

AMENDED IN ASSEMBLY APRIL 28, 2009

AMENDED IN ASSEMBLY APRIL 16, 2009

Senate Concurrent Resolution

No. 1

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 amended, 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:

JOINT RULES OF THE SENATE AND ASSEMBLY

Standing Committees

13 1. Each house shall appoint standing committees as the business
14 of the house may require, the committees, the number of members,

1 and the manner of selection to be determined by the rules of each
2 house.

3 4 5 Joint Meeting of Committees 6 7

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

15 16 17 Effect of Adoption of Joint Rules 18 19

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

25 26 27 Definition of Word “Bill” 28 29

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

34 35 36 Concurrent and Joint Resolutions 37 38

39 5. Concurrent resolutions relate to matters to be treated by both
40 houses of the Legislature.

1 Joint resolutions relate to matters connected with the federal
2 government.

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

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

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

16 (c) They may not be deemed bills for the purposes of Rules 10.8,
17 53, 55, 56, and 61, subdivisions (a) and (c) of Rule 54, and
18 subdivisions (a) and (b) of Rule 62.

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

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24 PREPARATION AND INTRODUCTION OF BILLS
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27 Title of Bill
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30 7. The title of every bill introduced shall convey an accurate idea
31 of the contents of the bill and shall indicate the scope of the act
32 and the object to be accomplished. In amending a code section,
33 the mere reference to the section by number is not deemed
34 sufficient.

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37 Division of Bill Into Sections
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1 8. A bill amending more than one section of an existing law shall
2 contain a separate section for each section amended.

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

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

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

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40 Errors in Digest

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3 8.7. If a material error in a printed digest referred to in Rule 8.5
4 or 8.6 is brought to the attention of the Legislative Counsel, he or
5 she shall prepare a corrected digest that shows the changes made
6 in the digest as provided in Rule 10 for amendments to bills. He
7 or she shall deliver the corrected digest to the Secretary of the
8 Senate or the Chief Clerk of the Assembly, as the case may be. If
9 the correction so warrants in the opinion of the President pro
10 Tempore of the Senate or the Speaker of the Assembly, a corrected
11 print of the bill as introduced shall be ordered with the corrected
12 digest printed thereon.
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15 Bills Amending Title 9 of the Government Code
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18 8.8. A member who is the first-named author of a bill, that would
19 amend, add, or repeal any provision of Title 9 (commencing with
20 Section 81000) of the Government Code, upon introduction or
21 amendment of the bill in either house shall notify the Chief Clerk
22 of the Assembly or the Secretary of the Senate, as the case may
23 be, of the nature of the bill. Thereafter, the Chief Clerk of the
24 Assembly or the Secretary of the Senate shall deliver a copy of
25 the bill as introduced or amended to the Fair Political Practices
26 Commission pursuant to Section 81012 of the Government Code.
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29 Bills Amending the California Stem Cell Research and Cures
30 Act
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33 8.9. A member who is the first-named author of a bill, that would
34 amend, add, or repeal any statutory provision of the California
35 Stem Cell Research and Cures Act, other than the bond provisions
36 thereof, upon introduction or amendment of the bill in either house
37 shall notify the Chief Clerk of the Assembly or the Secretary of
38 the Senate, as the case may be, of the nature of the bill. At least
39 14 days prior to passage in the Assembly or Senate, respectively,
40 the Chief Clerk of the Assembly or the Secretary of the Senate

1 shall make copies of the bill as introduced or amended available
2 in the Bill Room for access by the public and news media.

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

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

31 When an entire code is repealed as part of a codification or
32 recodification, or when an entire title, part, division, chapter, or
33 article of a code is repealed, the sections comprising the code, title,
34 part, division, chapter, or article shall not be set forth in the bill or
35 amendment in strikeout type.
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38 Rereferral to Fiscal and Rules Committees
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1 10.5. A bill shall be rereferred to the fiscal committee of each
2 house when it would do any of the following:

- 3 (1) Appropriate money.
4 (2) Result in a substantial expenditure of state money.
5 (3) Result in a substantial loss of revenue to the state.
6 (4) Result in substantial reduction of expenditures of state money
7 by reducing, transferring, or eliminating any existing
8 responsibilities of any state agency, program, or function.

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

- 12 (1) Any substantial expenditure of state money.
13 (2) Any substantial loss of revenue to the state.

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

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

20 *A bill that assigns a study to the Joint Legislative Budget*
21 *Committee or to the Legislative Analyst shall be rereferred to the*
22 *respective rules committees. Before the committee may act upon*
23 *the bill, it shall obtain from the Joint Legislative Budget Committee*
24 *an estimate of the amount required to be expended to make the*
25 *study.*

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

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31 Short Title

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34 10.6. A bill may not add a short title that names a current or
35 former Member of the Legislature.

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

Consideration of Bills

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

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

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

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

Printing of Amendments

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

1 omitted shall be printed in ~~strikeout~~ type. When a bill is amended
2 in either house, the first or previous markings shall be omitted.

3 (b) If amendments to a bill, including the report of a committee
4 on conference, are adopted that omit the entire contents of the bill,
5 the matter omitted need not be reprinted in the amended version
6 of the bill. Instead, the Secretary of the Senate or the Chief Clerk
7 of the Assembly, as the case may be, may select the amended bill
8 and cause to be printed a brief statement to appear after the last
9 line of the amended bill identifying which previously printed
10 version of the bill contains the complete text of the omitted matter.

