
Introduced by Senator Oropeza

December 1, 2008

Senate Concurrent Resolution No. 1—Relative to the adoption of the Joint Rules of the Senate and Assembly for the 2009–10 Regular Session.

LEGISLATIVE COUNSEL’S DIGEST

SCR 1, as introduced, Oropeza. Joint Rules.

This measure adopts the Joint Rules of the Senate and Assembly for the 2009–10 Regular Session.

Fiscal committee: no.

1 *Resolved by the Senate of the State of California, the Assembly*
2 *thereof concurring*, That the following rules be adopted as the
3 Joint Rules of the Senate and Assembly for the 2009–10 Regular
4 Session:

5
6
7 JOINT RULES OF THE SENATE AND ASSEMBLY

8
9
10 Standing Committees

11
12
13 1. Each house shall appoint standing committees as the business
14 of the house may require, the committees, the number of members,
15 and the manner of selection to be determined by the rules of each
16 house.
17

1
2 Joint Meeting of Committees
3
4

5 3. Whenever any bill has been referred by the Senate to one of
6 its committees, and the same or a like bill has been referred by the
7 Assembly to one of its committees, the chairmen or chairwomen
8 of the respective committees, when in their judgment the interests
9 of legislation or the expedition of business will be better served
10 thereby, shall arrange for a joint meeting of their committees for
11 the consideration of the bill.
12

13
14 Effect of Adoption of Joint Rules
15
16

17 3.5. The adoption of the Joint Rules for any extraordinary session
18 may not be construed as modifying or rescinding the Joint Rules
19 of the Senate and Assembly for any previous session, nor as
20 affecting in any way the status or powers of the committees created
21 by those rules.
22

23
24 Definition of Word “Bill”
25
26

27 4. Whenever the word “bill” is used in these rules, it includes
28 any constitutional amendment, any resolution ratifying a proposed
29 amendment to the United States Constitution, and any resolution
30 calling for a constitutional convention.
31

32
33 Concurrent and Joint Resolutions
34
35

36 5. Concurrent resolutions relate to matters to be treated by both
37 houses of the Legislature.

38 Joint resolutions relate to matters connected with the federal
39 government.
40

Resolutions Treated as Bills

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

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

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

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

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

PREPARATION AND INTRODUCTION OF BILLS

Title of Bill

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

Division of Bill Into Sections

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

1 Bills that are not amendatory of existing laws shall be divided
2 into short sections, where this can be done without destroying the
3 sense of any particular section, to the end that future amendments
4 may be made without the necessity of setting forth and repeating
5 sections of unnecessary length.

6
7
8 Digest of Bills Introduced
9

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

23
24
25 Digest of Bills Amended
26
27

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

36
37
38 Errors in Digest
39
40

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

Bills Amending Title 9 of the Government Code

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

Bills Amending the California Stem Cell Research and Cures Act

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

1
2
3 Restrictions as to Amendments
4
5

6 9. A substitute or amendment must relate to the same subject as
7 the original bill, constitutional amendment, or resolution under
8 consideration. An amendment is not in order when all that would
9 be done to the bill is the addition of a coauthor or coauthors, unless
10 the Committee on Rules of the house in which the amendment is
11 to be offered grants prior approval.
12

13
14 Changes in Existing Law to Be Marked by Author
15
16

17 10. In a bill amending or repealing a code section or a general
18 law, any new matter shall be underlined, and any matter to be
19 omitted shall be in type bearing a horizontal line through the center
20 and commonly known as “strikeout” type. When printed the new
21 matter shall be printed in italics, and the matter to be omitted shall
22 be printed in “strikeout” type.

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

29 When an entire code is repealed as part of a codification or
30 recodification, or when an entire title, part, division, chapter, or
31 article of a code is repealed, the sections comprising the code, title,
32 part, division, chapter, or article shall not be set forth in the bill or
33 amendment in strikeout type.
34

35
36 Rereferral to Fiscal and Rules Committees
37
38

39 10.5. A bill shall be rereferred to the fiscal committee of each
40 house when it would do any of the following:

1 (1) Appropriate money.

2 (2) Result in substantial expenditure of state money by: (a)
3 imposing new responsibilities on the state, (b) imposing new or
4 additional duties on a state agency, or (c) liberalizing any state
5 program, function, or responsibility.

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

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

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

13 (1) Any substantial expenditure of state money.

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

15 The above requirements do not apply to bills or concurrent
16 resolutions that contemplate the expenditure or allocation of
17 operating funds.

18 A bill that assigns, requests, or requires a study, or is amended
19 to assign, request, or require a study, shall be rereferred to the
20 respective Committees on Rules.

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

24
25
26 Short Title

27
28
29 10.6. A bill may not add a short title that names a current or
30 former Member of the Legislature.

31
32
33 Heading of Bills

34
35
36 10.7. A bill or resolution may be authored only by a member or
37 committee of the house of origin. Members or committees that are
38 not of the house of origin may be “principal coauthors” or
39 “coauthors.” A bill may not indicate in its heading or elsewhere
40 that it was introduced at the request of a state agency or officer or

1 any other person. A bill may not contain the words “By request”
2 or words of similar import.

3
4
5 Consideration of Bills
6
7

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

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

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

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

26
27
28 Printing of Amendments
29
30

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

37 (b) If amendments to a bill, including the report of a committee
38 on conference, are adopted that omit the entire contents of the bill,
39 the matter omitted need not be reprinted in the amended version
40 of the bill. Instead, the Secretary of the Senate or the Chief Clerk

1 of the Assembly, as the case may be, may select the amended bill
2 and cause to be printed a brief statement to appear after the last
3 line of the amended bill identifying which previously printed
4 version of the bill contains the complete text of the omitted matter.

5
6
7 Manner of Printing Bills
8
9

10 12. The State Printer shall observe the directions of the Joint
11 Rules Committee in printing all bills, constitutional amendments,
12 and concurrent and joint resolutions.
13

14
15 Distribution of Legislative Publications
16
17

18 13. The Secretary of the Senate and the Chief Clerk of the
19 Assembly shall order a sufficient number of bills and legislative
20 publications as may be necessary for legislative requirements.

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

1 and moneys as may be received by him or her shall, after deducting
2 the cost of handling and mailing, be remitted on the first day of
3 each month, one-half each to the Secretary of the Senate and the
4 Chief Clerk of the Assembly for credit to legislative printing.
5 Legislative publications heretofore distributed through the Bureau
6 of Documents shall be distributed through the Bill Room. Unless
7 otherwise provided for, the total number of each bill to be printed
8 may not exceed 2,500.

9
10
11 Legislative Index
12
13

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

21
22
23 Summary Digest
24
25

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

34
35
36 Statutory Record
37
38

39 13.5. The Legislative Counsel shall prepare for publication from
40 time to time a cumulative statutory record. The statutory record

1 shall be printed as a legislative publication on the order of the
2 Secretary of the Senate or the Chief Clerk of the Assembly.

OTHER LEGISLATIVE PRINTING

Printing of the Daily Journal

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

What Shall Be Printed in the Daily Journal

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

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

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

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

Printing of the Daily File

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

4
5
6 Printing of History
7
8

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

21
22
23 Authority for Printing Orders
24
25

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

35 The Secretary of the Senate, on behalf of the Senate, and the
36 Chief Clerk of the Assembly or other person authorized by the
37 Assembly, on behalf of the Assembly, are hereby authorized and
38 directed to order and distribute for the members stationery and
39 legislative publications for which there is a demand, and, subject
40 to the rules of their respective houses, to approve the bills covering

1 those orders. All bills for printing must be presented by the State
2 Printer within 30 days after the completion of the printing.

3
4
5 **RECORD OF BILLS**
6
7

8
9 **Secretary and Chief Clerk to Keep Records**
10

11
12 19. The Secretary of the Senate and the Chief Clerk of the
13 Assembly shall keep a complete and accurate record of every action
14 taken by the Senate and Assembly on every bill.
15

16
17 **Secretary and Chief Clerk Shall Endorse Bills**
18
19

20 20. The Secretary of the Senate and the Chief Clerk of the
21 Assembly shall endorse on every original or engrossed bill a
22 statement of any action taken by the Senate or Assembly
23 concerning the bill.
24

25
26 **ACTION IN ONE HOUSE ON BILL TRANSMITTED**
27 **FROM THE OTHER**
28
29

30
31 **After a Bill Has Been Passed by the Senate or Assembly**
32
33

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

38 The procedure of referring bills to committees shall be
39 determined by the respective houses.
40

1
2 Messages to Be in Writing Under Proper Signatures
3
4

5 22. Notice of the action of either house to the other shall be in
6 writing and under the signature of the Secretary of the Senate or
7 the Chief Clerk of the Assembly, as the case may be. A receipt
8 shall be taken from the officer to whom the message is delivered.
9

10
11 Consent Calendar: Uncontested Bills
12
13

14 22.1. Each standing committee may report an uncontested bill
15 out of committee with the recommendation that it be placed on
16 the Consent Calendar. The Secretary of the Senate and the Chief
17 Clerk of the Assembly shall provide to each committee chairman
18 or chairwoman appropriate forms for that report. As used in this
19 rule, “uncontested bill” means a bill that (a) receives a do-pass or
20 do-pass-as-amended recommendation from the committee to which
21 it is referred, by unanimous vote of the members present provided
22 a quorum is present, (b) has no opposition expressed by any person
23 present at the committee meeting with respect to the final version
24 of the bill as approved by the committee, and (c) prior to final
25 action by the committee, has been requested by the author to be
26 placed on the Consent Calendar.
27

28
29 Consent Calendar
30
31

32 22.2. Following its second reading and the adoption of any
33 committee amendments thereto, any bill certified by the committee
34 chairman or chairwoman as an uncontested bill shall be placed by
35 the Secretary of the Senate or the Chief Clerk of the Assembly on
36 the Consent Calendar, and shall be known as a “Consent Calendar
37 bill.” Any Consent Calendar bill that is amended from the floor
38 shall cease to be a Consent Calendar bill and shall be returned to
39 the Third Reading File. Upon objection of any member to the
40 placement or retention of any bill on the Consent Calendar, the

1 bill shall cease to be a Consent Calendar bill and shall be returned
2 to the Third Reading File. No Consent Calendar bill may be
3 considered for adoption until the second legislative day following
4 the day of its placement on the Consent Calendar.

