

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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February 16, 2017

1 A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE HOUSE OF  
2 REPRESENTATIVES FOR THE 2017 REGULAR SESSION.

3 Be it resolved by the House of Representatives:

4 **SECTION 1.** The permanent rules of the Regular Session of the House of  
5 Representatives of the 2017 General Assembly are:

6 **PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE**  
7 **REGULAR SESSION OF THE 2017 GENERAL ASSEMBLY OF NORTH CAROLINA**

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17 **I. Order of Business**

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. During January  
22 and February of 2017, no sessions may be held on Friday. Without leave of the House, no  
23 session shall continue after 10:00 P.M. on Monday nor after 9:00 P.M. on any other days, and  
24 the Speaker shall adjourn the House without motion at that point, except that a motion may be  
25 made as to the time and day of next convening. No votes shall be held on Sunday, except for  
26 votes on motions to approve the journal and to adjourn.

27 **RULE 1.1. Emergencies.** – In the event of a disaster, natural or otherwise, that  
28 precludes the General Assembly from meeting in the Legislative Building, the members will be  
29 notified by the Speaker where and when the House will convene.

30 **RULE 2. Opening the Session.** – The Sergeant-at-Arms shall clear the House 10  
31 minutes before the convening hour. At the convening hour on each legislative day, the Speaker



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1 shall call the members to order and shall have the session opened with prayer. At the convening  
2 hour, the Speaker, or the Speaker's designee, shall lead the members in the Pledge of  
3 Allegiance to the American Flag.

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

6 (b) Should the point of a quorum be raised, the doors shall be closed, and the  
7 Clerk shall call the roll of the House, after which the names of those not responding shall again  
8 be called. In the absence of a quorum, 15 members are authorized to compel the attendance of  
9 absent members and may order that absentees for whom no sufficient excuses are made be  
10 taken into custody wherever they may be found by special messenger appointed for that  
11 purpose.

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

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

21 **RULE 5. Order of Business of the Day.** – After the approval of the Journal of the  
22 preceding day, except by leave of the House, the House shall proceed to business in the  
23 following order:

- 24 (1) The receiving of petitions, memorials, and papers addressed to the General  
25 Assembly or to the House;
- 26 (2) Messages from the Governor;
- 27 (3) Ratification of bills;
- 28 (4) Reports of standing committees;
- 29 (5) Reports of select committees;
- 30 (6) First reading and reference to committee of bills and resolutions;
- 31 (7) Messages from the Senate;
- 32 (8) Concurrence with Senate amendments or Senate committee substitutes;
- 33 (9) The unfinished business of the preceding day;
- 34 (10) Calendar (each category in accordance with Rule 40 – House bills first):
  - 35 a. Resolutions for adoption
  - 36 b. Conference reports for adoption
  - 37 c. Local bills (roll call), third reading
  - 38 d. Local bills (roll call), second reading
  - 39 e. Local bills, third reading
  - 40 f. Local bills, second reading
  - 41 g. Public bills (roll call), third reading
  - 42 h. Public bills (roll call), second reading
  - 43 i. Public bills and resolutions, third reading
  - 44 j. Public bills and resolutions, second reading;
- 45 (11) Reading of notices and announcements.
- 46 (12) Reading of Representative Statements of Personal Privilege.

## 47 **II. Conduct of Debate**

48 **RULE 6. Duties and Powers of the Speaker.** – The Speaker shall have general  
49 direction of the Hall, subject to more specific provisions of these rules. The Speaker may name  
50 any member to perform the duties of the chair, but substitution shall not extend beyond one  
51 day, except in the case of sickness or by leave of the House. If the Speaker is absent and has not

1 designated a member or the Principal Clerk to perform the duties of the chair, the Speaker Pro  
2 Tempore shall preside during such absence. In the case of a vacancy in the office of the  
3 Speaker of the House of Representatives, the Principal Clerk shall preside over the House until  
4 the House elects a Speaker.

5 **RULE 7. Obtaining Floor.** – (a) When any member desires recognition for any  
6 purpose, the member shall rise and respectfully address the Speaker. No member shall proceed  
7 until recognized by the Speaker for a purpose.

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

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

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

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

28 **RULE 8.1. Statements of personal privilege; explanation of vote.** – Upon  
29 recognition by the Speaker for that purpose, any member may speak to a question of personal  
30 privilege for a time not exceeding three minutes and may use some or all of that time to explain  
31 to the House a "Representative Statement of Personal Privilege." Upon motion supported by a  
32 majority present and voting, that statement may be spread upon the Journal. Neither personal  
33 privilege nor a Representative Statement of Personal Privilege may be used to explain a vote,  
34 debate a bill, or in any way disrupt the regular business of the House, nor shall such  
35 opportunities be used to solicit support or sponsors for any bill. The format of a Representative  
36 Statement of Personal Privilege shall be prescribed by the Chairman of the Committee on  
37 Rules, Calendar, and Operations of the House, but in any case shall speak only in the voice of  
38 the member submitting it. The Speaker shall determine if the question raised is one of personal  
39 privilege and shall, without the point of order being raised, enforce this rule.

40 **RULE 9. Points of Order.** – (a) The Speaker shall decide questions of order and  
41 may speak to points of order in preference to other members arising from their seats for that  
42 purpose. Any member may appeal from the ruling of the chair on questions of order; on such  
43 appeal no member may speak more than once, unless by leave of the House. A three-fifths vote  
44 of the members present shall be necessary to sustain any appeal from the ruling of the chair.

45 (b) When the Speaker calls a member to order, the member shall be seated,  
46 except that a member called to order may clear a matter of fact, or explain, but shall not  
47 proceed in debate so long as the decision stands. If the member appeals from the ruling of the  
48 chair and the decision by a three-fifths vote of the members present be in favor of the member  
49 called to order, the member may proceed; if otherwise, the member shall not; and if the case, in  
50 the judgment of the House requires it, the member shall be liable to censure by the House.



