

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H.R. 1  
Jan 9, 2019  
HOUSE PRINCIPAL CLERK

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HOUSE SIMPLE RESOLUTION DRHR40001-MM-11C

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Sponsors: Representative Lewis.

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Referred to:

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1 A HOUSE RESOLUTION ADOPTING THE TEMPORARY 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 temporary rules of the Regular Session of the House of  
5 Representatives of the 2019 General Assembly are:

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

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

30 **RULE 2. Opening the Session.** – The Sergeant-at-Arms shall clear the House 10  
31 minutes before the convening hour. At the convening hour on each legislative day, the Speaker  
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 and upon appearance of a  
11 quorum, the Speaker shall call for the Journal report by the Chair of the Standing Committee on  
12 Rules, Calendar, and Operations of the House, or by a Representative designated by the Chair,  
13 as to whether the proceedings of the previous day have been correctly recorded. Without  
14 objection, the Speaker shall cause the Journal 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;
- 23 (5) Reports of select committees;
- 24 (6) First reading and reference to committee of bills and resolutions;
- 25 (7) Messages from the Senate;
- 26 (8) Concurrence with Senate amendments or Senate committee substitutes;
- 27 (9) The unfinished business of the preceding day;
- 28 (10) Calendar (each category in accordance with Rule 40 – House bills first):
  - 29 a. Resolutions for adoption
  - 30 b. Conference reports for adoption
  - 31 c. Local bills (roll call), third reading
  - 32 d. Local bills (roll call), second reading
  - 33 e. Local bills, third reading
  - 34 f. Local bills, second reading
  - 35 g. Public bills (roll call), third reading
  - 36 h. Public bills (roll call), second reading
  - 37 i. Public bills and resolutions, third reading
  - 38 j. Public bills and resolutions, second reading;
- 39 (11) Reading of notices and announcements;
- 40 (12) Reading of Representative Statements of Personal Privilege.

## 41 **II. Conduct of Debate**

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

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

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

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

12           (1) A request that the member speaking yield for a question,

13           (2) A point of order,

14           (3) A parliamentary inquiry, or

15           (4) A question of privilege.

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

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

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

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

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

49          (b) No member shall speak more than twice on the main question nor longer than  
50 15 minutes for the first speech and five minutes for the second speech; nor shall the member  
51 speak more than twice upon an amendment or a motion to reconsider, re-refer, or postpone or

1 any motion on concurrence, and then not longer than 10 minutes for the first speech and five  
2 minutes for the second speech.

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

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

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

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

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

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

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

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

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

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

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

31 (h) Members shall observe appropriate attire: coat and tie for male members and  
32 dignified dress for female members.

33 (i) The use of a mobile device or cellular phone for the purpose of making or  
34 receiving a phone call shall not be permitted in the House Chamber.

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

### 36 **III. Motions**

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

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

42 (c) After a motion has been stated by the Speaker or read by the Speaker or Clerk,  
43 it shall be in the possession of the House; but it may be withdrawn before a decision or  
44 amendment, except in case of a motion to reconsider, which motion, when made by a member,  
45 shall be in possession of the House and shall not be withdrawn without leave of the House.

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

48 To adjourn.

49 To recess.

50 To lay on the table.

51 Previous question.

- 1 To postpone indefinitely.  
2 To reconsider.  
3 To postpone to a day certain.  
4 To re-refer.  
5 To amend an amendment.  
6 To amend.  
7 To pass the bill.

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

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

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

17 **RULE 15.1. Motion to Adjourn or Stand in Recess; Standard Stipulations.** – A  
18 motion to adjourn or stand in recess subject to the standard stipulations shall constitute a motion  
19 to adjourn or stand in recess subject to the ratification of bills, messages from the Senate,  
20 committee reports, conference reports, referral and re-referral of bills and resolutions,  
21 appointment of conferees, introduction of bills and resolutions, committee appointments, and the  
22 reading of Representative Statements.

