
Introduced by Senator Steinberg

December 3, 2012

Senate Resolution No. 4—Relative to the Standing Rules of the Senate for the 2013–14 Regular Session.

1 *Resolved by the Senate of the State of California*, That the
2 following rules be, and the same are hereby adopted as, the
3 Standing Rules of the Senate for the 2013–14 Regular Session:

4
5 STANDING RULES OF THE SENATE

6
7 CONVENING AND SESSIONS

8
9 Hours of Meeting

10
11 1. The Senate shall meet at 9:00 a.m. daily, except Saturdays
12 and Sundays, unless otherwise ordered by the Senate.

13
14 Calling to Order

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16 2. The President pro Tempore, Vice Chair of the Committee
17 on Rules, or senior member present shall call the Senate to order
18 at the hour stated and, if a quorum is present, shall proceed with
19 the order of business.

20
21 Attendance of Senators

22
23 3. No Senator may absent himself or herself from attendance
24 upon the Senate without first obtaining leave. A lesser number
25 than a quorum of the Senate is authorized to send the Sergeant at

1 Arms for any and all absent Senators at the expense of the absent
2 Senators, unless an excuse for nonattendance made to the Senate
3 when a quorum is present shall be judged sufficient, and in that
4 case the expense shall be paid out of the Senate Operating Fund.
5 The President pro Tempore, or less than a quorum present, shall
6 have the power to issue process directly to the Sergeant at Arms
7 to compel the attendance of Senators absent without leave. Any
8 Senator who refuses to obey that process, unless sick or unable to
9 attend, shall be deemed guilty of contempt of the Senate, and the
10 Sergeant at Arms shall have power to use force as may be necessary
11 to compel the attendance of the absent Senator, and for this purpose
12 he or she may command the force of the county, or of any county
13 in the state.

14 Order of Business

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17 4. The order of business shall be as follows:
18 (1) Rollcall.
19 (2) Prayer by the Chaplain.
20 (3) Pledge of Allegiance.
21 (4) Privileges of the Floor.
22 (5) Communications and Petitions.
23 (6) Messages from the Governor.
24 (7) Messages from the Assembly.
25 (8) Reports of Committees.
26 (9) Motions, Resolutions and Notices.
27 (10) Introduction and First Reading of Bills.
28 (11) Consideration of Daily File:
29 (a) Second Reading.
30 (b) Special Orders.
31 (c) Unfinished Business.
32 (d) Third Reading.
33 (12) Announcement of Committee Meetings.
34 (13) Leaves of Absence.
35 (14) Adjournment.

36 Executive Sessions

- 37
38
39 5. When a motion is adopted to close the doors of the Senate,
40 on the discussion of any business that may require an executive

1 session, he or she who is presiding shall require all persons, except
2 the Senators, Secretary, Minute Clerk, and Sergeant at Arms, to
3 withdraw, and during the discussion of that business the doors
4 shall remain closed. Every Senator and officer present shall keep
5 secret all matters and proceedings concerning which secrecy shall
6 be enjoined by order of the Senate.

7
8 OFFICERS OF THE SENATE

9
10 The President

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12 6. The President may preside upon invitation of the Senate.

13
14 The President pro Tempore

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16 7. The President pro Tempore shall take the Chair and call the
17 Senate to order at the hour of the meetings of the Senate. The
18 President pro Tempore is the Presiding Officer of the Senate.

19 It shall be the particular responsibility of the President pro
20 Tempore to secure the prompt and businesslike disposition of bills
21 and other business before the Senate. He or she shall maintain
22 order in the Senate Chamber and, in case of a disturbance or
23 disorderly conduct outside the bar or in the gallery, he or she shall
24 have the power to order the same cleared.

25 The President pro Tempore shall serve ex officio as a member
26 of all Senate and joint committees of which he or she is not a
27 regular member, with all of the rights and privileges of that
28 membership except the right to vote. In counting a quorum of any
29 of these committees, the President pro Tempore may not be counted
30 as a member.

31 The Vice Chair of the Committee on Rules shall, in the absence
32 of the President pro Tempore, perform the duties, and have all
33 powers and authority, of the President pro Tempore.

34
35 Presiding by Senators

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37 8. The President pro Tempore of the Senate may name a Senator
38 to perform the duties of the Chair in his or her absence. The Senator
39 so named shall be vested, during that time on the floor, with all

1 the powers of the President pro Tempore, and the Senator who
2 performs these duties shall be known as the Presiding Officer.

3 In the absence of the President pro Tempore or the Vice Chair
4 of the Committee on Rules, any Senator may perform the duties
5 of the Chair.

6
7 Secretary of the Senate
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9 9. It shall be the duty of the Secretary of the Senate to attend
10 every session, call the roll, and read all bills, amendments, and
11 resolutions, and all papers ordered read by the Senate or the
12 Presiding Officer.

13 The Secretary of the Senate shall superintend all printing to be
14 done for the Senate.

15 The Secretary of the Senate shall certify to, and transmit to, the
16 Assembly all bills, joint and concurrent resolutions, constitutional
17 amendments, and papers requiring the concurrence of the
18 Assembly, after their passage or adoption by the Senate.

19 The Secretary of the Senate shall also keep a correct Journal of
20 the proceedings of the Senate, and shall notify the Assembly of
21 the action by the Senate on all matters originating in the Assembly
22 and requiring action on the part of the Senate.

23 The Secretary of the Senate shall have custody of all bills,
24 documents, papers, and records of the Senate and may not permit
25 any of the bills, documents, records, or papers to be taken from
26 the Desk or out of his or her custody by any person, except in the
27 regular course of the business of the Senate.

28 The Secretary of the Senate is the Executive Officer of the
29 Committee on Rules and shall act as its authorized representative
30 in all matters delegated to him or her by the committee.

31 Initiative measures received by the Secretary of the Senate in
32 accordance with Section 9034 of the Elections Code shall be
33 transmitted to the Committee on Rules and referred by the
34 Committee on Rules to the appropriate committee.

35
36 Sergeant at Arms of the Senate
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38 10. The Sergeant at Arms shall attend the Senate during all of
39 its sittings, and shall execute the commands of the Senate from
40 time to time, together with all process issued by its authority, as

1 shall be directed to him or her by the President. The Sergeant at
2 Arms is authorized to arrest for contempt all persons outside the
3 bar, or in the gallery, found in loud conversation or otherwise
4 making a noise to the disturbance of the Senate. The actual
5 expenses for the Sergeant at Arms for every arrest and for each
6 day's custody and release, and his or her traveling expenses, shall
7 be paid out of the Senate Operating Fund.

8 The Sergeant at Arms shall place copies of all bills, joint and
9 concurrent resolutions, constitutional amendments, Journals,
10 Histories, and Files, when printed, on the desks of Senators, at
11 least one hour previous to the opening of the session. If printed
12 copies are not available, electronic copies will suffice for purposes
13 of this rule.

14
15 Elected and Appointed Officers
16

17 10.5. On the first day of each session, the President pro
18 Tempore, members of the Committee on Rules, Secretary of the
19 Senate, and Sergeant at Arms shall be elected by a majority vote
20 of the duly elected and qualified Members of the Senate and shall
21 serve until their successors are elected and qualify. The Committee
22 on Rules shall appoint an Assistant Secretary, a Minute Clerk, a
23 Chaplain, and other employees with such duties as the committee
24 requires.

25
26 Officers and Employees Compensation: Approval
27

28 10.6. The Controller is hereby authorized and directed to draw
29 his or her warrants in favor of officers and employees who render
30 services to the Senate, as certified by the Committee on Rules or
31 by its authorized representative, from the fund set aside for the
32 pay of officers and employees of the Senate at the rate of
33 compensation certified by the committee or its representative, and
34 the Treasurer is hereby directed to pay the same.

COMMITTEES OF THE SENATE

Appointment of Committees

11. The Committee on Rules shall consist of the President pro Tempore of the Senate, who shall be the chair of the committee, and four other Members of the Senate to be elected by the Senate. There is a vacancy on the committee in the event a member ceases to be a Member of the Senate or resigns from the Committee on Rules. Any vacancy occurring during a summer, interim study, or final recess, except in the case of the President pro Tempore, shall be filled by the remaining members of the Committee on Rules. A vacancy occurring at any other time shall be filled by election by the Senate.

The Committee on Rules shall appoint all other committees of the Senate and shall designate a chair and vice chair of each committee.

In making committee appointments, the Committee on Rules shall give consideration to seniority, preference, and experience. However, in making committee appointments, the Committee on Rules shall, as far as practicable, give equal representation to all parts of the state.

Standing Committees

12. The standing committees of the Senate and subjects to be referred to each are set out below. The provisions set forth below as to the assignment of bills are intended as a guide to the Committee on Rules, but are not binding upon the committee.

(1) Agriculture, 7 members. Bills relating to agriculture.

(2) Appropriations, 9 members. Bills that are subject to Joint Rule 10.5 and are not referred to the Committee on Budget and Fiscal Review. Bills that would impose a state-mandated local program.

(3) Banking and Financial Institutions, 7 members. Bills relating to financial institutions, corporations, and retail credit interest rates.

(4) Budget and Fiscal Review, 16 members. The Budget Bill and bills implementing the Budget. Bills that directly affect the State Budget, including deficiencies and reappropriations.

(5) Business, Professions and Economic Development, 9 members. Bills relating to business and professional practices, licensing, and regulations other than bills relating to horse racing, alcoholic beverages, oil, mining, geothermal, and forestry industries. Bills relating to economic development, commerce, and international trade.

(6) Education, 11 members. Bills relating to education, higher education, and certificated educational personnel.

(7) Elections and Constitutional Amendments, 5 members. Bills relating to elections. Bills relating to constitutional amendments, when favorably reported out of the standing committee having jurisdiction of the subject matter.

(8) Energy, Utilities and Communications, 11 members. Bills relating to public utilities and carriers, energy companies, alternative energy development and conservation, and communications development and technology.

(9) Environmental Quality, 7 members. Bills relating to environmental quality, air quality, water quality, integrated waste management, recycling, toxics, and hazardous waste.

(10) Governance and Finance, 9 members. Bills relating to local government procedure, realignment, and budget reform. Bills relating to state and local revenue and taxation.

(11) Governmental Organization, 13 members. Bills relating to horse racing, public gaming, and alcoholic beverages, bills related to the management of public safety emergencies and disaster response, and bills regarding the use of state-controlled lands and buildings, state publishing, seals, bonds, and interstate compacts.

(12) Health, 9 members. Bills relating to public health, alcohol and drug abuse, mental health, health insurance and managed care, and related institutions.

(13) Human Services, 7 members. Bills relating to welfare, social programs and services, and related institutions.

(14) Insurance, 8 members. Bills relating to insurance, indemnity, surety, and warranty agreements.

(15) Judiciary, 5 members. Bills amending the following:

(a) Civil Code, except measures related to retail credit interest rates.