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

3           To adjourn.

4           To recess.

5           To lay on the table.

6           Previous question.

7           To postpone indefinitely.

8           To reconsider.

9           To postpone to a day certain.

10          To re-refer.

11          To amend an amendment.

12          To amend.

13          To pass the bill.

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

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

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

23          **RULE 15.1. Motion to adjourn or stand in recess; standard stipulations.** – A  
24 motion to adjourn or stand in recess subject to the standard stipulations shall constitute a  
25 motion to adjourn or stand in recess subject to the ratification of bills, messages from the  
26 Senate, committee reports, conference reports, referral and re-referral of bills and resolutions,  
27 appointment of conferees, introduction of bills and resolutions, committee appointments, and  
28 the reading of Representative Statements.

29          **RULE 16. Motion to Table.** – (a) A motion to table shall be seconded before the  
30 motion is put to the vote of the House and is in order except when a motion to adjourn or to  
31 recess is before the House.

32          (b) A motion to table shall be decided without debate; however, the proponent  
33 of the matter that is subject of the motion to table shall be given up to two minutes to explain  
34 the matter subject to the motion to table if the proponent has not previously explained the  
35 matter prior to the motion to table.

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

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

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

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





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

- 3 (1) To adjourn.
- 4 (2) To recess.
- 5 (3) To lay on the table.
- 6 (4) Previous question.
- 7 (5) To postpone indefinitely.
- 8 (6) To reconsider.
- 9 (7) To postpone to a day certain.
- 10 (8) To re-refer.
- 11 (9) To amend an amendment.
- 12 (10) To amend.
- 13 (11) To concur or not concur.
- 14 (12) Miscellaneous.

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

17 (b) When a voice vote is taken, the Speaker shall put the question substantially  
18 as follows: "Those in favor (as the question may be) will say 'aye'," and after the affirmative  
19 voice has been expressed, "Those opposed will say 'no'."

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

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

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

28 **RULE 23. Voting by Division.** – Any member may call for a division of the  
29 members upon the question before the result of the vote has been announced. Upon a call for a  
30 division, the Speaker shall cause the number voting in the affirmative and in the negative to be  
31 determined. Upon a division and count of the House on any question, no member away from  
32 the member's seat shall be counted.

33 **RULE 24. Roll Call Vote.** – (a) Before a question is put, any member may call for  
34 the ayes and noes. If the call is sustained by one-fifth of the members present, the question shall  
35 be decided by the ayes and noes upon a roll call vote.

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

38 (c) No member may change a vote without leave of the House, but such leave  
39 shall not be granted if it affects the result or if the session in which the vote was taken has been  
40 adjourned.

41 **RULE 24.1A. Excuse From Deliberations and Voting on a Bill.** – (a) Any  
42 member shall, upon request, be excused in advance from the deliberations and voting on a  
43 particular bill at any time that the reason for the request arises in the proceedings on the bill.

44 (b) The member may make a brief oral statement of the reasons for making the  
45 request. The member shall provide to the Principal Clerk, on a form provided by the Clerk, a  
46 concise written statement of the reason for the request, and the Clerk shall include this  
47 statement in the Journal.

48 (c) Except as provided in subsection (e) of this rule, the member so excused  
49 shall not debate the bill or any amendment to the bill, vote on the bill, offer or vote on any  
50 amendment to the bill, or offer or vote on any motion concerning the bill, in committee or on  
51 the floor of the House at any reading, or any subsequent consideration of the bill.



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

3 (e) By leave of the House, a member who has been excused from deliberations  
4 and voting on a bill may participate in deliberations and votes on amendments to which that  
5 member does not have any conflict that requires excusal.

6 **RULE 24.1B. Division of Amendments and Questions.** – (a) Any member may  
7 call for an amendment to be divided into two or more amendments to be voted on separately.  
8 The motion shall be in writing, must be submitted to the Principal Clerk at the time the motion  
9 is made, and must clearly state how the question is to be divided. The Speaker shall determine  
10 whether the amendment admits of such a division. Upon a majority vote of the members  
11 present and voting, the motion shall be adopted and the body shall debate and vote each  
12 amendment separately.

13 (b) Any member may call for a bill to be divided into two or more propositions  
14 to be voted on separately provided the bill is subject to division into separate parts so that each  
15 part states a separate and distinct proposition capable of standing alone. The motion shall be in  
16 writing, must be submitted to the Principal Clerk at the time the motion is made, and must  
17 clearly state how the question is to be divided. The Speaker shall then determine whether the  
18 bill admits of such a division. Upon a majority vote of the members present and voting, the  
19 motion shall be adopted and there shall be no further amendment or debate as to further  
20 division of the distinct propositions. If the question is divided, the body shall debate and vote  
21 each proposition separately. If any proposition fails, the bill shall be removed from the calendar  
22 and re-referred to the committee from which the bill was reported. If all parts of the divided  
23 question pass, the Speaker shall announce that the entire measure has passed second or third  
24 reading.

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

#### 28 **V. Committees**

29 **RULE 26. Standing Committees Generally.** – (a) The Speaker shall appoint a  
30 chair, or cochairs, of every standing committee and select committee, if any. In the construction  
31 of these rules, the word "chair" as applied to a committee, extends to and includes a cochair of  
32 the committee. The Speaker shall have the exclusive right and authority to establish select  
33 committees, but this does not exclude the right of the House by resolution to establish select  
34 committees.

35 (b) The Speaker shall establish the number of members of each standing  
36 committee and appoint the members in a manner to reflect the partisan membership of the  
37 House, except that the Committee on Ethics shall have an equal number of members of the  
38 majority and minority.