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

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

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

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

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

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

45 **RULE 18. Motion to Reconsider.** – (a) When a question has been decided, it is in  
46 order for any member to move for the reconsideration thereof on the same or the succeeding  
47 legislative day; provided that if the vote by which the motion was originally decided was taken  
48 by a recorded vote, only a member of the prevailing side may move for reconsideration.

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

1 (1) A vote upon a motion to table,  
 2 (2) A motion to postpone indefinitely,  
 3 (3) A motion to remove a bill from the unfavorable calendar,  
 4 (4) A motion that a bill be read twice on the same day, or  
 5 (5) A motion to remove from the table.  
 6 (c) A motion to reconsider the vote by which a person has been elected as Speaker  
 7 or Speaker Pro Tempore shall not be in order. This subsection of this rule cannot be suspended  
 8 except by a vote of three-fifths of all the members of the House.

9 **RULE 19. Previous Question.** – (a) The previous question may be called only by:

- 10 (1) The Chair of the Committee on Rules, Calendar, and Operations of the House;  
 11 (1a) The Vice-Chair of the Committee on Rules, Calendar, and Operations of the  
 12 House if the Chair is not in the chamber or able to participate in debate;  
 13 (2) The Majority Leader;  
 14 (3) The member submitting the report on the bill or other matter under  
 15 consideration;  
 16 (4) The member introducing the bill or other matter under consideration;  
 17 (5) The member in charge of the measure, who shall be designated by the chair  
 18 of the standing committee reporting the same to the House at the time the bill  
 19 or other matter under consideration is reported to the House or taken up for  
 20 consideration.  
 21 (b) When the call for the previous question has been decided in the affirmative by  
 22 a majority vote of the House, the question is on the passage of the bill, resolution, or other matter  
 23 under consideration.  
 24 (c) The call for the previous question shall preclude all motions, amendments,  
 25 and debate, except the motion to adjourn, motion to recess, or motion to table.  
 26 (d) If the previous question is decided in the negative, the question remains under  
 27 debate.  
 28 (e) After the previous question is ordered by the House on the main question of  
 29 second or third reading, the Majority Leader and the Minority Leader may each allocate three  
 30 minutes of debate on the question. The Majority Leader and the Minority Leader may each  
 31 designate another member to act under this subsection.

#### 32 **IV. Voting**

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

- 36 (1) The passage as required by Section 23 of Article II of the North Carolina  
 37 Constitution on second and third readings of any bill:  
 38 a. Raising money on the credit of the State,  
 39 b. Pledging the faith of the State for the payment of a debt,  
 40 c. Imposing a State tax, or  
 41 d. Authorizing a county, municipality, or other local governmental unit  
 42 to:  
 43 1. Raise money on its credit,  
 44 2. Pledge its faith for the payment of a debt, or  
 45 3. Impose a local tax.  
 46 (2) All questions on which a call for the ayes and noes under Rule 24(a) and  
 47 Section 19 of Article II of the North Carolina Constitution has been sustained.  
 48 (3) Both second and third readings of bills proposing amendment of the North  
 49 Carolina Constitution or ratifying resolutions amending the United States  
 50 Constitution.