5
6
7 Consideration of Bills on Consent Calendar
8
9

10 22.3. A bill on the Consent Calendar is not debatable, except
11 that the President of the Senate or the Speaker of the Assembly
12 shall allow a reasonable time for questions from the floor and shall
13 permit a proponent of the bill to answer the questions. Immediately
14 prior to voting on the first bill on the Consent Calendar, the
15 President of the Senate or the Speaker of the Assembly shall call
16 to the attention of the members the fact that the next rollcall will
17 be the rollcall on the first bill on the Consent Calendar.

18 The Consent Calendar shall be considered as the last order of
19 business on the Daily File.
20

21
22 **PASSAGE AND ENROLLING OF BILL**
23
24

25
26 Procedure on Defeat of More Than Majority Bill
27
28

29 23.5. Whenever a bill containing a section or sections requiring
30 for passage an affirmative recorded vote of more than 21 votes in
31 the Senate and more than 41 votes in the Assembly is being
32 considered for passage, and the urgency clause, if the bill is an
33 urgency bill, or the bill, in any case, fails to receive the necessary
34 votes to make all sections effective, further action may not be taken
35 on the bill, except that an amendment to remove all sections
36 requiring the higher vote for passage from the bill shall be in order
37 prior to consideration of further business. If the amendment is
38 adopted, the bill shall be reprinted to reflect the amendment. When
39 the bill is reprinted, it shall be returned to the same place on the
40 file that it occupied when it failed to receive the necessary votes.

Enrollment of Bill After Passage

24. After a bill has passed both houses it shall be printed in enrolled form, omitting symbols indicating amendments, and shall be compared by the Engrossing and Enrolling Clerk and the proper committee of the house where it originated to determine that it is in the form approved by the houses. The enrolled bill shall thereupon be signed by the Secretary of the Senate and Chief Clerk of the Assembly and, except as otherwise provided by these rules, presented without delay to the Governor. The committee shall report the time of presentation of the bill to the Governor to the house and the record shall be entered in the Daily Journal. After enrollment and signature by the officers of the Legislature, constitutional amendments, and concurrent and joint resolutions, shall be filed without delay in the office of the Secretary of State and the time of filing shall be reported to the house and the record entered in the Daily Journal.

AMENDMENTS AND CONFERENCES

Amendments to Amended Bills Must Be Attached

25. Whenever a bill or resolution that has been passed in one house is amended in the other, it shall immediately be reprinted as amended by the house making the amendment or amendments. One copy of the amendment or amendments shall be attached to the bill or resolution so amended, and endorsed “adopted”; the amendment or amendments, if concurred in by the house in which the bill or resolution originated, shall be endorsed “concurred in”; and the endorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly, as the case may be. However, an amendment to the title of a bill adopted after the passage of the bill does not

1 necessitate reprinting, but the amendment must be concurred in
2 by the house in which the bill originated.

3
4
5 Amendments to Concurrent and Joint Resolutions
6
7

8 25.5. When a concurrent or joint resolution is amended, and the
9 only effect of the amendments is to add coauthors, the joint or
10 concurrent resolution may not be reprinted unless specifically
11 requested by one of the added coauthors, but a list of the coauthors
12 shall appear in the Daily Journal and History.
13

14
15 To Concur or Refuse to Concur in Amendments
16
17

18 26. If the Senate amends and passes an Assembly bill, or the
19 Assembly amends and passes a Senate bill, the Senate (if it is a
20 Senate bill) or the Assembly (if it is an Assembly bill) must either
21 “concur” or “refuse to concur” in the amendments. If the Senate
22 concurs (if it is a Senate bill), or the Assembly concurs (if it is an
23 Assembly bill), the Secretary of the Senate or Chief Clerk of the
24 Assembly shall so notify the house making the amendments, and
25 the bill shall be ordered to enrollment.
26

27
28 Reference to Committee
29
30

31 26.5. Pursuant to Rule 26, whenever a bill is returned to its house
32 of origin for a vote on concurrence in an amendment made in the
33 other house, the Legislative Counsel shall promptly prepare and
34 transmit to the Chief Clerk of the Assembly and the Speaker of
35 the Assembly in the case of an Assembly bill, or to the Secretary
36 of the Senate and Chair of the Senate Committee on Rules in the
37 case of a Senate bill, a brief digest summarizing the effect of the
38 amendment made in the other house. The Secretary or Chief Clerk
39 shall, upon receipt from the Legislative Counsel, cause the digest
40 to be printed in the Daily File immediately following any reference

1 to the bill covered by the digest. A motion to concur or refuse to
2 concur in the amendment is not in order until the Legislative
3 Counsel's Digest has appeared in the Daily File or an analysis of
4 the bill has been prepared and distributed pursuant to Senate Rule
5 29.8 or Assembly Rule 77.

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

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

22 Any of the provisions of this rule may be dispensed with regard
23 to a particular bill in its house of origin upon an affirmative vote
24 of a majority of the members of that house.

25 26 27 Concurring in Amendments Adding Urgency Section 28 29

30 27. When a bill that has been passed in one house is amended
31 in the other by the addition of a section providing that the act shall
32 take effect immediately as an urgency statute, and is returned to
33 the house in which it originated for concurrence in the amendment
34 or amendments thereto, the procedure and vote thereon shall be
35 as follows:

36 The presiding officer shall first direct that the urgency section
37 be read and put to a vote. If two-thirds of the membership of the
38 house vote in the affirmative, the presiding officer shall then direct
39 that the question of whether the house shall concur in the
40 amendment or amendments shall be put to a vote. If two-thirds of

1 the membership of the house vote in the affirmative, concurrence
2 in the amendments shall be effective.

3 If the affirmative vote on either of the questions is less than
4 two-thirds of the membership of the house, the effect is a refusal
5 to concur in the amendment or amendments, and the procedure
6 thereupon shall be as provided in Rule 28.

7
8
9 When Senate or Assembly Refuses to Concur

10
11
12 28. If the Senate (if it is a Senate bill) or the Assembly (if it is
13 an Assembly bill) refuses to concur in amendments to the bill made
14 by the other house, and the other house has been notified of the
15 refusal to concur, a conference committee shall be appointed for
16 each house in the manner prescribed by these rules. The Senate
17 Committee on Rules, on behalf of the Senate, and the Speaker of
18 the Assembly, on behalf of the Assembly, shall each appoint a
19 committee of three on conference, and the Secretary of the Senate
20 or the Chief Clerk of the Assembly shall immediately notify the
21 other house of the action taken.

22
23
24 Committee on Conference

25
26
27 28.1. (a) The Senate Committee on Rules and the Speaker of the
28 Assembly, in appointing a committee on conference, shall each
29 select two members from those voting with the majority on the
30 point about which the difference has arisen, and the other member
31 from the minority, in the event there is a minority vote.

32 Whether a member has voted with the majority or minority on
33 the point about which the difference has arisen is determined by
34 his or her vote on the appropriate rollcall, as follows:

35 (1) In the Assembly—

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

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

1 (2) In the Senate—

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

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

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

9
10
11 Meetings and Reports of Committees on Conference
12
13

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

1 writing, and shall have affixed thereto the signatures of each
2 Senator and each Member of the Assembly consenting to the report.
3 Space shall also be provided where a member of a conference
4 committee may indicate his or her dissent in the committee's
5 findings. Any dissenting member may have attached to a
6 conference committee report a dissenting report which shall not
7 exceed, in length, the majority committee report. A copy of any
8 amendments proposed in the majority report shall be placed on
9 the desk of each member of the house before it is acted upon by
10 the house.

11 The vote on concurrence or upon the adoption of the conference
12 report shall be deemed the vote upon final passage of the bill.
13

14 Conference Committees

15
16
17
18 29.5. (a) All meetings of any conference committee on the
19 Budget Bill shall be open and readily accessible to the public.

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

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

1 respective houses that considered the bill in question of the waiver,
2 and of the time and place of the meeting.

3 (b) The first committee on conference of the Budget Bill, if a
4 committee is appointed, shall submit its report to each house no
5 later than 15 days after the Budget Bill has been passed by both
6 houses. If the report is not submitted by that date, the conference
7 committee shall be deemed to have reached no agreement and shall
8 so inform each house pursuant to Rule 30.7.

9 (c) A committee on conference of the Budget Bill may consider
10 only differences between the Assembly version of the Budget Bill
11 as passed by the Assembly and the Senate version of the Budget
12 Bill as passed by the Senate, and may not approve any item of
13 expenditure or control that exceeds that contained in one of the
14 two versions before the conference committee.

15 (d) A conference committee on any bill, other than the Budget
16 Bill, may not approve any substantial financial provision in any
17 bill if the financial provision has not been heard by the fiscal
18 committee of each house, nor may any conference committee
19 approve substantial policy changes that have not been heard by
20 the policy committee of each house.