- 1 (b) Code of Civil Procedure.
- 2 (c) Evidence Code, except matters relating to criminal procedure.
- 3 (d) Family Code.
- 4 (e) Probate Code.
- 5 (f) Bills relating to municipal and state court judgeships, court
- 6 attachés, and personnel. Bills relating to liens, claims, and
- 7 unclaimed property, collections, and franchises.
- 8 (16) Labor and Industrial Relations, 7 members. Bills relating
- 9 to labor, industrial safety, unemployment, workers' compensation
- 10 and insurance, and noncertificated public school employees.
- 11 (17) Natural Resources and Water, 9 members. Bills relating to
- 12 conservation and the management of public resources, fish and
- 13 wildlife, regulation of oil, mining, geothermal development, acid
- 14 deposition, wetlands and lakes, global atmospheric effects, ocean
- 15 and bay pollution, coastal resources, forestry practices, recreation,
- 16 parks, and historical resources. Bills relating to water supply
- 17 management.
- 18 (18) Public Employment and Retirement, 5 members. Bills
- 19 relating to state and local nonschool public employees and public
- 20 employee retirement.
- 21 (19) Public Safety, 7 members. Bills amending the following:
- 22 (a) Evidence Code, relating to criminal procedure.
- 23 (b) Penal Code.
- 24 (c) Statutes of a penal nature not related closely to a subject
- 25 included in another subdivision of this rule.
- 26 (d) Bills relating to the Department of Corrections and
- 27 Rehabilitation.
- 28 (20) Rules, 5 members. Proposed amendments to the rules and
- 29 other matters relating to the business of the Legislature.
- 30 (21) Transportation and Housing, 9 members. Bills relating to
- 31 the operation, safety, equipment, transfer of ownership, licensing,
- 32 and registration of vehicles, aircraft, and vessels. Bills relating to
- 33 the Department of Transportation and the Department of Motor
- 34 Vehicles. Bills relating to waterways, harbors, highways, public
- 35 transportation systems, and airports. Bills relating to housing and
- 36 community redevelopment.
- 37 (22) Veterans Affairs, 7 members. Bills relating to veterans,
- 38 military affairs, and armories. Bills amending the Military and
- 39 Veterans Code.

1 The standing committees of any regular session shall be the
2 standing committees of concurrent special or extraordinary sessions
3 unless otherwise ordered by the Senate.

4
5 Committee on Legislative Ethics
6

7 12.3. (a) (1) The Committee on Legislative Ethics is hereby
8 created. The committee shall be appointed by the Committee on
9 Rules and shall consist of six Senators, at least two of whom are
10 members of the political party having the greatest number of
11 members in the Senate and at least two of whom are members of
12 the political party having the second greatest number of members
13 in the Senate. The members of the committee shall serve two-year
14 terms. The President pro Tempore and the Minority Floor Leader
15 shall serve as ex officio, nonvoting members of the committee.

16 (2) The Committee on Rules shall select a Chair and a Vice
17 Chair, who may not be members of the same political party. The
18 Chair may not serve more than two consecutive two-year terms,
19 and the Committee on Rules shall select a successor who is not a
20 member of the same political party as the immediately previous
21 Chair.

22 (3) Vacancies in the committee shall be filled within 30 days
23 by the Committee on Rules for the remainder of a term.

24 (4) If a complaint is filed against a member of the committee,
25 the Committee on Rules shall temporarily replace the member
26 with a Senator of the same political party, who shall serve until
27 the complaint is dismissed by the committee or the Senate takes
28 action as it deems appropriate, whichever occurs earlier.

29 (5) The Committee on Rules, upon the recommendation of the
30 Committee on Legislative Ethics, shall appoint a Chief Counsel
31 to assist the committee in carrying out its functions. The staff of
32 the committee shall be considered permanent and professional,
33 and shall perform their duties in a nonpartisan manner. No staff
34 of the committee may engage in partisan activities regarding a
35 Senate election campaign. The committee may retain independent
36 counsel when necessary for specific investigations.

37 (b) The committee shall do all of the following:

38 (1) The committee shall formulate and recommend, for adoption
39 by the Senate, standards of conduct for Senators and officers and
40 employees of the Senate in the performance of their legislative

responsibilities. The Ethics Manual for Members, Officers, and Employees of the United States House of Representatives, as prepared by the Staff of the Committee on Standards of Official Conduct, 102nd Congress Second Session (United States Government Printing Office, Washington, 1992), the Code of Ethics (Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code), and Joint Rule 44 shall serve as guides in the formulation of the standards of conduct.

(2) At the request of any Senator or officer or employee of the Senate, the committee shall provide an advisory opinion with respect to the standards of conduct of the Senate on the general propriety of past, current, or anticipated conduct of that Senator, officer, or employee. The opinion shall be rendered within 21 days unless the Chair and Vice Chair agree otherwise. The committee may, with appropriate deletions to ensure the privacy of the individuals concerned, publish the advisory opinions for the guidance of other Senators, officers, or employees.

(3) The committee shall develop, issue, and annually update a clear, informative, and usable manual for the Senate based on the standards of conduct adopted by the Senate, including any advisory opinions published pursuant to paragraph (2).

(4) The committee shall conduct periodic workshops, at least once each calendar year, for Senators and officers and employees of the Senate, including workshops specifically designed for newly elected Senators and newly appointed officers and employees. At least once in each biennial session, each Senator, and each officer or employee of the Senate who is a designated employee under the Senate Conflict of Interest Code, shall attend one of these workshops. The workshops shall include, but not be limited to, a comprehensive review of all applicable statutes and Senate rules.

(5) After adoption by the Senate of the standards of conduct, the committee shall receive and review complaints alleging violations of the standards of conduct by Senators, or officers or employees of the Senate, in accordance with the procedures specified in subdivisions (c) to (s), inclusive.

(6) The committee shall maintain a record of its investigations, hearings, and other proceedings. All records, complaints, documents, and reports filed with, submitted to, or made by the committee, and all records and transcripts of any investigations or

1 hearings of the committee shall be confidential and may not be
2 open to inspection by any person other than a member of the
3 committee or the staff of the committee, except as otherwise
4 specifically provided for in this rule. Any member of the committee
5 or any person on the staff of the committee who discloses any
6 record, complaint, document, report, or transcript that is
7 confidential shall be subject to discipline. The committee may, by
8 a majority vote of the membership of the committee, authorize the
9 release of any records, complaints, documents, reports, and
10 transcripts in its possession to the appropriate enforcement agency
11 if the committee determines that there is probable cause to believe
12 that the violation or violations alleged in the complaint would
13 constitute a felony or if the committee determines that the
14 information is material to any matter pending before the
15 enforcement agency.

16 (c) (1) Any person may file a complaint with the committee
17 that alleges a violation of the standards of conduct.

18 (2) Except as provided in paragraphs (3) and (4), a complaint
19 may not be filed more than 18 months after the date that the alleged
20 violation occurred.

21 (3) If the committee determines that the person filing the
22 complaint did not know, or through the exercise of reasonable
23 diligence could not have known, of the alleged violation within
24 18 months after the date that the alleged violation occurred, the
25 complaint may be filed within three years after the date that the
26 alleged violation occurred.

27 (4) If a complaint is filed within 60 days prior to an election at
28 which a Senator or officer or employee is a candidate for elective
29 office, the complaint shall be returned to the person filing the
30 complaint, and the person shall be informed that the complaint
31 may be filed with an appropriate enforcement agency and may be
32 refiled with the committee after the election. The period of time
33 for filing the complaint shall be extended for 60 days.

34 (5) A complaint may not be filed if it alleges a violation that
35 occurred prior to the adoption of the standards of conduct.

36 (d) A complaint shall satisfy all of the following requirements:

37 (1) It shall be in writing.

38 (2) It shall state the name of the person filing the complaint.

1 (3) It shall state the name of Senator, or the name and position
2 or title of the officer or employee of the Senate, who is alleged to
3 have committed a violation of the standards of conduct.

4 (4) It shall set forth allegations that, if true, would constitute a
5 violation of the standards of conduct. The allegations shall be
6 stated with sufficient clarity and detail to enable the committee to
7 make a finding pursuant to subdivision (h).

8 (5) It shall state the date of the alleged violation.

9 (6) It shall include a statement that the allegations are true of
10 the person's own knowledge or that the person believes them to
11 be true, and shall be signed by the person under penalty of perjury.

12 (e) The committee, on its own motion, two-thirds of the
13 membership concurring, may initiate a proceeding by filing a
14 complaint that complies with paragraphs (1) to (5), inclusive, of
15 subdivision (d).

16 (f) The committee shall promptly send a copy of a complaint
17 to the Senator, or officer or employee of the Senate, alleged to
18 have committed the violation, who shall thereafter be designated
19 as the respondent.

20 (g) If a complaint is filed by a person other than the committee,
21 the Chair and Vice Chair of the committee shall examine the
22 complaint to determine whether it was filed in accordance with
23 this rule and any rules of the committee. Within 15 days after the
24 complaint is filed, the Chair and Vice Chair shall provide to the
25 committee a copy of the complaint and their opinion as to whether
26 the allegations in the complaint, if true, would constitute a violation
27 of the standards of conduct. If the committee, by a two-thirds vote
28 of its membership, finds that the allegations, if true, would
29 constitute a violation of the standards of conduct, the committee
30 shall hold a hearing within 30 days to conduct a preliminary
31 inquiry. If two-thirds of the membership of the committee fails to
32 find that the allegations, if true, would constitute a violation of the
33 standards of conduct, it shall dismiss the complaint and so notify
34 the person who filed the complaint and the respondent, and the
35 complaint shall not be made public.

36 (h) At the preliminary inquiry, the respondent may respond to
37 the allegations in the complaint by written statement or oral
38 testimony. If two-thirds of the membership of the committee finds
39 that probable cause exists for believing that the respondent
40 committed a violation of the standards of conduct, the committee

1 shall issue a count-by-count statement of alleged violations. If
2 two-thirds of the membership of the committee fails to find that
3 probable cause exists, the committee shall dismiss the complaint.
4 In either event, the committee shall immediately notify the
5 respondent and the person who filed the complaint of its action.
6 If the committee finds that probable cause exists, the statement of
7 alleged violations shall be made public within seven days.

8 (i) Within 21 days after the issuance of the statement of alleged
9 violations, the respondent may file an answer that admits or denies
10 each count. Upon request of the respondent, the committee may
11 grant the respondent an additional 21 days to respond.

12 (j) Within 60 days after the issuance of the statement of alleged
13 violations, the committee shall hold a disciplinary hearing. If a
14 majority of the membership of each party on the committee fails
15 to find that the respondent committed a violation of the standards
16 of conduct, the committee shall dismiss the complaint. If a majority
17 of the membership of each party on the committee finds by clear
18 and convincing evidence that the respondent committed a violation
19 of the standards of conduct, the committee shall take the following
20 action:

21 (1) If the respondent is a Senator, it shall hold a hearing to
22 determine an appropriate sanction.

23 (2) If the respondent is an officer or employee, it shall transmit
24 its findings to the Committee on Rules for appropriate action.

25 (k) (1) At the hearing to determine an appropriate sanction,
26 two-thirds of the membership of the committee shall determine
27 whether the violation is serious or minor.

28 (2) If the committee determines that a violation is minor or fails
29 to determine that a violation is serious, two-thirds of the
30 membership of the committee (A) shall, if it determines that the
31 violation bears upon the exercise of a right or privilege, recommend
32 that the Committee on Rules deny or limit that right or privilege
33 and shall transmit its findings and recommendation to the
34 Committee on Rules, or (B) shall impose any lesser sanction.
35 Within 15 days after the imposition of a lesser sanction, the
36 respondent may appeal the sanction imposed to the Committee on
37 Rules.

38 (3) If the committee determines that a violation is serious,
39 two-thirds of the membership of the committee shall recommend

1 that the Senate take one or more of the following actions and shall
2 transmit its findings and recommendation to the Senate:

3 (A) The denial or limitation of any right or privilege, if the
4 violation bears upon the exercise of that right or privilege.

