

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

H.R. 1
Jan 13, 2021
HOUSE PRINCIPAL CLERK

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HOUSE SIMPLE RESOLUTION DRHR30003-MM-4D

Sponsors: Representative D. Hall.

Referred to:

1 A HOUSE RESOLUTION ADOPTING THE TEMPORARY RULES OF THE HOUSE OF
2 REPRESENTATIVES FOR THE 2021 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 2021 General Assembly are:

6 **TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES FOR THE**
7 **REGULAR SESSION OF THE 2021 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 2021, 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.

27 **RULE 1.1. Emergencies.** – (a) 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 (b) In the event of a State of Emergency that threatens the health and safety of
31 members, the Speaker may invoke the modifications to these rules contained in and pursuant to
32 Rule 58.1. The Speaker may terminate the use of the modifications upon 24 hours' written notice
33 to the Majority Leader, the Minority Leader, and the Principal Clerk.

34 **RULE 2. Opening the Session.** – The Sergeant-at-Arms shall clear the House 10
35 minutes before the convening hour. At the convening hour on each legislative day, the Speaker
36 shall call the members to order and shall have the session opened with prayer. At the convening



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1 hour, the Speaker, or the Speaker's designee, shall lead the members in the Pledge of Allegiance
2 to the American Flag.

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

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

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

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

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

- 22 (1) The receiving of petitions, memorials, and papers addressed to the General
23 Assembly or to the House;
- 24 (2) Messages from the Governor;
- 25 (3) Ratification of bills;
- 26 (4) Reports of standing committees;
- 27 (5) Reports of select committees;
- 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 **RULE 5.1. Pro Forma Sessions.** – (a) The following motions, votes, and matters and
46 no others are in order during a pro forma session:

- 47 (1) A motion and vote to approve the Journal;
- 48 (2) The receiving of petitions, memorials, and papers addressed to the General
49 Assembly or to the House;
- 50 (3) Messages from the Governor;
- 51 (4) Ratification of bills;

- 1 (5) Reports of standing committees;
- 2 (6) First reading and reference to committee of bills and resolutions;
- 3 (7) Messages from the Senate;
- 4 (8) Submission of conference reports;
- 5 (9) A motion and vote to adjourn subject to the standard stipulations under Rule
- 6 15.1.

7 (b) As used in these rules, a pro forma session occurs when the Speaker notifies
8 the body, either by announcement in the chamber or electronically using the General Assembly
9 e-mail system, that no motions, votes, or matters other than those allowed under subsection (a)
10 of this rule will be taken during a future designated session.

11 **II. Conduct of Debate**

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

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

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

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

- 31 (1) A request that the member speaking yield for a question,
- 32 (2) A point of order,
- 33 (3) A parliamentary inquiry, or
- 34 (4) A question of privilege.

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

43 **RULE 8.1. Points of Personal Privilege; Representative Statements; Explanation**
44 **of Vote.** – Upon recognition by the Speaker for that purpose, any member may speak to a point
45 of personal privilege for a time not exceeding three minutes. The Speaker shall determine if the
46 question raised is one of personal privilege and shall, without the point of order being raised,
47 enforce this rule. A member may use some or all of that time to explain to the House a
48 "Representative Statement." Upon motion supported by a majority present and voting, that
49 statement may be spread upon the Journal. Neither personal privilege nor a Representative
50 Statement may be used to explain a vote, debate a bill, or in any way disrupt the regular business
51 of the House, nor shall such opportunities be used to solicit support or sponsors for any bill. The

1 format of a Representative Statement shall be prescribed by the Chair of the Standing Committee
2 on Rules, Calendar, and Operations of the House, but in any case shall speak only in the voice of
3 the member submitting it.

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

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

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

17 (b) No member shall speak more than twice on the main question nor longer than
18 15 minutes for the first speech and five minutes for the second speech; nor shall the member
19 speak more than twice upon an amendment or a motion to reconsider, re-refer, or postpone or
20 any motion on concurrence, and then not longer than 10 minutes for the first speech and five
21 minutes for the second speech.

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

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

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

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

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

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

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

41 (d) Food shall not be permitted on the floor of the House during the first hour of
42 the daily session.

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

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

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

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

- 1 (i) The use of a mobile device or cellular phone for the purpose of making or
2 receiving a phone call shall not be permitted in the House Chamber while the House is in session.
3 (j) Placards, stickers, or signs are not permitted in the House Chamber.

