

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

H.R. 16
Jan 30, 2019
HOUSE PRINCIPAL CLERK

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HOUSE SIMPLE RESOLUTION DRHR40010-MM-23C

Sponsors: Representative Lewis.

Referred to:

1 A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE HOUSE OF
2 REPRESENTATIVES FOR THE 2019 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 2019 General Assembly are:

6 **PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE**
7 **REGULAR SESSION OF THE 2019 GENERAL ASSEMBLY OF NORTH CAROLINA**

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17 **I. Order of Business**

18 **RULE 1. Convening Hour, Limitation on Legislative Sessions.** – The House shall
19 convene each legislative day at the hour fixed by the House. In the event the House adjourns on
20 the preceding legislative day without having fixed an hour for reconvening, the House shall
21 convene on the next legislative day at 2:00 P.M. During January and February of 2019, no
22 sessions may be held on Friday. Without leave of the House, no session shall continue after 10:00
23 P.M. on Monday nor after 9:00 P.M. on any other days, and the Speaker shall adjourn the House
24 without motion at that point, except that a motion may be made as to the time and day of next
25 convening. Except for votes on motions to approve the journal and to adjourn, no votes may be
26 held on any Sunday, or on April 22 through April 26 of 2019 or July 1 through July 6 of 2019.

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

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



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

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

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

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

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

45 **II. Conduct of Debate**

46 **RULE 6. Duties and Powers of the Speaker.** – The Speaker shall have general
47 direction of the Hall, subject to more specific provisions of these rules. The Speaker may name
48 any member to perform the duties of the chair, but substitution shall not extend beyond one day,
49 except in the case of sickness or by leave of the House. If the Speaker is absent and has not
50 designated a member or the Principal Clerk to perform the duties of the chair, the Speaker Pro
51 Tempore shall preside during such absence. In the case of a vacancy in the office of the Speaker

1 of the House of Representatives, the Principal Clerk shall preside over the House until the House
2 elects a Speaker.

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

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

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

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

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

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

38 **RULE 9. Points of Order.** – (a) The Speaker shall decide questions of order, which
39 once raised, are not debatable. Any member may appeal from the ruling of the chair on questions
40 of order; on such appeal no member may speak more than once, unless by leave of the House. A
41 three-fifths vote of the members present shall be necessary to sustain any appeal from the ruling
42 of the chair.

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

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

1 (b) No member shall speak more than twice on the main question nor longer than
2 15 minutes for the first speech and five minutes for the second speech; nor shall the member
3 speak more than twice upon an amendment or a motion to reconsider, re-refer, or postpone or
4 any motion on concurrence, and then not longer than 10 minutes for the first speech and five
5 minutes for the second speech.

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

8 (d) In computing the time allowed for argument, the time consumed in answering
9 questions should be considered and is taken out of any time allowed that member.

10 (e) The House, by consent of a majority of the members present, may suspend the
11 operation of subsections (b) through (d) of this rule during any debate on any particular question
12 before the House.

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

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

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

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

25 (d) Food or beverages shall not be permitted on the floor of the House during the
26 first hour of the daily session.

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

29 (f) The consumption of food or beverages shall not be permitted in the galleries
30 at any time.

31 (g) Special recitals and performances by musicians or other groups shall not be
32 permitted on the floor of the House, and special guests of members of the House shall not be
33 permitted on the floor of the House.

34 (h) Members shall observe appropriate attire: coat and tie for male members and
35 dignified dress for female members. No male member or male visitor shall wear any head
36 covering in the House Chamber while the House is in session, unless his religion requires his
37 head to be covered.

38 (i) The use of a mobile device or cellular phone for the purpose of making or
39 receiving a phone call shall not be permitted in the House Chamber while the House is in session.

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

41 **III. Motions**

42 **RULE 13. Motions Generally.** – (a) A motion that is complex, complicated, or
43 otherwise not easily understood shall be reduced to writing at the request of the Speaker or any
44 member. No motion relating to a bill shall be in order that does not identify the bill by its number
45 and short title.

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

48 (c) After a motion has been stated by the Speaker or read by the Speaker or Clerk,
49 it shall be in the possession of the House; but it may be withdrawn before a decision or
50 amendment, except in case of a motion to reconsider, which motion, when made by a member,
51 shall be in possession of the House and shall not be withdrawn without leave of 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 motion
25 to adjourn or stand in recess subject to the ratification of bills, messages from the Senate,
26 committee reports, conference reports, referral and re-referral of bills and resolutions,
27 appointment of conferees, introduction of bills and resolutions, committee appointments, and the
28 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 recess
31 is before the House.