5 (B) A reprimand for a serious violation.

6 (C) A censure for a more serious violation.

7 (D) An expulsion for a most serious violation.

8 (I) The Senate shall, within 15 legislative days after receiving
9 the findings and recommendation, vote on the recommendation of
10 the committee. The Senate, by 21 votes, may deny or limit any
11 right or privilege of, reprimand, or censure the Senator or, by 27
12 votes, may expel the Senator.

13 (m) The committee or Senate may defer any action required by
14 this rule if other proceedings have been commenced on the same
15 matter.

16 (n) (1) At all hearings, the Chief Counsel of the committee shall
17 present the case. All relevant and probative evidence is admissible
18 unless it is privileged. Witnesses may be called and cross-examined
19 by the committee and the respondent, and exhibits and other
20 documents may be entered into the record. The respondent has the
21 right to be represented by legal counsel or any other person of his
22 or her choosing.

23 (2) If the committee receives, at any time, any exculpatory
24 information relating to the alleged violation, the committee shall
25 make the information available to the respondent.

26 (o) If the committee determines that the complaint was filed
27 with malicious intent, it may request that the Committee on Rules
28 reimburse the expenses incurred by the respondent.

29 (p) At any time during the proceedings, the respondent may
30 admit that he or she committed a violation of the standards of
31 conduct. If the respondent admits some but not all of the violations
32 alleged in the complaint or the counts set forth in the statement of
33 alleged violations, the committee shall find that the admitted
34 violations constituted a violation of the standards of conduct and
35 may continue the proceedings to determine whether the other
36 alleged violations constituted violations of the standards of conduct.
37 If the respondent admits to all alleged violations, the committee
38 shall find that the admitted violations constituted a violation of
39 the standards of conduct, terminate the preliminary inquiry or

1 disciplinary hearing, and take the action required by paragraph (1)
2 or (2) of subdivision (j).

3 (q) Meetings of the committee may not be open to the public
4 until the committee finds that probable cause exists for believing
5 that the respondent committed a violation of the standards of
6 conduct. Subsequent meetings of the committee or Senate shall
7 be public, and notice of any meeting shall be published in the
8 Senate File for four calendar days prior to the meeting.

9 (r) If the committee finds that probable cause exists for believing
10 that the respondent committed a violation of the standards of
11 conduct, the transcript of any testimony given, or any documents
12 admitted into evidence, at a public hearing and any report prepared
13 by the committee subsequent to that finding that states a final
14 finding or recommendation shall be open to public inspection.

15 (s) Upon request of the respondent, the committee may permit
16 the respondent to inspect, copy, or photograph books, papers,
17 documents, photographs, or other tangible objects that relate to
18 the allegations in the complaint. If the committee finds that
19 probable cause exists for believing that the respondent committed
20 a violation of the standards of conduct, the committee shall permit
21 the respondent to inspect, copy, or photograph books, papers,
22 documents, photographs, or other tangible objects that relate to
23 the statement of alleged violations.

24 (t) (1) A Senator or officer or employee of the Senate may not
25 directly or indirectly use or attempt to use his or her official
26 authority or influence to intimidate, threaten, coerce, command,
27 or attempt to intimidate, threaten, coerce, or command any person
28 for the purpose of interfering with the right of that person to file
29 a complaint with the committee, testify before, or in any way
30 cooperate with, the committee or any panel.

31 (2) For the purpose of paragraph (1), “use of official authority
32 or influence” includes promising to confer, or conferring, any
33 benefit; effecting, or threatening to effect, any reprisal; or taking,
34 or directing others to take, or recommending, processing, or
35 approving, any personnel action, including, but not limited to,
36 appointment, promotion, transfer, assignment, performance
37 evaluation, suspension, or other disciplinary action.

38 (3) Nothing in this subdivision may be construed to authorize
39 any person to disclose information the disclosure of which is
40 otherwise prohibited by law.

1 (u) The committee may adopt rules governing its proceedings
2 not inconsistent with this rule. The provisions of Joint Rule 36
3 relating to investigating committees apply to the committee to the
4 extent those provisions are consistent with this rule.

5 (v) The powers and procedures set forth in subdivisions (b) to
6 (u), inclusive, confer independent authority and may not be limited
7 or altered by Joint Rule 45.

8
9 General Research Committee

10
11 12.5. The General Research Committee is hereby created
12 pursuant to Section 11 of Article IV of the California Constitution,
13 which relates to legislative committees. The committee consists
14 of the 40 Senators, and the President pro Tempore is its chair. The
15 committee is allocated all subjects within the scope of legislative
16 regulation and control, but may not undertake any investigation
17 that another committee has been specifically requested or directed
18 to undertake. The General Research Committee may act through
19 subcommittees appointed by the Senate Committee on Rules. Each
20 member of the General Research Committee is authorized and
21 directed to receive and investigate requests for legislative action
22 made by individuals or groups and to report thereon to the full
23 committee.

24 The committee and its members shall have and exercise all of
25 the rights, duties, and powers conferred upon investigating
26 committees and their members by the Senate Rules and the Joint
27 Rules of the Senate and Assembly. However, neither the committee
28 nor its members may issue a subpoena without the prior approval
29 of the Committee on Rules. The committee has the following
30 additional powers and duties:

31 (a) To contract with other agencies, public or private, for the
32 rendition and affording of services, facilities, studies, and reports
33 to the committee as the committee deems necessary to assist it to
34 carry out the purposes for which it is created.

35 (b) To cooperate with and secure the cooperation of county,
36 city, city and county, and other local law enforcement agencies in
37 investigating any matter within the scope established by this rule,
38 and to direct the sheriff of any county to serve subpoenas, orders,
39 and other process issued by the committee.

1 (c) To meet and act at any place within the State of California
2 and, when authorized in writing by the Committee on Rules to do
3 so, to meet and act outside the state to carry out its duties.

4 (d) To report its findings and recommendations to the
5 Legislature and the people from time to time.

6 (e) To act during sessions of the Legislature, including any
7 recess.

8 (f) To do any and all other things necessary or convenient to
9 enable it fully and adequately to exercise its powers, perform its
10 duties, and accomplish the objects and purposes of this rule.

11 The Committee on Rules may allocate, from time to time, to the
12 General Research Committee from the Senate Operating Fund
13 those sums that are necessary to permit the General Research
14 Committee and the members thereof to carry out the duties imposed
15 on them. In addition, the Committee on Rules may allocate to any
16 subcommittee from the Senate Operating Fund those sums that
17 the Committee on Rules deems necessary to complete the
18 investigation or study conferred upon that subcommittee.

19 12.6. A select committee is a subcommittee of the General
20 Research Committee. Staff providing services to a select committee
21 are Senate employees assigned by the Committee on Rules to the
22 General Research Committee.

23 (a) A Senator who proposes to establish a select committee shall
24 submit to the Committee on Rules a written request that includes
25 all of the following:

26 (1) A description of the topic to be addressed by the select
27 committee and a general work plan and timetable, including
28 hearings, anticipated work product, and staffing needs and other
29 anticipated resource demands.

30 (2) A statement by the Senator proposing the select committee
31 that he or she has discussed his or her plans with the chair of the
32 standing committee having jurisdiction over the subject matter of
33 the proposed select committee. The statement shall describe any
34 objections that chair has to the establishment of the proposed select
35 committee.

36 (b) A select committee may be established only by a resolution
37 adopted by the Committee on Rules that specifies the jurisdiction
38 of the select committee. In making this decision, the Committee
39 on Rules shall consider any objections to that action raised by the

1 chair of a standing committee having jurisdiction over the subject
2 matter of the proposed select committee.

3 (c) The Committee on Rules shall appoint the members of a
4 select committee. A select committee may act only with regard to
5 the particular study or investigation assigned to it by the Committee
6 on Rules.

7 (d) A select committee is terminated automatically upon the
8 adjournment of the regular session in which it is established, or at
9 an earlier time specified in the resolution. In deciding whether to
10 reestablish a select committee established in a previous regular
11 session, the Committee on Rules shall consider the extent to which
12 the select committee successfully achieved its assigned objectives.

13 14 Additional Committee on Rules Powers

15
16 12.7. In addition to other rights, duties and powers vested in
17 the Committee on Rules, the committee and the members thereof
18 shall have and exercise all of the rights, duties, and powers of the
19 General Research Committee and the members thereof, as provided
20 in Rule 12.5, with authority to act on any subject allocated by Rule
21 12.5 to the General Research Committee.

22 23 Committee on Rules

24
25 13. (a) The Committee on Rules is charged with the general
26 responsibility for the administrative functioning of the Senate. The
27 committee has general charge of the books, documents, and other
28 papers and property of the Senate and shall see that the same are
29 properly kept, cared for, filed, or otherwise disposed of in
30 accordance with applicable law and rules. The committee also has
31 the duties of making studies and recommendations designed to
32 promote, improve, and expedite the business and procedure of the
33 Senate and its committees, including investigating committees
34 consisting wholly or in part of Members of the Senate, and of
35 proposing any amendments to the rules deemed necessary to
36 accomplish those purposes.

37 (b) The Committee on Rules shall continue in existence during
38 any recess of the Legislature until the convening of the next regular
39 session, and shall have the same powers and duties as while the
40 Senate is in session. The committee has the authority to fill

1 vacancies in any Senate committee or in the Senate membership
2 of any joint committee.

3 (c) The committee and its members shall have and exercise all
4 of the rights, duties, and powers conferred upon investigating
5 committees and their members by the Joint Rules of the Senate
6 and Assembly as they are adopted and amended from time to time,
7 which provisions are incorporated herein and made applicable to
8 the Committee on Rules and its members.

9 (d) The committee may make available to any Senate or joint
10 committee, or any Member of the Senate, assistance in connection
11 with the duties of the committee or other legislative matters as the
12 personnel resources under the direction of the committee or its
13 other facilities permit.

14 (e) All employees on the payroll of the Senate are employees
15 of the Senate and not of individual members, and they are under
16 the direct control of the Committee on Rules. The Committee on
17 Rules has general supervision over all employees of the Senate
18 and the powers and duties to suspend, discipline, or discharge any
19 employees when necessary. Any insubordination or inefficiency
20 on the part of any employee shall be reported to the Committee
21 on Rules.

22 (f) The committee shall make available and furnish to the
23 Members of the Senate, and the Senate committees, personnel
24 resources as may be reasonably necessary for the Members and
25 the committees to carry out their duties.

26 (g) The Committee on Rules constitutes the Committee on
27 Introduction of Bills and has charge of the engrossment and
28 enrollment of bills, the contingent expenses of the Senate, and
29 legislative printing, except insofar as these functions are delegated
30 to the Secretary of the Senate.

31 (h) The rooms, passages, and buildings set apart for the use of
32 the Senate are under the direction of the Committee on Rules, and
33 the committee may assign the press desks in the Senate Chamber
34 to accredited newspaper representatives.

35 (i) Executive communication of nominations sent by the
36 Governor, or any other entity with the authority to make
37 appointments, to the Senate for confirmation shall be referred to
38 the Committee on Rules, unless otherwise ordered by the Senate,
39 without debate.

1 (j) The Committee on Rules shall, at each regular session,
2 appoint a Member of the Senate to serve on the Judicial Council
3 and has the authority during any joint recess to fill any vacancy in
4 that position that occurs during the recess.