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

24 25 26 Conference Committee Reports 27 28

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

37 If the conference committee's report recommends only that the
38 amendments of the Senate or the Assembly "be concurred in,"
39 consideration of the report shall be in order at any time, and

1 reprinting of the bill is not required, but notice shall appear in the
2 Daily File for not less than one legislative day.

3 A conference committee report is not in order unless it has been
4 received by the Secretary of the Senate and the Chief Clerk of the
5 Assembly at least three calendar days preceding the scheduled
6 commencement of the summer, interim, or final recess of the
7 Legislature.

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

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

13
14
15 Conference Committee Reports on Urgency Statutes
16
17

18 30.5. When the report of a committee on conference recommends
19 the amendment of a bill by the addition of a section providing that
20 the act shall take effect immediately as an urgency statute, the
21 procedure and the vote thereon shall be as follows:

22 The presiding officer shall first direct that the urgency section
23 be read and put to a vote. If two-thirds of the members elected to
24 the house vote in the affirmative, the presiding officer shall then
25 direct that the question of whether the house shall adopt the report
26 of the committee on conference shall be put to a vote. If two-thirds
27 of the members elected to the house vote in the affirmative, the
28 adoption of the report and the amendments proposed thereby shall
29 be effective.

30 If the affirmative vote on either of the questions is less than
31 two-thirds of the members elected to the house, the effect is a
32 refusal to adopt the report of the committee on conference.

33
34
35 Failure to Agree on Report
36
37

38 30.7. A conference committee may find and determine that it is
39 unable to submit a report to the respective houses, upon the
40 affirmative vote to that effect of not less than two of the Assembly

1 Members and not less than two of the Senate Members constituting
2 the committee. That finding may be submitted to the Chief Clerk
3 of the Assembly and the Secretary of the Senate in the form of a
4 letter from the chairman or chairwoman of the committee on
5 conference for the house of origin of the bill, containing the
6 signatures of the members of the committee consenting to the
7 finding and determination that the committee is unable to submit
8 a report. The Chief Clerk of the Assembly and the Secretary of
9 the Senate, upon being notified that a conference committee is
10 unable to submit a report, shall so inform each house, whereupon
11 the conferees shall be discharged and other conferees appointed,
12 in accordance with Rule 29.

MISCELLANEOUS PROVISIONS

Authority When Rules Do Not Govern

22 31. All relations between the houses that are not covered by
23 these rules shall be governed by Mason's Manual.

Press Rules

29 32. (a) Any person desiring privileges of an accredited press
30 representative shall make application to the Joint Rules Committee.
31 The application shall constitute compliance with any provisions
32 of the rules of the Assembly or the Senate with respect to
33 registration of news correspondents. The application shall state in
34 writing the name of any print or electronic periodic news
35 publication, news association, or radio or television station that
36 employs the press representative, and any other occupations or
37 employment he or she may have. The press representative shall
38 further declare in the application that he or she is not employed,
39 directly or indirectly, to assist in the prosecution of the legislative
40 business of any person, corporation, or association, and will not

1 become so employed while retaining the privilege of an accredited
2 press representative.

3 (b) The application required by subdivision (a) of this rule shall
4 be authenticated in a manner that is satisfactory to the Standing
5 Committee of the Capitol Correspondents Association, which shall
6 see that occupation of seats and desks in the Senate and the
7 Assembly Chambers is confined to bona fide correspondents of
8 reputable standing in their business, who represent news media
9 identified in subdivision (a). It is the duty of the standing
10 committee, at its discretion, to report any violation of accredited
11 press privileges to the Speaker of the Assembly or the Senate
12 Committee on Rules and, pending action thereon, the offending
13 correspondent may be suspended by the standing committee.

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

28 (d) The press seats and desks in the Senate and Assembly
29 Chambers shall be under the control of the standing committee of
30 correspondents, subject to the approval and supervision of the
31 Speaker of the Assembly and the Senate Committee on Rules.
32 Press cards shall be issued by the President pro Tempore of the
33 Senate and the Speaker of the Assembly only to correspondents
34 properly accredited in accordance with this rule.

35 (e) An accredited member of the Capitol Correspondents
36 Association may not, for compensation, perform any service for
37 state constitutional officers or members of their staffs, for state
38 agencies, for the Legislature, for candidates for state office, for a
39 state officeholder, or for any person registered or performing as a
40 legislative advocate.

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

4 (1) For the first offense, the Standing Committee of the Capitol
5 Correspondents Association shall send a letter of admonition to
6 the offending member, his or her employer, and the Joint Rules
7 Committee. The letter shall state the nature of the member's rule
8 violation and shall warn of an additional penalty for a second
9 offense.

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

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

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

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

40

Dispensing With Joint Rules

33. A joint rule may not be dispensed with except by a vote of two-thirds of each house or as otherwise provided in these rules. If either house violates a joint rule, a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the rules of the house. If it is decided that the joint rules have been violated, the bill involving the violation shall be returned to the house in which it originated, and the disputed matter shall be considered in like manner as in conference committee.

Dispensing with Joint Rules: Unanimous Consent

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

Opinions of Legislative Counsel

34. Whenever the Legislative Counsel issues an opinion to any person other than the first-named author analyzing the constitutionality, operation, or effect of a bill or other legislative measure that is then pending before the Legislature or of any amendment made or proposed to be made to the bill or measure, he or she is authorized and instructed to deliver two copies of the opinion to the first-named author as promptly as feasible after the delivery of the original opinion and also to deliver a copy to any other author of the bill or measure who so requests. A copy of any letter prepared by the Legislative Counsel for the sole purpose of advising a member of a conflict between two or more bills as to the sections of law being amended, repealed, or added shall be submitted to the chairman or chairwoman of the committee to which each bill has been referred.

1
2
3 Resolutions Prepared by Legislative Counsel
4
5

6 34.1. Whenever the Legislative Counsel has been requested to
7 draft a resolution commemorating or taking note of any event, or
8 a resolution congratulating or expressing sympathy toward any
9 person, and subsequently receives a similar request from another
10 Member of the Legislature, he or she shall inform that requester
11 and each subsequent requester that a resolution is being, or has
12 been, prepared, and shall inform them of the name of the member
13 for whom the resolution was, or is being, prepared.
14

15
16 Resolutions
17
18

19 34.2. A concurrent resolution, Senate resolution, or House
20 resolution may be introduced to memorialize the death of a present
21 or former state or federal elected official or a member of his or her
22 immediate family. In all other instances, a resolution other than a
23 concurrent resolution, as specified by the Committee on Rules of
24 each house, or as provided by the Joint Rules Committee in those
25 cases requiring that the resolution should emanate from both
26 houses, shall be used for the purpose of commendation,
27 congratulation, sympathy, or regret with respect to any person,
28 group, or organization.

29 A concurrent resolution requesting the Governor to issue a
30 proclamation may not be introduced without the prior approval of
31 the Committee on Rules of the house in which the resolution is to
32 be introduced.
33

34
35 Identical Drafting Requests
36
37

38 34.5. Whenever it comes to the attention of the Legislative
39 Counsel that a member has requested the drafting of a bill that will

1 be substantially identical to one already introduced, the Legislative
2 Counsel shall inform the member of that fact.

3
4
5 Expense of Members
6
7

8 35. As provided in Section 8902 of the Government Code, each
9 Member of the Legislature is entitled to reimbursement for living
10 expenses while required to be in Sacramento to attend a session
11 of the Legislature, while traveling to and from or in attendance at
12 a committee meeting, or while attending to any legislative function
13 or responsibility as authorized or directed by legislative rules or
14 the Committee on Rules of the house of which he or she is a
15 member, at the same rate as may be established by the State Board
16 of Control for other elected state officers. Each member shall be
17 reimbursed for travel expenses incurred in traveling to and from
18 a session of the Legislature, when traveling to and from a meeting
19 of a committee of which he or she is a member, or when traveling
20 pursuant to any other legislative function or responsibility as
21 authorized or directed by legislative rules or the Committee on
22 Rules of the house of which he or she is a member, at the rate
23 prescribed by Section 8903 of the Government Code.

24 Expense allowances for Members of the Senate and Assembly
25 shall be approved and certified to the Controller by the Secretary
26 of the Senate, on behalf of the Senate, and the Chief Clerk of the
27 Assembly or other person authorized by the Assembly Committee
28 on Rules, on behalf of the Assembly, weekly or as otherwise
29 directed by either house, and upon certification the Controller shall
30 draw his or her warrants in payment of the allowances to the
31 respective members.
32

33
34 Issuance of Subpoenas
35
36

37 35.5. A subpoena requiring the attendance of a witness or the
38 production of documents may be issued by the Senate Committee
39 on Rules, the Speaker of the Assembly, or the chairman or
40 chairwoman of a committee conducting an investigation only if

1 permission has been secured from the rules committee of the
2 respective house, or from the Joint Rules Committee if the
3 subpoena is issued by the chairman or chairwoman of a joint
4 committee.

5
6
7 Investigating Committees
8
9

10 36. In order to expedite the work of the Legislature, either house,
11 or both houses jointly, may by resolution or statute provide for the
12 appointment of committees to ascertain facts and to make
13 recommendations as to any subject within the scope of legislative
14 regulation or control.

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

20 In the exercise of the power granted by this rule, each committee
21 may employ clerical, legal, and technical assistants as may be
22 authorized by: (a) the Joint Rules Committee in the case of a joint
23 committee, (b) the Senate Committee on Rules in the case of a
24 Senate committee, or (c) the Assembly Committee on Rules in the
25 case of an Assembly committee.