32 (b) A motion to table shall be decided without debate; however, the proponent of
33 the matter that is subject of the motion to table shall be given up to two minutes to explain the
34 matter subject to the motion to table if the proponent has not previously explained the matter
35 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 bill
39 or resolution, a motion to table the bill is not in order; and a motion to table an amendment applies
40 to the amendment only, and the motion may not expressly or by implication or construction be
41 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 vote.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 **V. Committees**

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

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

36 (c) Before appointing members of committees and subcommittees, the Speaker
37 shall consult with the Minority Leader. The Speaker and Minority Leader shall consider
38 members' committee preferences in making appointments and recommendations.

39 (d) Each chair of a permanent subcommittee shall be a vice-chair of the standing
40 committee of which it is a permanent subcommittee, and the Speaker may name other members
41 as vice-chairs of the standing committee. The Speaker may name one or more vice-chairs for any
42 standing committee not having permanent subcommittees.

43 (e) The Chair of the Committee on Rules, Calendar, and Operations of the House,
44 the Speaker Pro Tempore, the Majority Leader, and the Deputy Majority Leader are ex officio
45 members of each standing committee and permanent subcommittee with the right to vote. The
46 previous sentence does not apply to the Standing Committee on Ethics. Up to two chairs of the
47 Appropriations Committee are entitled to vote in all other Appropriations Committees (Capital,
48 Education, General Government, Health and Human Services, Information Technology, Justice
49 and Public Safety, Agriculture and Natural and Economic Resources, and Transportation). The
50 chair of the standing committee shall be a voting member of each permanent subcommittee of
51 the standing committee.

(f) Either the chair or acting chair, designated by the chair or by the Speaker, and five other members of the standing committee or permanent subcommittee, or a majority of the standing committee or permanent subcommittee, whichever is fewer, shall constitute a quorum of that standing committee or permanent subcommittee. A quorum of less than a majority of all the members must include at least one member of the minority party. For purposes of determining a quorum, the Chair of the Standing Committee on Rules, Calendar, and Operations of the House, the Speaker Pro Tempore, the Majority Leader, and the Deputy Majority Leader, when serving only as ex officio members under subsection (e) this rule, shall be counted among the membership of the committee or subcommittee only when present.

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

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

RULE 27. List of Standing Committees and Permanent Subcommittees. – The standing committees and subcommittees are:

Committees	Subcommittees
Aging	(None)
Agriculture	(None)
Alcoholic Beverage Control	(None)
Appropriations	(None)
Appropriations, Capital	(None)
Appropriations, Education	(None)
Appropriations, General Government	(None)
Appropriations, Health and Human Services	(None)
Appropriations, Information Technology	(None)
Appropriations, Justice and Public Safety	(None)
Appropriations, Agriculture and Natural and Economic Resources	(None)
Appropriations, Transportation	(None)
Banking	(None)
Commerce	(None)
Education – K-12	(None)
Education – Community Colleges	(None)

1	Education – Universities	(None)
2		
3	Elections and Ethics Law	(None)
4		
5	Energy and Public Utilities	(None)
6		
7	Environment	(None)
8		
9	Ethics	(None)
10		
11	Finance	(None)
12		
13	Health	(None)
14		
15	Homeland Security, Military, and	
16	Veterans Affairs	(None)
17		
18	Homelessness, Foster Care, and Dependency	(None)
19		
20	Insurance	(None)
21		
22	Judiciary	Civil Matters
23		Criminal Matters
24		
25	Pensions and Retirement	(None)
26		
27	Redistricting	(None)
28		
29	Regulatory Reform	(None)
30		
31	Rules, Calendar, and	
32	Operations of the House	(None)
33		
34	State and Local Government	(None)
35		
36	Transportation	(None)
37		
38	Wildlife Resources	(None)

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

45 (b) Subject to the provisions of subsection (c) of this rule, standing committees
 46 and permanent subcommittees thereof shall permit other members of the General Assembly, the
 47 press, and the general public to attend all sessions of said standing committees or permanent
 48 subcommittees.

49 (c) The chair or other presiding officer shall have general direction of the meeting
 50 place of the standing committee or permanent subcommittee, and, in case of any disturbance or
 51 disorderly conduct therein, or if the peace, good order, and proper conduct of the legislative

1 business is hindered by any person or persons, the chair or presiding officer shall have power to
2 exclude from the session any individual or individuals so hindering the legislative business.

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. The chair shall ask, "Is the
6 call sustained?" If the call is sustained by one-fifth of the members present and standing, the
7 question shall be decided by the ayes and noes upon a roll call vote. All roll call votes shall be
8 taken alphabetically and shall be subject to Rule 21(c).