4 III. Motions

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

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

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

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

17 To adjourn.

18 To recess.

19 To lay on the table.

20 Previous question.

21 To postpone indefinitely.

22 To reconsider.

23 To postpone to a day certain.

24 To re-refer.

25 To amend an amendment.

26 To amend.

27 To pass the bill.

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

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

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

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

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

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

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

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

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

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

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

18 (b) A motion to reconsider shall be determined by a majority vote, except all of
19 the following shall require a two-thirds vote:

20 (1) A motion to reconsider not made on the same or the succeeding legislative
21 day when a question has been decided.

22 (2) A second or subsequent motion to reconsider.

23 (3) A motion to reconsider:

24 a. A vote upon a motion to table.

25 b. A motion to postpone indefinitely.

26 c. A motion to remove a bill from the unfavorable calendar.

27 d. A motion that a bill be read twice on the same day.

28 e. A motion to remove from the table.

29 (c) A motion to reconsider the vote by which a person has been elected as Speaker
30 or Speaker Pro Tempore shall not be in order. This subsection of this rule cannot be suspended
31 except by a vote of three-fifths of all the members of the House.

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

33 (1) The Chair of the Committee on Rules, Calendar, and Operations of the House;

34 (1a) The Vice-Chair of the Committee on Rules, Calendar, and Operations of the
35 House if the Chair is not in the Chamber or able to participate in debate;

36 (2) The Majority Leader;

37 (3) The member submitting the report on the bill or other matter under
38 consideration;

39 (4) The member introducing the bill or other matter under consideration;

40 (5) The member in charge of the measure, who shall be designated by the chair
41 of the standing committee reporting the same to the House at the time the bill
42 or other matter under consideration is reported to the House or taken up for
43 consideration.

44 (b) When the call for the previous question has been decided in the affirmative by
45 a majority vote of the House, the question is on the passage of the bill, resolution, or other matter
46 under consideration.

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

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

1 (e) After the previous question is ordered by the House on the main question of
2 second or third reading, the Majority Leader and the Minority Leader may each allocate three
3 minutes of debate on the question. The Majority Leader and the Minority Leader may each
4 designate another member to act under this subsection.

5 IV. Voting

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

- 9 (1) The passage as required by Section 23 of Article II of the North Carolina
10 Constitution on second and third readings of any bill:
- 11 a. Raising money on the credit of the State,
 - 12 b. Pledging the faith of the State for the payment of a debt,
 - 13 c. Imposing a State tax, or
 - 14 d. Authorizing a county, municipality, or other local governmental unit
15 to:
 - 16 1. Raise money on its credit,
 - 17 2. Pledge its faith for the payment of a debt, or
 - 18 3. Impose a local tax.
- 19 (2) All questions on which a call for the ayes and noes under Rule 24(a) and
20 Section 19 of Article II of the North Carolina Constitution has been sustained.
- 21 (3) Both second and third readings of bills proposing amendment of the North
22 Carolina Constitution or ratifying resolutions amending the United States
23 Constitution.
- 24 (4) The passage of a bill, notwithstanding the Governor's veto thereof, pursuant
25 to Section 22 of Article II of the North Carolina Constitution.
- 26 (b) Votes on the following questions shall be taken on the electronic voting
27 system:
- 28 (1) Second reading of all public bills except resolutions, all amendments to public
29 bills, third reading if a public bill was amended after second reading or if the
30 reading occurs on a day or days following the second reading, all conference
31 reports on public bills, all motions to lay public bills on the table, and all
32 motions to postpone public bills indefinitely.
 - 33 (2) Upon a call for division.
 - 34 (3) Any other question upon direction of the Speaker or upon motion of any
35 member supported by one-fifth of the members present.
 - 36 (c) When the electronic voting system is used, 15 seconds shall be allowed for
37 voting on the question before the House, unless the Chair shall direct otherwise. Once the system
38 is locked, the vote shall be recorded and printed.
 - 39 (d) The voting station at each member's desk in the Chamber shall be used only
40 by the member to which the station is assigned. Under no circumstances shall any other person
41 vote at a member's station. It is a breach of the ethical obligation of a member either to request
42 that another person vote at the requesting member's station or to vote at another member's station.
43 The Speaker shall enforce this rule without exception.
 - 44 (e) When the electronic voting system is used, the Speaker shall state the question
45 and shall then state substantially the following: "All in favor vote 'aye'; all opposed vote 'no'; the
46 Clerk will open the vote." In order to have the vote recorded, the member must vote by the
47 electronic voting system within the time allowed for that vote, unless the voting station assigned
48 to a member is malfunctioning. The Speaker shall enforce this rule without exception. After the
49 allotted time for voting has elapsed, the Speaker shall say: "The Clerk will now lock the machine
50 and record the vote." After the machine is locked and the vote recorded, the Speaker shall
51 announce the vote and declare the result.

