

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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HOUSE RESOLUTION 398

Sponsors: Representatives Blust; Current and E. Floyd.

Referred to: Rules, Calendar, and Operations of the House.

March 5, 2009

1 A HOUSE RESOLUTION ADOPTING THE RULES OF THE HOUSE OF
2 REPRESENTATIVES FOR THE 2009 SESSION.

3 Be it resolved by the House of Representatives:

4 **SECTION 1.** The permanent rules of the Regular Sessions of the House of
5 Representatives of the 2009 General Assembly are:

6 **PERMANENT RULES OF THE REGULAR SESSIONS OF THE HOUSE OF**
7 **REPRESENTATIVES OF THE 2009 GENERAL ASSEMBLY OF NORTH CAROLINA**

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I. Order of Business

17
18 **RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday Legislative**
19 **Sessions.** – The House shall convene each legislative day at the hour fixed by the House. In the
20 event the House adjourns on the preceding legislative day without having fixed an hour for
21 reconvening, the House shall convene on the next legislative day at 2:00 P.M. No session shall
22 continue after 10:00 P.M. on Monday nor after 9:00 P.M. on any other days, and the Speaker
23 shall adjourn the House without motion at that point, except that a motion may be made as to
24 the time and day of next convening. No session shall be held on Sunday. The actual time shall
25 govern the applicability of this rule, and the clock in the chamber shall not be followed if the
26 time on the clock is not the accurate time.

27 **RULE 2. Opening the Session.** – At the convening hour on each legislative day, the
28 Speaker shall call the members to order and shall have the session opened with prayer. At the
29 convening hour, the Speaker, or the Speaker's designee, shall lead the members in the Pledge of
30 Allegiance to the American Flag.

31 **RULE 3. Quorum.** – (a) A quorum consists of a majority of the qualified members
32 of the House.

33 (b) Should the point of a quorum be raised, the doors shall be closed, and the
34 Clerk shall call the roll of the House, after which the names of those not responding shall again
35 be called. In the absence of a quorum, 15 members are authorized to compel the attendance of
36 absent members and may order that absentees for whom no sufficient excuses are made be



1 taken into custody wherever they may be found by special messenger appointed for that
2 purpose.

3 **RULE 4. Approval of Journal.** – (a) The Standing Committee on Rules, Calendar,
4 and Operations of the House shall cause the Journal of the House to be examined daily before
5 the hour of convening to determine if the proceedings of the previous day have been correctly
6 recorded.

7 (b) Immediately following the opening prayer and Pledge of Allegiance, and
8 upon appearance of a quorum, the Speaker shall call for the Journal report by the Chair of the
9 Standing Committee on Rules, Calendar, and Operations of the House, or by a Representative
10 designated by the Chair, as to whether the proceedings of the previous day have been correctly
11 recorded. Without objection, the Speaker shall cause the Journal to stand approved.

12 **RULE 5. Order of Business of the Day.** – After the approval of the Journal of the
13 preceding day, the House shall proceed to business in the following order:

- 14 (1) The receiving of petitions, memorials, and papers addressed to the General
15 Assembly or to the House;
- 16 (1a) Messages from the Governor;
- 17 (2) Ratification of bills;
- 18 (3) Reports of standing committees and permanent subcommittees;
- 19 (4) Reports of select committees;
- 20 (5) Reports of referral by standing committee Chairs of bills to permanent
21 subcommittees;
- 22 (6) First reading and reference to committee of bills and resolutions;
- 23 (7) Messages from the Senate;
- 24 (8) Concurrence with Senate amendments or Senate committee substitutes;
- 25 (9) The unfinished business of the preceding day;
- 26 (10) Calendar (each category in accordance with Rule 40):
 - 27 a. Local bills (roll call), third reading
 - 28 b. Local bills (roll call), second reading
 - 29 c. Local bills, third reading
 - 30 d. Local bills, second reading
 - 31 e. Public bills (roll call), third reading
 - 32 f. Public bills (roll call), second reading
 - 33 g. Public bills and resolutions, third reading
 - 34 h. Public bills and resolutions, second reading;
- 35 (11) Reading of notices and announcements.

36 This order of business may not be varied unless a particular variance is requested by the
37 Speaker or another member without objection, and if an objection is made, variance from the
38 order of business must be approved by a majority of the members present.

39 **II. Conduct of Debate**

40 **RULE 6. Duties and Powers of the Speaker.** – The Speaker shall enforce, apply,
41 and interpret the rules of the House in all deliberations of the House and shall enforce the
42 legislative rules prescribed by statute and the Constitution of North Carolina. The Speaker shall
43 lay before the House its business in the order indicated by the rules and shall receive
44 propositions made by members and out them to the House. The Speaker shall have general
45 direction of the Hall, subject to more specific provisions of these rules. The Speaker may name
46 any member to perform the duties of the chair, but substitution shall not extend beyond one
47 day, except in the case of sickness or by leave of the House. If the Speaker is absent and has not
48 designated a member to perform the duties of the chair, the Principal Clerk shall preside during
49 such absence. In the case of a vacancy in the office of the Speaker of the House of
50 Representatives, the Principal Clerk shall preside over the House until the House elects a
51 Speaker.

1 **RULE 7. Obtaining Floor.** – (a) When any member desires recognition, the
2 member shall rise and respectfully address the Speaker. When a member is seeking recognition,
3 the Speaker may not decline to recognize that member unless a call of the question has been
4 sustained pursuant to Rule 19 on the question to which the member desires to be recognized.
5 No member shall proceed until recognized by the Speaker. The Speaker has the right to inquire
6 for what purpose a member arises to ascertain whether the member proposes business that is in
7 order. It is the duty of the Speaker to recognize a member for any proper motion or other matter
8 whenever it is in order. The Speaker may not refuse to recognize a member for a purpose the
9 Speaker rules is out of order unless the Speaker states the precise reason such recognition
10 would be out of order under these rules.

11 (b) When a member desires to interrupt a member having the floor, the member
12 shall first obtain recognition by the Speaker and permission of the member occupying the floor,
13 and when such recognition and permission have been obtained, he or she may propound a
14 question to the member occupying the floor; but he or she shall not otherwise interrupt the
15 member having the floor, except as provided in subsection (c) of this rule; and the Speaker
16 shall, without the point of order being raised, enforce this rule.

17 (c) A member who has obtained the floor may be interrupted only for the
18 following reasons:

- 19 (1) A request that the member speaking yield for a question,
- 20 (2) A point of order,
- 21 (3) A parliamentary inquiry, or
- 22 (4) A question of privilege.

23 **RULE 8. Privilege.** – (a) Questions of Privilege. Upon recognition by the Speaker
24 for that purpose, any member may speak to a question of privilege for a time not to exceed five
25 minutes. Questions of privilege shall be those affecting, first, the rights of the House
26 collectively, its safety, dignity, and the integrity of its proceedings; second, the rights,
27 reputation, and conduct of members, individually, in their representative capacity only; and
28 shall have precedence over all other questions, except motions to adjourn. Privilege may not be
29 used to explain a vote or debate a bill. The Speaker shall determine if the question is one of
30 privilege and shall, without the point of order being raised, enforce this rule.

31 (b) Point of Personal Privilege. The Speaker may recognize a member to speak to
32 any subject, other than a bill, resolution, proposed bill, or proposed resolution, as the member
33 may desire. The Speaker may confine such Points of Personal Privilege until after conclusion
34 of the regular business before the House, and such recognition shall not extend further than five
35 minutes.

36 **RULE 9. Points of Order.** – (a) It is the duty of the Speaker or other presiding
37 officer to enforce the rules and orders of the House without delay and without waiting to have
38 the Speaker's or other presiding officer's attention called to the breach of order. It is also the
39 right of every member who notices a breach of order or of a rule to insist upon its enforcement
40 through a point of order.

41 (b) The Speaker shall decide questions of order pursuant to these rules and may
42 speak to points of order in preference to other members arising from their seats for that
43 purpose. Any member may appeal from the ruling of the chair on questions of order; on such
44 appeal no member may speak more than once, unless by leave of the House. A majority vote of
45 the members present and voting shall be necessary to sustain any appeal from the ruling of the
46 chair.

47 (c) When the Speaker calls a member to order, the member shall be seated,
48 except that a member called to order may clear a matter of fact, or explain, but shall not
49 proceed in debate so long as the decision stands. If the member appeals from the ruling of the
50 chair and the decision by a majority vote of the members present be in favor of the member

1 called to order, the member may proceed; if otherwise, the member shall not; and if the case, in
2 the judgment of the House, requires it, the member shall be liable to censure by the House.

3 **RULE 10. Limitations on Debate.** – (a) No member shall speak on, debate, or
4 solicit cosponsors for a bill or resolution at its first reading.

5 (b) No member shall speak more than twice on the main question nor longer
6 than 20 minutes for the first speech and 10 minutes for the second speech; nor shall the member
7 speak more than twice upon an amendment or motion to reconsider, re-refer, appeal, or
8 postpone or any motion on concurrence, and then not longer than 10 minutes for the first
9 speech and five minutes for the second speech.

10 (c) A member may speak only once and for not more than 20 minutes on the
11 question of the adoption of a minority report.

12 (d) The House, by consent of a majority of the members present, may suspend
13 the operation of subsections (b) and (c) of this rule during any debate on any particular question
14 before the House.

15 **RULE 11. Reading of Papers.** – When there is a call for the reading of the text of a
16 paper which has been presented to the House and there is objection to such reading, the
17 question shall be determined by a majority vote of the members of the House present. Except
18 for protests permitted by the Constitution, no member may have material printed in the Journal
19 until said material has been presented to the House and the printing approved by the House, and
20 said material shall not exceed 1,000 words.

21 **RULE 12. General Decorum.** – (a) The Speaker shall preserve order and decorum.

22 (b) Decency of speech shall be observed and disrespect to personalities carefully
23 avoided.

24 (c) When the Speaker is putting any question, or addressing the House, no
25 person shall speak, stand up, walk out of, or cross the House, nor, when a member is speaking,
26 engage in disruptive discourse or pass between the member and the chair.