9 (d1) The committee chair shall set the agenda for each committee meeting. After
10 April 1, 2019, a committee may, provided there is a written request signed by at least two-thirds
11 of the members of the committee, place a bill on the committee's agenda for the next regularly
12 scheduled meeting of the committee.

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

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

23 (1) 15 minutes preceding a regular session of the House, and

24 (2) 10 minutes preceding the hour of the next regularly scheduled standing
25 committee meeting.

26 Action taken by a committee or permanent subcommittee in violation of this rule is
27 voidable unless taken by unanimous consent at a meeting at which a majority of all the members
28 of the committee or permanent subcommittee are present, and at which at least one member
29 present is of the minority party.

30 (g) Any call or notice of a standing committee or permanent subcommittee
31 meeting between legislative sessions shall be sent by electronic mail to each member of the
32 standing committee or permanent subcommittee at least five days prior to such meeting. If a
33 member of the body so requests in writing to the chair of the standing committee or permanent
34 subcommittee, the member shall also be notified of the meetings by mail at a designated address.

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

38 (i) No standing committee or permanent subcommittee may hold a meeting on
39 April 22 through April 26 of 2019 or July 1 through July 6 of 2019.

40 **RULE 28.1. Ethics Committee Investigations Into Violations of the Open**
41 **Meetings Law.** – (a) On its own motion, or in response to signed and sworn complaint of any
42 individual filed with the Standing Committee on Ethics, the Committee shall inquire into any
43 alleged violation by members of the House of the Open Meetings Law (Article 33C of Chapter
44 143 of the General Statutes), as the same may be amended in the future.

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

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

- 1 (1) Dismiss the complaint and take no further action.
- 2 (2) Issue a private letter of reprimand to the legislator, if the legislator
- 3 unintentionally violated the provisions of the Open Meetings Law.
- 4 (3) Issue a public letter of reprimand if the violation of the Open Meetings Law
- 5 was intentional or if the legislator has previously received a private letter of
- 6 reprimand. The Chair of the Committee on Ethics shall have the public letter
- 7 of reprimand spread on the pages of the House Journal.
- 8 (4) Refer the matter to the House for appropriate action.

9 **RULE 29. Notice of Standing Committee and Permanent Subcommittee**
10 **Meetings and Hearings.** – (a) Notice of meetings of standing committees and permanent
11 subcommittees that will occur at the regularly scheduled meeting times shall be given by one or
12 both of the following methods:

- 13 (1) Notice given openly at a session of the House; or
- 14 (2) Notice mailed or sent by electronic mail to those who have requested notice,
- 15 and to the Legislative Services Office, which shall post the notice on the
- 16 General Assembly Web site.

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

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

23 **RULE 29.1. Public Hearings.** – (a) Requests for a public hearing shall be made in
24 writing to the chair of the standing committee or permanent subcommittee to which the bill has
25 been referred. The chair of the standing committee or permanent subcommittee may schedule a
26 public hearing by the standing committee or permanent subcommittee as a whole after the
27 adjournment of a regular daily House session. Denial of a request made by a House member may
28 be appealed to the Speaker.

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

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

37 **RULE 29.2. Minutes to Legislative Library.** – The chair of a standing committee or
38 permanent subcommittee shall ensure that written minutes are compiled for each of the body's
39 meetings. The minutes shall indicate the members present and the actions taken at the meeting.
40 Not later than 10 days after the adjournment of each session of the General Assembly, the chair
41 or the chair's designee shall deliver the minutes to the Legislative Library. The Speaker of the
42 House may grant a reasonable extension of time for filing said minutes upon written application
43 of the chair.

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

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

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

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

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

10 VI. Handling of Bills

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

15 (b) Bills shall not become resolutions provided the Senate has a similar rule.
16 Resolutions shall not become bills. Resolutions are not law but may be used when a law is not
17 necessary for the purpose contained therein. Resolutions shall not be used to appropriate funds
18 for any purpose, but may be used to create study commissions or committees or establish
19 investigative committees, to honor deceased members of the General Assembly, to express to
20 Congress the opinions of the House and the General Assembly, and to adopt House rules and
21 internal affairs. Resolutions cannot amend, repeal, or modify a statute; nor do they have life
22 beyond the term of the session during which they are adopted.

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

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

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

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

32 (g) All memorializing, celebration, commendation, and commemoration
33 resolutions, except those honoring the memory of deceased members of the General Assembly
34 or expressing to Congress the opinions of the House or the General Assembly, shall be excluded
35 from introduction and consideration in the House. The mention of a deceased member of the
36 General Assembly as a pretext to honor an institution or a living person is prohibited. Members
37 should utilize a Representative Statement, as provided in Rule 8.1, as the preferred alternative to
38 House simple resolutions that memorialize, celebrate, commend, and commemorate, other than
39 for those relating to deceased members of the General Assembly or expressing to Congress the
40 opinions of the House or the General Assembly.