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

27 A complete list of bills may not be delivered except upon
28 payment therefor of the amount fixed by the Joint Rules Committee
29 for any regular or extraordinary session. No more than one copy
30 of any bill or other legislative publication, nor more than a total
31 of 100 bills or other legislative publications during a session, may
32 be distributed free to any person, office, or organization. The
33 limitations imposed by this paragraph do not apply to Members
34 of the Legislature, the Secretary of the Senate, or the Chief Clerk
35 of the Assembly for the proper functioning of their respective
36 houses; the Legislative Counsel Bureau; the Attorney General's
37 office; the Secretary of State's office; the Controller's office; the
38 State Treasurer's office; the Insurance Commissioner's office; the
39 Superintendent of Public Instruction; the State Board of
40 Equalization; the Governor's office; the Lieutenant Governor's

1 office; the Clerk of the Supreme Court; the clerk of the court of
2 appeal for each district; the Judicial Council; the California Law
3 Revision Commission; the State Library; the Library of Congress;
4 the libraries of the University of California at Berkeley and at Los
5 Angeles; or accredited members of the press. The State Printer
6 shall fix the cost of the bills and publications, including postage,
7 and moneys as may be received by him or her shall, after deducting
8 the cost of handling and mailing, be remitted on the first day of
9 each month, one-half each to the Secretary of the Senate and the
10 Chief Clerk of the Assembly for credit to legislative printing.
11 Legislative publications heretofore distributed through the Bureau
12 of Documents shall be distributed through the Bill Room. Unless
13 otherwise provided for, the total number of each bill to be printed
14 may not exceed 2,500.

15 16 17 Legislative Index 18 19

20 13.1. The Legislative Counsel shall provide for the periodic
21 publication of a cumulative Legislative Index, which shall include
22 tables of sections affected by pending legislation. The State Printer
23 shall print the Legislative Index in the quantities, and at the times,
24 determined by the Secretary of the Senate and the Chief Clerk of
25 the Assembly. The costs of that printing shall be paid from the
26 legislative printing appropriation.

27 28 29 Summary Digest 30 31

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

Statutory Record

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

OTHER LEGISLATIVE PRINTING

Printing of the Daily Journal

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

What Shall Be Printed in the Daily Journal

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

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

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

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

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Printing of the Daily File

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

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Printing of History

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

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Authority for Printing Orders

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

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

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11 RECORD OF BILLS
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14 Secretary and Chief Clerk to Keep Records
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17 19. The Secretary of the Senate and the Chief Clerk of the
18 Assembly shall keep a complete and accurate record of every action
19 taken by the Senate and Assembly on every bill.
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22 Secretary and Chief Clerk Shall Endorse Bills
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25 20. The Secretary of the Senate and the Chief Clerk of the
26 Assembly shall endorse on every original or engrossed bill a
27 statement of any action taken by the Senate or Assembly
28 concerning the bill.
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31 ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM
32 THE OTHER
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35 After a Bill Has Been Passed by the Senate or Assembly
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38 21. When a bill has been passed by either house it shall be
39 transmitted promptly to the other, unless a motion to reconsider

1 or a notice of motion to reconsider has been made or it is held
2 pursuant to some rule or order of the house.

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

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7 Messages to Be in Writing Under Proper Signatures
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10 22. Notice of the action of either house to the other shall be in
11 writing and under the signature of the Secretary of the Senate or
12 the Chief Clerk of the Assembly, as the case may be. A receipt
13 shall be taken from the officer to whom the message is delivered.
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16 Consent Calendar: Uncontested Bills
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19 22.1. Each standing committee may report an uncontested bill
20 out of committee with the recommendation that it be placed on
21 the Consent Calendar. The Secretary of the Senate and the Chief
22 Clerk of the Assembly shall provide to each committee chairman
23 or chairwoman appropriate forms for that report. As used in this
24 rule, “uncontested bill” means a bill that (a) receives a do-pass or
25 do-pass-as-amended recommendation from the committee to which
26 it is referred, by unanimous vote of the members present provided
27 a quorum is present, (b) has no opposition expressed by any person
28 present at the committee meeting with respect to the final version
29 of the bill as approved by the committee, and (c) prior to final
30 action by the committee, has been requested by the author to be
31 placed on the Consent Calendar.
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34 Consent Calendar
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37 22.2. Following its second reading and the adoption of any
38 committee amendments thereto, any bill certified by the committee
39 chairman or chairwoman as an uncontested bill shall be placed by
40 the Secretary of the Senate or the Chief Clerk of the Assembly on

1 the Consent Calendar, and shall be known as a “Consent Calendar
2 bill.” Any Consent Calendar bill that is amended from the floor
3 shall cease to be a Consent Calendar bill and shall be returned to
4 the Third Reading File. Upon objection of any member to the
5 placement or retention of any bill on the Consent Calendar, the
6 bill shall cease to be a Consent Calendar bill and shall be returned
7 to the Third Reading File. No Consent Calendar bill may be
8 considered for adoption until the second legislative day following
9 the day of its placement on the Consent Calendar.

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

23 The Consent Calendar shall be considered as the last order of
24 business on the Daily File.
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27 PASSAGE AND ENROLLING OF BILL
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30 Procedure on Defeat of More Than Majority Bill
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33 23.5. Whenever a bill containing a section or sections requiring
34 for passage an affirmative recorded vote of more than 21 votes in
35 the Senate and more than 41 votes in the Assembly is being
36 considered for passage, and the urgency clause, if the bill is an
37 urgency bill, or the bill, in any case, fails to receive the necessary
38 votes to make all sections effective, further action may not be taken
39 on the bill, except that an amendment to remove all sections
40 requiring the higher vote for passage from the bill shall be in order

1 prior to consideration of further business. If the amendment is
2 adopted, the bill shall be reprinted to reflect the amendment. When
3 the bill is reprinted, it shall be returned to the same place on the
4 file that it occupied when it failed to receive the necessary votes.

