any hearing held outside of the State
11 Capitol.

12 (b) A committee may hear the subject matter of a bill or convene
13 for an informational hearing during a period of recess. Four days'
14 notice in the Daily File is required prior to the hearing.

15 (c) A bill may not be acted upon by a committee during a joint
16 recess.

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18
19 Deadlines
20
21

22 61. The deadlines set forth in this rule shall be observed by the
23 Senate and Assembly. After each deadline, the Secretary of the
24 Senate and the Chief Clerk of the Assembly may not accept
25 committee reports from their respective committees except as
26 otherwise provided in this rule:

27 (a) Odd-numbered year:

28 (1) Feb. 18—Last day for bills to be introduced.

29 (2) May 6—Last day for policy committees to hear and report
30 to fiscal committees fiscal bills introduced in their house.

31 (3) May 13—Last day for policy committees to hear and report
32 to the floor nonfiscal bills introduced in their house.

33 (4) May 20—Last day for policy committees to meet prior to
34 June 6.

35 (5) May 27—Last day for fiscal committees to hear and report
36 to the floor bills introduced in their house.

37 (6) May 27—Last day for fiscal committees to meet prior to
38 June 6.

39 (7) May 31-June 3—Floor session only. No committee may
40 meet for any purpose.

1 (8) June 3—Last day for each house to pass bills introduced in
2 that house.

3 (9) June 6—Committee meetings may resume.

4 (10) July 8—Last day for policy committees to meet and report
5 bills.

6 (11) Aug. 26—Last day for fiscal committees to meet and report
7 bills.

8 (12) Aug. 29-Sept. 9—Floor session only. No committee may
9 meet for any purpose.

10 (13) Sept. 2—Last day to amend on the floor.

11 (14) Sept. 9—Last day for each house to pass bills.

12 (b) Even-numbered year:

13 (1) Jan. 13—Last day for policy committees to hear and report
14 to fiscal committees fiscal bills introduced in their house in the
15 odd-numbered year.

16 (2) Jan. 20—Last day for any committee to hear and report to
17 the floor bills introduced in that house in the odd-numbered year.

18 (3) Jan. 31—Last day for each house to pass bills introduced in
19 that house in the odd-numbered year.

20 (4) Feb. 24—Last day for bills to be introduced.

21 (5) April 27—Last day for policy committees to hear and report
22 to fiscal committees fiscal bills introduced in their house.

23 (6) May 11—Last day for policy committees to hear and report
24 to the floor nonfiscal bills introduced in their house.

25 (7) May 18—Last day for policy committees to meet prior to
26 June 4.

27 (8) May 25—Last day for fiscal committees to hear and report
28 to the floor bills introduced in their house.

29 (9) May 25—Last day for fiscal committees to meet prior to
30 June 4.

31 (10) May 29-June 1—Floor session only. No committee may
32 meet for any purpose.

33 (11) June 1—Last day for each house to pass bills introduced
34 in that house.

35 (12) June 4—Committee meetings may resume.

36 (13) July 6—Last day for policy committees to meet and report
37 bills.

38 (14) Aug. 17—Last day for fiscal committees to meet and report
39 bills.

1 (15) Aug. 20-Aug. 31—Floor session only. No committee may
2 meet for any purpose.

3 (16) Aug. 24—Last day to amend on floor.

4 (17) Aug. 31—Last day for each house to pass bills.

5 (c) If a bill is acted upon in committee before the relevant
6 deadline, and the committee votes to report the bill out with
7 amendments that have not at the time of the vote been prepared
8 by the Legislative Counsel, the Secretary of the Senate and the
9 Chief Clerk of the Assembly may subsequently receive a report
10 recommending the bill for passage or for rereferral together with
11 the amendments at any time within two legislative days after the
12 deadline or, if the Legislature has recessed for the Summer Recess,
13 within seven calendar days after the deadline.

14 (d) Notwithstanding subdivisions (a) and (b), a policy committee
15 may report a bill to a fiscal committee on or before the relevant
16 deadline for reporting nonfiscal bills to the floor if, after the policy
17 committee deadline for reporting the bill to fiscal committee, the
18 Legislative Counsel's Digest is changed to indicate reference to
19 fiscal committee.

20 (e) Any bill in the house of origin that is not acted upon during
21 the odd-numbered year as a result of the deadlines imposed in
22 subdivision (a) may be acted upon when the Legislature reconvenes
23 after the interim study joint recess, or at any time the Legislature
24 is recalled from the interim study joint recess.

25 (f) The deadlines imposed by this rule do not apply to the rules
26 committees of the respective houses.

27 (g) The deadlines imposed by this rule do not apply in instances
28 where a bill is referred to committee under Rule 26.5.

29 (h) The deadlines imposed by this rule do not apply in instances
30 where a bill is referred to a committee under Assembly Rule 77.2.

31 (i) (1) Notwithstanding subdivisions (a) and (b), a policy
32 committee or fiscal committee may meet for the purpose of hearing
33 and reporting a constitutional amendment, or a bill that would go
34 into immediate effect pursuant to subdivision (c) of Section 8 of
35 Article IV of the California Constitution, at any time other than
36 those periods when no committee may meet for any purpose.