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

43 **RULE 31.1. Deadlines on Introduction and Receipt; No Blank Bills; 15 Bill Limit.**

44 – (a) All local bills must be submitted to the Legislative Drafting Division or the Legislative
45 Analysis Division of the Legislative Services Office by 4:00 P.M. on Wednesday, March 6, 2019,
46 and must be introduced not later than 3:00 P.M. on Thursday, March 28, 2019.

47 (b) All public bills or resolutions recommended by commissions or standing
48 committees authorized or directed by act or resolution of the General Assembly (i) to report to
49 the 2019 Regular Session of the General Assembly, or to report prior to convening of that session,
50 or (ii) which are recommended to the 2019 Regular Session of the General Assembly by a
51 commission or committee established directly by Chapter 120 of the General Statutes, must be

1 submitted to the Legislative Drafting Division or the Legislative Analysis Division of the
2 Legislative Services Office by 4:00 P.M. on Wednesday, February 6, 2019, and must be
3 introduced not later than 3:00 P.M. on Thursday, February 21, 2019.

4 (c) All bills prepared to be introduced for departments, agencies, or institutions
5 of the State must be submitted to the Legislative Drafting Division or the Legislative Analysis
6 Division of the Legislative Services Office by 4:00 P.M. on Wednesday, February 13, 2019, and
7 must be introduced not later than 3:00 P.M. on Thursday, February 28, 2019. A bill introduced
8 under this subsection shall be identified as an Agency Bill after its short title or in the drafting
9 code.

10 (d) All public bills that would not be required to be re-referred to the
11 Appropriations or Finance Committees under Rule 38 and all joint resolutions and House
12 resolutions must be submitted to the Legislative Drafting Division or the Legislative Analysis
13 Division of the Legislative Services Office by 4:00 P.M. on Wednesday, March 27, 2019, and
14 must be introduced not later than 3:00 P.M. on Tuesday, April 16, 2019.

15 (e) All public bills which under Rule 38 are required to be re-referred to either or
16 both of the Appropriations Committee or the Finance Committee must be submitted to the
17 Legislative Drafting Division or the Legislative Analysis Division of the Legislative Services
18 Office by 4:00 P.M. on Wednesday, April 3, 2019, and must be introduced not later than 3:00
19 P.M. on Tuesday, April 23, 2019. If any bill is subject to the deadline under this subsection and
20 the bill is amended so that all the provisions requiring referral to either or both of those
21 committees under Rule 38 do not remain in the bill, it is not eligible for further consideration.

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

24 (g) No member may introduce more than 15 public bills. For the purpose of this
25 subsection, the introducer is the member who is listed as the first sponsor. A member may assign
26 a portion of this limit to another member electronically using the procedures established and
27 published by the Principal Clerk. This subsection does not apply to bills or resolutions
28 recommended by commissions or committees authorized or directed by act or resolution of the
29 General Assembly (i) to report to the 2019 Regular Session of the General Assembly, or to report
30 prior to convening of that session, or (ii) that are recommended to the Regular Session of the
31 General Assembly by a commission or committee established directly by Chapter 120 of the
32 General Statutes. This subsection does not apply to joint resolutions or House resolutions.

33 (h) In order to be eligible for consideration by the House during the first Regular
34 Session, all Senate bills other than (i) finance or appropriations bills that would be required to be
35 re-referred to the Appropriations or Finance Committee under Rule 38, (ii) those providing for
36 action on gubernatorial nominations or appointments, (iii) those providing for action on
37 appointments by the General Assembly pursuant to G.S. 120-121, (iv) those providing for
38 amendments to the North Carolina Constitution, (v) those containing statutory amendments
39 necessary to implement proposed amendments to the North Carolina Constitution, (vi) those
40 establishing districts for Congress or State or local entities, (vii) those addressing election laws,
41 (viii) those ratifying an amendment or amendments to the Constitution of the United States, and
42 (ix) adjournment resolutions must be received and read on the floor of the House as a message
43 from the Senate no later than Thursday, May 9, 2019; provided that a message from the Senate
44 received by the next legislative day stating that a bill has passed its third reading and is being
45 engrossed shall comply with the requirements of this subsection and provided that the Senate has
46 a similar rule.