26 Except as otherwise provided herein for joint committees or by
27 the rules of the Senate or the Assembly for single house
28 committees, each committee may adopt and amend rules governing
29 its procedure as may appear necessary and proper to carry out the
30 powers granted and duties imposed under this rule. The rules may
31 include provisions fixing the quorum of the committee and the
32 number of votes necessary to take action on any matter. With
33 respect to all joint committees, a majority of the membership from
34 each house constitutes a quorum, and an affirmative vote of a
35 majority of the membership from each house is necessary for the
36 committee to take action.

37 Each committee is authorized and empowered to summon and
38 subpoena witnesses, to require the production of papers, books,
39 accounts, reports, documents, records, and papers of every kind
40 and description, to issue subpoenas, and to take all necessary means

1 to compel the attendance of witnesses and to procure testimony,
2 oral and documentary. A committee's issuance of a subpoena shall
3 comply with Rule 35.5.

4 Each member of the committees is authorized and empowered
5 to administer oaths, and all of the provisions of Chapter 4
6 (commencing with Section 9400) of Part 1 of Division 2 of Title
7 2 of the Government Code, relating to the attendance and
8 examination of witnesses before the Legislature and the committees
9 thereof, apply to the committees. A committee may grant a witness
10 immunity from criminal prosecution, pursuant to subdivision (a)
11 of Section 9410 of the Government Code, only after securing
12 permission from the rules committee of the respective house, or
13 from the Joint Rules Committee in the case of a joint committee.

14 The Sergeant at Arms of the Senate or Assembly, or other person
15 as may be designated by the chairman or chairwoman of the
16 committee, shall serve any and all subpoenas, orders, and other
17 process that may be issued by the committee, when directed to do
18 so by the chairman or chairwoman, or by a majority of the
19 membership of the committee.

20 Every department, commission, board, agency, officer, and
21 employee of the state government, including the Legislative
22 Counsel and the Attorney General and their subordinates, and of
23 every political subdivision, county, city, or public district of or in
24 this state, shall give and furnish to these committees and to their
25 subcommittees upon request information, records, and documents
26 as the committees deem necessary or proper for the achievement
27 of the purposes for which each committee was created.

28 Each committee or subcommittee of either house, in accordance
29 with the rules of that respective house, and each joint committee
30 or subcommittee thereof, may meet at any time during the period
31 in which it is authorized to act, either at the State Capitol or at any
32 other place in the State of California, in public or executive session,
33 and do any and all things necessary or convenient to enable it to
34 exercise the powers and perform the duties herein granted to it or
35 accomplish the objects and purposes of the resolution creating it,
36 subject to the following exceptions:

37 (a) When the Legislature is in session:

38 (1) A committee or subcommittee of either house may not meet
39 outside the State Capitol without the prior approval of the Senate
40 Committee on Rules with respect to Senate committees and

1 subcommittees, or the Speaker of the Assembly with respect to
2 Assembly committees and subcommittees.

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

8 (3) A joint committee or subcommittee thereof, other than the
9 Joint Committees on Legislative Audit, Legislative Budget, and
10 Rules, may not meet outside the State Capitol without the prior
11 approval of the Joint Rules Committee.

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

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

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

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

26 Living expenses may not be allowed in connection with
27 legislative business for a day on which the member receives
28 reimbursement for expenses while required to be in Sacramento
29 to attend a session of the Legislature. The chairman or chairwoman
30 of each committee shall audit and approve the expense claims of
31 the members of the committee, including claims for mileage in
32 connection with attendance on committee business, or in
33 connection with specific assignments by the committee chairman
34 or chairwoman, but excluding other types of mileage, and shall
35 certify the amount approved to the Controller. The Controller shall
36 draw his or her warrants upon the certification of the chairman or
37 chairwoman.

38 Subject to the rules of each house for the respective committees
39 of each house, or the joint rules for any joint committee, with the
40 permission of the appointing authority of the respective house, or

1 the permission of the appointing authorities of the two houses in
2 the case of a joint committee, the chairman or chairwoman of any
3 committee may appoint subcommittees and chairmen or
4 chairwomen thereof for the purpose of more expeditiously handling
5 and considering matters referred to it, and the subcommittees and
6 the chairmen or chairwomen thereof shall have all the powers and
7 authority herein conferred upon the committee and its chairman
8 or chairwoman. The chairman or chairwoman of a subcommittee
9 shall audit the expense claims of the members of the subcommittee,
10 and other claims and the expenses incurred by it, and shall certify
11 the amount thereof to the chairman or chairwoman of the
12 committee, who shall, if he or she approves the same, certify the
13 amount thereof to the Controller; the Controller shall draw his or
14 her warrant therefor upon that certification, and the Treasurer shall
15 pay the same. Any committee or subcommittee thereof that is
16 authorized to leave the State of California in the performance of
17 its duties shall, while out of the state, have the same authority as
18 if it were acting and functioning within the state, and the members
19 thereof shall be reimbursed for expenses.

20 Notwithstanding any other provision of this rule, if the standing
21 rules of either house require that expense claims of committees
22 for goods or services, pursuant to contracts, or for expenses of
23 employees or members of committees be audited or approved,
24 after approval of the committee chairman or chairwoman, by
25 another agency of either house, the Controller shall draw his or
26 her warrants only upon the certification of the other agency. All
27 expense claims approved by the chairman or chairwoman of any
28 joint committee, other than the Joint Legislative Budget Committee
29 and the Joint Legislative Audit Committee, shall be approved by
30 the Joint Rules Committee, and the Controller shall draw his or
31 her warrants only upon the certification of the Joint Rules
32 Committee.

33 Except salary claims of employees clearly subject to federal
34 withholding taxes and the requirement as to loyalty oaths, claims
35 presented for services or pursuant to contract shall refer to the
36 agreement, the terms of which shall be made available to the
37 Controller.

38
39
40 Expenses of Committee Employees

1
2
3 36.1. Unless otherwise provided by respective house or
4 committee rule or resolution, employees of legislative committees,
5 when entitled to traveling expenses, are entitled to allowances in
6 lieu of actual expenses for hotel accommodations, breakfast, lunch,
7 and dinner, at the rates fixed by the State Board of Control from
8 time to time in limitation of reimbursement of expenses of state
9 employees generally. However, if an allowance for hotel
10 accommodations, breakfast, lunch, and dinner is made by a
11 committee at a rate in excess of the rate fixed by the State Board
12 of Control, the chairman or chairwoman of the committee shall
13 notify the Controller of that fact in writing.
14

15
16 Appointment of Committees
17
18

19 36.5. This rule applies whenever a joint committee is created by
20 a statute or resolution that either provides that appointments be
21 made and vacancies be filled in the manner provided for in the
22 Joint Rules, or makes no provision for the appointment of members
23 or the filling of vacancies.

24 The Senate members of the committee shall be appointed by the
25 Senate Committee on Rules; the Assembly members of the
26 committee shall be appointed by the Speaker of the Assembly; and
27 vacancies occurring in the membership of the committee shall be
28 filled by the respective appointing powers. The members appointed
29 shall hold over until their successors are regularly selected.
30

31
32 Appointment of Joint Committee Chairmen or Chairwomen
33
34

35 36.7. The chairman or chairwoman of each joint committee
36 heretofore or hereafter created, except the Joint Legislative Budget
37 Committee and the Joint Legislative Audit Committee, shall be
38 appointed by the Joint Rules Committee from a member or
39 members recommended by the Senate Committee on Rules and
40 the Speaker of the Assembly.

1
2
3 Joint Committee Funds
4
5

6 36.8. Each joint committee heretofore or hereafter created, except
7 the Joint Legislative Budget Committee and the Joint Legislative
8 Audit Committee, shall expend the funds heretofore or hereafter
9 made available to it in compliance with the policies set forth by
10 the Joint Rules Committee with respect to personnel, salaries,
11 purchasing, office space assignment, contractual services, rental
12 or lease agreements, travel, and any and all other matters relating
13 to the management and administration of committee affairs.
14

15
16 Joint Legislative Budget Committee
17
18

19 37. In addition to any other committee provided for by these
20 rules, there is a joint committee to be known as the Joint Legislative
21 Budget Committee, which is hereby declared to be a continuing
22 body.

23 It is the duty of the committee to ascertain facts and make
24 recommendations to the Legislature and to the houses thereof
25 concerning the State Budget, the revenues and expenditures of the
26 state, and the organization and functions of the state and its
27 departments, subdivisions, and agencies, with a view to reducing
28 the cost of the state government and securing greater efficiency
29 and economy.

30 The committee consists of eight Members of the Senate and
31 eight Members of the Assembly. The Senate members of the
32 committee shall be appointed by the Senate Committee on Rules.
33 The Assembly members of the committee shall be appointed by
34 the Speaker of the Assembly. The committee shall select its own
35 chairman or chairwoman.

36 Any vacancy occurring at any time in the Senate membership
37 of the Joint Legislative Budget Committee shall be filled by the
38 Senate Committee on Rules, and the Senators appointed shall hold
39 over until their successors are regularly selected. For the purposes
40 of this rule, a vacancy shall be deemed to exist as to a Senator

1 whose term is expiring whenever he or she is not reelected at the
2 general election.

3 Any vacancy occurring at any time in the Assembly membership
4 of the Joint Legislative Budget Committee shall be filled by
5 appointment by the Speaker of the Assembly, and the Members
6 of the Assembly appointed shall hold over between regular sessions
7 until their successors are regularly selected. For the purposes of
8 this rule, a vacancy shall be deemed to exist as to a Member of the
9 Assembly whose term is expiring whenever he or she is not
10 reelected at the general election.