37 (2) Notwithstanding subdivisions (a) and (b), either house may
38 meet for the purpose of considering and passing a constitutional
39 amendment, or a bill that would go into immediate effect pursuant

1 to subdivision (c) of Section 8 of Article IV of the California
2 Constitution, at any time during the session.

3 (j) This rule may be suspended as to any particular bill by
4 approval of the Committee on Rules and two-thirds vote of the
5 membership of the house.
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8 Committee Procedure
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10

11 62. (a) Notice of a hearing on a bill by the committee of first
12 reference in each house, or notice of an informational hearing,
13 shall be published in the Daily File at least four days prior to the
14 hearing. Otherwise, notice shall be published in the Daily File two
15 days prior to the hearing. That notice requirement may be waived
16 by a majority vote of the house in which the bill is being
17 considered. A bill may be set for hearing in a committee only three
18 times. A bill is “set,” for purposes of this subdivision, whenever
19 notice of the hearing has been published in the Daily File for one
20 or more days. If a bill is set for hearing, and the committee, on its
21 own initiation and not the author’s, postpones the hearing on the
22 bill or adjourns the hearing while testimony is being taken, that
23 hearing is not counted as one of the three times a bill may be set.
24 After hearing the bill, the committee may vote on the bill. If the
25 hearing notice in the Daily File specifically indicates that
26 “testimony only” will be taken, that hearing is not counted as one
27 of the three times a bill may be set. A committee may not vote on
28 a bill so noticed until it has been heard in accordance with this
29 rule. After a committee has voted on a bill, reconsideration may
30 be granted only one time. Reconsideration may be granted within
31 15 legislative days or prior to the interim study joint recess,
32 whichever first occurs. A vote on reconsideration may not be taken
33 without the same notice required to set a bill unless that vote is
34 taken at the same meeting at which the vote to be reconsidered
35 was taken, and the author is present. When a bill fails to get the
36 necessary votes to pass it out of committee, or upon failure to
37 receive reconsideration, it shall be returned to the Chief Clerk of
38 the Assembly or Secretary of the Senate of the house of the
39 committee and may not be considered further during the session.

1 This subdivision may be suspended with respect to a particular
2 bill by approval of the Committee on Rules and two-thirds vote
3 of the Members of the house.

4 (b) If the committee adopts amendments other than those offered
5 by the author and orders the bill reprinted prior to its further
6 consideration, the hearing shall not be the final time a bill may be
7 set under subdivision (a) of this rule.

8 (c) When a standing committee takes action on a bill, the vote
9 shall be by rollcall vote only. All rollcall votes taken by a standing
10 committee shall be recorded by the committee secretary on forms
11 provided by the Chief Clerk of the Assembly and the Secretary of
12 the Senate. The chairperson of each standing committee shall
13 promptly transmit a copy of the record of the rollcall votes to the
14 Chief Clerk of the Assembly or the Secretary of the Senate,
15 respectively, who shall cause the votes to be published as
16 prescribed by each house.

17 This subdivision also applies to action of a committee on a
18 subcommittee report. The rules of each house shall prescribe the
19 procedure as to rollcall votes on amendments.

20 Any committee may, with the unanimous consent of the members
21 present, substitute a rollcall from a prior bill, provided that the
22 members whose votes are substituted are present at the time of the
23 substitution.

24 A bill may not be passed out by a committee without a quorum
25 being present.

26 This subdivision does not apply to:

27 (1) Procedural motions that do not have the effect of disposing
28 of a bill.

29 (2) Withdrawal of a bill from a committee calendar at the request
30 of an author.

31 (3) Return of a bill to the house where the bill has not been
32 voted on by the committee.

33 (4) The assignment of a bill to committee.

34 (d) The chairperson of the committee hearing a bill may, at any
35 time, order a call of the committee. Upon a request by any member
36 of a committee or the author in person, the chairperson shall order
37 the call.

38 In the absence of a quorum, a majority of the members present
39 may order a quorum call of the committee and compel the
40 attendance of absentees. The chairperson shall send the Sergeant

1 at Arms for those members who are absent and not excused by
2 their respective house.

3 When a call of a committee is ordered by the chairperson with
4 respect to a particular bill, he or she shall send the Sergeant at
5 Arms, or any other person to be appointed for that purpose, for
6 those members who have not voted on that particular bill and are
7 not excused.

8 A quorum call or a call of the committee with respect to a
9 particular bill may be dispensed with by the chairperson without
10 objection by any member of the committee, or by a majority of
11 the members present.

12 If a motion is adopted to adjourn the committee while the
13 committee is operating under a call, the call shall be dispensed
14 with and any pending vote announced.

15 The committee secretary shall record the votes of members
16 answering a call. The rules of each house may prescribe additional
17 procedures for a call of a committee.

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20 Uniform Rules

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23 63. A standing committee of either house may not adopt or
24 apply any rule or procedure governing the voting upon bills that
25 is not equally applicable to the bills of both houses.

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28 Votes on Bills

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31 64. Every meeting of each house and standing committee or
32 subcommittee thereof where a vote is to be taken on a bill, or
33 amendments to a bill, shall be public.

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35
36 Conflicting Rules

- 1 65. The provisions of Rule 50 and following of these rules
- 2 prevail over any conflicting joint rule with a lesser number.

O