27 (d) Food or beverages shall not be permitted on the floor of the House during
28 the first two hours of the daily session.

29 (e) The reading of newspapers shall not be permitted on the floor of the House
30 while the House is in session.

31 (f) Smoking shall not be permitted on the floor of the House or in the galleries
32 at any time. The consumption of food or beverages shall not be permitted in the galleries at any
33 time.

34 (g) Special recitals and performances by musicians or other groups shall not be
35 permitted on the floor of the House; and special guests of members of the House shall not be
36 permitted on the floor of the House.

37 (h) Members shall observe appropriate attire, coat and tie for male members and
38 dignified dress for female members.

39 (i) The use of wireless telephones shall not be permitted in the House Chamber.

40 (j) Placards, stickers, or signs not approved by the Speaker are not permitted in
41 the House Chamber.

42 (k) Written material attacking members of the House may not be distributed in
43 the chamber while the House is in session.

44 **III. Motions**

45 **RULE 13. Motions Generally.** – (a) Every motion shall be reduced to writing if the
46 Speaker or any two members request it. No motion relating to a bill shall be in order which
47 does not identify the bill by its number and short title.

48 (b) When a motion is made, it shall be stated by the Speaker, or, if written, it
49 shall be handed to the chair and read aloud by the Speaker or Clerk before debate.

50 (c) After a motion has been stated by the Speaker or read by the Speaker or
51 Clerk, it shall be in the possession of the House; but it may be withdrawn before a decision or

1 amendment, except in case of a motion to reconsider, which motion, when made by a member,
2 shall be in possession of the House and shall not be withdrawn without leave of the House.

3 **RULE 14. Motions, Order of Precedence.** – When there are motions before the
4 House, the order of precedence is as follows:

5 To adjourn.

6 To lay on the table.

7 Previous question.

8 To recess.

9 To postpone indefinitely.

10 To reconsider.

11 To postpone to a day certain.

12 To re-refer.

13 To amend an amendment.

14 To amend.

15 To pass the bill.

16 No motion to lay on the table, to postpone indefinitely, to postpone to a day certain,
17 to re-refer, or to make a particular amendment, being decided, shall be again allowed at the
18 same stage of the bill or proposition.

19 **RULE 15. Motion to Adjourn.** – (a) A motion to adjourn shall be seconded before
20 the motion is put to the vote of the House.

21 (b) A motion to adjourn shall be decided without debate and shall always be in
22 order, except when the House is voting or some member is speaking; but a motion to adjourn
23 shall not follow a motion to adjourn until debate or some other business of the House has
24 intervened.

25 **RULE 16. Motion to Table.** – (a) A motion to table shall be seconded before the
26 motion is put to the vote of the House and is in order except when a motion to adjourn is before
27 the House.

28 (b) A motion to table shall not be paired with a motion to reconsider.

29 (c) A motion to table a bill shall constitute a motion to table the bill and all
30 amendments thereto.

31 (d) When the question before the House is the adoption of an amendment to a
32 bill or resolution, a motion to table the bill is not in order; and a motion to table an amendment
33 applies to the amendment only, and the motion may not expressly or by implication or
34 construction be expanded to include a motion to table the bill also.

35 (e) When a question has been tabled, it shall not thereafter be considered except
36 on motion to reconsider under Rule 18 or to remove from the table approved by a two-thirds
37 vote.

38 **RULE 17. Motion to Postpone Indefinitely.** – A motion to postpone indefinitely is
39 in order except when a motion to adjourn or to lay on the table or for the previous question or
40 to recess is before the House. However, after one motion to postpone indefinitely has been
41 decided, another motion to postpone indefinitely shall not be allowed at the same stage of the
42 bill or proposition. When a question has been postponed indefinitely, it shall not thereafter be
43 considered except on motion to reconsider under Rule 18 or to place on the favorable calendar
44 approved by a two-thirds vote.

45 **RULE 18. Motion to Reconsider.** – (a) When a question has been decided, it is in
46 order for a member of the prevailing side to move for the reconsideration thereof on the same
47 or the succeeding legislative day.

48 (b) A motion to reconsider shall be determined by a majority vote, except the
49 following shall require a two-thirds vote: a second or subsequent motion to reconsider and a
50 motion to reconsider:

51 (1) A vote upon a motion to table,

- 1 (2) A motion to postpone indefinitely,
2 (3) A motion to remove a bill from the unfavorable calendar,
3 (4) A motion that a bill be read twice on the same day, or
4 (5) A motion to remove from the table.
- 5 **RULE 19. Previous Question.** – (a) The previous question may be called only by:
6 (1) The Chair of the Committee on Rules, Calendar, and Operations of the
7 House;
8 (2) The member submitting the report on the bill or other matter under
9 consideration;
10 (3) The member introducing the bill or other matter under consideration;
11 (4) The member in charge of the measure, who shall be designated by the chair
12 of the standing committee or permanent subcommittee reporting the same to
13 the House at the time the bill or other matter under consideration is reported
14 to the House or taken up for consideration;
15 (5) The majority leader or a majority whip; or
16 (6) The minority leader or a minority whip.
17 (a1) The previous question may only be called after at least three members have
18 spoken in the affirmative and three members in the negative if there are three or more members
19 desiring to speak on each side of a question.

20 (b) The previous question shall be as follows: "Call for the previous question
21 having been made, is the call sustained?" When the call for the previous question has been
22 decided in the affirmative by a majority vote of the House, the question is on the passage of the
23 bill, resolution, or other matter under consideration.

24 (c) The call for the previous question shall preclude all motions, amendments,
25 and debate, except the motion to adjourn or motion to table.

26 (d) If the previous question is decided in the negative, the question remains
27 under debate.

IV. Voting

29 **RULE 20. Use of Electronic Voting System.** – (a) Votes on the following
30 questions shall be taken on the electronic voting system, and the ayes and noes shall be
31 recorded on the Journal:

- 32 (1) The passage as required by Article II, Section 23 of the North Carolina
33 Constitution on second and third readings of any bill:
34 a. Raising money on the credit of the State,
35 b. Pledging the faith of the State for the payment of a debt,
36 c. Imposing a State tax, or
37 d. Authorizing a county, municipality, or other local governmental unit
38 to
39 1. Raise money on its credit,
40 2. Pledge its faith for the payment of a debt, or
41 3. Impose a local tax.
- 42 (2) All measures affecting a fee imposed by the State or any subdivision thereof.
43 (3) All questions on which a call for the ayes and noes under Rule 24(a) and
44 Article II, Section 19 of the North Carolina Constitution has been sustained.
45 (4) Both second and third readings of bills proposing amendment of the North
46 Carolina Constitution or ratifying resolutions amending the United States
47 Constitution.
48 (5) The passage of a bill notwithstanding the Governor's veto thereof pursuant to
49 Article II, Section 22 of the North Carolina Constitution.
50 (b) Votes on the following questions shall be taken on the electronic voting
51 system:

1 (1) Second reading of all public bills, all amendments to public bills, third
2 reading if a public bill was amended after second reading or if the reading
3 occurs on a day or days following the second reading, all conference reports
4 on public bills, all motions to lay public bills on the table, and all motions to
5 postpone public bills indefinitely.

6 (2) Upon a call for division.

7 (3) Any other question upon direction of the Speaker or upon motion of any
8 member supported by one-fifth of the members present.

9 (c) When the electronic voting system is used, 15 seconds shall be allowed for
10 voting on the question before the House, unless the Chair shall direct otherwise. The system
11 shall be set to close automatically when that time has expired. Once the system is locked, the
12 vote shall be recorded and printed.

13 (d) The voting station at each member's desk in the Chamber shall be used only
14 by the member to which the station is assigned. Under no circumstances shall any other person
15 vote at a member's station. It is a breach of the ethical obligation of a member either to request
16 that another person vote at the requesting member's station or to vote at another member's
17 station. The Speaker shall enforce this rule without exception.

18 (e) When the electronic voting system is used, the Speaker shall state the
19 question and shall then state substantially the following: "All in favor vote 'aye'; all opposed
20 vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the member must
21 vote by the electronic voting system within the time allowed for that vote, unless the voting
22 station assigned to a member is malfunctioning. The Speaker shall enforce this rule without
23 exception. After the allotted time for voting has elapsed, the Speaker shall say: "The Clerk will
24 now lock the machine and record the vote." After the machine is locked and the vote recorded,
25 the Speaker shall announce the vote and declare the result.

26 (f) One copy of the machine printout of the vote record of all votes taken on the
27 electronic voting system shall be filed in the office of the Principal Clerk, and two copies shall
28 be filed in the Legislative Library where the copies shall be open to public inspection. A legible
29 copy of the bill, amendment, or motion on which the vote was taken shall be filed with the
30 printout of the vote in the Legislative Library.

31 (g) When the Speaker ascertains that the electronic voting system is inoperative
32 before a vote is taken or while a vote is being taken on the electronic voting system, the
33 Speaker shall announce that fact to the House, and any partial electronic voting system voting
34 record shall be voided. In such a case, if the North Carolina Constitution or the Rules of the
35 House require a call of the ayes and noes, the Clerk shall call the roll of the House, and the ayes
36 and noes shall be taken manually and shall be recorded on the Journal. All roll call votes shall
37 be taken alphabetically. If, after a vote is taken on the electronic voting system, it is discovered
38 that a malfunction caused an error in the electronic voting system printout, the Speaker shall
39 direct the Reading Clerk and the Principal Clerk to verify and correct the printout record and so
40 advise the House.

41 (h) For the purpose of identifying motions on which the vote is taken on the
42 electronic voting system, the motions are coded as follows:

43 (1) To adjourn.

44 (2) To lay on the table.

45 (3) Previous question.

46 (4) To recess.

47 (5) To postpone indefinitely.

48 (6) To reconsider.

49 (7) To postpone to a day certain.

50 (8) To re-refer.

51 (9) To amend an amendment.

- 1 (10) To amend.
2 (11) To concur or not concur.
3 (12) Miscellaneous.