5 (k) When a report of a joint legislative committee is delivered
6 to the Senate Desk, the Committee on Rules shall refer it to a
7 standing committee for review and appropriate action.

8 9 Expenses of Senate Committees

10
11 13.1. All claims for expenses incurred by investigating
12 committees of the Senate, the Secretary of the Senate, and the
13 Sergeant at Arms shall be approved by the Committee on Rules
14 or its authorized representative before the claims are presented to
15 the Controller.

16 All proposed expenditures, including furniture, equipment, and
17 other property, but not including stationery supplies, shall be
18 approved by the Committee on Rules or its authorized
19 representatives before the expenses are incurred, unless the
20 expenditure is specifically exempted from the provisions of this
21 rule by the resolution authorizing it.

22 A warrant may not be drawn in payment of any claim for
23 expenses until the approval of the Committee on Rules, or its
24 authorized representative, has been obtained in accordance with
25 this rule.

26 The Committee on Rules may adopt rules and regulations
27 limiting the amount, time, and place of expenses and allowances
28 to be paid to employees of Senate investigating committees and
29 regulating the terms and conditions of employment of their
30 employees. Copies of all rules and regulations adopted pursuant
31 to this rule shall be distributed to the chair of every investigating
32 committee.

33 34 Alteration, Repair, Improvement to Senate

35
36 13.2. The Committee on Rules is authorized and directed to
37 incur and pay expenses of the Senate not otherwise provided for
38 as the committee determines are reasonably necessary, including
39 the repair, alteration, improvement, and equipping of the Senate

1 Chamber and the offices provided for the Senate in the State
2 Capitol.

3 In order to avoid unanticipated reversions of appropriations for
4 contingent expenses, the Committee on Rules may designate the
5 appropriation from which payment shall be made pursuant to
6 allocations to committees or for other purposes. If insufficient
7 money is available in any appropriation to pay all claims pursuant
8 to allocations charged against it, the committee shall designate
9 another appropriation from which the allocations shall be paid.

10
11 Rooms and Property of Senate
12

13 13.3. The Committee on Rules is responsible for the safekeeping
14 of Senate property. The Director of General Services is directed
15 to maintain the Senate Chamber and all the committee rooms and
16 other rooms used by the Senators and officers of the Senate in a
17 condition that they will be available for the use of the Senate at
18 any time. It is further directed that no persons other than the
19 Members, officers, and employees of the Senate may occupy or
20 use the offices, committee rooms, or other rooms now occupied
21 by the Senate without permission as hereinafter provided, that the
22 desks, furniture, and other equipment of the Senate shall be at the
23 disposal of the Committee on Rules, and that no person except
24 Members of the Senate may occupy any of the Senate's offices or
25 make use of Senate equipment without permission of the committee
26 or its authorized representative.

27
28 Inventory of Senate Property
29

30 13.4. The Committee on Rules is authorized and directed,
31 through its authorized representative, to make and maintain a
32 complete inventory of all property of the Senate, including all
33 property in the possession or control of any Senate committee.
34 The Committee on Rules has custody and control of all property
35 of the Senate and shall adopt rules or orders as it may determine
36 are necessary relating to the purchase, care, custody, and use or
37 disposal thereof.

1 Status of Standing Rules for Regular Session

2
3 13.5. The adoption of the Standing Rules for any special session
4 are not to be construed as modifying or rescinding the Standing
5 Rules of the Senate for a regular session.

6
7 Operating Expense Fund

8
9 13.6. The Committee on Rules is the committee identified in
10 Section 9126 of the Government Code. The balance of all money
11 in the Senate Operating Fund, including money now or hereafter
12 appropriated by the Legislature, except sums that are made
13 available specifically for purposes other than the expenses of
14 designated committees, is hereby made available to the Committee
15 on Rules for any charges or claims it may incur in carrying out the
16 duties imposed upon it by these rules or by Senate or concurrent
17 resolution.

18
19 Rules Committee Appointees

20
21 13.8. The Committee on Rules shall review its nonlegislator
22 appointees every two years. That review shall be completed not
23 later than the 120th calendar day of the regular session in which
24 the review is undertaken.

25
26 Schedule of Committee Meetings

27
28 14. The Committee on Rules shall propose to the Senate such
29 schedules for regular meetings of the standing committees as will
30 permit all members of each committee to attend without a conflict
31 of committee engagements.

32 The committee may also propose such special committee
33 meetings or special schedules of committee meetings as will
34 facilitate the business of the Senate. Those schedules may provide
35 a special schedule of committee meetings upon certain days of the
36 week or to meet any special condition that may arise.

Powers of Standing Committees

16. Each standing committee of the Senate to which a proposed law or bill is assigned has full power and authority during the session of the Legislature, or any recess thereof, to make an investigation and study concerning any proposed law or bill as the committee shall determine necessary to enable it to properly act thereon.

In the exercise of the power granted by this rule, each committee may appoint a secretary and employ clerical, legal, and technical assistants as may appear necessary when money has been made available therefor by the Senate.

Each standing committee is authorized and empowered to summon and subpoena witnesses, to require the production of papers, books, accounts, reports, documents, records, and papers of every kind and description, to issue subpoenas, and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary. However, no committee may issue a subpoena, nor may a committee require testimony under oath, without the prior approval of the Committee on Rules.

The Sergeant at Arms, or other person designated by the Sergeant at Arms or by the committee, shall serve any and all subpoenas, orders, and other process that may be issued by the committee, when directed to do so upon a vote of the majority of the membership of the committee.

Each of the members of the standing committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4 (commencing with Section 9400) of Part 1 of Division 2 of Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, apply to the committees.

All officers of this state, including the head of each department, agency, and subdivision thereof, all employees of the departments, agencies, and subdivisions of the state, the Legislative Counsel, and all other persons, whether connected with the state government or not, shall give and furnish to these committees upon request such information, records, and documents as the committees deem necessary or proper for the achievement of the purposes for which each standing committee was created.

1 Each standing committee may meet at the State Capitol and do
2 any and all things necessary or convenient to enable it to exercise
3 the powers and perform the duties herein granted to it, and may
4 expend such money as may be made available by the Senate for
5 that purpose, except that no committee may incur any indebtedness
6 unless money has been first made available therefor.

7
8 Funerals
9

10 17.5. The Chair or Vice Chair of the Committee on Rules may
11 designate any one or more of the Members of the Senate as a Senate
12 committee to attend funerals in appropriate circumstances. The
13 Members so designated may receive expenses as provided in Joint
14 Rule 35.

15 The Chair or Vice Chair of the Committee on Rules, or any
16 Member of the Senate designated by either of these officers, may
17 incur such expense as may be necessary for the purchase on behalf
18 of the Senate of suitable floral pieces for the funeral.

19 All expenses incurred pursuant to this rule shall be paid out of
20 the money allocated from the Senate Operating Fund to the
21 Committee on Rules and disbursed, after certification by the Chair
22 or Vice Chair of the committee or by the committee's disbursing
23 officer appointed and designated therefor by the committee, upon
24 warrants drawn by the Controller upon the Treasury.

25
26 Expenditures
27

28 18. A member of a committee may not incur any expense
29 chargeable to the Senate unless authorized by resolution of the
30 Senate.

31 The Committee on Rules shall provide, by rules and regulations,
32 for the manner of authorizing expenditures by Members,
33 committees, and officers and employees of the Senate that are not
34 otherwise authorized by law, these rules, or the Joint Rules of the
35 Senate and Assembly, and for the payment of the expenditures
36 from the Senate Operating Fund upon certification of claims
37 therefor to the Controller by the Committee on Rules or its
38 authorized representative.

Printing of Reports

18.5. All requests for the printing of reports of Senate committees shall be made to the Committee on Rules.

The Committee on Rules shall determine if the report is to be printed, the number of copies needed, and whether or not the report shall be printed in the Journal.

If the report is to be printed by the Office of State Publishing, it shall hold the type for each Senate committee report for a period of 90 days from the date of the first printing or for such other time as the Committee on Rules deems necessary.

PROCEDURES AND RULES

Resolutions and Constitutional Amendments

19. Joint, concurrent, and Senate resolutions, and constitutional amendments shall be treated the same as bills under these rules, except that they shall have only one official reading, which reading shall occur after they have been reported by committee.

Parliamentary Rules

20. In all cases not provided for by the Constitution, these rules, the Joint Rules of Senate and Assembly, or statute, the authority shall be the latest edition of Mason's Manual or the custom and usage of the Senate.

Suspension of Rules or Amending of Rules

21. A standing rule of the Senate may not be adopted, amended, or repealed except upon an affirmative vote of a majority of the membership of the Senate, one day's notice being given, except that any rule not requiring more than a majority vote may be temporarily suspended without that notice by a vote of a majority of the membership of the Senate. A rule requiring a two-thirds vote on any question may be amended only by a two-thirds vote on one day's notice, except that a rule requiring a two-thirds vote may be temporarily suspended without that notice by a two-thirds vote.

1 All proposed amendments to these rules shall, upon presentation,
2 be referred to the Committee on Rules without debate.

3
4 Suspension of the Joint Rules

5
6 21.1. Pursuant to Joint Rule 33, a joint rule may not be
7 suspended by the Senate except with the concurrence of 27
8 Members unless a lower vote is prescribed by these rules or the
9 Joint Rules of the Senate and the Assembly.

10
11 Permission of Committee on Rules

12
13 21.2. Notwithstanding Rule 21 or 21.1, a Senate or Joint Rule
14 may not be suspended unless the Committee on Rules determines
15 that an extraordinary circumstance exists that justifies the
16 suspension.

17
18 Rules Governing Standing Committees

19
20 21.5. Except as otherwise provided in these rules, standing
21 committees of the Senate shall be governed as follows:

22 (a) The officers of each Senate committee shall be a chair, vice
23 chair, and secretary.

24 (b) The chair shall preside at meetings when present except
25 when the committee is considering a bill of which he or she is the
26 sole author or the lead author. Whenever the chair is not presiding,
27 the vice chair shall assume the duties of the chair. In the absence
28 of both, a member designated by the chair shall preside.

29 (c) The secretary shall keep a complete record of the meetings
30 and actions taken by the committee. Bills and other measures
31 favorably acted upon shall be reported to the Senate as
32 expeditiously as the reports can be prepared.

33 (d) The committee shall meet in regular session on the day and
34 hour designated by the Committee on Rules. Adjourned meetings
35 or special meetings shall be held at the time fixed in the adjourning
36 motion, or, for a special meeting, on the call of the chair.

37 (e) A special meeting may be called by the chair, with the
38 approval of the Committee on Rules, by giving reasonable notice
39 to all members of the committee, either in writing or by telephone,
40 specifying the purpose of the meeting, the time and place thereof,

1 and the matters to be considered at the meeting. Notice of hearing
2 of bills as required by subdivision (a) of Joint Rule 62 may also
3 be given in the Daily File. A matter may not be considered at the
4 special meeting unless specified in the notice.

5 A special meeting shall be scheduled so as to permit all members
6 of the committee to attend without conflict with other scheduled
7 committee meetings.

8 (f) A majority of the membership of the committee shall
9 constitute a quorum. A vote of a majority of the membership of
10 the committee shall be required to table a bill, remove it from the
11 table, or reconsider a vote on a bill.

12 (g) Action may not be taken on any measure outside of a duly
13 constituted committee meeting.