39 (c) Before appointing members of committees, the Speaker shall consult with  
40 the Minority Leader. The Speaker and Minority Leader shall consider members' committee  
41 preferences in making appointments and recommendations.

42 (d) The Speaker may name one or more vice-chairs for any standing committee.

43 (e) Up to two Chairs of the Appropriations Committee are entitled to vote in all  
44 other Appropriations Committees (Capital, Education, General Government, Health and  
45 Human Services, Information Technology, Justice and Public Safety, Agriculture and Natural  
46 and Economic Resources, and Transportation).

47 (f) Either the chair or acting chair, designated by the chair or by the Speaker,  
48 and five other members of the standing committee, or a majority of the standing committee,  
49 whichever is fewer, shall constitute a quorum of that standing committee. A quorum of less  
50 than a majority of all the members must include at least one member of the minority party.

1 (g) In any joint meeting of the Senate and House committees, the House  
2 standing committee reserves the right to vote separately.

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

6 **RULE 27. List of Standing Committees.** – The standing committees thereof are:  
7 Committees

8  
9 Aging

10  
11 Agriculture

12  
13 Alcoholic Beverage Control

14  
15 Appropriations

16 Appropriations, Capital

17 Appropriations, Education

18 Appropriations, General Government

19 Appropriations, Health and Human Services

20 Appropriations, Information Technology

21 Appropriations, Justice and Public Safety

22 Appropriations, Agriculture and Natural and Economic Resources

23 Appropriations, Transportation

24  
25 Banking

26  
27 Homelessness, Foster Care, and Dependency

28  
29 Commerce and

30 Job Development

31  
32 Education – K-12

33  
34 Education – Community Colleges

35  
36 Education – Universities

37  
38 Elections and Ethics Law

39  
40 Energy and Public Utilities

41  
42 Environment

43  
44 Ethics

45  
46 Finance

47  
48 Health

49  
50 Health Care Reform

51

1 Homeland Security, Military, and  
2 Veterans Affairs

3  
4 Insurance

5  
6 Judiciary I

7  
8 Judiciary II

9  
10 Judiciary III

11  
12 Judiciary IV

13  
14 Pensions and Retirement

15  
16 Regulatory Reform

17  
18 Rules, Calendar, and  
19 Operations of the House

20  
21 State and Local Government I

22  
23 State and Local Government II

24  
25 State Personnel

26  
27 Transportation

28  
29 University Board of Governors Nominating

30  
31 Wildlife Resources

32 **RULE 28. Standing Committee Meetings.** – (a) Standing committees shall be  
33 furnished with suitable meeting places pursuant to a schedule established by the Chair of the  
34 Standing Committee on Rules, Calendar, and Operations of the House. Select committees shall  
35 be furnished with suitable meeting places as their needs require by the Chair of the Standing  
36 Committee on Rules, Calendar, and Operations of the House.

37 (b) Subject to the provisions of subsection (c) of this rule, standing committees  
38 shall permit other members of the General Assembly, the press, and the general public to attend  
39 all sessions of said standing committees.

40 (c) The chair or other presiding officer shall have general direction of the  
41 meeting place of the standing committee, and, in case of any disturbance or disorderly conduct  
42 therein, or if the peace, good order, and proper conduct of the legislative business is hindered  
43 by any person or persons, the Chair or presiding officer shall have power to exclude from the  
44 session any individual or individuals so hindering the legislative business.

45 (d) Procedure in the standing committees shall be governed by the rules of the  
46 House, so far as the same may be applicable to such procedure. Before a question is put, any  
47 member may call for the ayes and noes. The Chair shall ask, "Is the call sustained?" If the call  
48 is sustained by one-fifth of the members present and standing, the question shall be decided by  
49 the ayes and noes upon a roll call vote. All roll call votes shall be taken alphabetically and shall  
50 be subject to Rule 21(c).

1 (d1) The committee chair shall set the agenda for each committee meeting. After  
2 April 1, 2017, a committee may, provided there is a written request signed by at least  
3 two-thirds of the members of the committee, place a bill on the committee's agenda for the next  
4 regularly scheduled meeting of the committee.

5 (e) No standing committee shall meet on any day when the House shall not  
6 convene except by permission of the Speaker or by approval of the House by resolution  
7 adopted by a majority vote of the House.

8 (f) No standing committee shall meet during any session of the House. Standing  
9 committees shall meet at their regularly scheduled hour. Standing committees may meet at  
10 other times as authorized by the Chair of the Standing Committee on Rules, Calendar, and  
11 Operations of the House in order to assure the availability of the meeting room and that no  
12 conflicts will exist with the meetings of other bodies. All standing committee meetings shall  
13 adjourn no later than:

14 (1) 15 minutes preceding a regular session of the House, and

15 (2) 10 minutes preceding the hour of the next regularly scheduled standing  
16 committee meeting.

17 Action taken by a committee in violation of this rule is voidable unless taken by  
18 unanimous consent at a meeting at which a majority of all the members of the committee are  
19 present, and at least one member present is of the minority party.

20 (g) Any call or notice of a standing committee meeting between legislative  
21 sessions shall be sent by electronic mail to each member of the standing committee at least five  
22 days prior to such meeting. If a member of the body so requests in writing to the chair of the  
23 standing committee, the member shall also be notified of the meetings by mail at a designated  
24 address.

25 (h) During standing committee meetings, the chair may exercise the right to  
26 vote, or may reserve this right until there is a tie, in which event the chair may vote, but in no  
27 instance may the chair vote twice on the same question.

28 **RULE 28.1. Ethics Committee Investigations Into Violations of the Open**  
29 **Meetings Law.** – (a) On its own motion, or in response to signed and sworn complaint of any  
30 individual filed with the Standing Committee on Ethics, the Committee shall inquire into any  
31 alleged violation by members of the House of the Open Meetings Law (Article 33C of Chapter  
32 143 of the General Statutes), as the same may be amended in the future.