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

6 (g) When the Speaker ascertains that the electronic voting system is inoperative
7 before a vote is taken or while a vote is being taken on the electronic voting system, the Speaker
8 shall announce that fact to the House, and any partial electronic voting system voting record shall
9 be voided. In such a case, if the North Carolina Constitution or the Rules of the House require a
10 call of the ayes and noes, the Clerk shall call the roll of the House, and the ayes and noes shall
11 be taken manually and shall be recorded on the Journal. All roll call votes shall be taken
12 alphabetically. If, after a vote is taken on the electronic voting system, it is discovered that a
13 malfunction caused an error in the electronic voting system printout, the Speaker shall direct the
14 Reading Clerk and the Principal Clerk to verify and correct the printout record and so advise the
15 House.

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

- 18 (1) To adjourn.
- 19 (2) To recess.
- 20 (3) To lay on the table.
- 21 (4) Previous question.
- 22 (5) To postpone indefinitely.
- 23 (6) To reconsider.
- 24 (7) To postpone to a day certain.
- 25 (8) To re-refer.
- 26 (9) To amend an amendment.
- 27 (10) To amend.
- 28 (11) To concur or not concur.
- 29 (12) Miscellaneous.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 (b) Any member may call for a bill to be divided into two or more propositions to
30 be voted on separately, provided the bill is subject to division into separate parts so that each part
31 states a separate and distinct proposition capable of standing alone. The motion shall be in
32 writing, must be submitted to the Principal Clerk at the time the motion is made, and must clearly
33 state how the question is to be divided. The Speaker shall then determine whether the bill admits
34 of such a division. Upon a majority vote of the members present and voting, the motion shall be
35 adopted and there shall be no further amendment or debate as to further division of the distinct
36 propositions. If the question is divided, the body shall debate and vote each proposition
37 separately. If any proposition fails, the bill shall be removed from the calendar and re-referred to
38 the committee from which the bill was reported. If all parts of the divided question pass, the
39 Speaker shall announce that the entire measure has passed second or third reading. No conference
40 report and no Current Operations Appropriations Bill is eligible to be divided under this
41 subsection.

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

45 **V. Committees**

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

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

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

8 (d) The Chair of the Committee on Rules, Calendar, and Operations of the House,
9 the Speaker Pro Tempore, the Majority Leader, and the Deputy Majority Leader are ex officio
10 members of each standing committee with the right to vote. The previous sentence does not apply
11 to the Standing Committee on Ethics. Up to two chairs of the Appropriations Committee are
12 entitled to vote in all other Appropriations Committees (Capital, Education, General
13 Government, Health and Human Services, Information Technology, Justice and Public Safety,
14 Agriculture and Natural and Economic Resources, and Transportation).

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

23 (f) In any joint meeting of the Senate and House committees, the House standing
24 committee reserves the right to vote separately.

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

28 **RULE 27. List of Standing Committees.** – The standing committees are:

29 Committees

30 Agriculture

31 Alcoholic Beverage Control

32 Appropriations

33 Appropriations, Agriculture and Natural
34 and Economic Resources

35 Appropriations, Capital

36 Appropriations, Education

37 Appropriations, General Government

38 Appropriations, Health and Human Services

39 Appropriations, Information Technology

40 Appropriations, Justice and Public Safety

1 Appropriations, Transportation
2
3 Banking
4
5 Commerce
6
7 Education – Community Colleges
8
9 Education – K-12
10
11 Education – Universities
12
13 Election Law and Campaign Finance Reform
14
15 Energy and Public Utilities
16
17 Environment
18
19 Ethics
20
21 Families, Children, and Aging Policy
22
23 Federal Relations and American Indian Affairs
24
25 Finance
26
27 Health
28
29 Homeland Security, Military, and
30 Veterans Affairs
31
32 Insurance
33
34 Judiciary 1
35
36 Judiciary 2
37
38 Judiciary 3
39
40 Judiciary 4
41
42 Local Government – Land Use, Planning and Development
43
44 Local Government
45
46 Marine Resources and Aqua Culture
47
48 Pensions and Retirement
49
50 Redistricting
51