Enrollment of Bill After Passage

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

AMENDMENTS AND CONFERENCES

Amendments to Amended Bills Must Be Attached

33 25. Whenever a bill or resolution that has been passed in one
34 house is amended in the other, it shall immediately be reprinted
35 as amended by the house making the amendment or amendments.
36 One copy of the amendment or amendments shall be attached to
37 the bill or resolution so amended, and endorsed “adopted”; the
38 amendment or amendments, if concurred in by the house in which
39 the bill or resolution originated, shall be endorsed “concurred in”;
40 and the endorsement shall be signed by the Secretary or Assistant

1 Secretary of the Senate, or the Chief Clerk or Assistant Clerk of
2 the Assembly, as the case may be. However, an amendment to the
3 title of a bill adopted after the passage of the bill does not
4 necessitate reprinting, but the amendment must be concurred in
5 by the house in which the bill originated.

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

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

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31 Reference to Committee
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34 26.5. Pursuant to Rule 26, whenever a bill is returned to its house
35 of origin for a vote on concurrence in an amendment made in the
36 other house, the Legislative Counsel shall promptly prepare and
37 transmit to the Chief Clerk of the Assembly and the Speaker of
38 the Assembly in the case of an Assembly bill, or to the Secretary
39 of the Senate and Chair of the Senate Committee on Rules in the
40 case of a Senate bill, a brief digest summarizing the effect of the

1 amendment made in the other house. The Secretary or Chief Clerk
2 shall, upon receipt from the Legislative Counsel, cause the digest
3 to be printed in the Daily File immediately following any reference
4 to the bill covered by the digest. A motion to concur or refuse to
5 concur in the amendment is not in order until the Legislative
6 Counsel's Digest has appeared in the Daily File or an analysis of
7 the bill has been prepared and distributed pursuant to Senate Rule
8 29.8 or Assembly Rule 77.

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

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

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

30 Concurring in Amendments Adding Urgency Section

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

39 The presiding officer shall first direct that the urgency section
40 be read and put to a vote. If two-thirds of the membership of the

1 house vote in the affirmative, the presiding officer shall then direct
2 that the question of whether the house shall concur in the
3 amendment or amendments shall be put to a vote. If two-thirds of
4 the membership of the house vote in the affirmative, concurrence
5 in the amendments shall be effective.

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

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

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

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

38 (1) In the Assembly—

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

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

6 (2) In the Senate—

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

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

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

14
15
16 Meetings and Reports of Committees on Conference
17
18

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

1 recorded vote of two-thirds of the entire elected membership of
2 each house to adopt any conference report affecting any bill that
3 contains an item or items of appropriation that are subject to
4 subdivision (d) of Section 12 of Article IV of the California
5 Constitution. The report of a conference committee shall be in
6 writing, and shall have affixed thereto the signatures of each
7 Senator and each Member of the Assembly consenting to the report.
8 Space shall also be provided where a member of a conference
9 committee may indicate his or her dissent in the committee's
10 findings. Any dissenting member may have attached to a
11 conference committee report a dissenting report which shall not
12 exceed, in length, the majority committee report. A copy of any
13 amendments proposed in the majority report shall be placed on
14 the desk of each member of the house before it is acted upon by
15 the house.

16 The vote on concurrence or upon the adoption of the conference
17 report shall be deemed the vote upon final passage of the bill.
18
19

20 Conference Committees

21
22
23 29.5. (a) All meetings of any conference committee on the
24 Budget Bill shall be open and readily accessible to the public.

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

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

1 made to inform the public that a meeting has been called. When
2 this subdivision has been waived with respect to the meeting of
3 any public conference committee, the chairman or chairwoman of
4 the conference committee of each house shall immediately notify
5 the chairman or chairwoman of the policy committee of their
6 respective houses that considered the bill in question of the waiver,
7 and of the time and place of the meeting.

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

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

20 (d) A conference committee on any bill, other than the Budget
21 Bill, may not approve any substantial financial provision in any
22 bill if the financial provision has not been heard by the fiscal
23 committee of each house, nor may any conference committee
24 approve substantial policy changes that have not been heard by
25 the policy committee of each house.

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

31 Conference Committee Reports

32
33
34 30. Upon submission of any report of a committee on conference
35 recommending that the bill be further amended, the bill shall be
36 reprinted incorporating the amendments recommended by the
37 conference committee. The consideration of the report of a
38 committee on conference is not in order until the bill, in the form
39 recommended by the report of the committee on conference, has

1 both been in print and been noticed in the Daily File for not less
2 than one legislative day.

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

8 A conference committee report is not in order unless it has been
9 received by the Secretary of the Senate and the Chief Clerk of the
10 Assembly at least three calendar days preceding the scheduled
11 commencement of the summer, interim, or final recess of the
12 Legislature.