14 (h) The chair shall set the hearings of bills and arrange the
15 calendar for committee hearings. Notice of hearing of any bill shall
16 be given to the author and other persons requiring notice. A bill
17 may not be considered in the absence of the author without his or
18 her consent, except that a bill may be presented by the author's
19 representative who is authorized in writing.

20 (i) A committee or a subcommittee thereof, by a majority vote
21 of the membership of the committee, may meet in executive session
22 for any purpose authorized by Section 9029 of the Government
23 Code. Otherwise, all meetings shall be open and public.

24 (j) The chair shall direct the order of presentation of the
25 arguments for and against matters for consideration by the
26 committee, and shall permit questions to be asked by members of
27 the committee in an orderly fashion and in keeping with proper
28 decorum.

29 (k) Further consideration of a bill that has been voted out of a
30 committee or defeated shall be by reconsideration only, as follows:

31 (1) A motion to reconsider a vote by which a bill is voted out
32 shall be in order, and shall be voted upon at the same meeting. If
33 the motion is carried by a vote of a majority of the membership of
34 the committee, the bill may be considered at that meeting, provided
35 the author is present, or at a subsequent meeting.

36 (2) The procedure for reconsideration of a bill that has been
37 defeated shall conform to the requirements of subdivision (a) of
38 Joint Rule 62. Any bill as to which reconsideration has been
39 granted pursuant to this paragraph may not be heard again until a

1 subsequent meeting of the committee, after being calendared in
2 the Daily File.

3 (l) Any bill that has been laid on the table and is removed from
4 the table at a later meeting may not be heard again until a
5 subsequent meeting of the committee, after being calendared in
6 the Daily File and after notice.

7 (m) When a committee adopts proposed amendments to a bill,
8 the bill may be taken up for vote at that meeting or, if the
9 committee or author requests, sent out to print before final action.
10 If the amendments are not in proper form, they shall be prepared
11 and submitted to the chair for approval before being reported to
12 the Desk. Amendments submitted by the author that, in the opinion
13 of the committee chair, are major or substantial shall be submitted
14 to the committee at least two legislative days before the bill is
15 scheduled for hearing.

16 (n) A bill may not be set for hearing, nor may any notice thereof
17 be published, by a Senate committee until the bill has been referred
18 to the committee by the Committee on Rules.

19 (o) The chair may appoint, with the permission of the Committee
20 on Rules, subcommittees of one or more members to consider and
21 recommend to the full committee action on matters as may be
22 assigned to the subcommittee for consideration from time to time
23 by the chair. The chair may assign and reassign members of, and
24 matters to, the various subcommittees. The recommendation of a
25 subcommittee may be accepted by a vote of a majority of the
26 members of the committee.

27 (p) In all cases not provided for by this rule, the Senate Rules,
28 the Joint Rules of the Senate and Assembly, or statute, the authority
29 shall be the latest edition of Mason's Manual.

30 Additional Rules

31
32
33 21.6. Committees may adopt additional rules that are not in
34 conflict with Rule 21.5 or other rules.

35 Reporting Measures Out of Committee

36
37
38 21.7. The vote of a majority of the membership of a standing
39 committee shall be required to report a bill, constitutional

1 amendment, concurrent resolution, or joint resolution out of
2 committee.

3 A vote of a majority of all members of a standing committee
4 who are present and voting shall be required to report a Senate
5 resolution out of committee.

6
7 Press Participation
8

9 21.8. Accredited press representatives may not be excluded
10 from any public legislative meeting or hearing, and may not be
11 prohibited from taking photographs of, televising, or recording the
12 committee or house hearings, subject to the following conditions:

13 (1) This rule extends to all public legislative meetings.

14 (2) Lights may be used only when cameras are filming and,
15 when possible, proceedings in hearing rooms and the chamber
16 shall be filmed without lights.

17 (3) Every effort should be made to set up filming equipment
18 before hearings or sessions begin.

19 (4) The committee chair or the Committee on Rules shall be
20 notified, as far in advance of the proceedings as possible, that
21 recordings and television cameras will be present and filming.

22 (5) To the extent practical, flash cameras shall not be used.

23 (6) Photographs shall be taken in an orderly and expeditious
24 manner so as to cause the least possible inconvenience to the
25 committee or to the Members in the chamber.

26 However, the chair of a committee may request any person to
27 relocate or remove any object, or discontinue the use of any
28 equipment, that is situated or used in a manner so as to disrupt the
29 proceedings or to create a potential danger to, or substantially
30 obstruct the view of, members of the committee or the public.

31 In case any person fails to respond to a request of the chair to
32 relocate, remove, or discontinue the use of the objects or
33 equipment, the committee may, by majority vote, require it.

1 INTRODUCTION AND REFERENCE OF MEASURES

2
3 Introduction, First Reading, and Reference of Measures
4

5 22. Any Senator desiring to introduce a bill, constitutional
6 amendment, concurrent resolution, joint resolution, or Senate
7 resolution shall send it to the Senate Desk.

8 When received at the Secretary's desk, a bill shall, under the
9 proper order of business, be numbered, read, printed, and referred
10 by the Committee on Rules to a standing committee. The
11 Committee on Rules shall check all Assembly measures before
12 reference to committee and shall designate the committee to which
13 they shall be referred.

14 All joint resolutions, concurrent resolutions, and Senate
15 resolutions shall be automatically referred to the Committee on
16 Rules upon introduction, and may be rereferred to any other
17 standing committee upon the vote of a majority of the membership
18 of the Committee on Rules.

19 Unless otherwise ordered by the Senate without debate, the
20 assignment of the measure shall then be complete and, after
21 printing, the Secretary shall deliver the measure to the committee
22 designated by the Committee on Rules.

23 Under the order of Messages from the Assembly, the Secretary
24 shall read each Assembly bill the first time and shall read the name
25 of the committee to which the bill has been assigned by the
26 Committee on Rules. Unless otherwise ordered by the Senate
27 without debate the assignment of the bill shall then be complete,
28 and the Secretary shall deliver the bill to the committee so
29 designated.
30

31 Bill Introduction Limitation
32

33 22.5. (a) A Member of the Senate may introduce or
34 subsequently author not more than 40 bills in the regular session.

35 (b) This rule may be suspended with respect to a particular bill
36 by approval of the Committee on Rules.

37 (c) This rule does not apply to a constitutional amendment, any
38 type of resolution, or a bill introduced by a committee.

Short Title

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

Introduction of Bills by a Committee

23. (a) A standing committee may introduce a bill germane to any subject within the proper consideration of the committee in the same manner as any Member. A committee bill shall contain the signatures of all of the members of the committee.

(b) A committee may amend into a bill related provisions germane to the subject and embraced within the title and, with the consent of the author, may constitute that bill a committee bill.

Bill Introduction Deadline

23.5. The Senate Desk shall remain open for the introduction of bills from 9:00 a.m. to 5:00 p.m. on the days designated in subdivision (a) of Joint Rule 54 as the deadlines for the introduction of bills in the first and second years of the regular session.

Introduction of Bills and Resolutions at Special Sessions

24. Whenever, at any special session, a bill or resolution is received at the Desk, under the order of Introduction of Bills, it shall be referred to the Committee on Rules, which shall decide whether or not the bill or resolution can properly be considered at the session. If, in the judgment of the Committee on Rules, the bill or resolution can be considered, the committee shall report the bill or resolution back and designate the committee to which it shall be assigned. Thereafter the bill or resolution shall be assigned a number by the Secretary, read the first time, and referred to the committee recommended by the Committee on Rules unless otherwise referred on motion without debate.

Resolutions

24.5. A Senate concurrent resolution or Senate resolution may be introduced relating to a present or former state or federal elected

1 official or a member of his or her immediate family. Other
2 resolutions for the purpose of commendation or congratulation of
3 any person, group, or organization, or for the purpose of expressing
4 sympathy, regret, or sorrow on the death of any person, shall be
5 prepared as Rules Committee resolutions and presented to the
6 Committee on Rules for appropriate action.

7 The Committee on Rules may approve exceptions to this rule
8 for Senate resolutions. The Secretary may not accept for
9 introduction any Senate resolution that is contrary to this rule
10 unless it is accompanied by the approval of the Committee on
11 Rules.

12 Senate Resolutions

13
14
15 25. All Senate resolutions eligible to be introduced under the
16 rules, upon being presented, shall be given a number by the
17 Secretary. A Senate resolution shall be printed, and indexed in the
18 History and Journal.

19 Bills Authored by a Former Member

20
21
22 26. Whenever a bill in the Senate is authored by an individual
23 who is no longer a Member of the Legislature, upon a request of
24 a committee or current Member of the house in which the bill was
25 introduced, the Senate Committee on Rules may authorize that
26 committee or Member to be the author of that bill. Absent that
27 authorization, action may not be taken by a committee or the Senate
28 with respect to a bill authored by a former Member.

29 BILLS IN COMMITTEE

30 Author's Amendments

31
32
33
34 27. Upon request of the author of a bill, the chair of the
35 committee to which the bill has been referred may, by his or her
36 individual action taken independently of any committee meeting,
37 cause the bill to be reported to the Senate with the recommendation
38 that amendments submitted by the author be adopted and the bill
39 be reprinted as amended and rereferred to the committee.

1 Withdrawing a Bill From Committee

2
3 28. A bill or resolution may not be withdrawn from committee
4 except upon written notice being first given to the Committee on
5 Rules and by 21 votes of the Senate.
6

7 Consent Calendar

8
9 28.3. (a) If a Senate bill or Assembly bill is amended in the
10 Senate to create a new bill or to rewrite the bill, a standing
11 committee may not place the bill on its consent calendar, and may
12 not report the bill out of committee with the recommendation that
13 it be placed on the consent calendar on the floor.

14 (b) For purposes of this rule, an amendment creates a new bill
15 or rewrites the bill if the amendment (1) changes the subject of the
16 bill to a new or different subject, or (2) adds a new subject to the
17 bill that is different from, and not related to, the contents of the
18 bill.
19

20 Referral of Bills

21
22 28.4. (a) If a Senate bill or Assembly bill is amended in the
23 Committee on Appropriations to create a new bill or to rewrite the
24 bill and the chair of the committee determines pursuant to Senate
25 Rule 28.8 that (1) any additional state costs are not significant and
26 do not and will not require the appropriation of additional state
27 funds, and (2) the bill will cause no significant reduction in
28 revenues, the bill shall be reported to the Senate with the
29 recommendation that it be placed on second reading, except that
30 the bill first shall be referred to the Committee on Rules. Upon
31 receipt of the bill, the Committee on Rules shall either refer the
32 bill to an appropriate policy committee or order that the bill be
33 placed on second reading.

34 (b) For purposes of this rule, an amendment creates a new bill
35 or rewrites the bill if the amendment (1) changes the subject of the
36 bill to a new or different subject, or (2) adds a new subject to the
37 bill that is different from, and not related to, the contents of the
38 bill.

Measures to be Authored

28.5. Each bill, constitutional amendment, or resolution shall be authored by a Member or committee of the Legislature before it is considered or voted on by a committee or the Senate. Each amendment to a bill, constitutional amendment, or resolution shall be signed by a Member or committee of the Legislature prior to adoption by the Senate. A bill may be authored only by a Member or committee of the house of origin. A Member other than a Member of the house of origin may be a “principal coauthor” or “coauthor.”