4 **RULE 21. Voice Votes; Stating Questions.** – (a) All other votes except those
5 required to be taken on the electronic voting system shall be taken by voice vote.

6 (b) When a voice vote is taken, the Speaker shall put the question substantially
7 as follows: "Those in favor (as the question may be) will say 'Aye,'" and after the affirmative
8 voice has been expressed, "Those opposed will say 'No.'"

9 (c) No statement, explanation, debate, motion, parliamentary inquiry, or point of
10 order shall be allowed once the voice vote has begun. Any point of order or parliamentary
11 inquiry may be raised, however, after the completion of the vote.

12 **RULE 22. Determining Questions.** – (a) Unless otherwise provided by the
13 Constitution of North Carolina or by these rules, all questions shall be determined by a simple
14 majority of the members present and voting.

15 (b) No member may vote unless the member is in the Chamber when the
16 question is put. This subsection of this rule cannot be suspended.

17 **RULE 23. Voting by Division.** – Any member may call for a division of the
18 members upon the question before the result of the vote has been announced. Upon a call for a
19 division, the Speaker shall cause the number voting in the affirmative and in the negative to be
20 determined. The Speaker or other presiding officer may not disregard a timely call for a
21 division by a member. Upon a division and count of the House on any question, no member
22 away from the member's seat shall be counted.

23 **RULE 24. Roll Call Vote.** – (a) Before a question is put, any member may call for
24 the ayes and noes. The Speaker may not disregard a timely request for the ayes and noes. If the
25 call is sustained by one-fifth of the members present, the question shall be decided by the ayes
26 and noes upon a roll call vote.

27 (b) Every member who is in the Hall of the House when the question is put shall
28 vote upon a call of the ayes and noes, unless excused pursuant to Rule 24.1A.

29 (c) No member may change a vote without leave of the House.

30 **RULE 24.1A. Excuse From Deliberations and Voting on a Bill.** – (a) Any
31 member shall, upon request, be excused from the deliberations and voting on a particular bill,
32 but to do so must make that request before the second reading of the bill and before any motion
33 or vote on the bill or any amendment thereto. If the reason for the request arises at some point
34 later in the proceedings, the request may be made at that time.

35 (b) The member must make a brief oral statement of the reasons for making the
36 request. The member must send forward to the Principal Clerk, on a form provided by the
37 Clerk, a concise written statement of the reason for the request, and the Clerk shall include this
38 statement in the Journal.

39 (c) The member so excused shall not debate the bill or any amendment to the
40 bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on any motion
41 concerning the bill at that reading, any subsequent reading, or any subsequent consideration of
42 the bill.

43 (d) A member may request that his or her excuse from deliberations on a
44 particular bill be withdrawn.

45 **RULE 24.1B. Division of Amendments.** – Any member may call for an
46 amendment to be divided into two or more amendments to be voted on separately, and the
47 Speaker shall determine whether the amendment admits of such a division.

48 **RULE 25. Voting by Speaker.** – In all elections the Speaker may vote. In all other
49 instances the Speaker may vote or may reserve this right until there is a tie, in which event the
50 Speaker may vote; but in no instance may the Speaker vote twice on the same question.

51 V. Committees

1 **RULE 26. Standing Committees and Permanent Subcommittees Generally.** –
2 (a) The party caucus of the political party which has a majority of the House members (the
3 "majority caucus") shall appoint a chair, or cochair, of every standing committee, permanent
4 subcommittee, and select committee, if any. In the construction of these rules, the word "chair"
5 as applied to a committee extends to and includes a cochair of the committee. The Speaker
6 shall have the authority to establish select committees, but this does not exclude the right of the
7 House by resolution to establish select committees.

8 (b) The majority caucus shall appoint the majority party members, and the
9 minority caucus shall appoint the minority members of all standing committees having no
10 permanent subcommittees before the end of the tenth legislative day of the first regular session.
11 The House by resolution shall establish the size of each committee and permanent
12 subcommittee. The resolution shall provide how many members are to be appointed by the
13 majority caucus and how many by the minority caucus, in a manner to reflect the partisan
14 membership of the House on a mathematical basis. If the two largest parties have a different
15 number of members, the majority party shall have at least one more member on each committee
16 and subcommittee than the minority party, except that the Ethics Committee shall have an
17 equal number of members from the majority and minority parties.

18 (c) The majority party members and the minority party members of all
19 permanent subcommittees of each standing committee shall be appointed by the majority
20 caucus and the minority caucus respectively, and the members appointed, along with the chair
21 of the standing committee, shall constitute the standing committee of which the permanent
22 subcommittee is a part. The majority caucus and the minority caucus shall appoint all members
23 of permanent subcommittees before the end of the tenth legislative day of the first regular
24 session in a manner to reflect the partisan membership of the House on a mathematical basis.

25 (d) The appointments by each caucus shall be in a manner determined by that
26 caucus, and each caucus shall report its appointments to the Principal Clerk.

27 (e) Each chair of a permanent subcommittee shall be a vice-chair of the standing
28 committee of which it is a permanent subcommittee. The majority caucus may name other
29 members as vice-chairs of the standing committee. The majority caucus may name one or more
30 vice-chairs for any standing committee not having permanent subcommittees.

31 (f) The chair of the standing committee shall be a voting member of each
32 permanent subcommittee of the standing committee.

33 (g) Either the chair or acting chair, and five other members of the standing
34 committee or permanent subcommittee, or a majority of the standing committee or permanent
35 subcommittee, whichever is fewer, shall constitute a quorum of that standing committee or
36 permanent subcommittee.

37 (h) In any joint meeting of the Senate and House committees or subcommittees,
38 the House standing committee or permanent subcommittee reserves the right to vote separately.

39 (i) Once a member is appointed to a committee or permanent subcommittee of a
40 standing committee (or is appointed as chair of a committee or permanent subcommittee) by
41 the member's appointing caucus, the member can only be removed by the appointing caucus
42 and then only for cause, and no additional members may thereafter be appointed to a committee
43 or permanent subcommittee except to fill a vacancy.

44 (j) Each member of the House, other than the Speaker and Speaker Pro
45 Tempore, shall be assigned to either the Committee on Appropriations or the Committee on
46 Finance, and if appointed to the Committee on Appropriations, shall also be appointed to one of
47 its subcommittees.

48 **RULE 26.1. Mentions of Standing Committee Includes Select Committee.** – Any
49 reference in these rules to standing committees shall extend to select committees unless the
50 context requires otherwise.

	Committees	Subcommittees
1	RULE 27. List of Standing Committees and Permanent Subcommittees. – The	
2	standing committees and permanent subcommittees thereof are:	
3	Committees	Subcommittees
4	Aging	(None)
5		
6	Agriculture	(None)
7		
8	Alcoholic Beverage Control	(None)
9		
10	Appropriations	-Capital
11		-Education
12		-General Government
13		-Health and Human Services
14		-Justice and Public Safety
15		-Natural and Economic Resources
16		-Transportation
17		
18	Commerce, Small Business,	
19	and Entrepreneurship	(None)
20		
21	Education	-Community Colleges
22		-Preschool, Elementary, and Secondary
23		Education
24		-Universities
25		
26	Election Law and	
27	Campaign Finance Reform	(None)
28		
29	Energy and Energy Efficiency	(None)
30		
31	Environment and	
32	Natural Resources	(None)
33		
34	Ethics	(None)
35		
36	Federal Relations and Indian Affairs	(None)
37		
38	Finance	(None)
39		
40	Financial Institutions	(None)
41		
42	Health	(None)
43		
44	Homeland Security, Military, and	
45	Veterans Affairs	(None)
46		
47	Insurance	(None)
48		
49	Judiciary I	(None)
50		
51	Judiciary II	(None)

1		
2	Judiciary III	(None)
3		
4	Juvenile Justice	(None)
5		
6	Local Government I	(None)
7		
8	Local Government II	(None)
9		
10	Marine Resources and Aquaculture	(None)
11		
12	Mental Health Reform	(None)
13		
14	Pensions and Retirement	(None)
15		
16	Public Utilities	(None)
17		
18	Operations of the House	(None)
19		
20	Science and Technology	(None)
21		
22	State Government/State Personnel	(None)
23		
24	Transportation	(None)
25		
26	University Board of Governors	
27	Nominating	(None)
28		
29	Water Resources and Infrastructure	(None)
30		
31	Ways and Means/Broadband	
32	Connectivity	(None)
33		
34	Wildlife Resources	(None)

35 **RULE 28. Standing Committee and Permanent Subcommittee Meetings.** – (a)
36 Standing committees and permanent subcommittees of standing committees shall be furnished
37 with suitable meeting places pursuant to a schedule established by the Chair of the Standing
38 Committee on Rules, Calendar, and Operations of the House. Select committees shall be
39 furnished with suitable meeting places as their needs require by the Chair of the Standing
40 Committee on Rules, Calendar, and Operations of the House.

41 (b) Subject to the provisions of subsection (c) of this rule, standing committees
42 and permanent subcommittees thereof shall permit other members of the General Assembly,
43 the press, and the general public to attend all sessions of said standing committees or permanent
44 subcommittees. Meetings of standing committees and permanent subcommittees may not be
45 held on the floor of the House.

46 (c) The Chair or other presiding officer shall have general direction of the
47 meeting place of the standing committee or permanent subcommittee, and, in case of any
48 disturbance or disorderly conduct therein, or if the peace, good order, and proper conduct of the
49 legislative business is hindered by any person or persons, the Chair or presiding officer shall
50 have power to exclude from the session any individual or individuals so hindering the

1 legislative business. The Chair shall set the agenda for each committee meeting subject to the
2 approval of the committee.

3 (d) Procedure in the standing committees and permanent subcommittees shall be
4 governed by the rules of the House, so far as the same may be applicable to such procedure.
5 Before a question is put, any member may call for the ayes and noes. If the call is sustained by
6 one-fifth of the members present, the question shall be decided by the ayes and noes upon a roll
7 call vote. All roll call votes shall be taken alphabetically and shall be subject to Rule 21(c). No
8 presiding officer may disregard a member who timely calls for the ayes and noes or a division
9 on a question before the committee or standing subcommittee.