11 The committee may adopt rules to govern its own proceedings
12 and its employees. The committee, with the permission of the
13 appointing authorities of the two houses, may also create
14 subcommittees from its membership, assigning to its
15 subcommittees any study, inquiry, investigation, or hearing that
16 the committee itself has authority to undertake or hold. A
17 subcommittee for the purpose of this assignment has and may
18 exercise all the powers conferred upon the committee, limited only
19 by the express terms of any rule or resolution of the committee
20 defining the powers and duties of the subcommittee. Those powers
21 may be withdrawn or terminated at any time by the committee.

22 The Joint Legislative Budget Committee may render services to
23 any investigating committee of the Legislature pursuant to contract
24 between the Joint Legislative Budget Committee and the committee
25 for which the services are to be performed. The contract may
26 provide for payment to the Joint Legislative Budget Committee
27 of the cost of the services from the funds appropriated to the
28 contracting investigating committee. All legislative investigating
29 committees are authorized to enter into those contracts with the
30 Joint Legislative Budget Committee. Money received by the Joint
31 Legislative Budget Committee pursuant to any agreement shall be
32 in augmentation of the current appropriation for the support of the
33 Joint Legislative Budget Committee.

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

38 The committee has authority to appoint a Legislative Analyst,
39 to fix his or her compensation, to prescribe his or her duties, and

1 to appoint any other clerical and technical employees as may appear
2 necessary. The duties of the Legislative Analyst are as follows:

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

6 (a) The State Budget.

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

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

10 (2) To assist the Senate Committee on Appropriations, the Senate
11 Budget and Fiscal Review Committee, and the Assembly
12 Committees on Appropriations and Budget in consideration of the
13 Budget, all bills carrying express or implied appropriations, and
14 all legislation affecting state departments and their efficiency; to
15 appear before any other legislative committee; and to assist any
16 other legislative committee upon instruction by the Joint Legislative
17 Budget Committee.

18 (3) To provide all legislative committees and Members of the
19 Legislature with information obtained under the direction of the
20 Joint Legislative Budget Committee.

21 (4) To maintain a record of all work performed by the Legislative
22 Analyst under the direction of the Joint Legislative Budget
23 Committee, and to keep and make available all documents, data,
24 and reports submitted to him or her by any Senate, Assembly, or
25 joint committee. The committee may meet either during sessions
26 of the Legislature, any recess thereof, or after final adjournment,
27 and may meet or conduct business at any place within the State of
28 California.

29 The chairman or chairwoman of the committee or, in the event
30 of that person's inability to act, the vice chairman or vice
31 chairwoman, shall audit and approve the expenses of members of
32 the committee or salaries of the employees, and all other expenses
33 incurred in connection with the performance of its duties by the
34 committee. The chairman or chairwoman shall certify to the
35 Controller the expense amount approved, the Controller shall draw
36 his or her warrants upon the certification of the chairman or
37 chairwoman, and the Treasurer shall pay the same to the chairman
38 or chairwoman of the committee, to be disbursed by the chairman
39 or chairwoman.

1 On and after the commencement of a succeeding regular session,
2 those members of the committee who continue to be Members of
3 the Senate and Assembly, respectively, continue as members of
4 the committee until their successors are appointed, and the
5 committee continues with all its powers, duties, authority, records,
6 papers, personnel, and staff, and all funds theretofore made
7 available for its use.

8 Upon the conclusion of its work, any Assembly, Senate, or joint
9 committee (other than a standing committee) shall deliver to the
10 Legislative Analyst for use and custody all documents, data,
11 reports, and other materials that have come into the possession of
12 the committee and that are not included within the final report of
13 the committee to the Assembly, Senate, or the Legislature, as the
14 case may be. The documents, data, reports, and other materials
15 shall be available, upon request, to Members of the Legislature,
16 the Senate Office of Research, and the Assembly Office of
17 Research.

18 The Legislative Analyst, with the consent of the committee, shall
19 make available to any Member or committee of the Legislature
20 any other reports, records, documents, or other data under his or
21 her control, except that reports prepared by the Legislative Analyst
22 in response to a request from a Member or committee of the
23 Legislature may be made available only with the written permission
24 of the member or committee who made the request.

25 The Legislative Analyst, upon the receipt of a request from any
26 committee or Member of the Legislature to conduct a study or
27 provide information that falls within the scope of his or her
28 responsibilities and that concerns the administration of the
29 government of the State of California, shall at once advise the Joint
30 Legislative Budget Committee of the nature of the request without
31 disclosing the name of the member or committee making the
32 request.

33 The Legislative Analyst shall immediately undertake to provide
34 the requesting committee or legislator with the service or
35 information requested, and shall inform the committee or legislator
36 of the approximate date when this information will be available.
37 Should there be any material delay, he or she shall subsequently
38 communicate this fact to the requester.

39 Neither the Committee on Rules of either house nor the Joint
40 Rules Committee may assign any matter for study to the Joint

Legislative Budget Committee or the Legislative Analyst without first obtaining from the Joint Legislative Budget Committee an estimate of the amount required to be expended by it to make the study.

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

Citizen Cost Impact Report

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

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

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

- (a) The economic effect on the public generally.
- (b) Any specific economic effect on persons or businesses in the case of legislation that is regulatory.

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

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

10
11 Joint Legislative Audit Committee
12
13

14 37.3. The Joint Legislative Audit Committee is created pursuant
15 to the Legislature's rulemaking authority under the California
16 Constitution, and pursuant to Chapter 4 (commencing with Section
17 10500) of Part 2 of Division 2 of Title 2 of the Government Code.
18 The committee consists of seven Members of the Senate and seven
19 Members of the Assembly, who shall be selected in the manner
20 provided for in these rules. Notwithstanding any other provision
21 of these rules, four members from each house constitute a quorum
22 of the Joint Legislative Audit Committee and the number of votes
23 necessary to take action on any matter. The Chairman or
24 Chairwoman of the Joint Legislative Audit Committee, upon
25 receiving a request by any Member of the Legislature or committee
26 thereof for a copy of a report prepared or being prepared by the
27 Bureau of State Audits, shall provide the member or committee
28 with a copy of the report when it is, or has been, submitted by the
29 Bureau of State Audits to the Joint Legislative Audit Committee.
30

31
32 Study or Audits
33
34

35 37.4. (a) Notwithstanding any other provision of law, the Joint
36 Legislative Audit Committee shall establish priorities and assign
37 all work to be done by the Bureau of State Audits.

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

1 (c) Any bill or concurrent, joint, Senate, or House resolution
2 assigning a study to the Joint Legislative Audit Committee or to
3 the Bureau of State Audits shall be referred to the respective rules
4 committees. Before the committees may act upon or assign the
5 bill or resolution, they shall obtain an estimate from the Joint
6 Legislative Audit Committee of the amount required to be
7 expended to make the study.

8
9
10 Waiver

11
12
13 37.5. Subdivision (b) of Rule 37.4 may be waived by the Joint
14 Legislative Audit Committee. The chairman or chairwoman of the
15 committee shall notify the Secretary of the Senate, the Chief Clerk
16 of the Assembly, and the Legislative Counsel in writing when
17 subdivision (b) of Rule 37.4 has been waived. If the cost of a study
18 or audit is less than one hundred thousand dollars (\$100,000), the
19 chairman or chairwoman of the committee may exercise the
20 committee's authority to waive subdivision (b) of Rule 37.4.

21
22
23 Administrative Regulations

24
25
26 37.7. (a) Any Member of the Senate may request the Senate
27 Committee on Rules, and any Member of the Assembly may
28 request the Speaker of the Assembly, to direct a standing committee
29 or the Office of Research of his or her respective house to study
30 any proposed or existing regulation or group of related regulations.
31 Upon receipt of a request, the Senate Committee on Rules or the
32 Speaker of the Assembly shall, after review, determine whether a
33 study shall be made. In reviewing the request, the Senate
34 Committee on Rules or the Speaker of the Assembly shall
35 determine:

- 36 (1) The cost of making the study.
37 (2) The potential public benefit to be derived from the study.
38 (3) The scope of the study.
39 (b) The study may consider, among other relevant issues, whether
40 the proposed or existing regulation:

1 (1) Exceeds the agency's statutory authority.

2 (2) Fails to conform to the legislative intent of the enabling
3 statute.

4 (3) Contradicts or duplicates other regulations adopted by federal,
5 state, or local agencies.

6 (4) Involves an excessive delegation of regulatory authority to
7 a particular state agency.

8 (5) Unfairly burdens particular elements of the public.

9 (6) Imposes social or economic costs that outweigh its intended
10 benefits to the public.

11 (7) Imposes unreasonable penalties for violation.

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

15 In the event that a state agency takes a regulatory action that the
16 reviewing unit finds to be unacceptable, the unit shall file a report
17 for publication in the Daily Journal of its respective house
18 indicating the specific reasons why the regulatory action should
19 not have been taken. The report may include a recommendation
20 that the Legislature adopt a concurrent resolution requesting the
21 state agency to reconsider its action or that the Legislature enact
22 a statute to restrict the regulatory powers of the state agency taking
23 the action.

24
25
26 Joint Rules Committee
27
28

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

32 The committee consists of the members of the Assembly
33 Committee on Rules, the Assembly Majority Floor Leader, the
34 Assembly Minority Floor Leader, the Speaker of the Assembly,
35 four members of the Senate Committee on Rules, and as many
36 Members of the Senate as may be required to maintain equality in
37 the number of Assembly Members and Senators on the committee,
38 to be appointed by the Senate Committee on Rules. Vacancies
39 occurring in the membership shall be filled by the appointing
40 power.