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

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

18
19
20 Conference Committee Reports on Urgency Statutes
21
22

23 30.5. When the report of a committee on conference recommends
24 the amendment of a bill by the addition of a section providing that
25 the act shall take effect immediately as an urgency statute, the
26 procedure and the vote thereon shall be as follows:

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

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

38
39
40 Failure to Agree on Report

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2
3 30.7. A conference committee may find and determine that it is
4 unable to submit a report to the respective houses, upon the
5 affirmative vote to that effect of not less than two of the Assembly
6 Members and not less than two of the Senate Members constituting
7 the committee. That finding may be submitted to the Chief Clerk
8 of the Assembly and the Secretary of the Senate in the form of a
9 letter from the chairman or chairwoman of the committee on
10 conference for the house of origin of the bill, containing the
11 signatures of the members of the committee consenting to the
12 finding and determination that the committee is unable to submit
13 a report. The Chief Clerk of the Assembly and the Secretary of
14 the Senate, upon being notified that a conference committee is
15 unable to submit a report, shall so inform each house, whereupon
16 the conferees shall be discharged and other conferees appointed,
17 in accordance with Rule 29.
18

19 MISCELLANEOUS PROVISIONS

22 Authority When Rules Do Not Govern

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24
25
26 31. All relations between the houses that are not covered by
27 these rules shall be governed by Mason's Manual.
28

29 Press Rules

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31
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33 32. (a) Any person desiring privileges of an accredited press
34 representative shall make application to the Joint Rules Committee.
35 The application shall constitute compliance with any provisions
36 of the rules of the Assembly or the Senate with respect to
37 registration of news correspondents. The application shall state in
38 writing the name of any print or electronic periodic news
39 publication, news association, or radio or television station that
40 employs the press representative, and any other occupations or

1 employment he or she may have. The press representative shall
2 further declare in the application that he or she is not employed,
3 directly or indirectly, to assist in the prosecution of the legislative
4 business of any person, corporation, or association, and will not
5 become so employed while retaining the privilege of an accredited
6 press representative.

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

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

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

39 (e) An accredited member of the Capitol Correspondents
40 Association may not, for compensation, perform any service for

1 state constitutional officers or members of their staffs, for state
2 agencies, for the Legislature, for candidates for state office, for a
3 state officeholder, or for any person registered or performing as a
4 legislative advocate.

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

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

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

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

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

31 If the Standing Committee of the Capitol Correspondents
32 Association determines by majority vote that an association
33 member has violated an association rule, it shall inform the member
34 of its finding. Within two weeks of notification, the member may
35 request a meeting of the membership. If the member makes that
36 request, the Standing Committee of the Capitol Correspondents
37 Association shall promptly schedule a meeting at the earliest
38 possible time. After hearing the member and the committee review
39 the circumstances of the alleged violation, the membership may,
40 by majority vote, nullify the finding of the Standing Committee

1 of the Capitol Correspondents Association. If nullification does
2 not occur, the Standing Committee of the Capitol Correspondents
3 Association immediately shall impose the appropriate penalty.

4
5
6 Dispensing With Joint Rules
7
8

9 33. A joint rule may not be dispensed with except by a vote of
10 two-thirds of each house or as otherwise provided in these rules.
11 If either house violates a joint rule, a question of order may be
12 raised in the other house and decided in the same manner as in the
13 case of the violation of the rules of the house. If it is decided that
14 the joint rules have been violated, the bill involving the violation
15 shall be returned to the house in which it originated, and the
16 disputed matter shall be considered in like manner as in conference
17 committee.
18

19
20 Dispensing with Joint Rules: Unanimous Consent
21
22

23 33.1. Notwithstanding any other rule, a joint rule that may be
24 dispensed with by one house may be done so by unanimous consent
25 if the rules committee of that house has approved.
26

27
28 Opinions of Legislative Counsel
29
30

31 34. Whenever the Legislative Counsel issues a written opinion
32 to any person other than the first-named author analyzing the
33 constitutionality, operation, or effect of a bill or other legislative
34 measure that is then pending before the Legislature or of any
35 amendment made or proposed to be made to the bill or measure,
36 he or she is authorized and instructed to deliver two copies of the
37 opinion to the first-named author as promptly as feasible after the
38 delivery of the original opinion and also to deliver a copy to any
39 other author of the bill or measure who so requests. A copy of any
40 letter prepared by the Legislative Counsel for the sole purpose of

1 advising a member of a conflict between two or more bills as to
2 the sections of law being amended, repealed, or added shall be
3 submitted to the chairman or chairwoman of the committee to
4 which each bill has been referred.

5
6
7 Resolutions Prepared by Legislative Counsel
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9

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

18
19
20 Resolutions
21
22

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

33 A concurrent resolution requesting the Governor to issue a
34 proclamation may not be introduced without the prior approval of
35 the Committee on Rules of the house in which the resolution is to
36 be introduced.

37
38
39 Identical Drafting Requests
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1
2 34.5. Whenever it comes to the attention of the Legislative
3 Counsel that a member has requested the drafting of a bill that will
4 be substantially identical to one already introduced, the Legislative
5 Counsel shall inform the member of that fact.
6
7

8 Expense of Members
9
10

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

27 Expense allowances for Members of the Senate and Assembly
28 shall be approved and certified to the Controller by the Secretary
29 of the Senate, on behalf of the Senate, and the Chief Clerk of the
30 Assembly or other person authorized by the Assembly Committee
31 on Rules, on behalf of the Assembly, weekly or as otherwise
32 directed by either house, and upon certification the Controller shall
33 draw his or her warrants in payment of the allowances to the
34 respective members.
35
36

37 Issuance of Subpoenas
38
39

1 35.5. A subpoena requiring the attendance of a witness or the
2 production of documents may be issued by the Senate Committee
3 on Rules, the Speaker of the Assembly, or the chairman or
4 chairwoman of a committee conducting an investigation only if
5 permission has been secured from the rules committee of the
6 respective house, or from the Joint Rules Committee if the
7 subpoena is issued by the chairman or chairwoman of a joint
8 committee.