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

1 **RULE 32. Reference to Standing Committees and Permanent Subcommittees;**
2 **Serial Referrals; Re-Referral of Bills From One Standing Committee to Another Standing**
3 **Committee; Re-referral to Committee on Rules.** – (a) Each bill not introduced on the report
4 of a standing committee shall immediately upon its first reading be referred by the Speaker to
5 such standing committee, permanent subcommittee, select committee, or committee of the whole
6 as the Speaker deems appropriate. The Speaker at the same time may order that, if the bill is
7 reported with any favorable recommendation or without prejudice, it be re-referred automatically
8 upon the committee report to another committee or permanent subcommittee designated in the
9 order. Each joint resolution or House resolution not introduced on the report of a standing
10 committee shall immediately upon its first reading either be referred by the Speaker to a standing
11 committee or permanent subcommittee or be calendared on the date designated by the Speaker,
12 as the Speaker deems appropriate.

13 (a1) Notwithstanding subsections (a) and (b) of this Rule, any bill establishing
14 districts for Congress or State Senators or State Representatives may be placed on the calendar
15 without being referred by the Speaker to a committee or permanent subcommittee and on the
16 same legislative day of its introduction or receipt from the Senate.

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

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

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

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

48 (c) Upon consent of the sponsor of the bill, the Speaker, the chair of the standing
49 committee from which the bill is to be re-referred, and the chair of the standing committee to
50 which the bill is to be re-referred, the chair of the standing committee from which the bill is to
51 be re-referred or the Chair of the Committee on Rules, Calendar, and Operations of the House

1 may move for a re-referral to another standing committee, and the bill shall be re-referred upon
2 vote of the majority present during a regular session of the House.

3 (d) The Speaker may remove a bill from the committee to which the bill has been
4 referred and may re-refer the bill to another committee.

5 (e) All public bills and resolutions reported by any standing committee or
6 permanent subcommittee must have also been reported by the Committee on Rules, Calendar,
7 and Operations of the House prior to being calendared for consideration by the House. This rule
8 may be waived by leave of the House.

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

14 **RULE 34. Introduction of Resolutions and Bills.** – (a) House Bills shall be
15 designated as "H.B.____." (No. following). A Joint Resolution shall be designated as "H.J.R.____."
16 (No. following). A House Resolution shall be designated as "H.R.____." (No. following).

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

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

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

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

28 **RULE 35.1. Municipal Incorporation Reports.** – Every legislative proposal
29 introduced in the House or received in the House from the Senate, proposing the incorporation
30 of a municipality shall have attached to the jacket of the original bill at the time of its
31 consideration on second or third readings by the House or by any committee of the House prior
32 to a favorable report, a recommendation from the Municipal Incorporations Subcommittee of the
33 Joint Legislative Committee on Local Government, established by Article 20 of Chapter 120 of
34 the General Statutes. The recommendation of the Municipal Incorporations Subcommittee of the
35 Joint Legislative Committee on Local Government shall be made in accordance with the
36 provisions and criteria set forth in Article 20 of Chapter 120 of the General Statutes and shall
37 include the findings required to be made by G.S. 120-166 through G.S. 120-170.

38 **RULE 36. Report by Standing Committee or Permanent Subcommittee.** – (a)
39 **Reports.** – Bills and resolutions may be reported from the standing committee or the permanent
40 subcommittee to which referred with such recommendations as the standing committee or
41 permanent subcommittee may desire to make. With the written approval of the chair of the
42 standing committee and with the recommendation of the subcommittee pursuant to Rule 32(b)(4)
43 through (6), the chair of the permanent subcommittee may report the bill directly to the floor with
44 that recommendation. If a permanent subcommittee recommends reporting a bill to the floor and
45 the chair of the standing committee fails to give approval, the chair of the permanent
46 subcommittee shall refer the bill to the standing committee with the same recommendation as the
47 subcommittee would have made to the House. A report of the subcommittee referral to the
48 standing committee shall be made in writing and submitted to the body pursuant to Rule 5(5b).

49 (b) **Favorable Report.** – When a standing committee or permanent subcommittee
50 reports a bill with the recommendation that it be passed, the bill shall be placed on the favorable
51 calendar on the day designated by the Chair of the Standing Committee on Rules, Calendar, and

1 Operations of the House, but not on the same day that it is reported except by leave of the House,
2 and no later than the fourth legislative day after submission of the report or Senate message under
3 Rule 43.2 or Rule 43.3(a), unless:

- 4 (1) The bill is re-referred to the Committee on Appropriations or Committee on
5 Finance under Rule 38 or was serially referred under Rule 32; or
- 6 (2) The bill has not yet been placed on the calendar, and the Speaker refers the
7 bill to another committee or permanent subcommittee.

8 In order to place a bill on the calendar for a legislative day, notice shall be given by the Chair of
9 the Standing Committee on Rules, Calendar, and Operations of the House orally in the House or
10 in writing to the Principal Clerk. When a committee substitute is adopted and receives a favorable
11 report by the standing committee or permanent subcommittee, the chair shall submit to the
12 standing committee or permanent subcommittee the question of an unfavorable report on the
13 original bill. The standing committee or permanent subcommittee's action, if any, on the original
14 bill shall be reported at the same time the committee substitute is reported.