1 The committee and its members have and may exercise all of
2 the rights, duties, and powers conferred upon investigating
3 committees and their members by the Joint Rules of the Senate
4 and Assembly as they are adopted and amended from time to time,
5 which provisions are incorporated herein and made applicable to
6 this committee and its members.

7 The committee shall ascertain facts and make recommendations
8 to the Legislature and to the houses thereof concerning:

9 (a) The relationship between the two houses and procedures
10 calculated to expedite the affairs of the Legislature by improving
11 that relationship.

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

14 (c) Methods whereby legislation is proposed, considered, and
15 acted upon.

16 (d) The operation of the Legislature and the committees thereof,
17 and the means of coordinating the work thereof and avoiding
18 duplication of effort.

19 (e) Aids to the Legislature.

20 (f) Information and statistics for the use of the Legislature, the
21 respective houses thereof, and the members.

22 Any matter of business of either house, the transaction of which
23 would affect the interests of the other house, may be referred to
24 the committee for action if the Legislature is not in recess, and
25 shall be referred to the committee for action if the Legislature is
26 in recess.

27 The committee has the following additional powers and duties:

28 (a) To select a chairman or chairwoman from its membership.
29 The vice chairman or vice chairwoman of the committee shall be
30 one of the Senate members of the committee, to be selected by the
31 Senate Committee on Rules.

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

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

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

1 (e) To cooperate with and secure the cooperation of county, city,
2 city and county, and other local law enforcement agencies in
3 investigating any matter within the scope of this rule, and to direct
4 the sheriff of any county to serve subpoenas, orders, and other
5 process issued by the committee.

6 (f) To report its findings and recommendations, including
7 recommendations for the needed revision of any and all laws and
8 constitutional provisions relating to the Legislature, to the
9 Legislature and to the people from time to time.

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

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

17 (i) To appoint a chief administrative officer of the committee,
18 who shall have duties relating to the administrative, fiscal, and
19 business affairs of the committee as the committee shall prescribe.
20 The committee may terminate the services of the chief
21 administrative officer at any time.

22 (j) To employ persons as may be necessary to assist all other
23 joint committees, except the Joint Legislative Budget Committee
24 and the Joint Legislative Audit Committee, in the exercise of their
25 powers and performance of their duties. In accordance with Rule
26 36.8, the committee shall govern and administer the expenditure
27 of funds by other joint committees, requiring that the claims of
28 joint committees be approved by the Joint Rules Committee or its
29 designee. All expenses of the committee and of all other joint
30 committees may be paid from the Operating Funds of the Assembly
31 and Senate.

32 (k) To appoint the chairmen or chairwomen of joint committees,
33 as authorized by Rule 36.7.

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

37 The members of the Joint Rules Committee from the Senate may
38 meet separately as a unit, and the members of the Joint Rules
39 Committee from the Assembly may meet separately as a unit, and
40 consider any action that is required to be taken by the Joint Rules

1 Committee. If the majority of members of the Joint Rules
2 Committee of each house at the separate meetings vote in favor
3 of that action, the action shall be deemed to be action taken by the
4 Joint Rules Committee.

5 The Joint Rules Committee shall meet not less than biweekly
6 during a session of the Legislature, other than during a joint recess,
7 at a regularly scheduled time and place. If the full committee fails
8 to so meet, the members of the committee from the Senate shall
9 meet separately as a unit and the members of the committee from
10 the Assembly shall meet separately as a unit within five days of
11 the regularly scheduled meeting date.

12 The committee succeeds to, and is vested with, all of the powers
13 and duties of the Joint Committee on Legislative Organization,
14 the State Capitol Committee, the Joint Committee on Interhouse
15 Cooperation, the Joint Legislative Committee for School
16 Visitations, and the Joint Standing Committee on the Joint Rules
17 of the Senate and the Assembly.

18
19
20 Review of Administrative Regulations
21
22

23 40.1. The Joint Rules Committee, with regard to joint
24 committees, and the respective rules committee of each house,
25 with regard to standing and select committees of the house, shall
26 approve any request for a priority review made by a committee
27 pursuant to Section 11349.7 of the Government Code and shall
28 submit approved requests to the Office of Administrative Law.
29 The Joint Rules Committee or the respective rules committee, and
30 the committee initiating the request, shall each receive a copy of
31 the priority review.

32
33
34 Subcommittee on Legislative Space and Facilities
35
36

37 40.3. (a) A subcommittee of the Joint Rules Committee is hereby
38 created, to be known as the Subcommittee on Legislative Space
39 and Facilities. The subcommittee consists of three Members of the
40 Senate and three Members of the Assembly, appointed by the

1 Chairman or Chairwoman of the Joint Rules Committee, and the
2 chairman or chairwoman of the fiscal committee of each house
3 who shall have full voting rights on the subcommittee. The
4 chairman or chairwoman of the subcommittee shall be appointed
5 by the members thereof. For purposes of this subcommittee, the
6 chairmen or chairwomen of the fiscal committees are ex officio
7 members of the Joint Rules Committee, but do not have voting
8 rights on that committee, nor may they be counted in determining
9 a quorum. The subcommittee shall consider the housing of the
10 Legislature and legislative facilities.

11 (b) The subcommittee and its members have and may exercise
12 all of the rights, duties, and powers conferred upon investigating
13 committees and their members by the Joint Rules of the Senate
14 and Assembly as they are adopted and amended from time to time,
15 which provisions are incorporated herein and made applicable to
16 this subcommittee and its members.

17 (c) The subcommittee has the following additional powers and
18 duties:

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

23 (2) To cooperate with and secure the cooperation of county, city,
24 city and county, and other local law enforcement agencies in
25 investigating any matter within the scope of this rule, and to direct
26 the sheriff of any county to serve subpoenas, orders, and other
27 process issued by the subcommittee.

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

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

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

35
36
37 Claims for Workers' Compensation
38
39

1 41. The Chairman or Chairwoman of the Committee on Rules
2 of each house, or a designated representative, shall sign any
3 required worker's compensation report regarding injuries or death
4 arising out of and within the course of employment suffered by
5 any member, officer, or employee of the house, or any employee
6 of a standing or investigating committee thereof. In the case of a
7 joint committee, the Chairman or Chairwoman of the Committee
8 on Rules of either house, or a designated representative, may sign
9 any report with respect to a member or employee of a joint
10 committee.

11
12
13 Information Concerning Committees
14
15

16 42. The Committee on Rules of each house shall provide for a
17 continuous cumulation of information concerning the membership,
18 organization, meetings, and studies of legislative investigating
19 committees. Each Committee on Rules shall be responsible for
20 information concerning the investigating committees of its own
21 house, and concerning joint investigating committees under a
22 chairman or chairwoman who is a member of that house. To the
23 extent possible, each Committee on Rules shall seek to ensure that
24 the investigating committees for which it has responsibility under
25 this rule have organized, including the organization of any
26 subcommittees, and have had all topics for study assigned to them
27 within a reasonable period of time.

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

31
32
33 Joint Committees
34
35

36 43. Any concurrent resolution creating a joint committee of the
37 Legislature and any concurrent resolution allocating moneys from
38 the Operating Funds of the Assembly and Senate to the committee
39 shall be referred to the Committee on Rules of the respective
40 houses.

Conflict of Interest

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

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

(1) Accept other employment that he or she has reason to believe will either impair his or her independence of judgment as to his or her official duties, or require him or her, or induce him or her, to disclose confidential information acquired by him or her in the course of and by reason of his or her official duties.

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

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

This rule does not prohibit a member who is an attorney at law from practicing in that capacity before the Workers' Compensation Appeals Board or the Commissioner of Corporations, and receiving compensation therefor, or from practicing for compensation before any state board or agency in connection with, or in any matter related to, any case, action, or proceeding filed and pending in any state or federal court. This rule does not prohibit a member from making inquiry for information on behalf of a constituent before a state board or agency, if no fee or reward is given or promised in consequence thereof. The prohibition contained in this rule does

1 not apply to a partnership in which a Member of the Legislature
2 is a member if the Member of the Legislature does not share
3 directly or indirectly in the fee resulting from the transaction, nor
4 does it apply in connection with any matter pending before any
5 state board or agency on the operative date of this rule if the
6 affected Member of the Legislature is attorney of record or
7 representative in the matter prior to the operative date.

8 (4) Receive or agree to receive, directly or indirectly, any
9 compensation, reward, or gift from any source except the State of
10 California for any service, advice, assistance, or other matter related
11 to the legislative process, except fees for speeches or published
12 works on legislative subjects and except, in connection therewith,
13 the reimbursement of expenses for actual expenditures for travel
14 and reasonable subsistence for which no payment or reimbursement
15 is made by the State of California.

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

20 (i) If, on the vote for final passage, by the house of which he or
21 she is a member, of the legislation in which he or she has a personal
22 interest, he or she first files a statement (which shall be entered
23 verbatim in the Daily Journal) stating in substance that he or she
24 has a personal interest in the legislation to be voted on and that,
25 notwithstanding that interest, he or she is able to cast a fair and
26 objective vote on the legislation, he or she may cast his or her vote
27 without violating any provision of this rule.

28 (ii) If the member believes that, because of his or her personal
29 interest, he or she should abstain from participating in the vote on
30 the legislation, he or she shall so advise the presiding officer prior
31 to the commencement of the vote and shall be excused from voting
32 on the legislation without any entry in the Daily Journal of the fact
33 of his or her personal interest. In the event that a rule of the house
34 requiring that each member who is present vote aye or nay is
35 invoked, the presiding officer shall order the member excused
36 from compliance and shall order entered in the Daily Journal a
37 simple statement that the member was excused from voting on the
38 legislation pursuant to law.