10
11 Investigating Committees
12
13

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

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

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

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

1 Each committee is authorized and empowered to summon and
2 subpoena witnesses, to require the production of papers, books,
3 accounts, reports, documents, records, and papers of every kind
4 and description, to issue subpoenas, and to take all necessary means
5 to compel the attendance of witnesses and to procure testimony,
6 oral and documentary. A committee's issuance of a subpoena shall
7 comply with Rule 35.5.

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

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

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

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

1 (a) When the Legislature is in session:

2 (1) A committee or subcommittee of either house may not meet
3 outside the State Capitol without the prior approval of the Senate
4 Committee on Rules with respect to Senate committees and
5 subcommittees, or the Speaker of the Assembly with respect to
6 Assembly committees and subcommittees.

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

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

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

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

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

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

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

1 draw his or her warrants upon the certification of the chairman or
2 chairwoman.

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

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

38 Except salary claims of employees clearly subject to federal
39 withholding taxes and the requirement as to loyalty oaths, claims
40 presented for services or pursuant to contract shall refer to the

1 agreement, the terms of which shall be made available to the
2 Controller.

3
4
5 Expenses of Committee Employees
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7

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

19
20
21 Appointment of Committees
22
23

24 36.5. This rule applies whenever a joint committee is created by
25 a statute or resolution that either provides that appointments be
26 made and vacancies be filled in the manner provided for in the
27 Joint Rules, or makes no provision for the appointment of members
28 or the filling of vacancies.

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

35
36
37 Appointment of Joint Committee Chairmen or Chairwomen
38
39

1 36.7. The chairman or chairwoman of each joint committee
2 heretofore or hereafter created, except the Joint Legislative Budget
3 Committee and the Joint Legislative Audit Committee, shall be
4 appointed by the Joint Rules Committee from a member or
5 members recommended by the Senate Committee on Rules and
6 the Speaker of the Assembly.

7
8
9 Joint Committee Funds
10

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

20
21
22 Joint Legislative Budget Committee
23
24

25 37. In addition to any other committee provided for by these
26 rules, there is a joint committee to be known as the Joint Legislative
27 Budget Committee, which is hereby declared to be a continuing
28 body.

29 It is the duty of the committee to ascertain facts and make
30 recommendations to the Legislature and to the houses thereof
31 concerning the State Budget, the revenues and expenditures of the
32 state, and the organization and functions of the state and its
33 departments, subdivisions, and agencies, with a view to reducing
34 the cost of the state government and securing greater efficiency
35 and economy.

36 The committee consists of eight Members of the Senate and
37 eight Members of the Assembly. The Senate members of the
38 committee shall be appointed by the Senate Committee on Rules.
39 The Assembly members of the committee shall be appointed by

1 the Speaker of the Assembly. The committee shall select its own
2 chairman or chairwoman.

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

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

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

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

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

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

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

12 (a) The State Budget.

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

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

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

24 (3) To provide all legislative committees and Members of the
25 Legislature with information obtained under the direction of the
26 Joint Legislative Budget Committee.

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

35 The chairman or chairwoman of the committee or, in the event
36 of that person's inability to act, the vice chairman or vice
37 chairwoman, shall audit and approve the expenses of members of
38 the committee or salaries of the employees, and all other expenses
39 incurred in connection with the performance of its duties by the
40 committee. The chairman or chairwoman shall certify to the

1 Controller the expense amount approved, the Controller shall draw
2 his or her warrants upon the certification of the chairman or
3 chairwoman, and the Treasurer shall pay the same to the chairman
4 or chairwoman of the committee, to be disbursed by the chairman
5 or chairwoman.

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

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

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

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

38 The Legislative Analyst shall immediately undertake to provide
39 the requesting committee or legislator with the service or
40 information requested, and shall inform the committee or legislator

1 of the approximate date when this information will be available.
2 Should there be any material delay, he or she shall subsequently
3 communicate this fact to the requester.

4 Neither the Committee on Rules of either house nor the Joint
5 Rules Committee may assign any matter for study to the Joint
6 Legislative Budget Committee or the Legislative Analyst without
7 first obtaining from the Joint Legislative Budget Committee an
8 estimate of the amount required to be expended by it to make the
9 study.

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

17
18
19 Citizen Cost Impact Report
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21

22 37.1. Any Member or committee of the Legislature may
23 recommend that the Legislative Analyst prepare a citizen cost
24 impact analysis on proposed legislation. However, the
25 recommendation shall first be reviewed by the Committee on Rules
26 of the house where the recommendation originated, and this
27 committee shall make the final determination as to which bills
28 shall be assigned for preparation of an impact analysis.

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

37 The citizen cost impact analyses shall include those economic
38 effects that the Legislative Analyst deems significant and that he
39 or she believes will result directly from the proposed legislation.
40 Insofar as feasible, the economic effects considered by the

1 Legislative Analyst shall include, but not be limited to, the
2 following:

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

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

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

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

14
15
16 Joint Legislative Audit Committee
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18

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

35
36
37 Study or Audits
38
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1 37.4. (a) Notwithstanding any other provision of law, the Joint
2 Legislative Audit Committee shall establish priorities and assign
3 all work to be done by the Bureau of State Audits.