Vote in Committee

28.7. Voting on the disposition of bills, constitutional amendments, concurrent resolutions, and joint resolutions by committees shall be by rollcall vote only. A rollcall vote shall be taken on a motion to amend only if requested by any member of the committee or the author of the measure. All rollcall votes taken in committees shall be promptly transmitted by their respective chairs to the Secretary of the Senate, who shall cause a record of the rollcall votes to be printed in the Journal.

This rule does not apply to:

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

(b) Withdrawal of a bill from a committee calendar at the request of an author.

(c) A committee’s return of a bill to the Senate, if the bill has not been voted on by the committee.

(d) The assignment of bills to committee.

On a legislative day when the President pro Tempore or Minority Floor Leader is in attendance, he or she, in the absence of any objection, may instruct the committee secretary of a committee of which he or she is a member to add his or her vote to any previously announced vote that was taken while he or she was performing the responsibilities of the office of President pro Tempore or Minority Floor Leader, provided the outcome of the vote is not thereby changed. This provision does not apply to any rollcall after adjournment of the legislative day during which the rollcall in question was taken. The intent of this paragraph is to

1 allow the President pro Tempore and the Minority Floor Leader
2 to carry out the unique and special duties of their offices without
3 losing the opportunity to vote on matters before the committees
4 of which they are members.

5
6 Appropriations Committee
7

8 28.8. Any bill referred to the Committee on Appropriations
9 pursuant to Joint Rule 10.5 that does not appropriate money may
10 not be set for hearing and shall, along with any nonsubstantive
11 amendments, promptly be reported to the Senate with the
12 recommendation it be placed on second reading if the chair of the
13 committee determines that (a) any additional state costs are not
14 significant and do not and will not require the appropriation of
15 additional state funds, and (b) the bill will cause no significant
16 reduction in revenues.

17
18 State-Mandated Local Program Bills
19

20 28.9. (a) Any bill having a digest that, pursuant to Section
21 17575 of the Government Code, indicates that the bill imposes a
22 state-mandated local program on local agencies or school districts
23 shall be rereferred to the Committee on Appropriations. The bill
24 may not be rereferred to the Committee on Governance and
25 Finance.

26 (b) Any bill rereferred to the Committee on Appropriations
27 pursuant to this rule that does not appropriate money and does not
28 contain a complete disclaimer of all of the provisions of Section
29 905.2 of, and Part 7 (commencing with Section 17500) of Division
30 4 of Title 2 of, the Government Code, need not be set for hearing
31 and may, along with any nonsubstantive amendments, be reported
32 to the Senate with the recommendation that it be placed on second
33 reading if the chair of the committee determines, after consideration
34 of the analyses of local costs prepared by the Legislative Analyst
35 and the Department of Finance, that (1) any additional local costs
36 are not significant and (2) the bill will cause no significant
37 reduction in local revenues.

38 For the purposes of this rule, “complete disclaimer” means a
39 provision in a bill that prohibits local agencies and school districts
40 from filing claims with the Commission on State Mandates for

1 reimbursement for the costs of unfunded mandated programs or
2 services.

3 (c) Whenever the Assembly amends and passes a Senate bill
4 and the Senate must concur in the amendments, upon the request
5 of any Senator the bill shall be rereferred to the Committee on
6 Appropriations if, based upon the Legislative Counsel's Digest of
7 the Assembly amendments or an analysis prepared pursuant to
8 Rule 29.8, the bill (1) imposes state-mandated local costs without
9 providing adequate reimbursement, or (2) contains a complete
10 disclaimer. The Committee on Appropriations shall make a
11 recommendation to the Senate regarding whether the Senate should
12 concur in the Assembly amendments.

13 (d) Any bill referred to the Committee on Appropriations solely
14 pursuant to this rule, and that otherwise would not be rereferred
15 to the committee pursuant to Joint Rule 10.5, is not subject to
16 subparagraph (a)(1), (a)(6), (b)(3), or (b)(8) of Joint Rule 61.

17 18 Display Bills

19
20 28.10. A display bill shall not be heard or acted on in any
21 committee, or voted on by the Senate. For purposes of this rule,
22 "display bill" means a bill that sets forth substantive changes in
23 or additions to existing law but states in the text of the bill that its
24 provisions are set forth for display purposes only, or words of like
25 effect.

26 27 CONSIDERATION OF BILLS

28 29 Order of Making Files

30
31 29. When bills are reported from committee they shall be placed
32 upon the Daily File, to be kept by the Secretary as follows: All
33 bills when reported to the Senate by the committee shall be placed
34 at the foot of the Second Reading Senate or Assembly File, in the
35 order in which the reports are made and, after the second reading,
36 shall be placed at the foot of the Senate or Assembly Third Reading
37 File, in the order of reading. Unless otherwise ordered by the
38 Senate the File shall be taken up in the following order: Senate
39 Second Reading File, Assembly Second Reading File, Special
40 Orders, Unfinished Business, Senate Third Reading File, Assembly

1 Third Reading File. The bills upon the third reading shall be
2 considered in the order in which they appear upon the File, unless
3 otherwise ordered by the Senate.

4 A Senate bill returned from the Assembly for concurrence in
5 Assembly amendments may not be considered until it appears
6 under Unfinished Business on the Daily File pursuant to Joint Rule
7 26.5 and an analysis is provided to each Senator pursuant to Senate
8 Rule 29.8.

9 An inactive file shall be kept, to which bills and resolutions may
10 be transferred at the request of the author, or on motion. Bills shall
11 be so transferred when they have been passed on third reading file
12 without action three successive times. Bills and resolutions may
13 be transferred from the inactive file to the second reading file on
14 motion and, after being read the second time, the bills shall take
15 their place regularly on third reading file and be available for
16 consideration and passage.

17 Bills, resolutions, and other questions may be transferred from
18 the unfinished business file to the inactive file upon request or
19 motion and may be returned to the unfinished business file by
20 request or on motion.

21 Placement of any question on the inactive file shall not prejudice
22 the question.

23 24 Strike From File

25
26 29.2. A motion to strike any bill, resolution, or other question
27 from the File shall require 21 votes. That bill, resolution, or other
28 question may not be acted upon again during the session.

29 30 Measures Amended From the Floor

31
32 29.3. (a) The consideration of a bill, constitutional amendment,
33 concurrent resolution, joint resolution, or Senate resolution that
34 has been amended by amendments offered from the floor, except
35 committee amendments reported with measures or amendments
36 offered with a motion to amend and rerefer to committee, is not
37 in order until the amended measure has been in print for not less
38 than one legislative day. Any measure so amended shall be placed
39 on the second reading file.

(b) A bill, constitutional amendment, concurrent resolution, joint resolution, or Senate resolution shall not be recommended for amendment by any committee after the last day specified in the Joint Rules for the 2013–14 Regular Session to amend bills on the floor, as specified in paragraph (13) of subdivision (a) of Joint Rule 61 for odd-numbered years, and in paragraph (16) of subdivision (b) of Joint Rule 61 for even-numbered years.

Bills Approving Memoranda of Understanding

29.4. The Senate may not pass a bill that approves a memorandum of understanding, for purposes of Section 3517.5 and following of the Government Code, until the final version of the subject memorandum of understanding is received by the Secretary of the Senate and made available for review for seven legislative days and its availability for review noted in the Senate Daily Journal for that period.

Amended Forms of Measures

29.5. No bill, constitutional amendment, concurrent resolution, joint resolution, or Senate resolution may be considered for passage unless and until a copy of the measure as last amended is on the desk of each Member in printed or electronic form.

Conference Reports

29.6. (a) No conference committee on any bill, other than the Budget Bill and the budget implementation bills, may approve any substantial policy change in any bill if that substantial policy change has been defeated in a policy committee of the Senate during the current legislative session.

(b) For purposes of subdivision (d) of Joint Rule 29.5, the term “heard” means that a printed bill with substantially similar language was before the appropriate committee and taken up at a regular or special hearing of the committee during the current legislative session, or that an amendment, which was drafted and given a request number or approved as to form by Legislative Counsel, was before the committee and taken up at a regular or special hearing of the committee.

Conference Committee Meetings

29.7. Before the adoption of a conference report by the Senate, any Senator may raise a point of order and put the following question to the chair of the Committee on Conference from the Senate: “Did the Committee on Conference meet at a public meeting attended by at least two of the Assembly Members and two of the Senate Members of the Committee on Conference and adopt the conference report by an affirmative rollcall vote of not less than two of the Assembly Members and two of the Senate Members constituting the Committee on Conference?” If the chair answers this question in the negative, the conference report shall be returned to the Committee on Conference and may not be further considered by the Senate until the committee has met at a public meeting attended by at least two of the Assembly Members and two of the Senate Members of the committee, and has adopted the conference report by an affirmative rollcall vote of not less than two of the Assembly Members and two of the Senate Members constituting the committee.

Analysis of Measures, Conference Reports, and Floor Amendments

29.8. (a) With the exception of the Budget Bill and budget implementation bills, no bill, constitutional amendment, concurrent resolution, joint resolution, Senate resolution, unfinished business item, or report of a conference committee may be considered unless and until an analysis thereof has been prepared by the Office of Senate Floor Analyses and placed upon the desks of the Senators, unless otherwise ordered by the President pro Tempore.

(b) An amendment from the floor is not in order unless and until the amendment has been reviewed by the Office of Senate Floor Analyses. Upon a request by the Chair or Vice Chair of the Committee on Rules, or by the lead author of the measure to which a substantive amendment is proposed from the floor, an analysis thereof shall be prepared by the Office of Senate Floor Analyses and placed upon the desks of the Senators.

1 Consideration of Conference Reports

2
3 29.9. No conference report may be adopted by the Senate until
4 it has been in print for two days prior to being taken up by the
5 Senate.

6
7 Referral of Bills

8
9 29.10. (a) If the analysis, prepared in accordance with
10 subdivision (b) of Rule 29.8, of proposed floor amendments to a
11 bill, other than the Budget Bill, discloses that the amendments
12 create a new bill or rewrite the current form of the bill, upon
13 adoption of the amendments the bill shall be reprinted and referred
14 to the Committee on Rules.

15 (b) When amendments adopted pursuant to subdivision (a)
16 rewrite the bill, as specified in subdivision (e), the Committee on
17 Rules shall refer the bill to a standing committee. The standing
18 committee shall meet and act upon the bill no later than the next
19 scheduled hearing of the committee. If the bill is referred to a
20 standing committee during a time when standing committees are
21 not meeting, the standing committee shall meet and act upon the
22 bill as directed by the Committee on Rules and, in any event, within
23 two legislative days of receipt of the bill. Upon receipt of the bill,
24 the committee by a vote of a majority of the membership may do
25 any of the following: (1) hold the bill, (2) return the bill as
26 approved by the committee to the Senate floor, or (3) rerefer the
27 bill to fiscal committee pursuant to Joint Rule 10.5.

28 If the bill is referred to a standing committee during the time
29 when no committee may meet, the Committee on Rules shall grant
30 permission to suspend the joint rule to allow the committee to meet
31 as directed by the Committee on Rules.

32 If the bill is referred to the Committee on Rules on the last
33 legislative day preceding a joint recess, the Committee on Rules
34 and, if the bill is referred to a standing committee, the standing
35 committee, shall meet and act upon the bill before adjourning for
36 the recess. If the bill is referred to the Committee on Rules on any
37 of the three legislative days preceding February 1 or September 1
38 of an even-numbered year, the Committee on Rules and, if the bill
39 is referred to a standing committee, the standing committee, shall
40 meet and act upon the bill on the same legislative day.