- 1 (4) The passage of a bill notwithstanding the Governor's veto thereof pursuant to  
2 Section 22 of Article II of the North Carolina Constitution.
- 3 (b) Votes on the following questions shall be taken on the electronic voting  
4 system:
- 5 (1) Second reading of all public bills except resolutions, all amendments to public  
6 bills offered after second reading, third reading if a public bill was amended  
7 after second reading or if the reading occurs on a day or days following the  
8 second reading, all conference reports on public bills, all motions to lay public  
9 bills on the table, and all motions to postpone public bills indefinitely.
- 10 (2) Upon a call for division.
- 11 (3) Any other question upon direction of the Speaker or upon motion of any  
12 member supported by one-fifth of the members present.
- 13 (c) When the electronic voting system is used, 15 seconds shall be allowed for  
14 voting on the question before the House, unless the Chair shall direct otherwise. Once the system  
15 is locked, the vote shall be recorded and printed.
- 16 (d) The voting station at each member's desk in the Chamber shall be used only  
17 by the member to which the station is assigned. Under no circumstances shall any other person  
18 vote at a member's station. It is a breach of the ethical obligation of a member either to request  
19 that another person vote at the requesting member's station or to vote at another member's station.  
20 The Speaker shall enforce this rule without exception.
- 21 (e) When the electronic voting system is used, the Speaker shall state the question  
22 and shall then state substantially the following: "All in favor vote 'aye'; all opposed vote 'no'; the  
23 Clerk will open the vote." In order to have the vote recorded, the member must vote by the  
24 electronic voting system within the time allowed for that vote, unless the voting station assigned  
25 to a member is malfunctioning. The Speaker shall enforce this rule without exception. After the  
26 allotted time for voting has elapsed, the Speaker shall say: "The Clerk will now lock the machine  
27 and record the vote." After the machine is locked and the vote recorded, the Speaker shall  
28 announce the vote and declare the result.
- 29 (f) One copy of the machine printout of the vote record of all votes taken on the  
30 electronic voting system shall be filed in the office of the Principal Clerk, and two copies shall  
31 be filed in the Legislative Library where the copies shall be open to public inspection. A legible  
32 copy of the bill, amendment, or motion on which the vote was taken shall be filed with the  
33 printout of the vote in the Legislative Library.
- 34 (g) When the Speaker ascertains that the electronic voting system is inoperative  
35 before a vote is taken or while a vote is being taken on the electronic voting system, the Speaker  
36 shall announce that fact to the House, and any partial electronic voting system voting record shall  
37 be voided. In such a case, if the North Carolina Constitution or the Rules of the House require a  
38 call of the ayes and noes, the Clerk shall call the roll of the House, and the ayes and noes shall  
39 be taken manually and shall be recorded on the Journal. All roll call votes shall be taken  
40 alphabetically. If, after a vote is taken on the electronic voting system, it is discovered that a  
41 malfunction caused an error in the electronic voting system printout, the Speaker shall direct the  
42 Reading Clerk and the Principal Clerk to verify and correct the printout record and so advise the  
43 House.
- 44 (h) For the purpose of identifying motions on which the vote is taken on the  
45 electronic voting system, the motions are coded as follows:
- 46 (1) To adjourn.
- 47 (2) To recess.
- 48 (3) To lay on the table.
- 49 (4) Previous question.
- 50 (5) To postpone indefinitely.
- 51 (6) To reconsider.

- 1 (7) To postpone to a day certain.
- 2 (8) To re-refer.
- 3 (9) To amend an amendment.
- 4 (10) To amend.
- 5 (11) To concur or not concur.
- 6 (12) Miscellaneous.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



(b) If a bill is subject to division into separate parts so that each part states a separate and distinct proposition capable of standing alone, a member may move that the question be divided. The motion shall be in writing, must be submitted to the Principal Clerk at the time the motion is made, and must clearly state how the question is to be divided. The Speaker shall then determine whether the bill admits of such a division. Upon a majority vote of the members present and voting, the motion shall be adopted and there shall be no further amendment or debate on any of the distinct propositions. If the question is divided and any part thereof fails, then the bill shall be removed from the calendar and re-referred to the committee from which the bill was reported. If all parts of the divided question pass, the Speaker shall announce that the entire measure has passed second or third reading.