15 (b1) **Favorable Report of Bills Proposing Congressional or State Districts.** –
16 Notwithstanding subsection (b) of this rule, a bill establishing districts for Congress or State
17 Senators or State Representatives that is reported favorably by a committee or a permanent
18 subcommittee may be placed on the favorable calendar on the same day it is reported.

19 (c) **Report Without Prejudice.** – When a standing committee or permanent
20 subcommittee reports a bill without prejudice, the bill shall be placed on the favorable calendar
21 in the same manner as provided in subsection (b) of this rule.

22 (d) **Postponed Indefinitely.** – When a standing committee or permanent
23 subcommittee reports a bill with the recommendation that it be postponed indefinitely and no
24 minority report accompanies it, the bill shall be placed on the unfavorable calendar.

25 (e) **Unfavorable Report.** – When a standing committee or permanent
26 subcommittee reports a bill with the recommendation that it not be passed and no minority report
27 accompanies it, the bill shall be placed on the unfavorable calendar.

28 (f) **Minority Report.** – When a bill is reported by a standing committee or
29 permanent subcommittee with a recommendation that it not be passed or that it be postponed
30 indefinitely but it is accompanied by a minority report signed by at least one-fourth of the
31 members of the standing committee or permanent subcommittee who were present and voting
32 when the bill was considered in standing committee or permanent subcommittee, the question
33 before the House shall be: "The adoption of the minority report." If the minority report is adopted
34 by majority vote, the bill shall be placed on the favorable calendar for consideration. If the
35 minority report fails of adoption by a majority vote, the bill shall be placed on the unfavorable
36 calendar.

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

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

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

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

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

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

18 **RULE 36.1A. Distribution of Proposed Committee Substitutes.** – (a) No proposed
19 committee substitute may be considered by a standing committee or permanent subcommittee
20 unless the proposed committee substitute shall have been distributed electronically no later than
21 9:00 P.M. of the preceding calendar day to the members of the committee or permanent
22 subcommittee and to the member who is listed as the first primary sponsor. This requirement
23 may be waived by leave of the standing committee or permanent subcommittee.

24 (b) Subsection (a) of this rule does not apply to a proposed committee substitute
25 establishing districts for Congress or State Senators or State Representatives.

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

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

30 (2) Program of hospital, medical, disability, or related benefits provided for
31 teachers and State employees, funded in whole or in part by State funds;

32 shall have attached to it at the time of its consideration by any standing committee or permanent
33 subcommittee a brief explanatory statement or note which shall include a reliable estimate of the
34 financial and actuarial effect of the proposed change to that retirement or pension system. The
35 actuarial note shall be attached to the jacket of each proposed bill or resolution which is reported
36 favorably by any standing committee or permanent subcommittee, shall be separate therefrom,
37 and shall be clearly designated as an actuarial note. A bill described in subdivision (a)(1) of this
38 rule shall be referred to the Committee on Pensions and Retirement upon its introduction in
39 accordance with G.S. 120-111.3.

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

47 (c) The sponsor of the bill or resolution shall also present a copy of the measure
48 to the actuary employed by the system or program affected by the measure. Actuarial notes shall
49 be prepared and transmitted to the sponsor of the measure not later than two weeks after the
50 request is received, unless an extension of time is agreed to by the sponsor as being necessary in
51 the preparation of the note. The actuarial note shall be attached to the jacket of the measure. The

1 provisions of this subsection may be waived by the measure's sponsor for a measure affecting
2 local government retirement or pension plans not administered by the State or any local
3 government program of hospital, medical, disability, or related benefits for local government
4 employees not administered by the State.

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

12 (e) When any standing committee or permanent subcommittee reports a measure
13 to which an actuarial note is attached at the time of committee consideration, with any
14 amendment of such nature as would substantially affect the cost to or the revenues of any
15 retirement or pension system, or program of hospital, medical, disability, or related benefits for
16 teachers or State employees, the chair of the standing committee or permanent subcommittee
17 reporting the measure shall obtain from the Fiscal Research Division an actuarial note of the
18 fiscal and actuarial effect of the proposed amendment. The actuarial note shall be attached to the
19 jacket of the measure. An amendment to any bill or resolution shall not be in order if the
20 amendment affects the costs to or the revenues of a State-administered retirement or pension
21 system, or program of hospital, medical, disability, or related benefits for teachers or State
22 employees, unless the amendment is accompanied by an actuarial note, prepared by the Fiscal
23 Research Division, as to the actuarial effect of the amendment.