1 Regulatory Reform

2

3 Rules, Calendar, and
4 Operations of the House

5

6 State Government

7

8 State Personnel

9

10 Transportation

11

12 UNC Board of Governors Nominations

13

14 Wildlife Resources

15

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

21

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

25

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

31

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

38

39 (d1) The committee chair shall set the agenda for each committee meeting. After
40 April 1, 2021, a committee may, provided there is a written request signed by at least two-thirds
41 of the members of the committee, place a bill on the committee's agenda for the next regularly
42 scheduled meeting of the committee.

43

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

47

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

54

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

55

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

57

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

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

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

12 **RULE 28.1. Ethics Committee Investigations Into Violations of the Open**
13 **Meetings Law.** – (a) On its own motion, or in response to signed and sworn complaint of any
14 individual filed with the Standing Committee on Ethics, the Committee shall inquire into any
15 alleged violation by members of the House of the Open Meetings Law (Article 33C of Chapter
16 143 of the General Statutes), as the same may be amended in the future.

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

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

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

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

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

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

32 **RULE 28.2. Committee Meetings; Use of Remote Participation.** – (a) At times
33 when Rule 58.1 is not in effect, a standing committee may conduct meetings with members
34 participating remotely provided all the following requirements are met:

35 (1) The Speaker approves a written request by the chair of the standing committee
36 which includes the proposed date and time for the meeting.

37 (2) Each member is able to communicate, in real time, with all other members by
38 (i) in-person communication, (ii) remote communication using devices or
39 programs that transmit audio or audio and video, or (iii) both.

40 (3) All documents considered by the committee are provided to members.

41 (4) The committee otherwise complies with G.S. 143-318.13(a).

42 (b) A committee member who is participating remotely shall be counted as
43 present for quorum purposes and may vote on any measure or motion before the committee. An
44 ex officio member under Rule 26(d) shall be counted among the membership of the committee
45 only when present or participating remotely.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 **VI. Handling of Bills**

46 **RULE 31. Introduction of Bills and Resolutions.** – (a) All bills and resolutions shall
47 be introduced by submitting same to the Principal Clerk's office on the legislative day prior to
48 the first reading and reference thereof according to the following schedule: by 15 minutes after
49 adjournment each Monday; and by 3:00 P.M. each Tuesday, Wednesday, Thursday, and Friday.
50 The Clerk shall number all bills and resolutions in the order in which they are introduced.

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

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

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

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

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

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

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

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

30 – (a) All local bills must be submitted to the Legislative Drafting Division or the Legislative
31 Analysis Division of the Legislative Services Office by 4:00 P.M. on Wednesday, March 3, 2021,
32 and must be introduced not later than 3:00 P.M. on Thursday, March 25, 2021.

33 (b) All public bills or resolutions recommended by commissions or standing
34 committees authorized or directed by act or resolution of the General Assembly (i) to report to
35 the 2021 Regular Session of the General Assembly, or to report prior to convening of that session,
36 or (ii) which are recommended to the 2021 Regular Session of the General Assembly by a
37 commission or committee established directly by Chapter 120 of the General Statutes, must be
38 submitted to the Legislative Drafting Division or the Legislative Analysis Division of the
39 Legislative Services Office by 4:00 P.M. on Wednesday, February 3, 2021, and must be
40 introduced not later than 3:00 P.M. on Thursday, February 18, 2021.

41 (c) All bills prepared to be introduced for departments, agencies, or institutions
42 of the State must be submitted to the Legislative Drafting Division or the Legislative Analysis
43 Division of the Legislative Services Office by 4:00 P.M. on Wednesday, February 10, 2021, and
44 must be introduced not later than 3:00 P.M. on Thursday, February 25, 2021. A bill introduced
45 under this subsection shall be identified as an Agency Bill after its short title or in the drafting
46 code.

47 (d) All public bills that would not be required to be re-referred to the
48 Appropriations or Finance Committees under Rule 38 and all joint resolutions and House
49 resolutions must be submitted to the Legislative Drafting Division or the Legislative Analysis
50 Division of the Legislative Services Office by 4:00 P.M. on Wednesday, March 24, 2021, and
51 must be introduced not later than 3:00 P.M. on Tuesday, April 20, 2021.