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

**V. Committees**

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

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

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

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

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

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

(g) In any joint meeting of the Senate and House committees, the House standing committee 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.** – The standing committees and subcommittees are:

| Committees                 | Subcommittees |
|----------------------------|---------------|
| Aging                      | (None)        |
| Agriculture                | (None)        |
| Alcoholic Beverage Control | (None)        |

|    |   |                  |
|----|---|------------------|
| 1  | Appropriations                            | (None)           |
| 2  |   |                  |
| 3  | Appropriations, Capital                   | (None)           |
| 4  |   |                  |
| 5  | Appropriations, Education                 | (None)           |
| 6  |   |                  |
| 7  | Appropriations, General Government        | (None)           |
| 8  |   |                  |
| 9  | Appropriations, Health and Human Services | (None)           |
| 10 |   |                  |
| 11 | Appropriations, Information Technology    | (None)           |
| 12 |   |                  |
| 13 | Appropriations, Justice and Public Safety | (None)           |
| 14 |   |                  |
| 15 | Appropriations, Agriculture and Natural   |                  |
| 16 | and Economic Resources                    | (None)           |
| 17 |   |                  |
| 18 | Appropriations, Transportation            | (None)           |
| 19 |   |                  |
| 20 | Commerce                                  | (None)           |
| 21 |   |                  |
| 22 | Education                                 | (None)           |
| 23 |   |                  |
| 24 | Education – K-12                          | (None)           |
| 25 |   |                  |
| 26 | Education – Community Colleges            | (None)           |
| 27 |   |                  |
| 28 | Education – Universities                  | (None)           |
| 29 |   |                  |
| 30 | Elections and Ethics Law                  | (None)           |
| 31 |   |                  |
| 32 | Energy and Public Utilities               | (None)           |
| 33 |   |                  |
| 34 | Environment                               | (None)           |
| 35 |   |                  |
| 36 | Ethics                                    | (None)           |
| 37 |   |                  |
| 38 | Finance                                   | (None)           |
| 39 |   |                  |
| 40 | Health                                    | (None)           |
| 41 |   |                  |
| 42 | Homeland Security, Military, and          |                  |
| 43 | Veterans Affairs                          | (None)           |
| 44 |   |                  |
| 45 | Insurance                                 | (None)           |
| 46 |   |                  |
| 47 | Judiciary                                 | Civil Matters    |
| 48 |   | Criminal Matters |
| 49 |   |                  |
| 50 | Pensions and Retirement                   | (None)           |
| 51 |   |                  |

|    |                            |        |
|----|----------------------------|--------|
| 1  | Redistricting              | (None) |
| 2  |                            |        |
| 3  | Regulatory Reform          | (None) |
| 4  |                            |        |
| 5  | Rules, Calendar, and       |        |
| 6  | Operations of the House    | (None) |
| 7  |                            |        |
| 8  | State and Local Government | (None) |
| 9  |                            |        |
| 10 | Transportation             | (None) |
| 11 |                            |        |
| 12 | Wildlife Resources         | (None) |

13           **RULE 28. Standing Committee Meetings.** – (a) Standing committees shall be  
 14 furnished with suitable meeting places pursuant to a schedule established by the Chair of the  
 15 Standing Committee on Rules, Calendar, and Operations of the House. Select committees shall  
 16 be furnished with suitable meeting places as their needs require by the Chair of the Standing  
 17 Committee on Rules, Calendar, and Operations of the House.

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

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

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

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

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

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

- 45           (1) 15 minutes preceding a regular session of the House, and
- 46           (2) 10 minutes preceding the hour of the next regularly scheduled standing  
 47 committee meeting.

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

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

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

9 **RULE 28.1. Ethics Committee Investigations Into Violations of the Open**  
10 **Meetings Law.** – (a) On its own motion, or in response to signed and sworn complaint of any  
11 individual filed with the Standing Committee on Ethics, the Committee shall inquire into any  
12 alleged violation by members of the House of the Open Meetings Law (Article 33C of Chapter  
13 143 of the General Statutes), as the same may be amended in the future.

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

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

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

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

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

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

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

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

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

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

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

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

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

50 (b) Persons desiring to appear and be heard at a public hearing shall submit their  
51 requests to the chair of the standing committee. The standing committee chair may designate one

1 or more members to arrange the order of appearance of interested parties. A brief written  
2 statement of testimony may be submitted without oral presentation and shall be incorporated into  
3 the minutes of the public hearing.