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

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

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

26
27
28 Administrative Regulations
29
30

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

- 1 (1) The cost of making the study.
- 2 (2) The potential public benefit to be derived from the study.
- 3 (3) The scope of the study.
- 4 (b) The study may consider, among other relevant issues, whether
- 5 the proposed or existing regulation:
- 6 (1) Exceeds the agency's statutory authority.
- 7 (2) Fails to conform to the legislative intent of the enabling
- 8 statute.
- 9 (3) Contradicts or duplicates other regulations adopted by federal,
- 10 state, or local agencies.
- 11 (4) Involves an excessive delegation of regulatory authority to
- 12 a particular state agency.
- 13 (5) Unfairly burdens particular elements of the public.
- 14 (6) Imposes social or economic costs that outweigh its intended
- 15 benefits to the public.
- 16 (7) Imposes unreasonable penalties for violation.

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

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

31 Joint Rules Committee

32
33
34 40. The Joint Rules Committee is hereby created. The committee
35 has a continuing existence and may meet, act, and conduct its
36 business during sessions of the Legislature or any recess thereof.

37 The committee consists of the members of the Assembly
38 Committee on Rules, the Assembly Majority Floor Leader, the
39 Assembly Minority Floor Leader, the Speaker of the Assembly,
40 four members of the Senate Committee on Rules, and as many

1 Members of the Senate as may be required to maintain equality in
2 the number of Assembly Members and Senators on the committee,
3 to be appointed by the Senate Committee on Rules. Vacancies
4 occurring in the membership shall be filled by the appointing
5 power.

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

12 The committee shall ascertain facts and make recommendations
13 to the Legislature and to the houses thereof concerning:

14 (a) The relationship between the two houses and procedures
15 calculated to expedite the affairs of the Legislature by improving
16 that relationship.

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

19 (c) Methods whereby legislation is proposed, considered, and
20 acted upon.

21 (d) The operation of the Legislature and the committees thereof,
22 and the means of coordinating the work thereof and avoiding
23 duplication of effort.

24 (e) Aids to the Legislature.

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

27 Any matter of business of either house, the transaction of which
28 would affect the interests of the other house, may be referred to
29 the committee for action if the Legislature is not in recess, and
30 shall be referred to the committee for action if the Legislature is
31 in recess.

32 The committee has the following additional powers and duties:

33 (a) To select a chairman or chairwoman from its membership.
34 The vice chairman or vice chairwoman of the committee shall be
35 one of the Senate members of the committee, to be selected by the
36 Senate Committee on Rules.

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

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

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

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

10 (f) To report its findings and recommendations, including
11 recommendations for the needed revision of any and all laws and
12 constitutional provisions relating to the Legislature, to the
13 Legislature and to the people from time to time.

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

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

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

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

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

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

1 The members of the Joint Rules Committee from the Senate may
2 meet separately as a unit, and the members of the Joint Rules
3 Committee from the Assembly may meet separately as a unit, and
4 consider any action that is required to be taken by the Joint Rules
5 Committee. If the majority of members of the Joint Rules
6 Committee of each house at the separate meetings vote in favor
7 of that action, the action shall be deemed to be action taken by the
8 Joint Rules Committee.

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

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

22 23 24 Review of Administrative Regulations 25 26

27 40.1. The Joint Rules Committee, with regard to joint
28 committees, and the respective rules committee of each house,
29 with regard to standing and select committees of the house, shall
30 approve any request for a priority review made by a committee
31 pursuant to Section 11349.7 of the Government Code and shall
32 submit approved requests to the Office of Administrative Law.
33 The Joint Rules Committee or the respective rules committee, and
34 the committee initiating the request, shall each receive a copy of
35 the priority review.
36

37 38 Subcommittee on Legislative Space and Facilities 39 40

1 40.3. (a) A subcommittee of the Joint Rules Committee is hereby
2 created, to be known as the Subcommittee on Legislative Space
3 and Facilities. The subcommittee consists of three Members of the
4 Senate and three Members of the Assembly, appointed by the
5 Chairman or Chairwoman of the Joint Rules Committee, and the
6 chairman or chairwoman of the fiscal committee of each house
7 who shall have full voting rights on the subcommittee. The
8 chairman or chairwoman of the subcommittee shall be appointed
9 by the members thereof. For purposes of this subcommittee, the
10 chairmen or chairwomen of the fiscal committees are ex officio
11 members of the Joint Rules Committee, but do not have voting
12 rights on that committee, nor may they be counted in determining
13 a quorum. The subcommittee shall consider the housing of the
14 Legislature and legislative facilities.

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

21 (c) The subcommittee has the following additional powers and
22 duties:

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

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

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

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

39
40

1 Claims for Workers' Compensation
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3

4 41. The Chairman or Chairwoman of the Committee on Rules
5 of each house, or a designated representative, shall sign any
6 required worker's compensation report regarding injuries or death
7 arising out of and within the course of employment suffered by
8 any member, officer, or employee of the house, or any employee
9 of a standing or investigating committee thereof. In the case of a
10 joint committee, the Chairman or Chairwoman of the Committee
11 on Rules of either house, or a designated representative, may sign
12 any report with respect to a member or employee of a joint
13 committee.
14

15
16 Information Concerning Committees
17
18

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

31 The information thus cumulated shall be made available to the
32 public by the Committee on Rules of each house and shall be
33 published periodically under their joint direction.
34

35
36 Joint Committees
37
38

39 43. Any concurrent resolution creating a joint committee of the
40 Legislature and any concurrent resolution allocating moneys from

1 the Operating Funds of the Assembly and Senate to the committee
2 shall be referred to the Committee on Rules of the respective
3 houses.