39 (c) A person subject to this rule has an interest that is in
40 substantial conflict with the proper discharge of his or her duties

1 in the public interest and of his or her responsibilities as prescribed
2 by the laws of this state, or a personal interest, arising from any
3 situation, within the scope of this rule, if he or she has reason to
4 believe or expect that he or she will derive a direct monetary gain
5 or suffer a direct monetary loss, as the case may be, by reason of
6 his or her official activity. He or she does not have an interest that
7 is in substantial conflict with the proper discharge of his or her
8 duties in the public interest and of his or her responsibilities as
9 prescribed by the laws of this state, or a personal interest, arising
10 from any situation, within the scope of this rule, if any benefit or
11 detriment accrues to him or her as a member of a business,
12 profession, occupation, or group to no greater extent than any other
13 member of the business, profession, occupation, or group.

14 (d) A person who is subject to this rule may not be deemed to
15 be engaged in any activity that is in substantial conflict with the
16 proper discharge of his or her duties in the public interest and of
17 his or her responsibilities as prescribed by the laws of this state,
18 or to have a personal interest, arising from any situation, within
19 the scope of this rule, solely by reason of any of the following:

20 (1) His or her relationship to any potential beneficiary of any
21 situation is one that is defined as a remote interest by Section 1091
22 of the Government Code or is otherwise not deemed to be a
23 prohibited interest under Section 1091.1 or 1091.5 of the
24 Government Code.

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

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

36 The Legislature, in adopting this rule, recognizes that Members
37 of the Legislature and legislative employees may need to engage
38 in employment, professional, or business activities other than
39 legislative activities in order to maintain a continuity of
40 professional or business activity, or may need to maintain

1 investments, which activities or investments do not conflict with
2 specific provisions of this rule. However, in construing and
3 administering this rule, weight should be given to any coincidence
4 of income, employment, investment, or other profit from sources
5 that may be identified with the interests represented by those
6 sources that are seeking action of any character on matters then
7 pending before the Legislature.

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

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

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

15 16 17 Ethics Committees 18 19

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

29 30 31 Designating Legislative Sessions 32 33

34 50. Regular sessions shall be identified with the odd-numbered
35 year subsequent to each general election, followed by a hyphen,
36 and then the last two digits of the following even-numbered year.
37 For example: 2009–10 Regular Session.

38 39 40 Designating Extraordinary Sessions

1
2
3 50.3. All extraordinary sessions shall be designated in numerical
4 order by the session in which convened.
5
6

7 Days and Dates
8
9

10 50.5. (a) As used in these rules, “day” means a calendar day,
11 unless otherwise specified.

12 (b) When the date of a deadline, recess requirement, or
13 circumstance falls on a Saturday, Sunday, or Monday that is a
14 holiday, the date shall be deemed to refer to the preceding Friday.
15 When the date falls on a holiday on a weekday other than a
16 Monday, the date shall be deemed to refer to the preceding day.
17
18

19 Legislative Calendar
20
21

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

24 (1) Organizational Recess—The Legislature shall meet on the
25 first Monday in December following the general election to
26 organize. Thereafter, each house shall be in recess from the time
27 it determines until the first Monday in January, except when the
28 first Monday is January 1 or January 1 is a Sunday, in which case,
29 the following Wednesday.

30 (2) Spring Recess—The Legislature shall be in recess from the
31 10th day prior to Easter until the Monday after Easter.

32 (3) Summer Recess—The Legislature shall be in recess from
33 July 17 until August 17. This recess shall not commence until the
34 Budget Bill is passed.

35 (4) Interim Study Recess—The Legislature shall be in recess
36 from September 11 until the first Monday in January, except when
37 the first Monday is January 1 or January 1 is a Sunday, in which
38 case, the following Wednesday.

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

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

3 (2) Summer Recess—The Legislature shall be in recess from
4 July 2 until August 2. This recess may not commence until the
5 Budget Bill is passed.

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

8 (c) Recesses shall be from the hour of adjournment on the day
9 specified, reconvening at the time designated by the respective
10 houses.

11 (d) The recesses specified by this rule shall be designated as
12 joint recesses.

13
14
15 Recall From Recess
16
17

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

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

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

36 (c) If either or both of the parties specified in subdivision (b)
37 does not concur, 10 or more Members of the Legislature may
38 request the Chief Clerk of the Assembly or the Secretary of the
39 Senate to petition the membership of the respective house. The
40 petition shall be entered in the Daily Journal and shall contain a

1 specified reconvening date commencing not later than 20 days
2 after the date of the petition. If two-thirds of the members of the
3 house or each of the two houses concur, the Legislature shall
4 reconvene on the date specified. The necessary concurrences must
5 be received at least 10 days prior to the date specified for
6 reconvening.

7 8 9 Procedure on Suspending Rules by Single House

10
11
12 53. Whenever these rules authorize suspension of the Joint Rules
13 as to a particular bill by action of a single house after approval by
14 the Committee on Rules of that house, the following procedure
15 shall be followed:

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

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

24 (c) If the appropriate rules committee recommends that the
25 suspension be permitted, the member may offer a resolution,
26 without further reference thereof to committee, granting permission
27 to suspend the joint rule. The adoption of the resolution granting
28 permission shall require an affirmative recorded vote of the elected
29 members of the house in which the request is made.

30 31 32 Introduction of Bills

33
34
35 54. (a) A bill may not be introduced in the first year of the regular
36 session after February 27 and a bill may not be introduced in the
37 second year of the regular session after February 19. These
38 deadlines do not apply to constitutional amendments, committee
39 bills introduced pursuant to Assembly Rule 47 or Senate Rule 23,
40 bills introduced in the Assembly with the permission of the Speaker

1 of the Assembly, or bills introduced in the Senate with the
2 permission of the Senate Committee on Rules. Subject to these
3 deadlines, a bill may be introduced at any time except when the
4 houses are in joint summer, interim, or final recess. Each house
5 may provide for introduction of bills during a recess other than a
6 joint recess. Bills shall be numbered consecutively during the
7 regular session.

8 (b) The Desks of the Senate and Assembly shall remain open
9 during a joint recess, other than a joint spring, summer, interim,
10 or final recess, for the introduction of bills during business hours
11 on Monday through Friday, inclusive, except holidays. Bills
12 received at the Senate Desk during these periods shall be numbered
13 and printed. After printing, the bills shall be delivered to the
14 Secretary of the Senate and referred by the Senate Committee on
15 Rules to a standing committee. Bills received at the Assembly
16 Desk during these periods shall be numbered, printed, and referred
17 to a committee by the Assembly Committee on Rules. After
18 printing, the bills shall be delivered to the Chief Clerk of the
19 Assembly. On the reconvening of each house, the bills shall be
20 read the first time, and shall be delivered to the committee to which
21 they were referred.

22 (c) A member may not author a bill during a session that would
23 have substantially the same effect as a bill he or she previously
24 introduced during that session. This restriction does not apply in
25 cases where the previously introduced bill was vetoed by the
26 Governor or its provisions were “chaptered out” by a later
27 chaptered bill pursuant to Section 9605 of the Government Code.
28 An objection based on this restriction may be raised only while
29 the bill is being considered by the house in which it is introduced.
30 The objection shall be referred to the Committee on Rules of the
31 house for a determination. The bill shall remain on the Daily File
32 or with a committee, as the case may be, until a determination is
33 made. If, upon consideration of the objection, the Committee on
34 Rules determines that the bill objected to would have substantially
35 the same effect as another bill previously introduced during the
36 session by the author, the bill objected to shall be stricken from
37 the Daily File or returned to the desk by the committee, as the case
38 may be, and may not be acted upon during the remainder of the
39 session. If the Committee on Rules determines that the bill objected
40 to would not have substantially the same effect as a bill previously

1 introduced during the session by the author, the bill may thereafter
2 be acted upon by the committee or the house, as the case may be.
3 The Committee on Rules may obtain assistance as it may desire
4 from the Legislative Counsel as to the similarity of a bill or
5 amendments to a prior bill.

6 This joint rule may be suspended by approval of the Committee
7 on Rules and three-fourths vote of the membership of the house.

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

11 (1) The Speaker of the Assembly.

12 (2) The Committee on Rules of the respective house.

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

15 Preprint bills shall be designated and shall be printed in the order
16 received and numbered in the order printed. To facilitate
17 subsequent amendment, a preprint bill shall be so prepared that,
18 when introduced as a bill, the page and the line numbers will not
19 change. The Chief Clerk of the Assembly and Secretary of the
20 Senate shall publish a list periodically of preprint bills showing
21 the preprint bill number, the title, and the Legislative Counsel's
22 Digest. The Speaker of the Assembly and Senate Committee on
23 Rules may refer any preprint bill to committee for study.

30-Day Waiting Period

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

Return of Bills

1
2
3 56. Bills introduced in the first year of the regular session and
4 passed by the house of origin on or before the January 31st
5 constitutional deadline are “carryover bills.” Immediately after
6 January 31, bills introduced in the first year of the regular session
7 that do not become “carryover bills” shall be returned to the Chief
8 Clerk of the Assembly or Secretary of the Senate, respectively.
9 Notwithstanding Rule 4, as used in this rule “bills” does not include
10 constitutional amendments.