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

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

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

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

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

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

## 26 **VI. Handling of Bills**

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

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

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

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

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

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

47 (g) All memorializing, celebration, commendation, and commemoration  
48 resolutions, except those honoring the memory of deceased persons, shall be excluded from  
49 introduction and consideration in the House. The mention of a deceased person as a pretext to  
50 honor an institution or a living person is prohibited. Members should utilize a Representative  
51 Statement of Personal Privilege, as provided in Rule 8.1, as the preferred alternative to House

1 simple resolutions that memorialize, celebrate, commend, and commemorate, other than for those  
2 relating to deceased members of the General Assembly.

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

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

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

9 (b) All public bills or resolutions recommended by commissions or standing  
10 committees authorized or directed by act or resolution of the General Assembly (i) to report to  
11 the 2019 Regular Session of the General Assembly, or to report prior to convening of that session,  
12 or (ii) which are recommended to the 2019 Regular Session of the General Assembly by a  
13 commission or committee established directly by Chapter 120 of the General Statutes, must be  
14 submitted to the Legislative Drafting Division or the Legislative Analysis Division of the  
15 Legislative Services Office by 4:00 P.M. on Wednesday, February 6, 2019, and must be  
16 introduced not later than 3:00 P.M. on Thursday, February 21, 2019.

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

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

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

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

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

46 (h) In order to be eligible for consideration by the House during the first Regular  
47 Session, all Senate bills other than finance or appropriations bills that would be required to be  
48 re-referred to the Appropriations or Finance Committee under Rule 38 or adjournment  
49 resolutions must be received and read on the floor of the House as a message from the Senate no  
50 later than Thursday, May 9, 2019; provided that a message from the Senate received by the next

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

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

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

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

22 **RULE 34. Introduction of Resolutions and Bills.** – (a) House Bills shall be  
23 designated as "H.B.\_\_\_\_." (No. following). A Joint Resolution shall be designated as "H.J.R.\_\_\_\_."  
24 (No. following). A House Resolution shall be designated as "H.R.\_\_\_\_." (No. following).

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

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

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

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

36 **RULE 35.1. Assessment Reports; Municipal Incorporation Reports.** – (a) Every  
37 bill or resolution proposing the establishment of an occupational or professional licensing board  
38 or a study for the need to establish such a board shall have attached to the jacket of the original  
39 bill or resolution at the time of its consideration on second and third readings by the House or by  
40 any standing committee of the House an assessment report from the Joint Legislative  
41 Commission on Governmental Operations. The assessment report shall not constitute any part of  
42 the expression of legislative intent proposed by the formation of a licensing board.

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

1 of Chapter 120 of the General Statutes and shall include the findings required to be made by  
2 G.S. 120-166 through G.S. 120-170.

3 **RULE 36. Report by Standing Committee or Permanent Subcommittee.** – (a)  
4 **Reports.** – Bills and resolutions may be reported from the standing committee or the permanent  
5 subcommittee to which referred with such recommendations as the standing committee or  
6 permanent subcommittee may desire to make.

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

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

15 (2) The bill has not yet been placed on the calendar, and the Speaker refers the  
16 bill to another committee or permanent subcommittee.

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

24 (b1) **Distribution of Proposed Committee Substitutes.** – Except by leave of a  
25 committee, before a proposed committee substitute may be considered by the committee or  
26 permanent subcommittee, the proposed committee substitute shall have been distributed  
27 electronically and no later than 9:00 P.M. of the preceding calendar day to the members of the  
28 committee or permanent subcommittee and to the member who is listed as the first sponsor.

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

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

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

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

47 **RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations  
48 Committee, of the Finance Committee, or of the Standing Committee on Rules, Calendar, and  
49 Operations of the House, upon the floor of the House, may request that a fiscal analysis be made  
50 of a bill, a resolution, or an amendment to a bill or resolution which is in the possession of the  
51 House and that a fiscal note be attached to the measure, which request shall be allowed when, in



1 the opinion of the Speaker, the fiscal effects of that measure are not apparent from the language  
2 of the measure. When a request is properly made under this subsection, the bill is removed from  
3 the calendar until such time that the fiscal note is attached to the measure.