1 (c) When amendments adopted pursuant to subdivision (a) create
2 a new bill, as specified in subdivision (f), the bill shall be referred
3 to the Committee on Rules. The Committee on Rules, by a vote
4 of a majority of its membership may either (1) hold the bill, or (2)
5 refer the bill to the appropriate standing committee subject to all
6 of the time and other limitations provided in these rules and the
7 Joint Rules for the hearing and passage of bills.

8 (d) If the analysis, prepared in accordance with subdivision (a)
9 of Rule 29.8, of a bill, other than the Budget Bill, that is returned
10 to the Senate for a vote on concurrence discloses that the Assembly
11 amendments create a new bill or rewrite the bill as passed by the
12 Senate, the bill shall be referred to the Committee on Rules. The
13 Committee on Rules by a vote of a majority of its membership
14 may either (1) refer the bill to an appropriate standing committee,
15 (2) recommend that the bill be taken up for consideration of the
16 Assembly amendments, or (3) hold the bill.

17 If the bill is referred to a standing committee, the committee
18 shall meet and act upon the bill no later than the next scheduled
19 hearing of the committee. If the bill is referred to a standing
20 committee during a time when standing committees are not
21 meeting, the standing committee shall meet and act upon the bill
22 as directed by the Committee on Rules and, in any event, within
23 two legislative days of receipt of the bill. Upon receipt of the bill,
24 the standing committee by a majority vote of the membership may
25 either (1) hold the bill, or (2) return the bill to the Senate floor for
26 consideration of the bill as amended in the Assembly.

27 If the bill is referred to a standing committee during the time
28 when no committee may meet, the Committee on Rules shall grant
29 permission to suspend the joint rule to allow the committee to meet
30 as directed by the Committee on Rules.

31 If the bill is referred to the Committee on Rules on the last
32 legislative day preceding a joint recess, the Committee on Rules
33 and, if the bill is referred to a standing committee, the standing
34 committee, shall meet and act upon the bill before adjourning for
35 the recess. If the bill is referred to the Committee on Rules on any
36 of the three legislative days preceding February 1 or September 1
37 of an even-numbered year, the Committee on Rules and, if the bill
38 is referred to a standing committee, the standing committee, shall
39 meet and act upon the bill on the same legislative day.

(e) An amendment rewrites a bill if the amendment (1) is germane to the previous version of the bill but adds a new subject to the bill that is different from, but related to, the contents of the bill, or (2) is not described in subdivision (f) and makes a change of fiscal or policy significance that may be appropriate for review by a standing committee.

(f) An amendment creates a new bill if the amendment changes the subject of the bill to a new or different subject.

Special Order

30. Any measure or subject may, by vote of a majority of those voting, be made a special order and, when the time fixed for its consideration arrives, he or she who is presiding shall lay it before the Senate.

Messages From the Governor or Assembly

31. Messages from the Governor or from the Assembly may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, or while a Senator is addressing the Senate.

Messages from the Governor or from the Assembly may be considered when indicated in the order of business or at any other time by unanimous consent or upon motion.

Engrossing Measures

32. All Senate bills, constitutional amendments, and joint and concurrent resolutions shall be engrossed after each amendment and before final action is taken on them in the Senate. Engrossment shall consist of comparing the printed engrossed measure with the original measure introduced and any amendments adopted to ascertain that it is correct, and making necessary technical corrections. When a measure is reported correctly engrossed it shall be substituted for the original measure.

Enrolling Measures

33. All Senate measures shall be enrolled immediately following their final passage and receipt from the Assembly. An enrolled copy of every bill, constitutional amendment, or resolution shall be printed and examined to ascertain that it is a true and accurate copy of the measure as it was passed. It shall then be authenticated by the signature of the Secretary of the Senate or his or her designee, and the Chief Clerk of the Assembly or his or her designee, and transmitted to the Governor or Secretary of State, as the case may be.

DEBATE

Statement of Motion

34. A motion may not be debated until it is distinctly announced by he or she who is presiding, and it shall be reduced to writing if desired by any Senator, and read by the Secretary, before it is debated.

Regulations as to Speaking

35. (a) When a Senator desires to address the Senate, he or she shall rise in his or her place, address he or she who is presiding, and, when recognized, proceed to speak through the public address system.

(b) A Senator may not speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; Senators who have once spoken are not again entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

(c) When two or more Senators arise at the same time to address the Senate, he or she who is presiding shall designate the Senator who is entitled to the floor.

(d) A Senator may not be interrupted when speaking, and no question may be asked of him or her except through he or she who is presiding.

(e) The author of a bill, motion, or resolution shall have the privilege of closing the debate.

Order in Debate

36. When a Senator is called to order he or she shall sit down until he or she who is presiding has determined whether or not he or she is in order. Every question of order shall be decided by he or she who is presiding, subject to an appeal to the Senate by any Senator. If a Senator is called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

Right to Address the Senate

37. A person other than a Member of the Senate may not address the Senate while it is in session, except that the Senate may resolve itself into a Committee of the Whole and, while sitting as a Committee of the Whole, may be addressed by persons other than Members.

QUESTIONS AND MOTIONS

Amendments to Measures

38. When amendments to a measure are reported by a committee or offered from the floor, the amendments shall be submitted in writing.

Adoption of amendments to any measure in the Senate prior to third reading, other than by rollcall, shall not preclude subsequent consideration, in committee or on the third reading of the measure, of the amendments or any part thereof by the Senate.

Amendments to Be Germane

38.5. Every amendment proposed must be germane. In order to be germane, an amendment must relate to the same subject as the original bill, resolution, or other question under consideration.

A point of order may be raised that the proposed amendment or an amendment now in the bill, resolution, or other question under consideration is not germane, so long as the question is within control of the body. In that case the President pro Tempore shall decide whether the point of order is well taken. In the absence of

1 the President pro Tempore, the Vice Chair of the Committee on
2 Rules shall decide whether the point of order is well taken. If, in
3 the opinion of the President pro Tempore or the Vice Chair of the
4 Committee on Rules, the point of order is well taken, the question
5 of germaneness shall on his or her motion be referred to the
6 Committee on Rules for determination. The Committee on Rules
7 shall make its determination by the following legislative day. If
8 the point of order is raised and referral is made on the last
9 legislative day preceding a joint recess, the Committee on Rules
10 shall make its determination before adjourning for the recess.

11 The proposition shall remain on file until the determination is
12 made. If, upon consideration of the matter, the Committee on Rules
13 determines that the amendment is not germane, the bill, resolution,
14 or other question shall be stricken from the file and may not be
15 acted upon during the remainder of the session, provided that the
16 author of a bill, resolution, or other question shall be given the
17 opportunity to amend the bill, resolution, or other question to delete
18 the portions that are not germane, in which case the bill, resolution,
19 or other question may continue to be acted upon. If the Committee
20 on Rules determines that the amendment is germane, the bill,
21 resolution, or other question may thereafter be acted upon by the
22 house.

23 Notwithstanding Rule 21, this rule may not be suspended unless
24 the Committee on Rules determines that an extraordinary
25 circumstance and overwhelming public interest exist that justify
26 the suspension.

27 28 Amendments From the Floor 29

30 38.6. Amendments to a bill, constitutional amendment,
31 concurrent resolution, joint resolution, or Senate resolution offered
32 from the floor, except committee amendments reported with
33 measures or amendments offered with a motion to amend and
34 rerefer to committee, are not in order unless and until a copy of
35 the proposed amendments provided by the author has been placed
36 upon the desks of the Members.

1 Motion to Lay on the Table

2
3 39. When an amendment proposed to any pending measure is
4 laid on the table, it may not carry with it or prejudice the measure.

5
6 Division of a Question

7
8 40. If a question in debate contains more than one distinct
9 proposition, any Senator may have the same divided.

10
11 The Previous Question

12
13 41. The previous question shall be put in the following form:
14 “Shall the question be now put?” It shall require a majority vote
15 of the Senators present, and its effect shall be to put an end to all
16 the debate except that the author of the bill or the amendment shall
17 have the right to close, and the question under discussion shall
18 thereupon be immediately put to a vote.

19
20 Call of the Senate

21
22 42. Upon a motion being carried for a call of the Senate, he or
23 she who is presiding shall immediately order the doors to be closed,
24 and shall direct the Secretary to call the names of the absentees as
25 disclosed by the last previous rollcall. Thereupon, a Member may
26 not be permitted to leave the Senate Chamber except by written
27 permission of the President pro Tempore or, in his or her absence,
28 the Vice Chair of the Committee on Rules, or, in his or her absence,
29 another member of the Committee on Rules designated for that
30 purpose by the President pro Tempore or the Vice Chair of the
31 Committee on Rules. Those Members who are found to be absent
32 and for whom no excuse or insufficient excuses are made may, by
33 order of those present, be taken into custody, as they appear, or
34 may be sent for and then taken into custody by the Sergeant at
35 Arms whenever found, or by special messenger to be appointed
36 for that purpose. In the absence of a quorum, a majority of the
37 Members present may order a rollcall of the Senate and compel
38 the attendance of absentees in the manner above provided.

39 A call of the Senate may be ordered after the roll has been called
40 and prior to the announcement of the vote. A call of the Senate

1 may be dispensed with at any time upon a majority vote of the
2 Senators present, that action to become effective upon completion
3 of the rollcall and the announcement of the vote upon the matter
4 for which the call was ordered.

5 A recess may not be taken during a call of the Senate. During
6 any call, the call may be made to apply also to other items of
7 business by a motion made and adopted by a majority vote of the
8 Members present. Under those circumstances, when the call of the
9 Senate is dispensed with as to any item of business, the call is
10 deemed to be continued in effect until other items of business that
11 have been made subject to the call by a majority of the Members
12 present have been acted upon. When a call of the Senate is ordered,
13 pending the announcement of the vote upon the completion of a
14 rollcall, the pending rollcall shall become unfinished business, the
15 consideration of which shall be continued until further proceedings
16 under the call of the Senate are dispensed with, when it will
17 forthwith become the order of business before the Senate.

18 A motion to adjourn is not in order during a call of the Senate.

19 20 Reconsideration

21
22 43. On the day on which a vote has been taken on any question,
23 a motion to reconsider the vote may be made by any Member.
24 Reconsideration may be granted only once.

25 The motion may be considered on the day made or on the
26 succeeding legislative day, but may not be further postponed
27 without the concurrence of 30 Members.

28 A vote by which a bill was passed may not be reconsidered on
29 the last legislative day preceding the interim study joint recess or
30 the final recess, and a vote by which the bill was passed may not
31 be reconsidered on a Senate bill introduced during the first year
32 of the biennium of the legislative session on January 31, or on the
33 last legislative day immediately preceding January 31, of an
34 even-numbered year.

35 When reconsideration of the vote by which any bill has passed
36 has been demanded, the Secretary may not transmit it to the
37 Assembly until the demand has been disposed of or the time for
38 reconsideration has expired, but if the bill has already been
39 transmitted to the Assembly the demand for reconsideration shall
40 be preceded by a motion to request the Assembly to return the bill.

1 The motion shall be put to a vote immediately without debate and,
2 if not adopted, shall preclude a demand for reconsideration.

3 A demand to reconsider the vote on any debatable question opens
4 the main question to debate, and the vote on the reconsideration
5 shall be on the merits of the main question.