4
5
6 Conflict of Interest
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8

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

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

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

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

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

34 This rule does not prohibit a member who is an attorney at law
35 from practicing in that capacity before the Workers' Compensation
36 Appeals Board or the Commissioner of Corporations, and receiving
37 compensation therefor, or from practicing for compensation before
38 any state board or agency in connection with, or in any matter
39 related to, any case, action, or proceeding filed and pending in any
40 state or federal court. This rule does not prohibit a member from

1 making inquiry for information on behalf of a constituent before
2 a state board or agency, if no fee or reward is given or promised
3 in consequence thereof. The prohibition contained in this rule does
4 not apply to a partnership in which a Member of the Legislature
5 is a member if the Member of the Legislature does not share
6 directly or indirectly in the fee resulting from the transaction, nor
7 does it apply in connection with any matter pending before any
8 state board or agency on the operative date of this rule if the
9 affected Member of the Legislature is attorney of record or
10 representative in the matter prior to the operative date.

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

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

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

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

1 simple statement that the member was excused from voting on the
2 legislation pursuant to law.

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

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

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

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

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

1 The Legislature, in adopting this rule, recognizes that Members
2 of the Legislature and legislative employees may need to engage
3 in employment, professional, or business activities other than
4 legislative activities in order to maintain a continuity of
5 professional or business activity, or may need to maintain
6 investments, which activities or investments do not conflict with
7 specific provisions of this rule. However, in construing and
8 administering this rule, weight should be given to any coincidence
9 of income, employment, investment, or other profit from sources
10 that may be identified with the interests represented by those
11 sources that are seeking action of any character on matters then
12 pending before the Legislature.

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

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

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

20
21
22 Ethics Committees
23
24

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

34
35
36 Designating Legislative Sessions
37
38

39 50. Regular sessions shall be identified with the odd-numbered
40 year subsequent to each general election, followed by a hyphen,

1 and then the last two digits of the following even-numbered year.
2 For example: 2009–10 Regular Session.

3
4
5 Designating Extraordinary Sessions
6
7

8 50.3. All extraordinary sessions shall be designated in numerical
9 order by the session in which convened.

10
11
12 Days and Dates
13
14

15 50.5. (a) As used in these rules, “day” means a calendar day,
16 unless otherwise specified.

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

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23
24 Legislative Calendar
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26

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

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

35 (2) Spring Recess—The Legislature shall be in recess from the
36 10th day prior to Easter until the Monday after Easter.

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

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

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

7 (1) Spring Recess—The Legislature shall be in recess from the
8 10th day prior to Easter until the Monday after Easter.

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

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

14 (c) Recesses shall be from the hour of adjournment on the day
15 specified, reconvening at the time designated by the respective
16 houses.

17 (d) The recesses specified by this rule shall be designated as
18 joint recesses.

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

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

31 (b) Ten or more Members of the Legislature may present a
32 request for recall from joint recess to the Chief Clerk of the
33 Assembly and the Secretary of the Senate. The request immediately
34 shall be printed in the Daily Journal. Within 10 days thereafter,
35 the Speaker of the Assembly or, if the Speaker is absent from the
36 state, the Assembly Committee on Rules, and the Senate
37 Committee on Rules shall act upon the request. If they concur in
38 desiring to recall the Legislature from joint recess, they shall issue
39 their joint proclamation to that effect entered in the Daily Journal

1 no later than 20 days after publication of the request in the Daily
2 Journal.

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

14 15 16 Procedure on Suspending Rules by Single House 17 18

19 53. Whenever these rules authorize suspension of the Joint Rules
20 as to a particular bill by action of a single house after approval by
21 the Committee on Rules of that house, the following procedure
22 shall be followed:

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

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

31 (c) If the appropriate rules committee recommends that the
32 suspension be permitted, the member may offer a resolution,
33 without further reference thereof to committee, granting permission
34 to suspend the joint rule. The adoption of the resolution granting
35 permission shall require an affirmative recorded vote of the elected
36 members of the house in which the request is made.

37 38 39 Introduction of Bills 40

1
2 54. (a) A bill may not be introduced in the first year of the regular
3 session after February 27 and a bill may not be introduced in the
4 second year of the regular session after February 19. These
5 deadlines do not apply to constitutional amendments, committee
6 bills introduced pursuant to Assembly Rule 47 or Senate Rule 23,
7 bills introduced in the Assembly with the permission of the Speaker
8 of the Assembly, or bills introduced in the Senate with the
9 permission of the Senate Committee on Rules. Subject to these
10 deadlines, a bill may be introduced at any time except when the
11 houses are in joint summer, interim, or final recess. Each house
12 may provide for introduction of bills during a recess other than a
13 joint recess. Bills shall be numbered consecutively during the
14 regular session.

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

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

1 Rules determines that the bill objected to would have substantially
2 the same effect as another bill previously introduced during the
3 session by the author, the bill objected to shall be stricken from
4 the Daily File or returned to the desk by the committee, as the case
5 may be, and may not be acted upon during the remainder of the
6 session. If the Committee on Rules determines that the bill objected
7 to would not have substantially the same effect as a bill previously
8 introduced during the session by the author, the bill may thereafter
9 be acted upon by the committee or the house, as the case may be.
10 The Committee on Rules may obtain assistance as it may desire
11 from the Legislative Counsel as to the similarity of a bill or
12 amendments to a prior bill.

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

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

18 (1) The Speaker of the Assembly.

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

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

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

31 32 33 30-Day Waiting Period 34 35

36 55. A bill other than the Budget Bill may not be heard or acted
37 upon by committee or either house until the bill has been in print
38 for 30 days. The date a bill is returned from the printer shall be
39 entered in the Daily History. This rule may be suspended
40 concurrently with the suspension of the requirement of Section 8

1 of Article IV of the Constitution or, if that period has expired, this
2 rule may be suspended by approval of the Committee on Rules
3 and two-thirds vote of the house in which the bill is being
4 considered.