10 (e) No standing committee or permanent subcommittee shall meet on any day
11 when the House shall not convene except by permission of the Speaker or by approval of the
12 House by resolution adopted by a majority vote of the House.

13 (f) No standing committee or permanent subcommittee shall meet during any
14 session of the House. Standing committees and permanent subcommittees shall meet at their
15 regularly scheduled hour. No permanent subcommittee shall meet at the same time that its
16 standing committee is meeting. Standing committees and permanent subcommittees may meet
17 at other times as authorized by the Chair of the Standing Committee on Rules, Calendar, and
18 Operations of the House in order to assure the availability of the meeting room and that no
19 conflicts will exist with the meetings of other bodies. All standing committee and permanent
20 subcommittee meetings shall adjourn no later than:

21 (1) 15 minutes preceding a regular session of the House, and

22 (2) 10 minutes preceding the hour of the next regularly scheduled standing
23 committee or permanent subcommittee meeting.

24 (g) Any call or notice of a standing committee or permanent subcommittee
25 meeting between legislative sessions shall be mailed to each member of the standing committee
26 or permanent subcommittee at least five days prior to such meeting. If a member of the body so
27 requests in writing to the chair of the standing committee or permanent subcommittee, the
28 member shall be notified by certified mail of the meetings.

29 (h) During standing committee and permanent subcommittee meetings, the chair
30 may exercise the right to vote, or may reserve this right until there is a tie, in which event the
31 chair may vote, but in no instance may the chair vote twice on the same question.

32 **RULE 28.1. Ethics Committee Investigations.** – (a) On its own motion, or in
33 response to a signed and sworn complaint of any individual filed with the Standing Committee
34 on Ethics, the Committee shall inquire into any alleged violation by members of the House of
35 any rule, standard of conduct, or law that applies to the conduct of the business of the House or
36 the conduct of House members.

37 (b) If, after such preliminary investigation as it may make, the Committee
38 determines to proceed with an inquiry into the conduct of any individual, the Committee shall
39 notify the individual as to the fact of the inquiry and the charges against the individual and shall
40 schedule one or more hearings on the matter. The individual shall have the right to present
41 evidence, cross-examine witnesses, and be represented by counsel at any hearings.

42 (c) After the Committee has concluded its inquiries into the alleged violations,
43 the Committee shall dispose of the matter by taking one of the following actions:

44 (1) Dismiss the complaint and take no further action.

45 (2) Issue a private letter of reprimand to the member.

46 (3) Issue a public letter of reprimand if the violation was intentional or if the
47 member has previously received a private letter of reprimand. The Chair of
48 the Committee on Ethics shall have the public letter of reprimand spread on
49 the pages of the House Journal.

50 (4) Refer the matter to the House for appropriate action.

1 (d) The Ethics Committee shall consider complaints against presiding officers
2 for violations of these rules if the violation was brought to the attention of the presiding officer
3 in a timely manner and the presiding officer thereafter failed to immediately redress the
4 violation.

5 **RULE 29. Notice of Standing Committee and Permanent Subcommittee**
6 **Meetings and Hearings.** – Public notice of all standing committee and permanent
7 subcommittee meetings shall be given in the House. The chair of the standing committee or
8 permanent subcommittee shall notify or cause to be notified the sponsor of each bill which is
9 set for hearing or consideration before the standing committee or permanent subcommittee, at
10 least one day in advance of the committee meeting, as to the date, time, and place of that
11 meeting.

12 **RULE 29.1. Public Hearings.** – (a) Requests for a public hearing shall be made in
13 writing to the chair of the standing committee and, if applicable, the chair of the permanent
14 subcommittee to which the bill has been referred. The chair of the standing committee may
15 schedule a public hearing by the standing committee as a whole after the adjournment of a
16 regular daily House session. The chair of the permanent subcommittee may schedule a public
17 hearing before the permanent subcommittee at its regularly scheduled hour. Denial of a request
18 made by a House member may be appealed to the Speaker.

19 Notice shall be given not less than five calendar days prior to public hearings. These
20 notices shall be issued as information for the press and shall be posted in the places designated
21 by the Principal Clerk.

22 (b) Persons desiring to appear and be heard at a public hearing shall submit their
23 requests to the chair of the standing committee or permanent subcommittee. The standing
24 committee or permanent subcommittee chair may designate one or more members to arrange
25 the order of appearance of interested parties. A brief written statement of testimony may be
26 submitted without oral presentation and shall be incorporated into the minutes of the public
27 hearing.

28 **RULE 29.2. Minutes to Legislative Library.** – The chair of a standing committee
29 or a permanent subcommittee shall ensure that written minutes are compiled for each of the
30 body's meetings. The minutes shall indicate the members present and the actions taken at the
31 meeting. Not later than 20 days after the adjournment of each session of the General Assembly,
32 the chair shall deliver the minutes to the Legislative Library. The Speaker of the House may
33 grant a reasonable extension of time for filing said minutes upon written application of the
34 chair.

35 **RULE 30. Standing Committee of the Whole House.** – (a) Except by suspension
36 of the rules, a Standing Committee of the Whole House shall not be formed if there be
37 objection by any member.

38 (b) After passage of a motion to form a Standing Committee of the Whole
39 House, the Speaker shall appoint a chair to preside in the standing committee, and the Speaker
40 shall leave the dais.

41 (c) The rules of procedure in the House shall be observed in the Standing
42 Committee of the Whole House, so far as they may be applicable, except the rule limiting the
43 time of speaking and the previous question.

44 (d) In the Standing Committee of the Whole House, a motion that the standing
45 committee rise shall always be in order, except when a member is speaking, and shall be
46 decided without debate.

47 (e) When a bill is submitted to the Standing Committee of the Whole House, it
48 shall be read and debated by sections, leaving the preamble to be last considered. The body of
49 the bill shall not be defaced or interlined, but all amendments, noting the page and line, shall be
50 duly entered by the Principal Clerk on a separate paper as the same shall be agreed to by the

1 standing committee and be so reported to the House. After report, the bill shall again be subject
2 to debate and amendment by sections before a question on its passage be taken.

3 VI. Handling of Bills

4 RULE 31. **Introduction of Bills and Resolutions.** – (a) All bills and resolutions
5 shall be introduced by submitting same to the Principal Clerk's office on the legislative day
6 prior to the first reading and reference thereof according to the following schedule: by 30
7 minutes after adjournment each Monday; and by 3:00 P.M. each Tuesday, Wednesday,
8 Thursday, and Friday.

9 (b) Bills shall not become resolutions provided the Senate has a similar rule.
10 Resolutions shall not become bills. Resolutions are not law but may be used when a law is not
11 necessary for the purpose contained therein. Resolutions shall not be used to appropriate funds
12 for any purpose, but may be used to create study commissions or committees or establish
13 investigative committees, to honor deceased persons, and to adopt House rules and internal
14 affairs. Resolutions cannot amend, repeal, or modify a statute; nor do they have life beyond the
15 term of the session during which they are adopted.

16 (c) Every bill or resolution shall be read in regular order of business, except
17 upon permission of the Speaker or on the report of a standing committee.

18 (d) All bills and resolutions shall show in their captions a brief descriptive
19 statement of the true substance of same, which captions may thereafter be amended. Third
20 reading shall not be had on any bill or resolution on the same day that such caption is amended.

21 (e) A Substitute Bill shall be covered with the same color jacket as the original
22 bill and shall be prefaced as follows: "House Committee Substitute for _____".

23 (f) House Resolutions need not be read more than twice.

24 (g) All memorializing, celebration, commendation, and commemoration
25 resolutions, except those honoring the memory of deceased persons, shall be excluded from
26 introduction and consideration in the House.

27 (h) A bill containing no substantive provisions may not be introduced.

28 (i) Any reference in these rules to bills shall extend to resolutions unless the
29 context requires otherwise.

30 RULE 31.1. **Deadlines on Introduction and Receipt; No Blank Bills; Single**
31 **Subject Rule.** – (a) All local bills must be submitted to the Bill Drafting Division of the
32 Legislative Services Office by 4:00 P.M. on Wednesday, March 18, 2009, and must be
33 introduced not later than 3:00 P.M. on Wednesday, April 1, 2009.

34 (b) All public bills which would not be required to be re-referred to the
35 Appropriations or Finance Committees under Rule 38 must be submitted to the Bill Drafting
36 Division of the Legislative Services Office by 4:00 P.M. on Thursday, March 26, 2009, and
37 must be introduced not later than 3:00 P.M. on Wednesday, April 8, 2009.

38 (c) All public bills which under Rule 38 are required to be re-referred to either
39 or both of the Appropriations Committee or the Finance Committee, must be submitted to the
40 Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Wednesday, April 22,
41 2009, and must be introduced not later than 3:00 P.M. on Wednesday, May 6, 2009. If any bill
42 is subject to the deadline under this subsection and the bill is amended so that all the provisions
43 requiring referral to either or both of those committees under Rule 38 do not remain in the bill,
44 it is not eligible for further consideration.

45 (d) A bill containing no substantive provisions may not be introduced in the
46 House.

47 (e) In order to be eligible for consideration by the House during the first Regular
48 Session, all Senate bills other than finance or appropriations bills which would be required to
49 be re-referred to the Appropriations or Finance Committee under Rule 38 or adjournment
50 resolutions must be received and read on the floor of the House as a message from the Senate
51 no later than Thursday, May 14, 2009; provided that a message from the Senate received by the

1 next legislative day stating that a bill has passed its third reading and is being engrossed shall
2 comply with the requirements of this subsection and provided that the Senate has a similar rule.

3 (f) Except by motion approved by a majority of members of the House present
4 and voting, no public House bill other than the Current Operations Appropriations Act or the
5 Capital Improvement Appropriations Act may contain more than one subject.

6 (g) This rule, other than subsections (d) and (f), does not apply to bills (i)
7 establishing districts for Congress or State or local entities, or (ii) ratifying an amendment or
8 amendments to the Constitution of the United States.