1 (e) All public bills, which under Rule 38 are required to be re-referred to either
2 or both of the Appropriations Committee or the Finance Committee, must be submitted to the
3 Legislative Drafting Division or the Legislative Analysis Division of the Legislative Services
4 Office by 4:00 P.M. on Wednesday, March 31, 2021, and must be introduced not later than 3:00
5 P.M. on Tuesday, April 27, 2021. If any bill is subject to the deadline under this subsection and
6 the bill is amended so that all the provisions requiring referral to either or both of those
7 committees under Rule 38 do not remain in the bill, it is not eligible for further consideration.

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

10 (g) No member may introduce more than 15 public bills. For the purpose of this
11 subsection, the introducer is the member who is listed as the first sponsor. A member may assign
12 a portion of this limit to another member electronically using the procedures established and
13 published by the Principal Clerk. This subsection does not apply to bills or resolutions
14 recommended by commissions or committees authorized or directed by act or resolution of the
15 General Assembly (i) to report to the 2021 Regular Session of the General Assembly, or to report
16 prior to convening of that session, or (ii) that are recommended to the Regular Session of the
17 General Assembly by a commission or committee established directly by Chapter 120 of the
18 General Statutes. This subsection does not apply to joint resolutions or House resolutions.

19 (h) In order to be eligible for consideration by the House during the first Regular
20 Session, all Senate bills other than (i) finance or appropriations bills that would be required to be
21 re-referred to the Appropriations or Finance Committee under Rule 38, (ii) those providing for
22 action on gubernatorial nominations or appointments, (iii) those providing for action on
23 appointments by the General Assembly pursuant to G.S. 120-121, (iv) those providing for
24 amendments to the North Carolina Constitution, (v) those containing statutory amendments
25 necessary to implement proposed amendments to the North Carolina Constitution, (vi) those
26 establishing districts for Congress or State or local entities, (vii) those addressing election laws,
27 (viii) those ratifying an amendment or amendments to the Constitution of the United States, and
28 (ix) adjournment resolutions must be received and read on the floor of the House as a message
29 from the Senate no later than Thursday, May 13, 2021; provided that a message from the Senate
30 received by the next legislative day stating that a bill has passed its third reading and is being
31 engrossed shall comply with the requirements of this subsection and provided that the Senate has
32 a similar rule.

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

39 **RULE 32. Reference to Standing Committees; Serial Referrals; Re-referral of**
40 **Bills From One Standing Committee to Another Standing Committee; Re-referral to**
41 **Committee on Rules.** – (a) Each bill not introduced on the report of a standing committee shall
42 immediately upon its first reading be referred by the Speaker to such standing committee, select
43 committee, or committee of the whole as the Speaker deems appropriate. The Speaker at the same
44 time may order that, if the bill is reported with any favorable recommendation or without
45 prejudice, it be re-referred automatically upon the committee report to another committee
46 designated in the order. Each joint resolution or House resolution not introduced on the report of
47 a standing committee shall immediately upon its first reading either be referred by the Speaker
48 to a standing committee or be calendared on the date designated by the Speaker, as the Speaker
49 deems appropriate.

50 (a1) Notwithstanding subsection (a) of this rule, any bill establishing districts for
51 Congress or State Senators or State Representatives may be placed on the calendar without being

1 referred by the Speaker to a committee and on the same legislative day of its introduction or
2 receipt from the Senate.

3 (b) Upon consent of the sponsor of the bill, the Speaker, the chair of the standing
4 committee from which the bill is to be re-referred, and the chair of the standing committee to
5 which the bill is to be re-referred, the chair of the standing committee from which the bill is to
6 be re-referred or the Chair of the Committee on Rules, Calendar, and Operations of the House
7 may move for a re-referral to another standing committee, and the bill shall be re-referred upon
8 vote of the majority present during a regular session of the House.

9 (c) The Speaker may remove a bill from the committee to which the bill has been
10 referred and may re-refer the bill to another committee.

11 (d) All public bills and resolutions reported by any standing committee must have
12 also been reported by the Committee on Rules, Calendar, and Operations of the House prior to
13 being calendared for consideration by the House. This rule may be waived by leave of the House.

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

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

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

24 (b) Except as provided in subsection (c) of this rule, no bill may be filed for
25 introduction if the draft contains names preprinted on the bill jacket and body of the bill (either
26 as primary sponsors or cosponsors) unless each such member has signed or initialed the jacket.