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

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

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

41 (2) Issue a private letter of reprimand to the legislator, if the legislator  
42 unintentionally violated the provisions of the Open Meetings Law.

43 (3) Issue a public letter of reprimand if the violation of the Open Meetings Law  
44 was intentional or if the legislator has previously received a private letter of  
45 reprimand. The Chair of the Committee on Ethics shall have the public letter  
46 of reprimand spread on the pages of the House Journal.

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

48 **RULE 29. Notice of Standing Committee Meetings and Hearings.** – (a) Notice of  
49 meetings of standing committees that will occur at the regularly scheduled meeting times shall  
50 be given by one or both of the following methods:

51 (1) Notice given openly at a session of the House; or

1 (2) Notice mailed or sent by electronic mail to those who have requested notice,  
2 and to the Legislative Services Office, which shall post the notice on the  
3 General Assembly Web site.

4 (b) Notice of all other meetings shall be given in the House. If the meeting is  
5 scheduled to occur after adjournment, notice shall also be given by electronic mail and posting  
6 on the General Assembly Web site.

7 (c) The chair of the standing committee shall notify or cause to be notified the  
8 sponsor of each bill that is set for hearing or consideration before the standing committee as to  
9 the date, time, and place of that meeting.

10 **RULE 29.1. Public Hearings.** – (a) Requests for a public hearing shall be made in  
11 writing to the chair of the standing committee to which the bill has been referred. The chair of  
12 the standing committee may schedule a public hearing by the standing committee as a whole  
13 after the adjournment of a regular daily House session. Denial of a request made by a House  
14 member may be appealed to the Speaker.

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

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

23 **RULE 29.2. Minutes to Legislative Library.** – The chair of a standing committee  
24 shall ensure that written minutes are compiled for each of the body's meetings. The minutes  
25 shall indicate the members present and the actions taken at the meeting. Not later than 10 days  
26 after the adjournment of each session of the General Assembly, the chair shall deliver the  
27 minutes to the Legislative Library. The Speaker of the House may grant a reasonable extension  
28 of time for filing said minutes upon written application of the chair.

29 **RULE 30. Committee of the Whole House.** – (a) A Committee of the Whole  
30 House shall not be formed, except by leave of the House.

31 (b) After passage of a motion to form a Committee of the Whole House, the  
32 Speaker shall appoint a chair to preside in the committee, and the Speaker shall leave the dais.

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

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

39 (e) When a bill is submitted to the Committee of the Whole House, it shall be  
40 read and debated by sections, leaving the preamble to be last considered. The body of the bill  
41 shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly  
42 entered by the Principal Clerk on a separate paper as the same shall be agreed to by the  
43 standing committee and be so reported to the House. After report, the bill shall again be subject  
44 to be debated and amended by sections before a question on its passage be taken.

## 45 **VI. Handling of Bills**

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

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

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

10 (d) All bills and resolutions shall show in their captions a brief descriptive  
11 statement of the true substance of same, which captions may thereafter be amended.  
12 Amendments to captions of bills are in order only if the amendment is germane to the bill.  
13 Third reading shall not be had on any bill or resolution on the same day that such caption is  
14 amended.

15 (e) A Substitute Bill shall be covered with the same color jacket as the original  
16 bill and shall be prefaced as follows: "House Committee Substitute for\_\_\_\_\_."

17 (f) House resolutions need not be read more than twice.

18 (g) All memorializing, celebration, commendation, and commemoration  
19 resolutions, except those honoring the memory of deceased persons, shall be excluded from  
20 introduction and consideration in the House. The mention of a deceased person as a pretext to  
21 honor an institution or a living person is prohibited. Members should utilize a "Representative  
22 Statement of Personal Privilege," as provided in Rule 8.1, as the preferred alternative to House  
23 simple resolutions that memorialize, celebrate, commend, and commemorate, other than for  
24 those relating to deceased members of the General Assembly.

25 (h) Any reference in these rules to bills shall extend to resolutions unless the  
26 context requires otherwise.

27 **RULE 31.1. Deadlines on Introduction and Receipt; No Blank Bills; 15 Bill**  
28 **Limit.** – (a) All local bills must be submitted to the Bill Drafting Division of the Legislative  
29 Services Office by 4:00 P.M. on Wednesday, March 15, 2017, and must be introduced not later  
30 than 3:00 P.M. on Wednesday, March 29, 2017.

31 (b) All public bills or resolutions recommended by commissions or standing  
32 committees authorized or directed by act or resolution of the General Assembly (i) to report to  
33 the 2017 Regular Session of the General Assembly, or to report prior to convening of that  
34 session, or (ii) which are recommended to the 2017 Regular Session of the General Assembly  
35 by a commission or committee established directly by Chapter 120 of the General Statutes,  
36 must have been submitted to the Bill Drafting Division of the Legislative Services Office by  
37 4:00 P.M. on Tuesday, February 21, 2017, and must be introduced not later than 3:00 P.M. on  
38 Wednesday, March 1, 2017.

39 (c) All bills prepared to be introduced for departments, agencies, or institutions  
40 of the State must have been submitted to the Bill Drafting Division of the Legislative Services  
41 Office by 4:00 P.M. on Tuesday, March 7, 2017, and must be introduced not later than 3:00  
42 P.M. on Wednesday, March 15, 2017. A bill introduced under this subsection shall be  
43 identified as an Agency Bill after its short title or in the drafting code.

44 (d) All public bills that would not be required to be re-referred to the  
45 Appropriations or Finance Committees under Rule 38 and all joint resolutions and House  
46 resolutions must be submitted to the Bill Drafting Division of the Legislative Services Office  
47 by 4:00 P.M. on Thursday, March 23, 2017, and must be introduced not later than 3:00 P.M. on  
48 Tuesday, April 11, 2017.