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

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

28 **RULE 36.4. Content of Appropriations Bills.** – No provision shall be contained in
29 any of the following bills unless it pertains to the appropriation of money or the raising or
30 reducing of revenue: (i) the Current Operations Appropriations Bill; (ii) the Capital Improvement
31 Appropriations Bill; (iii) any bill generally revising appropriations for the second fiscal year of
32 a biennium. If a point of order is made against such a provision and is sustained, the presiding
33 officer shall refer the bill to the committee from which it came, with instructions for the chair of
34 the committee to immediately report out a substitute or amendment removing the offending
35 provision.

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

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

- 42 (1) Carries an appropriation from the State; or
- 43 (2) Requires or will require in the future substantial additional State monies from
44 the General Fund or Highway Fund to implement its provisions shall indicate
45 same in the report, and said bill or resolution shall be referred to the Standing
46 Committees on Appropriations for a further report before being acted upon by
47 the House.

48 (b) All standing committees, other than the Standing Committee on Finance,
49 when favorably reporting any bill that in any way or manner raises revenue, reduces revenue,
50 levies a tax, authorizes the levying of a tax, an assessment, or a fee, or authorizes the issue of
51 bonds or notes, whether public or local, shall indicate same in the report, and said bill shall be

1 referred to the Standing Committee on Finance for a further report before being acted upon by
2 the House. This subsection shall not apply to bills only imposing fines, forfeitures, or penalties.

3 **RULE 39. Discharge Petition.** – (a) A motion to discharge a committee from
4 consideration of a bill may be filed with the Principal Clerk by a primary sponsor of that measure
5 if accompanied by a petition asking that the committee be discharged from further consideration
6 of the bill. No motion may be filed until 10 legislative days after the bill has been referred to the
7 committee. No petition may be filed until notice has been given on the floor of the House that
8 the petition is to be filed and the primary sponsor giving notice has obtained a fiscal note from
9 the Fiscal Research Division on the bill, which note shall be attached to the petition. Members
10 may sign the petition only in the office of the Principal Clerk, and when the signatures of 61
11 members appear on the petition, the Principal Clerk shall place that motion on the calendar for
12 the next legislative day as a special order of business. Members may withdraw their names at any
13 time until 61 names appear. If the motion is adopted by the House, then the committee to which
14 the bill or resolution has been referred is discharged from further consideration of the bill, and
15 that bill is placed on the calendar for the next legislative day as a special order of business. The
16 Principal Clerk shall provide a form for discharge petitions.

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

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

26 (b) Subsection (a) of this rule does not apply to bills establishing districts for
27 Congress or State Senators or State Representatives.

28 **RULE 41. Reading of Bills.** – (a) Every bill shall receive three readings in the House
29 prior to its passage. The Speaker shall give notice at each subsequent reading whether it is the
30 second or third reading.

31 (a1) The first reading and reference to standing committee of a House bill shall
32 occur on the next legislative day following its introduction. The first reading and reference to
33 standing committee of a Senate bill shall occur on the next legislative day following its receipt
34 on messages from the Senate. This subsection does not apply to any bill establishing districts for
35 Congress or State Senators or State Representatives.

36 (b) Except for bills establishing districts for Congress or State Senators or State
37 Representatives, no bill shall be read more than once on the same day without the concurrence
38 of two-thirds of the members present and voting; provided, no bill governed by Section 23 of
39 Article II of the North Carolina Constitution herein shall be read twice on one day under any
40 circumstance.

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

- 43 (1) Been tabled,
- 44 (2) Been postponed indefinitely,
- 45 (3) Failed to pass on any of its readings, or
- 46 (4) Been placed on the unfavorable calendar,

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

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

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

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

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

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

20 (1) Amendments cannot increase total spending within a committee area beyond
21 the total for that committee as shown in the committee report.

22 (2) Amendments can only affect appropriations within the departments, agencies,
23 or programs within the jurisdiction of the committee.

24 (3) Amendments cannot increase total spending, from any source, beyond the
25 total amount shown in the committee report.

26 (4) Amendments that cause the budget to be unbalanced are not in order.

27 (5) Amendments cannot spend reversions.

28 (6) Amendments cannot make nonrecurring reductions to fund recurring items.