27 (c) A bill may be filed for introduction without the signature or initial of each
28 member whose name appears on the preprinted bill jacket as a primary sponsor if each such
29 member has approved being included as a primary sponsor using the member's electronic
30 dashboard.

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

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

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

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

50 (b) **Favorable Report.** – When a standing committee reports a bill with the
51 recommendation that it be passed, the bill shall be placed on the favorable calendar on the day

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

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

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

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

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

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

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

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

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

49 (c) The fiscal note shall be prepared by the Fiscal Research Division on a form
50 approved by the Chair of the Standing Committee on Rules, Calendar, and Operations of the
51 House as to content and form and signed by the staff member or members preparing it. If no

1 estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate is
2 provided. The fiscal note shall not comment on the merit, but may identify technical problems.
3 The Fiscal Research Division shall make the fiscal note available to the membership of the
4 House.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

49 **RULE 39. Discharge Petition.** – (a) A motion to discharge a committee from
50 consideration of a bill may be filed with the Principal Clerk by a primary sponsor of that measure
51 if accompanied by a petition asking that the committee be discharged from further consideration

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

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

15 **RULE 40. Calendars and Schedules of Business.** – (a) The Clerk of the House shall
16 prepare a daily schedule of business, including the Calendar of Bills and Resolutions for
17 consideration and debate that day, in accordance with the Order of Business of the Day (Rule 5).

18 (a1) All bills and resolutions shall be taken up as they appear in each category
19 (Rule 5(10)). Except by leave of the House, the Speaker shall not vary from the order.

20 (b) Subsection (a1) of this rule does not apply to bills establishing districts for
21 Congress or State Senators or State Representatives.

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

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

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

35 **RULE 42. Effect of a Defeated Bill.** – (a) Subject to the provisions of subsections
36 (b) and (c) of this rule, after a bill has:

- 37 (1) Been tabled,
- 38 (2) Been postponed indefinitely,
- 39 (3) Failed to pass on any of its readings, or
- 40 (4) Been placed on the unfavorable calendar,

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

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

48 (c) Subsection (a) of this rule does not apply to a bill that has received an
49 unfavorable report from a committee if the committee has also in the same report reported
50 favorable to the bill as amended or to a proposed committee substitute to the bill.

1 RULE 43. **Amendments.** – (a) No amendment to a measure before the House shall
2 be in order unless the amendment is germane to the measure under consideration.

3 A House amendment deleting a previously adopted House amendment shall not be in
4 order. No amendment that is clearly unconstitutional shall be in order.

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

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

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

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

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

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

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

24 (5) Amendments cannot spend reversions.

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

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

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

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

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

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

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

48 If the committee substitute was referred to standing committee, the standing
49 committee shall:

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

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

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

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

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

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

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

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

32 (d) Except by leave of the House and except as otherwise as provided in this
33 subsection, no vote shall be taken on adoption of a conference report until the next legislative
34 day following the report. Except by leave of the House, no vote shall be taken on adoption of a
35 conference report on either the Current Operations Appropriations Bill or a bill generally revising
36 the Current Operations Appropriations Act until the second legislative day following the report.

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

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

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

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

49 VII. Legislative Officers and Employees

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

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

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

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

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

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

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

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

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

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

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

38 **VIII. Privileges of the Hall**

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

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

49 **RULE 51. Admittance of Press.** – Reporters wishing to take down debates may be
50 admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to effect
51 this object, as shall not interfere with the convenience of the House. Reporters admitted to the

1 floor of the House shall observe the same requirements of attire for members contained in Rule
2 12(h).

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

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

10 **IX. General Rules**

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

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

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

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

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

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

30 **RULE 58.1. Temporary Modifications Due to State of Emergency.** – (a) The
31 following modifications to these rules shall apply 24 hours after receipt by the Majority Leader,
32 the Minority Leader, and the Principal Clerk of written notification filed by the Speaker:

33 (1) **RULE 12(i)** shall read as follows: "(i) The use of a mobile device or
34 cellular phone for the purpose of making or receiving a phone call shall not
35 be permitted in the House Chamber while the House is in session, except the
36 Majority Leader, the Minority Leader, and a designee of a Leader under Rule
37 21.1(c), may use a mobile device or cellular phone during a vote to
38 communicate in real time with members who have filed a voting designation
39 pursuant to Rule 22.1, provided the use does not otherwise disrupt the
40 decorum of the chamber."