49 (e) All public bills which under Rule 38 are required to be re-referred to either  
50 or both of the Appropriations Committee or the Finance Committee must be submitted to the  
51 Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Thursday, April 6,

1 2017, and must be introduced not later than 3:00 P.M. on Wednesday, April 25, 2017. If any  
2 bill is subject to the deadline under this subsection and the bill is amended so that all the  
3 provisions requiring referral to either or both of those committees under Rule 38 do not remain  
4 in the bill, it is not eligible for further consideration.

5 (f) A bill containing no substantive provisions may not be introduced in the  
6 House.

7 (g) No member may introduce more than 15 public bills. For the purpose of this  
8 subsection, the introducer is the member who is listed as the first sponsor. A member may  
9 assign a portion of this limit to another member electronically using the procedures established  
10 and published by the Principal Clerk. This subsection does not apply to bills or resolutions  
11 recommended by commissions or committees authorized or directed by act or resolution of the  
12 General Assembly (i) to report to the 2017 Regular Session of the General Assembly, or to  
13 report prior to convening of that session, or (ii) that are recommended to the Regular Session of  
14 the General Assembly by a commission or committee established directly by Chapter 120 of  
15 the General Statutes. This subsection does not apply to joint resolutions or House resolutions.

16 (h) In order to be eligible for consideration by the House during the first Regular  
17 Session, all Senate bills other than finance or appropriations bills that would be required to be  
18 re-referred to the Appropriations or Finance Committee under Rule 38 or adjournment  
19 resolutions must be received and read on the floor of the House as a message from the Senate  
20 no later than Thursday, April 27, 2017; provided that a message from the Senate received by  
21 the next legislative day stating that a bill has passed its third reading and is being engrossed  
22 shall comply with the requirements of this subsection and provided that the Senate has a similar  
23 rule.

24 (i) This rule, other than subsections (f) and (g) does not apply to bills (i)  
25 establishing districts for Congress or State or local entities, (ii) introduced on the report of the  
26 Committees on Appropriations, Finance, or Rules, Calendar, and Operations of the House, or  
27 (iii) ratifying an amendment or amendments to the Constitution of the United States. This rule  
28 does not apply to resolutions adjourning the General Assembly sine die or to a day certain.

29 **RULE 32. Reference to Standing Committees; Serial Referrals.** – Each bill not  
30 introduced on the report of a standing committee shall immediately upon its first reading be  
31 referred by the Speaker to such standing committee or committee of the whole as the Speaker  
32 deems appropriate. The Speaker at the same time may order that, if the bill is reported with any  
33 favorable recommendation or without prejudice, it be re-referred automatically upon the  
34 committee report to another committee designated in the order. Each joint resolution or House  
35 resolution not introduced on the report of a standing committee shall immediately upon its first  
36 reading either be referred by the Speaker to a standing committee or be calendared on the date  
37 designated by the Speaker, as the Speaker deems appropriate.

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

43 **RULE 34. Introduction of Resolutions and Bills.** – (a) House Bills shall be  
44 designated as "H.B.\_\_\_\_." (No. following). A Joint Resolution shall be designated as  
45 "H.J.R.\_\_\_\_." (No. following). A House resolution shall be designated as "H.R.\_\_\_\_." (No.  
46 following).

47 Whenever any resolution or bill is filed for introduction, it shall comply with  
48 the procedures established and published by the Principal Clerk.

49 (b) No bill may be filed for introduction if the draft contains names preprinted  
50 on the bill jacket and body of the bill (either as primary sponsors or cosponsors) unless each  
51 such member has signed the jacket.

1           **RULE 35. Public and Local Bills.** – (a) The Legislative Services Officer shall  
2 cause such bills as are introduced to be duplicated in such numbers as may be specified by the  
3 Speaker. Copies shall be placed in the Printed Bills Room and made available to the  
4 committees to which the bill is referred, to individual members on request, and to the general  
5 public.

6           (b) A public bill is a bill affecting 15 or more counties. A local bill is one  
7 affecting fewer than 15 counties.

8           **RULE 35.1. Municipal Incorporation Reports.** – Every legislative proposal  
9 introduced in the House or received in the House from the Senate proposing the incorporation  
10 of a municipality shall have attached to the jacket of the original bill at the time of its  
11 consideration on second or third readings by the House or by any committee of the House prior  
12 to a favorable report, a recommendation from the Municipal Incorporations Subcommittee of  
13 the Joint Legislative Committee on Local Government, established by Article 20 of Chapter  
14 120 of the General Statutes. The recommendation of the Municipal Incorporations  
15 Subcommittee of the Joint Legislative Committee on Local Government shall be made in  
16 accordance with the provisions and criteria set forth in Article 20 of Chapter 120 of the General  
17 Statutes and shall include the findings required to be made by G.S. 120-166 through  
18 G.S. 120-170.

19           **RULE 36. Report by Standing Committee.** – (a) **Reports.** – Bills and resolutions  
20 may be reported from the standing committee to which referred with such recommendations as  
21 the standing committee may desire to make.

22           (b) **Favorable Report.** – When a standing committee reports a bill with the  
23 recommendation that it be passed, the bill shall be placed on the favorable calendar on the day  
24 designated by the Chair of the Standing Committee on Rules, Calendar, and Operations of the  
25 House, but not on the same day that it is reported except by leave of the House, and no later  
26 than the fourth legislative day after submission of the report or Senate message under Rule 43.2  
27 or Rule 43.3(a), unless:

28           (1) The bill is re-referred to the Committee on Appropriations or Committee on  
29 Finance under Rule 38 or was serially referred under Rule 32; or

30           (2) The bill has not yet been placed on the calendar, and the Speaker refers the  
31 bill to another committee.