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

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

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

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

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

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

1 If the committee substitute was referred to standing committee, the standing
2 committee shall:

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

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

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

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

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

15 **RULE 44. Conference Standing Committees.** – (a) Whenever the House shall
16 decline or refuse to concur in amendments put by the Senate to a bill originating in the House, or
17 shall refuse to concur in a substitute adopted by the Senate for a bill originating in the House, or
18 whenever the Senate shall decline or refuse to concur in amendments put by the House to a bill
19 originating in the Senate, or shall refuse to concur in a substitute adopted by the House for a bill
20 originating in the Senate, a conference committee may be appointed by the Speaker upon the
21 Speaker's own motion and shall be appointed upon request by the principal sponsor of the original
22 bill, the chair of the House standing committee that reported the bill, or the sponsor of the
23 amendment in which the Senate refused to concur; and the bill under consideration shall
24 thereupon go to and be considered by the joint conferees on the part of the House and Senate. In
25 appointing members to conference committees, the Speaker shall appoint no less than a majority
26 of members who generally supported the House position as determined by the Speaker.

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

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

36 (d) No vote shall be taken on adoption of a conference report until the next
37 legislative day following the report, except that no vote shall be taken on adoption of a conference
38 report on either the Current Operations Appropriations Bill or a bill generally revising the Current
39 Operations Appropriations Act until the second legislative day following the report.

40 (e) Notwithstanding subsection (d) of this rule, a conference report for a bill
41 establishing districts for Congress or State Senators or State Representatives may be placed on
42 the calendar for the legislative day the report is submitted.

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

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

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

VII. Legislative Officers and Employees

1
2 **RULE 45. Elected Officers.** – (a) The House shall elect its Speaker from among its
3 membership.

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

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

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

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

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

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

22 **RULE 48. Member's Staff.** – (a) Each standing committee and permanent
23 subcommittee shall have a committee assistant. The committee assistant to a standing committee
24 or permanent subcommittee shall serve as staff to the chair of the standing committee or
25 permanent subcommittee.

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

28 (c) The selection and retention of legislative assistants shall be the sole
29 prerogative of the individual member or members. Such staff shall file initial applications for
30 employment with the Director of Legislative Assistants and shall receive compensation as
31 prescribed by the Legislative Services Commission. Their period of employment shall comply
32 with the period as established by the Legislative Services Commission unless employment for an
33 extended period is approved by the Speaker. The legislative assistants shall adhere to such
34 uniform rules and regulations not inconsistent with these rules regarding hours and other
35 conditions of employment as the Legislative Services Commission shall fix by appropriate
36 regulations. The Director of House Legislative Assistants shall be appointed by the Speaker.

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

VIII. Privileges of the Hall

42 **RULE 50. Admittance to Floor.** – (a) No person except members, officers, and
43 designated employees of the General Assembly who have been issued identification tags as
44 provided by this rule, and former members of the General Assembly who are not registered under
45 the provisions of Article 2 of Chapter 120C of the General Statutes, shall be allowed on the floor
46 of the House during its session, unless permitted by the Speaker or otherwise provided by law.
47 Employees of the General Assembly shall wear identification tags, approved by the Legislative
48 Services Officer, when on the floor of the House.
49

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

4 **RULE 51. Admittance of Press.** – Reporters wishing to take down debates may be
5 admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to effect
6 this object, as shall not interfere with the convenience of the House. Reporters admitted to the
7 floor of the House shall observe the same requirements of attire for members contained in Rule
8 12(h).

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

13 **RULE 53. Order in House Chamber, Galleries, and Lobby.** – In case of any
14 disturbance or disorderly conduct in the House Chamber, galleries, or lobby, the Speaker or other
15 presiding officer is empowered to order the same to be cleared to the extent they deem necessary.
16 No male visitor shall wear any head covering in the galleries while the House is in session, unless
17 his religion requires his head to be covered.

18 **IX. General Rules**

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

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

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

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

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

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

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

46 (b) Members wishing to cosponsor legislation prior to preparation of the draft
47 should indicate such to the drafter at the time the bill is requested and before filing the bill with
48 the Principal Clerk's office. The names of the members who are the primary sponsors shall be
49 listed in the order requested by them, followed by the words (Primary Sponsors); and the
50 remaining names of such members cosponsoring shall follow on the draft edition and first edition.
51 No more than four members may be listed as primary sponsors. Names of persons cosponsoring

1 bills thereafter under subsection (a) of this rule do not appear on subsequent editions but shall be
2 listed in the bill status system as cosponsors.

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

6 (d) Should any member wish to remove the member's sponsorship of a bill that is
7 substantially changed by a Senate amendment or a Senate committee substitute, the member shall
8 notify the House Principal Clerk before the bill is considered for concurrence. If no sponsors
9 remain on the bill, the House Principal Clerk shall notify the Chair of the Standing Committee
10 on Rules, Calendar, and Operations of the House who may request that other members sponsor
11 the bill. Removal of the first primary sponsor's name from a bill does not reduce the total number
12 of bills introduced by the member under Rule 31.1(g), and sponsorship of a bill after removal of
13 all sponsors is subject to Rule 31.1(g).

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

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

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

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

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

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

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