9 **RULE 32. Reference to Standing Committee and to Permanent Subcommittee;**
10 **Serial Referrals.** – (a) Each bill not introduced on the report of a standing committee shall
11 immediately upon its first reading be referred by the Speaker to the standing committee or
12 permanent subcommittee whose usual jurisdiction most closely relates to the subject matter of
13 the bill. The Speaker at the same time may order that, if the bill is reported with any favorable
14 recommendation or without prejudice, it be re-referred automatically upon the committee report
15 to another committee or permanent subcommittee designated in the order. Each joint resolution
16 or House resolution not introduced on the report of a standing committee shall immediately
17 upon its first reading either be referred by the Speaker to a standing committee or permanent
18 subcommittee or be calendared on the date designated by the Speaker, as the Speaker deems
19 appropriate.

20 (b) The standing committee chair may refer each bill referred to the standing
21 committee to the permanent subcommittee specifically charged with the subject matter of the
22 bill. A report of that referral shall be made in writing and submitted to the body pursuant to
23 Rule 5(5). Except as provided in Rule 36, the permanent subcommittee to which the bill is
24 referred shall report the bill back to the full standing committee. That subcommittee report shall
25 include one of the following recommendations:

- 26 (1) Favorable, without prejudice, or unfavorable as to the original bill with the
27 recommendation that the report be made to the standing committee;
- 28 (2) Favorable, without prejudice, or unfavorable as to the original bill, as
29 amended, with the recommendation that the report be made to the standing
30 committee;
- 31 (3) Favorable or without prejudice to the proposed committee substitute, and
32 unfavorable to the original bill, with the recommendation that the report be
33 made to the standing committee;
- 34 (4) Favorable as to the original bill with the recommendation that the report be
35 made directly to the floor of the House, if approved by the standing
36 committee chair;
- 37 (5) Favorable to the original bill, as amended, with the recommendation that the
38 report be made directly to the floor of the House, if approved by the standing
39 committee chair; or
- 40 (6) Favorable to the proposed committee substitute with the recommendation
41 that the report be made directly to the floor of the House, if approved by the
42 standing committee chair, and unfavorable to the original bill.

43 Any recommendation of favorable or without prejudice may include a
44 recommendation of re-referral to another standing committee. After a bill is reported to a
45 standing committee by a permanent subcommittee of that standing committee, the standing
46 committee chair may re-refer the bill to another permanent subcommittee of that standing
47 committee.

48 Upon recommendation to the standing committee, the bill shall be before that body
49 for further action unless the permanent subcommittee chair reports the bill directly pursuant to
50 Rule 36.

1 **RULE 33. Papers Addressed to the House.** – Petitions, memorials, and other
2 papers addressed to the House shall be presented by the Speaker. A brief statement of the
3 contents thereof may be made orally by the introducer before reference to a committee, but
4 such papers shall not be debated or decided on the day of their first being read unless the House
5 shall direct otherwise.

6 **RULE 34. Introduction of Resolutions and Bills, Copies Required.** – (a)
7 Whenever any resolution or bill is introduced, a duplicate copy thereof shall be attached
8 thereto, and the Principal Clerk shall cause said duplicate copy to be numbered as the original
9 resolution or bill is numbered and shall cause the same to be available at all times to the
10 member introducing the same.

11 (b) Numbering of House Bills shall be designated as "H.B.____." (No.
12 following). A Joint Resolution shall be designated as "H.J.R. ____." (No. following). A House
13 Resolution shall be designated as "H.R.____." (No. following).

14 (c) Whenever any resolution or bill is filed for introduction, it shall be in a
15 House bill jacket containing 30 copies and in the form designated by the Speaker. Any
16 resolution or bill not accompanied by the required number of copies shall be returned
17 immediately to the introducer. The Clerk shall stamp the copies with the number stamped upon
18 the original bill.

19 **RULE 35. Duplicating and Availability of Copies of Bills.** – (a) The Legislative
20 Services Officer shall cause such bills as are introduced to be duplicated in such numbers as
21 may be specified by the Speaker. The Legislative Services Officer shall cause one copy of each
22 resolution and public bill for each member to be delivered to the member's committee assistant
23 or legislative assistant who shall place it in the appropriate notebook on the member's desk. If a
24 member so requests, a second copy shall be delivered to the member's committee assistant or
25 legislative assistant who shall place it in the member's office. The remaining copies shall be
26 placed in the Printed Bills Room and made available to the committees to which the bill is
27 referred, to individual members on request, and to the general public.

28 (b) A public bill is a bill affecting 15 or more counties. A local bill is one
29 affecting fewer than 15 counties. No public bill and, upon objection by a member, no local bill
30 may be considered unless copies of the bill have been made available to the entire membership
31 of the House.

32 **RULE 35.1. Assessment Reports.** – (a) Every bill or resolution proposing the
33 establishment of an occupational or professional licensing board, as defined in Article 18A of
34 Chapter 120 of the General Statutes, or a study for the need to establish such a board shall have
35 attached to the jacket of the original bill or resolution at the time of its consideration on second
36 and third readings by the House or by any standing committee or permanent subcommittee of
37 the House an assessment report from the Legislative Committee on New Licensing Boards
38 pursuant to Article 18A of Chapter 120 of the General Statutes. The assessment report shall not
39 constitute any part of the expression of legislative intent proposed by the formation of a
40 licensing board. Upon receipt of the request, the Legislative Committee on New Licensing
41 Boards shall prepare and return the assessment report as soon as possible but not later than 60
42 days, reserving the right to extend this time to 90 days.

43 (b) Every legislative proposal introduced in the House or received in the House
44 from the Senate, proposing the incorporation of a municipality shall have attached to the jacket
45 of the original bill at the time of its consideration on second or third readings by the House or
46 by any committee of the House prior to a favorable report, a recommendation from the Joint
47 Legislative Commission on Municipal Incorporations, established by Article 20 of Chapter 120
48 of the General Statutes. The recommendation of the Joint Legislative Commission on
49 Municipal Incorporations shall be made in accordance with the provisions and criteria set forth
50 in Article 20 of Chapter 120 of the General Statutes and shall include the findings required to
51 be made by G.S. 120-166 through G.S. 120-170.

1 **RULE 36. Report by Standing Committee or Permanent Subcommittee.** – (a)
2 **When Reports Required.** – All House bills and resolutions that have a cumulative total of 10
3 or more principal sponsors or co-sponsors shall be reported from the standing committee or
4 permanent subcommittee to which referred with such recommendations as the standing
5 committee or permanent subcommittee may desire to make except in the case where the
6 principal introducer requests in writing to the chair of the standing committee or permanent
7 subcommittee that the bill not be considered.

8 With the written approval of the chair of the standing committee and with the
9 recommendation of the subcommittee pursuant to Rule 32(b)(4) through (6), the chair of the
10 permanent subcommittee may report the bill directly to the floor with that recommendation. If a
11 permanent subcommittee recommends reporting a bill to the floor and the chair of the standing
12 committee fails to give approval, the bill shall be deemed to have been reported to the standing
13 committee with the same recommendation as the subcommittee would have made to the House.

14 (b) **Favorable Report.** – When a standing committee or permanent
15 subcommittee reports a bill with the recommendation that it be passed, the bill shall be placed
16 on the favorable calendar on second legislative day following the report unless:

- 17 (1) The bill is re-referred to the Committee on Appropriations or Committee on
18 Finance under Rule 38 or was serially referred under Rule 32;
- 19 (2) The bill has not yet been placed on the calendar, and the Speaker refers the
20 bill to another committee, if such referral is approved by a majority vote of
21 the House; or
- 22 (3) The principal sponsor of the bill requests in writing that the Chairman of the
23 Standing Committee on Rules, Calendar, and Operations of the House delay
24 the calendaring of the bill for up to five legislative days.

25 In order to delay placing a bill on the calendar for a legislative day, notice shall be given by the
26 Chair of the Standing Committee on Rules, Calendar, and Operations of the House orally in the
27 House or in writing to the Principal Clerk.

28 When a committee substitute is adopted and receives a favorable report by the
29 committee or permanent subcommittee, the standing committee or permanent subcommittee
30 chair shall submit to the standing committee or permanent subcommittee the question of an
31 unfavorable report on the original bill. Except by vote of two-thirds of the committee members
32 present, no committee substitute may be considered in a committee unless the committee
33 substitute shall have been sent by electronic mail to each committee member at least one
34 legislative day prior to its consideration. The standing committee's or permanent
35 subcommittee's action, if any, on the original bill shall be reported at the same time the
36 committee substitute is reported.

37 (c) **Report Without Prejudice.** – When a standing committee reports a bill
38 without prejudice, the bill shall be placed on the favorable calendar in the same manner as
39 provided in subsection (a) of this rule.

40 (d) **Postponed Indefinitely.** – When a standing committee reports a bill with the
41 recommendation that it be postponed indefinitely and no minority report accompanies it, the
42 bill shall be placed on the unfavorable calendar.

43 (e) **Unfavorable Report.** – When a standing committee reports a bill with the
44 recommendation that it not be passed and no minority report accompanies it, the bill shall be
45 placed on the unfavorable calendar.

46 (f) **Minority Report.** – When a bill is reported by a standing committee with a
47 recommendation that it not be passed or that it be postponed indefinitely but it is accompanied
48 by a minority report signed by at least one-fourth of the members of the standing committee
49 who were present and voting when the bill was considered in standing committee, the question
50 before the House shall be: "The adoption of the minority report." If the minority report is
51 adopted by majority vote, the bill shall be placed on the favorable calendar for consideration. If

1 the minority report fails of adoption by a majority vote, the bill shall be placed on the
2 unfavorable calendar.

3 **RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations
4 Committee, of the Finance Committee, or of the Standing Committee on Rules, Calendar, and
5 Operations of the House, upon the floor of the House, may request that a fiscal analysis be
6 made of a bill, resolution, or an amendment to a bill or resolution which is in the possession of
7 the House and that a fiscal note be attached to the measure, which request shall be allowed
8 when, in the opinion of the Speaker, the fiscal effects of that measure are not apparent from the
9 language of the measure.