32 In order to place a bill on the calendar for a legislative day, notice shall be given by the Chair  
33 of the Standing Committee on Rules, Calendar, and Operations of the House orally in the  
34 House or in writing to the Principal Clerk. When a committee substitute is adopted and receives  
35 a favorable report by the committee, the standing committee chair shall submit to the standing  
36 committee the question of an unfavorable report on the original bill. The standing committee's  
37 action, if any, on the original bill shall be reported at the same time the committee substitute is  
38 reported.

39           (b1) **Distribution of Proposed Committee Substitutes.** – Except by leave of a  
40 committee, before a proposed committee substitute may be considered by the committee, the  
41 proposed committee substitute shall have been distributed electronically and no later than 9:00  
42 P.M. of the preceding calendar day to the members of the committee and to the member who is  
43 listed as the first sponsor.

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

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



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

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

12 **RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations  
13 Committee, of the Finance Committee, or of the Standing Committee on Rules, Calendar, and  
14 Operations of the House, upon the floor of the House, may request that a fiscal analysis be  
15 made of a bill, resolution, or an amendment to a bill or resolution which is in the possession of  
16 the House and that a fiscal note be attached to the measure, which request shall be allowed  
17 when, in the opinion of the Speaker, the fiscal effects of that measure are not apparent from the  
18 language of the measure. When a request is properly made under this subsection, the bill is  
19 removed from the calendar until such time that the fiscal note is attached to the measure.

20 (b) The fiscal note shall be filed and attached to the bill or amendment within  
21 two legislative days of the request, and a copy shall be sent by electronic mail to each member.  
22 If it is impossible to prepare a fiscal note within two legislative days, the Director of Fiscal  
23 Research shall, in writing, so advise the Speaker, the Principal Clerk, the Majority Leader, the  
24 Minority Leader, and the member introducing or proposing the measure and shall indicate the  
25 time when the fiscal note will be ready.

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

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

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

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

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

- 46 (1) State, municipal, or other retirement system funded in whole or in part out of  
47 public funds; or  
48 (2) Program of hospital, medical, disability, or related benefits provided for  
49 teachers and State employees, funded in whole or in part by State funds;  
50 shall have attached to it at the time of its consideration by any standing committee a brief  
51 explanatory statement or note which shall include a reliable estimate of the financial and

1 actuarial effect of the proposed change to that retirement or pension system. The actuarial note  
2 shall be attached to the jacket of each proposed bill or resolution which is reported favorably by  
3 any standing committee, shall be separate therefrom, and shall be clearly designated as an  
4 actuarial note. A bill described in subdivision (a)(1) of this rule shall be referred to the  
5 Committee on Pensions and Retirement upon its introduction in accordance with  
6 G.S. 120-111.3.

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

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

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

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

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

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

46 **RULE 36.4. Content of Appropriations Bills.** – No provision shall be contained in  
47 any of the following bills unless it pertains to the appropriation of money or the raising or  
48 reducing of revenue: (i) the Current Operations Appropriations Bill; (ii) the Capital  
49 Improvement Appropriations Bill; (iii) any bill generally revising appropriations for the second  
50 fiscal year of a biennium. If a point of order is made against such a provision and is sustained,  
51 the presiding officer shall refer the bill to the committee from which it came, with instructions

1 for the chair of the committee to immediately report out a substitute or amendment removing  
2 the offending provision.

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

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

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

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

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

21 **RULE 39. Discharge Petition.** – (a) A motion to discharge a committee from  
22 consideration of a bill may be filed with the Principal Clerk by a primary sponsor of that  
23 measure if accompanied by a petition asking that the committee be discharged from further  
24 consideration of the bill. No motion may be filed until 10 legislative days after the bill has been  
25 referred to the committee. No petition may be filed until notice has been given on the floor of  
26 the House that the petition is to be filed and the primary sponsor giving notice has obtained a  
27 fiscal note from the Fiscal Research Division on the bill, which note shall be attached to the  
28 petition. Members may sign the petition only in the office of the Principal Clerk, and when the  
29 signatures of 61 members appear on the petition, the Principal Clerk shall place that motion on  
30 the calendar for the next legislative day as a special order of business. Members may withdraw  
31 their names at any time until 61 names appear. If the motion is adopted by the House, then the  
32 committee to which the bill or resolution has been referred is discharged from further  
33 consideration of the bill, and that bill is placed on the calendar for the next legislative day as a  
34 special order of business. The Principal Clerk shall provide a form for discharge petitions.

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

38 **RULE 39.1. Re-Referral of Bills From One Standing Committee to Another  
39 Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker, the chair of the  
40 standing committee from whom the bill is to be re-referred, and the chair of the standing  
41 committee to whom the bill is to be re-referred, the chair of the standing committee from whom  
42 the bill is to be re-referred, or the Chair of the Standing Committee on Rules, Calendar, and  
43 Operations of the House may move for a re-referral to another standing committee, and the bill  
44 shall be re-referred upon vote of the majority present during a regular session of the House.

45 **RULE 40. Calendars and Schedules of Business.** – The Clerk of the House shall  
46 prepare a daily schedule of business, including the Calendar of Bills and Resolutions for  
47 consideration and debate that day, in accordance with the Order of Business of the Day (Rule  
48 5). The Clerk shall number all bills and resolutions in the order in which they are introduced.  
49 All bills and resolutions shall be taken up as they appear in each category (Rule 5(10)). Except  
50 by leave of the House, the Speaker shall not vary from the order.

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

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

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

- 13           (1) Been tabled,
- 14           (2) Been postponed indefinitely,
- 15           (3) Failed to pass on any of its readings, or
- 16           (4) Been placed on the unfavorable calendar,

17 the contents of that bill or the principal provisions of its subject matter shall not be considered  
18 in any other measure originating in the Senate or originating thereafter in the House. Upon the  
19 point of order being raised and sustained by the chair, that measure shall be laid upon the table,  
20 and shall not be taken therefrom except by a two-thirds vote of the members present and  
21 voting.