11
12
13 Appropriation Bills
14
15

16 57. Appropriation bills that may not be sent to the Governor
17 shall be held, after enrollment, by the Chief Clerk of the Assembly
18 or Secretary of the Senate, respectively. The bills shall be sent to
19 the Governor immediately after the Budget Bill has been enacted.
20

21
22 Urgency Clauses
23
24

25 58. An amendment to add a section to a bill to provide that the
26 act shall take effect immediately as an urgency statute may not be
27 adopted unless the author of the amendment has first secured the
28 approval of the Committee on Rules of the house in which the
29 amendments are offered.
30

31
32 Vetoes
33
34

35 58.5. The Legislature may consider a Governor’s veto for only
36 60 days, not counting days when the Legislature is in joint recess.
37

38
39 Publications
40

1
2 59. During periods of joint recess, weekly, if necessary, the
3 following documents shall be published: Daily Files, Histories,
4 and Daily Journals.
5

6
7 Committee Hearings
8
9

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

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

15 (c) A bill may not be acted upon by a committee during a joint
16 recess.
17

18
19 Deadlines
20
21

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

27 (a) Odd-numbered year:

28 (1) Feb. 27—Last day for bills to be introduced.

29 (2) May 1—Last day for policy committees to hear and report
30 to fiscal committees fiscal bills introduced in their house.

31 (3) May 15—Last day for policy committees to hear and report
32 to the floor nonfiscal bills introduced in their house.

33 (4) May 22—Last day for policy committees to meet prior to
34 June 8.

35 (5) May 29—Last day for fiscal committees to hear and report
36 to the floor bills introduced in their house.

37 (6) May 29—Last day for fiscal committees to meet prior to
38 June 8.

39 (7) June 1-June 5—Floor session only. No committee may meet
40 for any purpose.

1 (8) June 5—Last day for each house to pass bills introduced in
2 that house.

3 (9) June 8—Committee meetings may resume.

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

6 (11) Aug. 28—Last day for fiscal committees to meet and report
7 bills.

8 (12) Aug. 31-Sept. 11—Floor session only. No committee may
9 meet for any purpose.

10 (13) Sept. 4—Last day to amend on the floor.

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

12 (b) Even-numbered year:

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

16 (2) Jan. 22—Last day for any committee to hear and report to
17 the floor bills introduced in that house in the odd-numbered year.

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

20 (4) Feb. 19—Last day for bills to be introduced.

21 (5) April 23—Last day for policy committees to hear and report
22 to fiscal committees fiscal bills introduced in their house.

23 (6) May 7—Last day for policy committees to hear and report
24 to the floor nonfiscal bills introduced in their house.

25 (7) May 14—Last day for policy committees to meet prior to
26 June 7.

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

29 (9) May 28—Last day for fiscal committees to meet prior to
30 June 7.

31 (10) June 1-June 4—Floor session only. No committee may meet
32 for any purpose.

33 (11) June 4—Last day for each house to pass bills introduced in
34 that house.

35 (12) June 7—Committee meetings may resume.

36 (13) July 2—Last day for policy committees to meet and report
37 bills.

38 (14) Aug. 13—Last day for fiscal committees to meet and report
39 bills.

1 (15) Aug. 16-Aug. 31—Floor session only. No committee may
2 meet for any purpose.

3 (16) Aug. 20—Last day to amend on floor.

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

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

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

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

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

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

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

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

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

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

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

6
7
8 Committee Procedure
9

10
11 62. (a) Notice of a hearing on a bill by the committee of first
12 reference in each house, or notice of an informational hearing,
13 shall be published in the Daily File at least four days prior to the
14 hearing. Otherwise, notice shall be published in the Daily File two
15 days prior to the hearing. That notice requirement may be waived
16 by a majority vote of the house in which the bill is being
17 considered. A bill may be set for hearing in a committee only three
18 times. A bill is “set,” for purposes of this subdivision, whenever
19 notice of the hearing has been published in the Daily File for one
20 or more days. If a bill is set for hearing, and the committee, on its
21 own initiation and not the author’s, postpones the hearing on the
22 bill or adjourns the hearing while testimony is being taken, that
23 hearing is not counted as one of the three times a bill may be set.
24 After hearing the bill, the committee may vote on the bill. If the
25 hearing notice in the Daily File specifically indicates that
26 “testimony only” will be taken, that hearing is not counted as one
27 of the three times a bill may be set. A committee may not vote on
28 a bill so noticed until it has been heard in accordance with this
29 rule. After a committee has voted on a bill, reconsideration may
30 be granted only one time. Reconsideration may be granted within
31 15 legislative days or prior to the interim study joint recess,
32 whichever first occurs. A vote on reconsideration may not be taken
33 without the same notice required to set a bill unless that vote is
34 taken at the same meeting at which the vote to be reconsidered
35 was taken, and the author is present. When a bill fails to get the
36 necessary votes to pass it out of committee, or upon failure to
37 receive reconsideration, it shall be returned to the Chief Clerk of
38 the Assembly or Secretary of the Senate of the house of the
39 committee and may not be considered further during the session.

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

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

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

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

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

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

26 This subdivision does not apply to:

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

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

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

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

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

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

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

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

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

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

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

18 19 20 Redistricting Bills 21 22

23 62.5. This rule applies only to bills affecting the boundaries of
24 legislative, congressional, or State Board of Equalization districts.

25 (a) Except as specifically provided in this rule, Rules 28, 28.1,
26 29, 29.5, 30, 30.5, 30.7, 61 (except for paragraph (12) of
27 subdivision (a), and paragraph (15) of subdivision (b), of Rule 61),
28 and 62 do not apply to bills affecting the boundaries of legislative,
29 congressional, or State Board of Equalization districts.

30 (b) If the Senate (in the case of a Senate bill) or the Assembly
31 (in the case of an Assembly bill) refuses to concur in amendments
32 to a bill made by the other house, a committee on conference shall
33 be appointed. The Speaker of the Assembly and the Senate
34 Committee on Rules shall each appoint a committee on conference
35 of three members, consisting of two members of the majority party
36 and one member not of the majority party. The Secretary of the
37 Senate and the Chief Clerk of the Assembly shall immediately
38 notify the other house of the action taken.

39 (c) When a bill affecting the boundaries of legislative,
40 congressional, or State Board of Equalization districts has been

1 referred to a committee on conference, the chairman or chairwoman
2 of the committee on conference shall immediately request the
3 Senate Committee on Elections and Reapportionment and the
4 Assembly Committee on Elections, Reapportionment, and
5 Constitutional Amendments to hold a public hearing on the bill.
6 The committee on conference shall also hold a public hearing on
7 the bill. The hearings of the policy committees and the committee
8 on conference may be noticed and held concurrently.

9 (d) If either or both of the policy committees hold a public
10 hearing on a bill pursuant to the request of the chairman or
11 chairwoman of the committee on conference, the policy committees
12 may consider amendments to the bill, and may make
13 recommendations on amendments to the committee on conference.
14 A policy committee recommendation for an amendment may be
15 adopted only by a rollcall vote of the members of the policy
16 committee.

17 (e) All proposed reports of a committee on conference, all
18 proposed amendments to a proposed report of a committee on
19 conference, and all proposed amendments presented to a policy
20 committee shall be accompanied by appropriate maps. A committee
21 vote may not be taken on any proposed report of a committee on
22 conference, any proposed amendment to a proposed report of a
23 committee on conference, or any proposed amendment presented
24 to a policy committee unless the proposed report or proposed
25 amendment, with accompanying maps, has been available to the
26 public for at least 24 hours. Notwithstanding subdivision (h),
27 district boundaries contained in any proposed report or any
28 proposed amendment may not be required to be prepared or
29 approved as to form by Legislative Counsel if the accompanying
30 maps adequately reflect the district boundaries.

31 (f) All hearings of the policy committees and the committee on
32 conference shall be open and readily accessible to the public, and
33 shall be noticed in the Daily File for not less than two calendar
34 days.

35 (g) The provisions of subdivision (e) prohibiting a committee
36 vote on any proposed report of a committee on conference, any
37 proposed amendment to a proposed report of a committee on
38 conference, or any proposed amendment presented to a policy
39 committee unless the amendment, accompanied by appropriate

1 maps, has been available to the public for at least 24 hours do not
2 apply in any of the following situations:

3 (1) The amendment proposed to a policy committee or the
4 committee on conference does not change any district boundaries.

5 (2) The amendment proposed to a policy committee or the
6 committee on conference is required to correct a technical error
7 in the bill, and the proposed amendment would shift no more than
8 1 percent of the population of any district to any other district or
9 districts.

10 (3) The amendment is a policy committee or committee on
11 conference amendment that is proposed in response to amendments
12 that have been proposed to the committee.

13 (h) Except as provided in subdivision (i), a vote may not be taken
14 in either house on any bill or any report of the committee on
15 conference on that bill unless the bill or the report has been in print
16 in Legislative Counsel form and available to the public,
17 accompanied by appropriate maps, for at least 24 hours.

18 (i) If either house refuses to adopt the report of the committee
19 on conference, the bill may be returned to the committee on
20 conference for further consideration. If the bill is returned to the
21 committee on conference for an amendment described in paragraph
22 (1) or (2) of subdivision (g), the notice requirements of subdivisions
23 (e) and (h) do not apply.

24 (j) Notwithstanding any other rule, this rule may be suspended
25 upon a majority vote of the membership of each house.

26
27
28 Uniform Rules
29
30

31 63. A standing committee of either house may not adopt or apply
32 any rule or procedure governing the voting upon bills that is not
33 equally applicable to the bills of both houses.
34

35
36 Votes on Bills
37
38

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

4

5

6 Conflicting Rules

7

8

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

O