10 (b) Once a request is made for a fiscal note pursuant to subsection (a) of this
11 section, the bill, resolution, or amendment shall be removed from the calendar until the
12 requested fiscal note is attached thereto, at which time the bill, amendment, or resolution shall
13 be placed back on the calendar. The fiscal note shall be filed and attached to the bill or
14 amendment within two legislative days of the request. If it is impossible to prepare a fiscal note
15 within two legislative days, the Director of Fiscal Research shall, in writing, so advise the
16 Speaker, the Principal Clerk, and the member introducing or proposing the measure and shall
17 indicate the time when the fiscal note will be ready.

18 (c) The fiscal note shall be prepared by the Fiscal Research Division on a form
19 approved by the Chair of the Standing Committee on Rules, Calendar, and Operations of the
20 House as to content and form and signed by the staff member or members preparing it. If no
21 estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate is
22 provided. The fiscal note shall not comment on the merit but may identify technical problems.
23 The Fiscal Research Division shall make the fiscal note available to the membership of the
24 House.

25 (d) A sponsor of a bill or amendment may deliver a copy of the bill or
26 amendment to the Fiscal Research Division for the preparation of a fiscal note. The sponsor
27 shall attach the fiscal note to the bill when filed or to the amendment when its adoption is
28 moved.

29 (e) The sponsor of a bill or amendment to which a fiscal note is attached who
30 objects to the estimates and information provided may reduce to writing the objections. These
31 objections shall be appended to the fiscal note attached to the bill or amendment and to the
32 copies of the fiscal note available to the membership.

33 (f) Subsection (a) of this rule shall not apply to the Current Operations
34 Appropriations Bill or the Capital Improvement Appropriations Bill. This rule shall not apply
35 to a bill or amendment requiring an actuarial note under these rules.

36 **RULE 36.2. Actuarial Notes.** – (a) Every bill or resolution proposing any change in
37 the law relative to any:

38 (1) State, municipal, or other retirement system funded in whole or in part out of
39 public funds; or

40 (2) Program of hospital, medical, disability, or related benefits provided for
41 teachers and State employees, funded in whole or in part by State funds;
42 shall have attached to it at the time of its consideration by any standing
43 committee or permanent subcommittee a brief explanatory statement or note
44 which shall include a reliable estimate of the financial and actuarial effect of
45 the proposed change to that retirement or pension system. The actuarial note
46 shall be attached to the jacket of each proposed bill or resolution which is
47 reported favorably by any standing committee or any permanent
48 subcommittee, shall be separate therefrom, and shall be clearly designated as
49 an actuarial note. A bill described in subdivision (a)(1) of this rule shall be
50 referred to the Committee on Pensions and Retirement upon its introduction
51 in accordance with G.S. 120-111.3.

1 (b) The sponsor of the bill or resolution shall present a copy of the measure,
2 with a request for an actuarial note, to the Fiscal Research Division, which shall prepare the
3 actuarial note as promptly as possible but not later than two weeks after the request is made
4 unless an extension of time is agreed to by the sponsor as being necessary in the preparation of
5 the note. Actuarial notes shall be prepared in the order of receipt of request and shall be
6 transmitted to the sponsor of the measure. The actuarial note of the Fiscal Research Division
7 shall be prepared and signed by an actuary.

8 (c) The sponsor of the bill or resolution shall also present a copy of the measure
9 to the actuary employed by the system or program affected by the measure. Actuarial notes
10 shall be prepared and transmitted to the sponsor of the measure not later than two weeks after
11 the request is received, unless an extension of time is agreed to by the sponsor as being
12 necessary in the preparation of the note. The actuarial note shall be attached to the jacket of the
13 measure. The provisions of this subsection may be waived by the measure's sponsor for a
14 measure affecting local government retirement or pension plans not administered by the State
15 or any local government program of hospital, medical, disability, or related benefits for local
16 government employees not administered by the State.

17 (d) The note shall be factual and shall, if possible, provide a reliable estimate of
18 both the immediate effect and, if determinable, the long-range fiscal and actuarial effect of the
19 measure. If, after careful investigation, it is determined that no dollar estimate is possible, the
20 note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can
21 be given. No comment or opinion shall be included in the actuarial note with regard to the
22 merits of the measure for which the note is prepared. Technical and mechanical defects in the
23 measure may be noted.

24 (e) When any permanent subcommittee or standing committee reports a
25 measure to which an actuarial note is attached at the time of permanent subcommittee or
26 standing committee consideration, with any amendment of such nature as would substantially
27 affect the cost to or the revenues of any retirement or pension system, or program of hospital,
28 medical, disability, or related benefits for teachers or State employees, the chair of the
29 permanent subcommittee or standing committee reporting the measure shall obtain from the
30 Fiscal Research Division an actuarial note of the fiscal and actuarial effect of the proposed
31 amendment. The actuarial note shall be attached to the jacket of the measure. An amendment to
32 any bill or resolution shall not be in order if the amendment affects the costs to or the revenues
33 of a State-administered retirement or pension system, or program of hospital, medical,
34 disability, or related benefits for teachers or State employees, unless the amendment is
35 accompanied by an actuarial note, prepared by the Fiscal Research Division, as to the actuarial
36 effect of the amendment.

37 (f) The Fiscal Research Division shall make all relevant actuarial notes
38 available to the membership of the House.

39 **RULE 36.3. Local Legislation Affecting State Highway System.** – A local bill
40 affecting the State Highway System shall be referred to the Committee on Transportation.

41 **RULE 36.4. Content of Appropriations Bills.** – (a) No provision changing existing
42 law shall be contained in any of the following bills: (i) the Current Operations Appropriations
43 Bill; (ii) the Capital Improvement Appropriations Bill; (iii) any bill generally revising
44 appropriations for the second fiscal year of a biennium.

45 (b) No amendment to any bill listed in subsection (a) of this rule shall be in
46 order if the language is prohibited by that subsection.

47 (c) Notwithstanding subsections (a) and (b) of this section, any of the bills listed
48 in subsection (a) of this section or an amendment to such bill may change existing law if the
49 change:

50 (1) Alters expenditures or salaries;

1 (2) Changes the scope or character of a program which must be reduced,
2 increased, or changed because of an increase or decrease of funds
3 appropriated for the program or because of changes in federal law or
4 regulation; or

5 (3) Modifies any function of State government which necessitates a transfer of
6 funds from one department to another; provided, that for a provision to be in
7 order under this subsection, it must be recommended to the General
8 Assembly in a written report adopted by the Appropriations Committee
9 before or at the same time the bill is reported, or, if such provision is
10 contained in a floor amendment, the sponsor of the amendment must present
11 to the Principal Clerk at or before the time the amendment is offered an
12 explanation of the amendment for distribution to each member of the House.

13 (d) Each individual expenditure or special provision included in the budget shall
14 be accompanied by the name of a house member (or in the case of the conference report, the
15 name of the member of the House or Senate) who requested the expenditure, and no such
16 expenditure shall be placed in the bill unless it was also contained in a separately filed bill.

17 **RULE 37. Removing Bill From Unfavorable Calendar.** – A bill may be removed
18 from the unfavorable calendar upon motion carried by a two-thirds vote. A motion to remove a
19 bill from the unfavorable calendar is debatable.

20 **RULE 38. Reports on Appropriation and Revenue Bills.** – (a) All standing
21 committees, other than the Standing Committees on Appropriations, when favorably reporting
22 any bill or resolution which:

23 (1) Carries an appropriation from the State; or

24 (2) Requires or will require in the future substantial additional State monies
25 from the General Fund or Highway Fund to implement its provisions shall
26 indicate same in the report, and said bill or resolution shall be referred to the
27 Standing Committees on Appropriations for a further report before being
28 acted upon by the House.

29 (b) All standing committees, other than the Standing Committee on Finance,
30 when favorably reporting any bill which in any way or manner raises revenue, reduces revenue,
31 levies a tax, authorizes the levying of a tax, an assessment, or a fee, or authorizes the issue of
32 bonds or notes, whether public, public-local, or private, shall indicate same in the report, and
33 said bill shall be referred to the Standing Committee on Finance for a further report before
34 being acted upon by the House. This subsection shall not apply to bills only imposing fines,
35 forfeitures, or penalties.

36 (c) Action on Amendment Before Re-Referral. – If any standing committee
37 recommends adoption of an amendment or committee substitute of a bill which, under the rules
38 of the House, must be referred to the Standing Committees on Appropriations or the Standing
39 Committee on Finance, the amendment or committee substitute shall be considered and, if
40 adopted, the amendment or substitute engrossed before the bill is re-referred.

41 **RULE 38.1. Special Rules Relating to the Budget.** – (a) Any proposed allocation
42 of availability among the appropriations subcommittees shall be put to a vote of the
43 membership of the House for approval at least two legislative days prior to the meeting of the
44 full Appropriations Committee at which a vote on approval of the Current Operations
45 Appropriations Bill takes place.

46 (b) No vote shall be taken on the Current Operations Appropriations Bill on
47 either second or third reading has taken place until at least 10 hours of debate on the bill or on
48 consideration of amendments to the bill has taken place, unless no member of the House seeks
49 to further debate or offer further amendments.

50 (c) No additional rules on consideration of the Current Operations
51 Appropriations Act may be enforced unless agreed to by majority vote of the members present

1 and voting. No additional rule shall prohibit amendments to the Current Operations
2 Appropriations Bill that transfers funds from one subcommittee area to another subcommittee
3 area.

4 **RULE 39. Recall of Bill From Standing Committee.** – (a) When a House bill has
5 been introduced and referred to a standing committee, or when a Senate bill has been referred
6 to a standing committee, if after 10 legislative days the standing committee has failed to act
7 thereon, then the introducer of the House bill or some member designated by the introducer, or
8 some House member designated by the introducer of the Senate bill, may, after three legislative
9 days' public notice given in the House and delivered in writing to the chair of the standing
10 committee, on motion supported by a vote of a majority of the members of the House, recall the
11 same from the standing committee to the floor of the House for consideration and such action
12 thereon as a majority of the members present may direct. The re-referral of a bill to another
13 committee or subcommittee does not restart the 10-day period after a notice has been given
14 pursuant to this rule.