6
7 VOTING BY SENATE

8
9 Rescinding

10
11 43.5. An action whereby a bill has been passed or defeated may
12 not be rescinded without the concurrence of 27 Members.

13
14 Voting on Rollcall

15
16 44. Whenever a rollcall is required by the Constitution or rules,
17 or is ordered by the Senate or demanded by three Members, every
18 Member within the Senate shall without debate answer “Aye” or
19 “No” when his or her name is called.

20 The names of Members shall be called alphabetically.

21 A Senator may not vote or change his or her vote after the
22 announcement of the vote by the presiding officer.

23 On a legislative day when the President pro Tempore or Minority
24 Floor Leader is in attendance throughout a session, he or she, in
25 the absence of any objection, may instruct the Secretary of the
26 Senate to add his or her vote to any previously announced vote
27 that was taken while he or she was performing the responsibilities
28 of the office of President pro Tempore or Minority Floor Leader,
29 provided the outcome of the vote is not thereby changed. This
30 provision does not apply to any rollcall after adjournment of the
31 legislative day during which the rollcall in question was taken.
32 The intent of this paragraph is to allow the President pro Tempore
33 and the Minority Floor Leader to carry out the unique and special
34 duties of their offices without losing the opportunity to vote on
35 matters before the Senate.

36
37 Excused From Voting

38
39 45. When a Senator declines or fails to vote on call of his or
40 her name, he or she may, after completion of the rollcall and before

1 the announcement of the vote, be required to assign his or her
2 reasons therefor and, the Senator having assigned them, the
3 presiding officer shall submit the question to the Senate: “Shall
4 the Senator, for the reasons assigned by him or her, be excused
5 from voting?” which question shall be decided without debate.
6 Unless the Senator is excused from voting he or she shall be
7 required to vote.

8
9 Voting by Presiding Senator

10
11 46. When any Member is presiding over the Senate, he or she
12 shall vote on rollcall the same as though he or she were not
13 presiding.

14
15 Vote Required

16
17 47. Unless otherwise required by the Constitution, the Joint
18 Rules of the Senate and Assembly, or these rules, any action that
19 can be taken by the Senate requires only a majority vote of the
20 Senate, a quorum being present.

21 The following actions require 32 votes:

22 (1) To pass a bill amending specified provisions of the Tobacco
23 Tax and Health Protection Act of 1988 (Prop. 99, Nov. 8, 1988;
24 Sec. 30130, R.& T.C.).

25 (2) To pass a bill amending the Clean Air and Transportation
26 Improvement Act of 1990 (Prop. 116, June 5, 1990; Sec. 99605,
27 P.U.C.).

28 (3) To pass a bill amending the California Wildlife Protection
29 Act of 1990 (Sec. 8, Prop. 117, June 5, 1990).

30 The following actions require 30 votes:

31 (4) To dispense with the constitutional provision requiring a
32 30-calendar-day delay after introduction before a bill may be heard
33 by any committee or acted upon by either house (Constitution,
34 Art. IV, Sec. 8(a)).

35 (5) To postpone the reconsideration of a vote beyond the first
36 legislative day succeeding the day the motion was made.

37 The following action requires 28 votes:

38 (6) To pass a bill amending the statutory provisions, other than
39 the bond provisions, of the California Stem Cell Research and
40 Cures Act (Sec. 8, Prop. 71, Nov. 2, 2004).

- 1 (7) To pass a bill amending the statutory provisions of the
2 Victims' Bill of Rights Act (Sec. 9, Prop. 9, Nov. 4, 2008).
3 The following actions require 27 votes:
4 (8) To pass an urgency clause and urgency statute (Constitution,
5 Art. IV, Sec. 8(d)).
6 (9) To dispense with the constitutional provision requiring the
7 reading of bills on three several days (Constitution, Art. IV, Sec.
8 8(b)).
9 (10) To pass a bill over the Governor's veto (Constitution, Art.
10 IV, Sec. 10).
11 (11) To prescribe compensation and reimbursement for travel
12 and living expenses of the Members of the Legislature
13 (Constitution, Art. IV, Sec. 4).
14 (12) To propose an amendment to or revision of the Constitution
15 (Constitution, Art. XVIII, Secs. 1, 2).
16 (13) To amend or withdraw a proposed legislative constitutional
17 amendment or revision (Constitution, Art. XVIII, Sec. 1).
18 (14) To classify or exempt personal property for property
19 taxation purpose (Constitution, Art. XIII, Sec. 2).
20 (15) To permit an exemption of real property from taxation
21 (Constitution, Art. XIII, Sec. 7).
22 (16) To remove a member of the Public Utilities Commission
23 (Constitution, Art. XII, Sec. 1).
24 (17) To reconsider the vote by which a concurrent resolution
25 proposing a constitutional amendment is defeated.
26 (18) To rescind the action whereby a bill has been passed or
27 defeated.
28 (19) To suspend the rule against lobbying in the Senate
29 Chamber.
30 (20) To concur in Assembly amendments to, or adopt a report
31 of a committee on conference concerning, a constitutional
32 amendment or bill that requires 27 votes for passage.
33 (21) To concur in Assembly amendments to, or adopt a report
34 of a committee on conference concerning, a Senate bill that
35 contains an item or items of appropriation subject to Section 12(d)
36 of Article IV of the Constitution.
37 (22) To amend an initiative statute that permits that action and
38 requires 27 votes for passage.
39 The following actions require 21 votes:

1 (23) To adopt, amend, or suspend the rules, except as provided
2 in Rule 21.

3 (24) To pass a bill, unless under other rules a greater vote is
4 required (Constitution, Art. IV, Sec. 8(b)).

5 (25) To adopt a joint or concurrent resolution.

6 (26) To reconsider a bill, or a joint or concurrent resolution.

7 (27) To confirm an appointment by the Governor, unless a
8 greater vote is required by statute, or to reconsider the same.

9 (28) To recall a bill from committee.

10 (29) To concur in Assembly amendments to, or adopt a report
11 of a committee on conference concerning, a joint or concurrent
12 resolution or bill that requires 21 votes for passage.

13 (30) To change a rate of bank and corporation taxation, or tax
14 on insurers, for state purposes (Constitution, Art. XIII, Secs. 27,
15 28).

16 (31) To strike from file.

17 (32) To adopt a resolution that does not favor a Governor's
18 Reorganization Plan (Sec. 12080.5, Gov. Code).

19 Actions requiring 14 votes:

20 (33) To reconsider a vote by which a concurrent resolution
21 proposing a constitutional amendment was adopted.

22
23 Vote Required for Amendments

24
25 48. A constitutional amendment or bill requiring a vote of
26 two-thirds of the Members elected to the Senate for final adoption
27 or passage may be amended by a majority of those voting.

28
29 CONTENTS OF SENATE JOURNAL

30
31 Proceedings to Be Printed

32
33 49. The proceedings of the Senate, when not acting as a
34 Committee of the Whole, shall be entered in the Journal as
35 concisely as possible, care being taken to record a true and accurate
36 account of the proceedings.

37 The Journal shall state the name of the Senator presenting each
38 Assembly bill, concurrent or joint resolution, or constitutional
39 amendment to the Senate for final action.

40 Every vote of the Senate shall be recorded in the Journal.

1 Titles of Measures to Be Printed

2
3 50. The titles of all bills, joint and concurrent resolutions, and
4 constitutional amendments when introduced and when acted upon
5 by the Senate, and a brief statement of the contents of each petition,
6 memorial, or paper presented to the Senate, shall be printed in the
7 Journal.

8
9 Other Matters to Be Printed

10
11 51. Messages from the Governor (other than annual messages
12 and inaugural addresses) shall be printed in the Journal, unless
13 otherwise ordered by the Senate.

14 Letters of transmittal presenting reports of committees and
15 reports of state departments and agencies as shall be made to the
16 Senate pursuant to law or resolution adopted by the Senate shall
17 be printed in the Journal, but the reports shall be printed in the
18 Appendix to the Journal unless otherwise directed by the Senate.

19
20 Duty of Secretary to Order Printing

21
22 52. It shall be the duty of the Secretary of the Senate, and he
23 or she is hereby directed, to order for the Senate the necessary
24 printing, including stationery for the Members, and to audit and
25 approve all bills for printing to be charged to the Senate. The
26 Secretary of the Senate shall order from the Office of State
27 Publishing the number of copies of bills, Journals, Histories, Files,
28 forms, and other printing as shall be necessary.

29 It shall further be the duty of the Secretary of the Senate to order
30 bills and other legislative publications for which there is a demand,
31 to be printed before the supply of same shall become exhausted.

32
33 Printing Only on Written Orders; Rush Orders

34
35 53. The Office of State Publishing may not charge any printing
36 or other work to the Senate except as required by law unless he or
37 she has a written order from the Secretary of the Senate prior to
38 beginning the printing or other work. All printing orders by the
39 Secretary of the Senate shall be delivered as directed by him or
40 her. The Secretary of the Senate may, when necessity requires it,

1 order from the Office of State Publishing the printing that he or
2 she deems necessary to be printed in advance of the regular order
3 of business, under a specially prepared written order to be known
4 as a “Rush Order.”

5
6 THE SENATE CHAMBER

7
8 Admission to the Senate Chamber
9

10 55. (a) Persons who are not Members, officers, or employees
11 of the Senate may be admitted to the Senate Chamber only as
12 follows:

- 13 1. The Members, officers, and assistant clerks of the Assembly.
14 2. The Legislative Counsel or his or her representatives.
15 3. The accredited press, radio, and television representatives.
16 4. Former State Senators and Assembly Members.
17 5. Visitors in the chairs reserved for that purpose, on invitation
18 of the President or a Senator or on presentation of a pass.

19 (b) While the Senate is in session a person, except Members of
20 the Legislature, may not engage in influencing the passage or
21 defeat of legislation in any way in the Senate Chamber.

22 (c) A person meeting the definition of a lobbyist in Section
23 82039 of the Government Code may not be admitted to the Senate
24 Chamber while the Senate is in session.

25 (d) Only Members and officers of the Senate and Assembly,
26 former Members of the Senate, assistant clerks of the Senate and
27 the Assembly, the Legislative Counsel or his or her representatives,
28 Senate employees for the purpose of delivering messages and when
29 so directed by a Member of the Senate, and members of the press
30 who have seats assigned to them may be permitted on the Floor
31 of the Senate.

32 (e) The Senate Chamber is the Senate Chamber proper, the
33 adjoining hallway, Rooms 3030, 3046, 3191, 3195, and 3196 of
34 the Capitol Annex, and Room 215 of the Capitol.

35 (f) The Floor of the Senate is all of the Senate Chamber except
36 the adjoining hallway and the rooms listed in subdivision (e), the
37 visitors seating area, and the western portion of Room 3191.

38 (g) Notwithstanding any other provision of this rule, any person
39 may be admitted to Room 3191 and Room 215 to attend a meeting
40 of a Senate, Assembly, joint, or conference committee.

- 1 (h) Notwithstanding any other provision of this rule, a person
2 may not be permitted on the Floor of the Senate while it is in
3 session unless the person is wearing appropriate attire. Appropriate
4 attire includes coats and ties for men. Accredited camerapersons,
5 sound technicians, and photographers are exempt from this
6 requirement. Floor of the Senate, for this purpose, has the same
7 meaning set forth in subdivision (f).
8 (i) This rule may be suspended by a vote of two-thirds of the
9 Members of the Senate.