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

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

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

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

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

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

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

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

33 shall have attached to it at the time of its consideration by any standing committee a brief  
34 explanatory statement or note which shall include a reliable estimate of the financial and actuarial  
35 effect of the proposed change to that retirement or pension system. The actuarial note shall be  
36 attached to the jacket of each proposed bill or resolution which is reported favorably by any  
37 standing committee, shall be separate therefrom, and shall be clearly designated as an actuarial  
38 note. A bill described in subdivision (a)(1) of this rule shall be referred to the Committee on  
39 Pensions and Retirement upon its introduction in 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 permanent committee reports a measure to which an actuarial note  
13 is attached at the time of permanent committee consideration, with any amendment of such nature  
14 as would substantially affect the cost to or the revenues of any retirement or pension system, or  
15 program of hospital, medical, disability, or related benefits for teachers or State employees, the  
16 chair of the standing committee reporting the measure shall obtain from the Fiscal Research  
17 Division an actuarial note of the fiscal and actuarial effect of the proposed amendment. The  
18 actuarial note shall be attached to the jacket of the measure. An amendment to any bill or  
19 resolution shall not be in order if the amendment affects the costs to or the revenues of a  
20 State-administered retirement or pension system, or program of hospital, medical, disability, or  
21 related benefits for teachers or State employees, unless the amendment is accompanied by an  
22 actuarial note, prepared by the Fiscal Research Division, as to the actuarial effect of the  
23 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 39.1. Re-Referral of Bills From One Standing Committee to Another**  
21 **Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker, the chair of the  
22 standing committee from whom the bill is to be re-referred, and the chair of the standing  
23 committee to whom the bill is to be re-referred, the chair of the standing committee from whom  
24 the bill is to be re-referred, or the Chair of the Standing Committee on Rules, Calendar, and  
25 Operations of the House may move for a re-referral to another standing committee, and the bill  
26 shall be re-referred upon vote of the majority present during a regular session of the House.

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

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

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

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

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

49 the contents of that bill or the principal provisions of its subject matter shall not be considered in  
50 any other measure originating in the Senate or originating thereafter in the House. Upon the point

1 of order being raised and sustained by the chair, that measure shall be laid upon the table, and  
2 shall not be taken therefrom except by a two-thirds vote of the members present and voting.

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

6 **RULE 43. Amendments.** – (a) No amendment to a measure before the House shall  
7 be in order unless the amendment is germane to the measure under consideration. A House  
8 amendment deleting a previously adopted House amendment shall not be in order, except that  
9 this sentence does not apply to amendments adopted under Rule 38(c). No amendment that is  
10 clearly unconstitutional shall be in order.

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

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

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

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

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

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

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

30 (5) Amendments cannot spend reversions.

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

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

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

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

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

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

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

1 shall have been agreed to by each house respectively, and unless the yeas and nays on the second  
2 and third readings of the bill shall have been entered on the journal."

3 If the committee substitute was referred to standing committee, the standing  
4 committee shall:

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

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

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

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

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

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

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

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

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

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

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

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

## 51 VII. Legislative Officers and Employees





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

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

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

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

25 **RULE 61.2. Convening and Assigning Seats in the New House.** – (a) The Principal  
26 Clerk of the previous House of Representatives shall convene the House of Representatives at  
27 12:00 P.M. on the date established by law for the convening of each regular session and preside  
28 over the body until the members elect a Speaker. In the case of a vacancy, inability, or refusal to  
29 so serve, the duty shall devolve upon the Sergeant-at-Arms of the prior House, and in the case of  
30 a vacancy in that office, or inability or refusal to so serve, the duty shall devolve upon the Reading  
31 Clerk of the prior House.

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

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

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