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

25           **RULE 43. Amendments.** – (a) No amendment to a measure before the House shall  
26 be in order unless the amendment is germane to the measure under consideration. A House  
27 amendment deleting a previously adopted House amendment shall not be in order. No  
28 amendment that is clearly unconstitutional shall be in order.

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

35           Perfecting (or second degree) amendments may be offered and considered without  
36 limitation as to number, and in the event of multiple perfecting amendments, they shall be  
37 voted upon in inverse order.

38           (b) The following rules apply when considering: (i) the Current Operations  
39 Appropriations Bill; (ii) the Capital Improvement Appropriations Bill; (iii) any bill generally  
40 revising appropriations for the second fiscal year of a biennium:

- 41           (1) Amendments cannot increase total spending within a committee area beyond  
42 the total for that committee as shown in the committee report.
- 43           (2) Amendments can only affect appropriations within the departments,  
44 agencies, or programs within the jurisdiction of the committee.
- 45           (3) Amendments cannot increase total spending, from any source, beyond the  
46 total amount shown in the committee report.
- 47           (4) Amendments that cause the budget to be unbalanced are not in order.
- 48           (5) Amendments cannot spend reversions.
- 49           (6) Amendments cannot make nonrecurring reductions to fund recurring items.

1 (c) When offering an amendment, the member shall deliver the signed original  
2 amendment to the Principal Clerk and a copy to the Chair of the Committee on Rules,  
3 Calendar, and Operations of the House.

4 **RULE 43.1. Engrossment.** – Bills and resolutions which originate in the House and  
5 which are amended, shall be engrossed before being sent to the Senate.

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

9 **RULE 43.3. Committee Substitutes Adopted by the Senate to Bills Originating**  
10 **in the House; Procedure for Treatment of Material Amendments Thereto.** – (a) Whenever  
11 the Senate has adopted a committee substitute for a bill originating in the House and has  
12 returned the bill to the House for concurrence in that committee substitute, it shall be placed on  
13 the calendar in accordance with Rule 36(b).

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

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

23 If the committee substitute was referred to standing committee, the standing  
24 committee shall:

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

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

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

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

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

38 **RULE 44. Conference Standing Committees.** – (a) Whenever the House shall  
39 decline or refuse to concur in amendments put by the Senate to a bill originating in the House,  
40 or shall refuse to concur in a substitute adopted by the Senate for a bill originating in the  
41 House, or whenever the Senate shall decline or refuse to concur in amendments put by the  
42 House to a bill originating in the Senate, or shall refuse to concur in a substitute adopted by the  
43 House for a bill originating in the Senate, a conference committee may be appointed by the  
44 Speaker upon the Speaker's own motion and shall be appointed upon request by the principal  
45 sponsor of the original bill, the chair of the House standing committee that reported the bill, or  
46 the sponsor of the amendment in which the Senate refused to concur; and the bill under  
47 consideration shall thereupon go to and be considered by the joint conferees on the part of the  
48 House and Senate. In appointing members to conference committees, the Speaker shall appoint  
49 no less than a majority of members who generally supported the House position as determined  
50 by the Speaker.

1 (b) The conference report may be made by a majority of the House members of  
2 such conference committee and shall not be amended. If the Senate has a similar rule, only such  
3 matters as are in difference between the two houses shall be considered by the conferees, and  
4 the conference report shall deal only with such matters. If the Senate does not have a similar  
5 rule, a conference committee report which includes significant matters that were not in  
6 difference between the houses, shall be referred to a standing committee for its  
7 recommendation before further action by the House.

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

10 (d) No vote shall be taken on adoption of a conference report until the next  
11 legislative day following the report, except that no vote shall be taken on adoption of a  
12 conference report on either the Current Operations Appropriations Bill or a bill generally  
13 revising the Current Operations Appropriations Act until the third legislative day following the  
14 report.

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

18 **RULE 44.2. Veto Override.** – (a) Other than in a reconvened session, no vote shall  
19 be taken on overriding a gubernatorial veto on a House bill until the second legislative day  
20 following notice of its placement on the calendar.

21 (b) Other than in a reconvened session, no vote shall be taken on overriding a  
22 gubernatorial veto on a Senate bill until the legislative day following notice of its placement on  
23 the calendar.

## 24 **VII. Legislative Officers and Employees**

25 **RULE 45. Elected Officers.** – (a) The House shall elect its Speaker from among its  
26 membership.

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

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

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

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

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

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

45 **RULE 48. Member's Staff.** – (a) Each standing committee shall have a committee  
46 assistant. The committee assistant to a standing committee shall serve as staff to the chair of the  
47 standing committee.

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

50 (c) The selection and retention of legislative assistants shall be the sole  
51 prerogative of the individual member or members. Such staff shall file initial applications for

1 employment with the Director of Legislative Assistants and shall receive compensation as  
2 prescribed by the Legislative Services Commission. Their period of employment shall comply  
3 with the period as established by the Legislative Services Commission unless employment for  
4 an extended period is approved by the Speaker. The legislative assistants shall adhere to such  
5 uniform rules and regulations not inconsistent with these rules regarding hours and other  
6 conditions of employment as the Legislative Services Commission shall fix by appropriate  
7 regulations. The Director of House Legislative Assistants shall be appointed by the Speaker.

8 **RULE 49. Compensation of Legislative Assistants.** – No person employed,  
9 serving, or appointed under Rules 46, 47, and 48 shall receive during such employment,  
10 appointment, or service any compensation from any department of the State government, and  
11 there shall not be voted, paid, or awarded any additional pay, bonus, or gratuity to any of them;  
12 but they shall receive only the pay now provided by law for such duties and services.