15 (b) This rule shall not be temporarily suspended without one day's notice on the
16 motion given in the House and delivered in writing to the chair of the standing committee, and
17 to sustain that motion, two-thirds of the members of the House shall be required.

18 **RULE 39.1. Recall of Bill From Permanent Subcommittee.** – When a House bill
19 has been referred to a permanent subcommittee, if after 10 legislative days the subcommittee
20 has failed to act thereon, or at any time, with the agreement of the subcommittee chair, the
21 standing committee chair may re-refer the bill from that permanent subcommittee to another
22 permanent subcommittee of the same standing committee provided the report of the re-referral
23 shall be made pursuant to Rule 32.

24 **RULE 39.2. Re-Referral of Bills From One Standing Committee to Another**
25 **Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker, the chair of the
26 standing committee from whom the bill is to be re-referred, and the chair of the standing
27 committee to whom the bill is to be re-referred, the chair of the standing committee from whom
28 the bill is to be re-referred or the Chair of the Standing Committee on Rules, Calendar, and
29 Operations of the House may move for a re-referral to another standing committee, and the bill
30 shall be re-referred upon vote of the majority present during a regular session of the House.

31 **RULE 39.3. Discharge Petition.** – A motion to discharge a committee from
32 consideration of a bill or resolution may be filed with the Principal Clerk if accompanied by a
33 petition signed by 61 members of the House asking that the committee be discharged from
34 further consideration of the bill or resolution. No petition may be circulated for signatures until
35 10 legislative days after the bill has been referred to the committee. No petition may be
36 circulated for signature until notice has been given on the floor of the House that the petition is
37 to be circulated. If such a motion accompanied by a valid petition is filed, the Principal Clerk
38 shall place that motion on the calendar for the next legislative day as a special order of
39 business. If the motion is adopted, then the committee to which the bill or resolution has been
40 referred is discharged from further consideration of the bill or resolution, and that bill or
41 resolution is placed on the calendar for the next legislative day as a special order of business. If
42 the committee had, prior to discharge, adopted any amendment or committee substitute for the
43 bill, it shall be in order to offer that amendment or substitute on the floor as if it were a
44 committee amendment or substitute. The Principal Clerk shall provide a form for discharge
45 petitions.

46 **RULE 40. Calendars and Schedules of Business.** – The Clerk of the House shall
47 prepare a daily schedule of business, including the Calendar of Bills and Resolutions for
48 consideration and debate that day, in accordance with the Order of Business of the Day (Rule
49 5). The Clerk shall number all bills and resolutions in the order in which they are introduced.
50 All bills and resolutions shall be taken up by the full house as they appear in each category
51 (Rule 5(10)) in the order they were placed on the Calendar under Rule 36(b). The Speaker shall

1 not vary from the order unless a majority of the members present agree to the proposed
2 variance.

3 **RULE 41. Reading of Bills.** – (a) Every bill shall receive three readings in the
4 House prior to its passage. The first reading and reference to standing committee of a House
5 bill shall occur on the next legislative day following its introduction. The first reading and
6 reference to standing committee of a Senate bill shall occur on the next legislative day
7 following its receipt on messages from the Senate. The Speaker shall give notice at each
8 subsequent reading whether it is the second or third reading.

9 (b) No bill shall be read more than once on the same day without the
10 concurrence of two-thirds of the members present and voting; provided, no bill governed by
11 Article II, Section 23 of the North Carolina Constitution or described in Rule 20(a)(2) herein
12 shall be read twice on one day under any circumstance.

13 **RULE 42. Effect of a Defeated Bill.** – (a) Subject to the provisions of subsection
14 (b) of this rule, after a bill has:

15 (1) Been tabled,

16 (2) Been postponed indefinitely,

17 (3) Failed to pass on any of its readings, or

18 (4) Been placed on the unfavorable calendar, the contents of that bill or the
19 principal provisions of its subject matter shall not be considered in any other
20 measure originating in the Senate or originating thereafter in the House.
21 Upon the point of order being raised and sustained by the Chair, that
22 measure shall be laid upon the table and shall not be taken therefrom except
23 by a two-thirds vote of the members present and voting.

24 (b) No local bill shall be held by the Chair to embody the contents of the
25 principal provisions of the subject matter of any statewide measure which has been laid on the
26 table, has failed to pass on any of its readings, or has been placed on the unfavorable calendar.

27 **RULE 43. Amendments.** – No amendment to a measure before the House shall be
28 in order unless the amendment is germane to the measure under consideration. A House
29 amendment deleting a previously adopted House amendment shall not be in order, except that
30 this sentence does not apply to amendments adopted under Rule 38(c).

31 If the Senate adopts an amendment or committee substitute to a House bill, the
32 House may refuse to receive the bill on account of lack of germaneness if the Senate has a
33 similar rule.

34 Only one principal (first degree) amendment shall be pending at any one time. If a
35 subsequent or substitute principal amendment shall be offered, the Speaker shall rule it out of
36 order. However, any member desiring to offer a subsequent or substitute principal amendment
37 in opposition to the pending amendment may inform the House by way of argument against the
38 pending amendment that if it is defeated the member proposes to offer another principal
39 amendment, and the member may then read and explain such proposed amendment.

40 Perfecting or second degree amendments may be offered and considered without
41 limitation as to number, and in the event of multiple perfecting amendments, they shall be
42 voted upon in inverse order.

43 **RULE 43.1. Engrossment.** – Bills and resolutions, except those making
44 appropriations, which originate in the House and which are amended, shall be engrossed before
45 being sent to the Senate.

46 **RULE 43.2. House Concurrence in Senate Amendments to House Bills.** – When
47 the House receives a Senate amendment to a bill originating in the House, it shall be placed on
48 the calendar in accordance with Rule 36(b).

49 **RULE 43.3. Committee Substitutes Adopted by the Senate to Bills Originating**
50 **in the House; Procedure for Treatment of Material Amendments Thereto.** – (a) Whenever
51 the Senate has adopted a committee substitute for a bill originating in the House and has

1 returned the bill to the House for concurrence in that committee substitute, it shall be placed on
2 the calendar in accordance with Rule 36(b).

3 (b) The Speaker shall rule whether the committee substitute is a material
4 amendment under Article II, Section 23 of the North Carolina Constitution which reads:

5 "**Revenue bills.** – No law shall be enacted to raise money on the credit of the State, or to
6 pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any
7 tax upon the people of the State, or to allow the counties, cities, or towns to do so, unless the
8 bill for the purpose shall have been read three several times in each house of the General
9 Assembly and passed three several readings, which readings shall have been on three different
10 days, and shall have been agreed to by each house respectively, and unless the yeas and nays on
11 the second and third readings of the bill shall have been entered on the journal."

12 If the committee substitute was referred to the standing committee, the standing
13 committee shall:

14 (1) Report the bill with the recommendation either that the House do concur or
15 that the House do not concur; and

16 (2) Advise the Speaker as to whether or not that committee substitute is a
17 material amendment under Article II, Section 23 of the North Carolina
18 Constitution.

19 (c) If the committee substitute for a bill is not a material amendment, the
20 question before the House shall be concurrence.

21 (d) If the committee substitute for a bill is a material amendment, the receiving
22 of that bill on messages shall constitute first reading, and the question before the House shall be
23 concurrence on second reading. If the motion is passed, the question then shall be concurrence
24 on third reading on the next legislative day.

25 (e) No committee substitute adopted by the Senate for a bill originating in the
26 House may be amended by the House.

27 **RULE 44. Conference Standing Committees.** – (a) Whenever the House shall
28 decline or refuse to concur in amendments put by the Senate to a bill originating in the House,
29 or shall refuse to concur in a substitute adopted by the Senate for a bill originating in the
30 House, or whenever the Senate shall decline or refuse to concur in amendments put by the
31 House to a bill originating in the Senate, or shall refuse to concur in a substitute adopted by the
32 House for a bill originating in the Senate, a conference committee may be appointed by the
33 Speaker upon the Speaker's own motion and shall be appointed upon request by the principal
34 sponsor of the original bill, the chair of the House standing committee which reported the bill,
35 or the sponsor of the amendment in which the Senate refused to concur; and the bill under
36 consideration shall thereupon go to and be considered by the joint conferees on the part of the
37 House and Senate. In appointing members to conference committees, the Speaker shall appoint
38 no less than a majority of members who generally supported the House position as determined
39 by the Speaker.

40 (b) Only such matters as are in difference between the two houses shall be
41 considered by the conferees, and the conference report shall deal only with such matters. The
42 conference report may be made by a majority of the House members of such conference
43 committee and shall not be amended. If any report violates this rule, the Speaker shall refer the
44 report back to the conference committee. A conference committee report which includes
45 matters that were not in difference between the houses shall be referred to a standing committee
46 for its recommendation before further action by the House.

47 (c) If the conferees fail to agree or if either house fails to adopt the report of its
48 conferees, new conferees may be appointed.

49 (d) No vote shall be taken on adoption of a conference report until the second
50 legislative day following the distribution of the report to the office of each member of the
51 House. The Conference Report for the Current Operations Appropriations Bill and the

1 Conference Report on a bill making general revisions in that act for the second fiscal year of a
2 biennium may not be placed on the calendar for action earlier than the third legislative day after
3 the Conference is distributed to the office of all members of the House.

4 **RULE 44.1. Transmittal of Bills to Senate.** – Unless ordered by the Speaker or
5 two-thirds vote of the members present and voting, no bill shall be sent from the House on the
6 day of its passage, except on the last day of the session.

7 **VII. Legislative Officers and Employees**

8 **RULE 45. Elected Officers.** – (a) The House shall elect its Speaker from among its
9 membership. The election of the Speaker shall be by a call of the roll of the members of the
10 House and may not be done by resolution or be combined with any other matter.

11 (b) The House shall elect its Speaker Pro Tempore from among its membership
12 who shall perform such duties as the Speaker may assign.