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7 Return of Bills
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10 56. Bills introduced in the first year of the regular session and
11 passed by the house of origin on or before the January 31st
12 constitutional deadline are “carryover bills.” Immediately after
13 January 31, bills introduced in the first year of the regular session
14 that do not become “carryover bills” shall be returned to the Chief
15 Clerk of the Assembly or Secretary of the Senate, respectively.
16 Notwithstanding Rule 4, as used in this rule “bills” does not include
17 constitutional amendments.
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20 Appropriation Bills
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23 57. Appropriation bills that may not be sent to the Governor
24 shall be held, after enrollment, by the Chief Clerk of the Assembly
25 or Secretary of the Senate, respectively. The bills shall be sent to
26 the Governor immediately after the Budget Bill has been enacted.
27

28
29 Urgency Clauses
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31

32 58. An amendment to add a section to a bill to provide that the
33 act shall take effect immediately as an urgency statute may not be
34 adopted unless the author of the amendment has first secured the
35 approval of the Committee on Rules of the house in which the
36 amendments are offered.
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39 Vetoes
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2 58.5. The Legislature may consider a Governor's veto for only
3 60 days, not counting days when the Legislature is in joint recess.
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6 Publications
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9 59. During periods of joint recess, weekly, if necessary, the
10 following documents shall be published: Daily Files, Histories,
11 and Daily Journals.
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14 Committee Hearings
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17 60. (a) A standing committee or subcommittee thereof may not
18 take action on a bill at any hearing held outside of the State Capitol.

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

22 (c) A bill may not be acted upon by a committee during a joint
23 recess.
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25
26 Deadlines
27

28
29 61. The deadlines set forth in this rule shall be observed by the
30 Senate and Assembly. After each deadline, the Secretary of the
31 Senate and the Chief Clerk of the Assembly may not accept
32 committee reports from their respective committees except as
33 otherwise provided in this rule:

34 (a) Odd-numbered year:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (b) Even-numbered year:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 (d) Notwithstanding subdivisions (a) and (b), a policy committee
22 may report a bill to a fiscal committee on or before the relevant
23 deadline for reporting nonfiscal bills to the floor if, after the policy
24 committee deadline for reporting the bill to fiscal committee, the
25 Legislative Counsel's Digest is changed to indicate reference to
26 fiscal committee.

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

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

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

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

38 (i) (1) Notwithstanding subdivisions (a) and (b), a policy
39 committee or fiscal committee may meet for the purpose of hearing
40 and reporting a constitutional amendment, or a bill that would go

1 into immediate effect pursuant to subdivision (c) of Section 8 of
2 Article IV of the California Constitution, at any time other than
3 those periods when no committee may meet for any purpose.

4 (2) Notwithstanding subdivisions (a) and (b), either house may
5 meet for the purpose of considering and passing a constitutional
6 amendment, or a bill that would go into immediate effect pursuant
7 to subdivision (c) of Section 8 of Article IV of the California
8 Constitution, at any time during the session.

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

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14 Committee Procedure
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16

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

1 was taken, and the author is present. When a bill fails to get the
2 necessary votes to pass it out of committee, or upon failure to
3 receive reconsideration, it shall be returned to the Chief Clerk of
4 the Assembly or Secretary of the Senate of the house of the
5 committee and may not be considered further during the session.

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

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

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

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

25 Any committee may, with the unanimous consent of the members
26 present, substitute a rollcall from a prior bill, provided that the
27 members whose votes are substituted are present at the time of the
28 substitution.

29 A bill may not be passed out by a committee without a quorum
30 being present.

31 This subdivision does not apply to:

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

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

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

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

39 (d) The chairman or chairwoman of the committee hearing a bill
40 may, at any time, order a call of the committee. Upon a request by

any member of a committee or the author in person, the chairman or chairwoman shall order the call.

In the absence of a quorum, a majority of the members present may order a quorum call of the committee and compel the attendance of absentees. The chairman or chairwoman shall send the Sergeant at Arms for those members who are absent and not excused by their respective house.

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

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

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

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

Redistricting Bills

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

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

(b) If the Senate (in the case of a Senate bill) or the Assembly (in the case of an Assembly bill) refuses to concur in amendments to a bill made by the other house, a committee on conference shall be appointed. The Speaker of the Assembly and the Senate Committee on Rules shall each appoint a committee on conference of three members, consisting of two members of the majority party

1 and one member not of the majority party. The Secretary of the
2 Senate and the Chief Clerk of the Assembly shall immediately
3 notify the other house of the action taken.

4 (c) When a bill affecting the boundaries of legislative,
5 congressional, or State Board of Equalization districts has been
6 referred to a committee on conference, the chairman or chairwoman
7 of the committee on conference shall immediately request the
8 Senate Committee on Elections and Reapportionment and the
9 Assembly Committee on Elections, Reapportionment, and
10 Constitutional Amendments to hold a public hearing on the bill.
11 The committee on conference shall also hold a public hearing on
12 the bill. The hearings of the policy committees and the committee
13 on conference may be noticed and held concurrently.

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

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

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

(g) The provisions of subdivision (e) prohibiting a committee vote on any proposed report of a committee on conference, any proposed amendment to a proposed report of a committee on conference, or any proposed amendment presented to a policy committee unless the amendment, accompanied by appropriate maps, has been available to the public for at least 24 hours do not apply in any of the following situations:

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

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

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

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

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

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

Uniform Rules

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

Votes on Bills

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

Conflicting Rules

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

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