### 13 **VIII. Privileges of the Hall**

14 **RULE 50. Admittance to Floor.** – (a) No person except members, officers, and  
15 designated employees of the General Assembly who have been issued identification tags as  
16 provided by this rule, and former members of the General Assembly who are not registered  
17 under the provisions of Article 2 of Chapter 120C of the General Statutes, shall be allowed on  
18 the floor of the House during its session, unless permitted by the Speaker or otherwise provided  
19 by law. Employees of the General Assembly shall wear identification tags, approved by the  
20 Legislative Services Officer, when on the floor of the House.

21 (b) Except when a committee is meeting on the floor of the House, a person who  
22 is not authorized to be admitted to the floor under subsection (a) of this rule shall not be  
23 allowed to enter the chamber until at least five minutes after adjournment or recess of the  
24 House.

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

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

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

### 38 **IX. General Rules**

39 **RULE 54. Attendance of Members.** – Members and officers of the House shall  
40 request leaves from the service of the House with the Principal Clerk.

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

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

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

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

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

8           **RULE 59. Cosponsorship of Bills and Resolutions, Removal of Sponsorship.** –  
9 (a) Except by leave of the primary sponsor, or as provided in subsection (d) of this rule, no  
10 member may be listed as an additional primary sponsor on a bill after the bill has been filed.  
11 Except as provided in subsection (d) of this rule, any member not listed as a preprinted  
12 cosponsor on the computer-generated draft edition who wishes to cosponsor a bill or resolution  
13 which has been introduced may do so by 5:00 P.M. of the calendar day following the  
14 adjournment of the session during which such bill or resolution was first read and referred, but  
15 only electronically under procedures approved by the Principal Clerk.

16           (b) Members wishing to cosponsor legislation prior to preparation of the draft  
17 should indicate such to the drafter at the time the bill is requested and before filing the bill with  
18 the Principal Clerk's office. The names of the members who are the primary sponsors shall be  
19 listed in the order requested by them, followed by the words (Primary Sponsors); and the  
20 remaining names of such members cosponsoring shall follow on the draft edition and first  
21 edition. No more than four members may be listed as primary sponsors. Names of persons  
22 cosponsoring bills thereafter under subsection (a) of this rule do not appear on subsequent  
23 editions but shall be listed in the bill status system as cosponsors.

24           (c) No member shall permit anyone, other than that member's committee  
25 assistant, legislative assistant, office assistant, or another member, to have possession of and  
26 solicit for bill or resolution sponsorship, the jacket of a bill or resolution.

27           (d) Should any member wish to remove the member's sponsorship of a bill that  
28 is substantially changed by a Senate amendment or a Senate committee substitute, the member  
29 shall notify the House Principal Clerk before the bill is considered for concurrence. If no  
30 sponsors remain on the bill, the House Principal Clerk shall notify the Chairman of the  
31 Committee on Rules, Calendar, and Operations of the House who may request that other  
32 members sponsor the bill. Removal of the first primary sponsor's name from a bill does not  
33 reduce the total number of bills introduced by the member under Rule 31.1(g), and sponsorship  
34 of a bill after removal of all sponsors is subject to Rule 31.1(g).

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

41           **RULE 61. Assignment of Seats.** – After initial assignment of seats, a member shall  
42 continue to occupy the seat to which initially assigned until assigned a permanent seat; once  
43 assigned a permanent seat, the member shall occupy it for the entire biennial session. In event  
44 of vacancy, the Speaker or the Chair of the Standing Committee on Rules, Calendar, and  
45 Operations of the House may assign such permanent seats as are necessary to maintain seating.

46           **RULE 61.1. Office Assignments.** – The Chair of the Standing Committee on Rules,  
47 Calendar, and Operations of the House shall assign to each member an office space. When  
48 available, chairs of standing committees shall be assigned an office adjacent to the room in  
49 which the standing committee generally meets if the Chair so desires. The Speaker shall be  
50 assigned an office of his or her choice.



1           **RULE 61.2. Convening and Assigning Seats in the New House.** – (a) The  
2 Principal Clerk of the previous House of Representatives shall convene the House of  
3 Representatives at 12:00 P.M. on the date established by law for the convening of each regular  
4 session and preside over the body until the members elect a Speaker. In the case of a vacancy,  
5 inability, or refusal to so serve, the duty shall devolve upon the Sergeant-at-Arms of the prior  
6 House, and in the case of a vacancy in that office, or inability or refusal to so serve, the duty  
7 shall devolve upon the Reading Clerk of the prior House.

8           (b) It shall be the duty of the Chair of the Standing Committee on Rules,  
9 Calendar, and Operations of the House of the prior House to assign temporary seats to the  
10 members of the House of Representatives in its Chamber. In the case of the inability or refusal  
11 to serve of the Chair of the Standing Committee on Rules, Calendar, and Operations of the  
12 House, the Speaker of the prior House of Representatives shall appoint a person to assign seats  
13 to members of the House of Representatives in its Chamber. In the event that the party that had  
14 a majority of members in the prior House will no longer have a majority of members in the new  
15 House, then the duty assigned in this subsection to the Chair of the Committee of the prior  
16 House shall instead be the duty of the person nominated as Speaker by the majority party  
17 caucus for the new House, or some member-elect designated by the Speaker-nominee. In the  
18 event no party will have a majority, then the duty assigned in this subsection to the Chair of the  
19 Committee of the prior House shall instead be the joint duty of one person chosen each by the  
20 caucuses of the two parties having the greatest numbers of members.

21           **RULE 62. Matters Not Covered in These Rules.** – Except as herein set out, the  
22 rules of Mason's Manual of Legislative Procedure, 2010 Edition, shall govern the operation of  
23 the House. Custom and usage may supplement these rules or Mason's Manual, but may not  
24 supercede them.

25           **SECTION 2.** This resolution is effective upon adoption.  
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