13 (c) The House shall elect a Principal Clerk, who shall continue in office until
14 another is elected. The Speaker may appoint a Reading Clerk and shall appoint a
15 Sergeant-at-Arms, both of whom shall serve at the Speaker's pleasure. The Principal Clerk,
16 Reading Clerk, and Sergeant-at-Arms shall have and perform duties and responsibilities, not
17 inconsistent with these rules, as the Speaker may assign. Unless directed otherwise by the
18 Speaker on behalf of the House, the Principal Clerk or an employee designated by the Principal
19 Clerk shall receive House bills not approved by the Governor.

20 **RULE 46. Assistants to Principal Clerk and Sergeant-at-Arms.** – The Principal
21 Clerk and the Sergeant-at-Arms may appoint, with the approval of the Speaker, such assistants
22 as may be necessary to the efficient discharge of the duties of their respective offices.

23 **RULE 47. Speaker's Staff; Chaplain; and Pages.** – (a) The Speaker may appoint
24 one or more staff members to the Speaker, a Chaplain of the House, and pages to wait upon the
25 sessions of the House.

26 (b) When the House is not in session, the pages shall be under the supervision of
27 the Supervisor of Pages.

28 (c) The Speaker, at the request of a member, may appoint honorary pages.

29 **RULE 48. Member's Staff.** – (a) Each standing committee and permanent
30 subcommittee shall have a committee assistant. The committee assistant to a standing
31 committee or permanent subcommittee shall serve as staff to the chair of the standing
32 committee or permanent subcommittee.

33 (b) Each member shall be assigned a legislative assistant, unless the member has
34 a committee assistant to serve as legislative assistant.

35 (c) The selection and retention of committee assistants, legislative assistants,
36 and office assistants shall be the sole prerogative of the individual member or members. Such
37 staff shall file initial applications for employment with the Principal Clerk and shall receive
38 compensation as prescribed by the Legislative Services Commission. The employment period
39 of such staff shall commence not earlier than the convening date of the General Assembly and
40 shall terminate not later than the final adjournment or recess of the General Assembly unless
41 employment for an extended period is approved by the Speaker. The committee assistants,
42 legislative assistants, and office assistants shall adhere to such uniform rules and regulations
43 not inconsistent with these rules regarding hours and other conditions of employment as the
44 Legislative Services Commission shall fix by appropriate regulations.

45 **RULE 49. Compensation of Legislative Assistants.** – No clerk, committee
46 assistant, legislative assistant, office assistant, or other person employed or appointed under
47 Rules 46, 47, and 48 hereof shall receive during such employment, appointment, or service any
48 compensation from any department of the State government, and there shall not be voted, paid,
49 or awarded any additional pay, bonus, or gratuity to any of them; but they shall receive only the
50 pay now provided by law for such duties and services. This rule shall not apply to employment,
51 appointment, or service or to the receipt of compensation or additional pay, bonus, or gratuity

1 from another department of State government between regular sessions of the General
2 Assembly.

3 VIII. Privileges of the Hall

4 RULE 50. **Admittance to Floor.** – No person except members, officers, and
5 employees of the General Assembly who have been issued identification tags as provided by
6 this rule, and former members of the General Assembly who are not registered under the
7 provisions of Article 9 of Chapter 120 of the General Statutes, shall be allowed on the floor of
8 the House during its session, unless permitted by the Speaker or otherwise provided by law.
9 Employees of the General Assembly shall wear identification tags, approved by the Legislative
10 Services Officer, when on the floor of the House.

11 RULE 51. **Admittance of Press.** – Reporters wishing to take down debates may be
12 admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to
13 effect this object, as shall not interfere with the convenience of the House. Reporters admitted
14 to the floor of the House shall observe the same requirements of attire for members contained
15 in Rule 12(h).

16 RULE 52. **Extending Courtesies.** – Courtesies of the floor, galleries, or lobby shall
17 be extended at the discretion of the Speaker and only by the Speaker. Requests by members to
18 extend these courtesies shall be typewritten and delivered to the Speaker. No member shall
19 orally ask the Speaker to extend these courtesies during the daily session.

20 RULE 53. **Order in House Chamber, Galleries, and Lobby.** – In case of any
21 disturbance or disorderly conduct in the House Chamber, galleries, or lobby, the Speaker or
22 other presiding officer is empowered to order the same to be cleared to the extent they deem
23 necessary.

24 IX. General Rules

25 RULE 54. **Attendance of Members.** – No member or officer of the House shall be
26 absent from the service of the House without leave, unless from sickness or disability.

27 RULE 55. **Documents to Be Signed by the Speaker.** – All acts, addresses, and
28 resolutions and all warrants and subpoenas issued by order of the House shall be signed by the
29 Speaker or other presiding officer.

30 RULE 56. **Printing or Reproducing Materials.** – There shall be no printing or
31 reproducing of paper(s) that are not legislative in essence except upon approval of the Speaker.

32 RULE 57. **Placement or Circulation of Materials.** – Persons other than members
33 of the House shall not place or cause to be placed any materials on members' desks in the
34 House Chamber without obtaining approval of the Speaker. Any material placed on members'
35 desks in the House Chamber, or circulated to House members anywhere in the Legislative
36 Building or the Legislative Office Building, shall bear the name of the originator.

37 RULE 58. **Rules, Rescission, and Alteration.** – (a) These rules shall not be
38 permanently rescinded or altered except by House simple resolution passed by a two-thirds
39 vote of the members present and voting. The introducer of the resolution must on the floor of
40 the House give notice of intent to introduce the resolution on the legislative day preceding its
41 introduction.

42 (b) Except as otherwise provided herein, the House upon two-thirds vote of the
43 members present and voting may temporarily suspend any rule.

44 RULE 59. **Cosponsorship of Bills and Resolutions.** – (a) Any member wishing to
45 cosponsor a bill or resolution which has been introduced may do so by appearing in the office
46 of the Principal Clerk for such purpose within one-half hour following the adjournment of the
47 session during which such bill or resolution was first read and referred, except as approved by
48 the Principal Clerk a member may cosponsor the bill electronically not later than one hour
49 following the adjournment.

50 (b) Members wishing to jointly sponsor legislation should indicate such to the
51 drafter at the time the bill is requested or upon filing the bill with the Principal Clerk's office.

1 The names of the members who are the primary sponsors shall be listed in the order requested
2 by them, followed by the words (Primary Sponsors); and the remaining names of members
3 cosponsoring shall follow. No more than four members may be listed as primary sponsors.

4 (c) No member shall permit anyone, other than that member's committee
5 assistant, legislative assistant, office assistant, or another member to have possession of the bill
6 jacket in order to solicit for cosponsorship.

7 **RULE 60. Correcting of Typographical Errors.** – The Legislative Services
8 Officer may correct typographical errors appearing in House bills or resolutions provided that
9 such corrections are made before ratification and do not conflict with any actions or rules of the
10 Senate and provided further that such correction be approved by the Chair of the Standing
11 Committee on Rules, Calendar, and Operations of the House, the Speaker, or other presiding
12 officer.

13 **RULE 61. Assignment of Seats.** – The assignment of seats shall be made within
14 each party caucus, with each member choosing a seat in order of seniority. The Democratic
15 members shall be seated in the 60 seats to the Speaker's left in the chamber, and the Republican
16 members shall be seated in the 60 seats to the Speaker's right in the chamber. Except that to the
17 extent that members of one party are in the majority, the excess shall be seated first in the
18 center aisle seats on the other side of the chamber, being allocated first, front to rear. After
19 initial assignment of seats, a member shall continue to occupy the seat to which initially
20 assigned until assigned a permanent seat; once assigned a permanent seat, the member shall
21 occupy it for the entire biennial session. In event of vacancy, that member's successor will
22 occupy the seat of the member replaced for the remainder of the biennial session.

23 **RULE 61.1. Office Assignments.** – The Chair of the Standing Committee on Rules,
24 Calendar, and Operations of the House shall assign to each member an office space. The office
25 assignments shall be made on the basis of seniority, with the chair of the Committee on Rules,
26 Calendar, and Operations of the House making assignments in conformity with the request of
27 each member to the extent practicable. When available, chairs of standing committees and
28 permanent subcommittees shall be assigned an office adjacent to the room in which the
29 standing committee or permanent subcommittee generally meets if the Chair so desires. The
30 Speaker shall be assigned an office of his or her choice.

31 **RULE 61.2. Convening and Assigning Seats in the New House.** – (a) The
32 Principal Clerk of the previous House of Representatives shall convene the House of
33 Representatives at 12:00 noon on the date established by law for the convening of each regular
34 session and preside over the body until the members elect a Speaker. In the case of a vacancy,
35 inability, or refusal to so serve, the duty shall devolve upon the Sergeant-at-Arms of the prior
36 House, and in the case of a vacancy in that office, or inability or refusal to so serve, the duty
37 shall devolve upon the Reading Clerk of the prior House.

38 (b) It shall be the duty of the Chair of the Standing Committee on Rules,
39 Calendar, and Operations of the House of the prior House to assign temporary seats to the
40 members of the House of Representatives in its Chamber. In the case of the inability or refusal
41 to serve of the Chair of the Standing Committee on Rules, Calendar, and Operations of the
42 House, the Speaker of the prior House of Representatives shall appoint a person to assign seats
43 to members of the House of Representatives in its Chamber. In the event that the party that had
44 a majority of members in the prior House will no longer have a majority of members in the new
45 House, then the duty assigned in this subsection to the Chair of the Committee of the prior
46 House shall instead be the duty of the person nominated as Speaker by the majority party
47 caucus for the new House, or some member-elect designated by the Speaker-nominee. In the
48 event no party will have a majority, then the duty assigned in this subsection to the Chair of the
49 Committee of the prior House shall instead be the joint duty of one person chosen each by the
50 caucuses of the two parties having the greatest numbers of members.

1 **RULE 62. Matters Not Covered in These Rules.** – Except as herein set out, the
2 rules of Mason's Manual of Legislative Procedure shall govern the operation of the House.
3 Custom and usage may supplement these rules or Mason's Manual but may not supersede them.
4 **SECTION 2.** This resolution is effective upon adoption.