41 (2) **RULE 13(a)** shall read as follows: "**RULE 13. Motions Generally.** – (a) A
42 motion that is complex, complicated, or otherwise not easily understood shall
43 be reduced to writing at the request of the Speaker or any member. No motion
44 relating to a bill shall be in order that does not identify the bill by its number
45 and short title. No motion may be made, nor business presented, by a member
46 who has filed a voting designation pursuant to Rule 22.1 affirming the member
47 will not be present in the House during the time the designation is in effect
48 and has not been revoked."

49 (3) The rules are amended by adding a new rule to read: "**RULE 22.1. Designated**
50 **Voting.** – (a) A member who is not present may designate either the Majority
51 or the Minority Leader to cast the member's vote if the member has filed a

1 voting designation with the Principal Clerk and at least 61 members have
2 voted in the House Chamber when the question is put, after which the Speaker
3 shall call upon the Majority and Minority Leaders to cast the votes of members
4 who have made a designation pursuant to this Rule.

5 (b) A designation shall be in writing and on a form made available by the
6 Principal Clerk. The designation shall state the member will not be
7 present in the House, shall identify either the Majority or Minority
8 Leader as the member's voting designee, and shall include both a
9 commencement and expiration date. A designation may be revoked at
10 any time provided the revocation is in writing on a form provided by
11 the Principal Clerk.

12 (c) The designated Leader may appoint another member to cast all votes
13 designated to that Leader."

14 (4) RULE 22(b) shall read as follows: "(b) Except as provided in Rule 22.1, no
15 member may vote unless the member is in the Chamber. This subsection of
16 this rule cannot be suspended."

17 (5) RULE 26(e) shall read as follows: "(e) The chair or acting chair, designated
18 by the chair or by the Speaker, and five other members of the standing
19 committee, or a majority of the standing committee, whichever is fewer, shall
20 constitute a quorum of that standing committee. A quorum of less than a
21 majority of all the members must include at least one member of the minority
22 party. For purposes of determining a quorum, the Chair of the Standing
23 Committee on Rules, Calendar, and Operations of the House; the Speaker Pro
24 Tempore; the Majority Leader; and the Deputy Majority Leader, when serving
25 only as ex officio members under subsection (d) of this rule, shall be counted
26 among the membership of the committee only when present or participating
27 remotely pursuant to Rule 28(a). A committee member who is participating
28 remotely under Rule 28(a) shall be counted as present for quorum purposes."

29 (6) RULE 28(a) shall read as follows: "RULE 28. **Standing Committee**
30 **Meetings.** – (a) Standing committees shall be furnished with suitable meeting
31 places pursuant to a schedule established by the Chair of the Standing
32 Committee on Rules, Calendar, and Operations of the House. Select
33 committees shall be furnished with suitable meeting places as their needs
34 require by the Chair of the Standing Committee on Rules, Calendar, and
35 Operations of the House. Committees may conduct meetings with members
36 participating remotely and such members may vote on any measure or motion
37 before the committee provided all the following requirements are met:

38 (1) Each member is able to communicate, in real time, with all other
39 members by (i) in-person communication, (ii) remote communication
40 using devices or programs that transmit audio or audio and video, or
41 (iii) both.

42 (2) All documents considered by the committee are provided to members.

43 (3) The committee otherwise complies with G.S. 143-318.13(a)."

44 (7) RULE 32(d) is repealed.

45 (8) RULE 36(b) shall read as follows: "(b) **Favorable Report.** – When a
46 standing committee reports a bill with the recommendation that it be passed,
47 the bill shall be placed on the favorable calendar on the day designated by the
48 Chair of the Standing Committee on Rules, Calendar, and Operations of the
49 House, but no later than the fourth legislative day after submission of the
50 report or Senate message under Rule 43.2 or Rule 43.3(a), unless:

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

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

- 14 (9) **RULE 41 shall read as follows: "RULE 41. Reading of Bills.** – Every bill
15 shall receive three readings in the House prior to its passage. The Speaker
16 shall give notice at each subsequent reading whether it is the second or third;
17 provided, no bill governed by Section 23 of Article II of the North Carolina
18 Constitution herein shall be read twice on one day under any circumstance."
19 (10) Notwithstanding Rule 44(d), a conference report may be placed on the
20 calendar for the legislative day on which the report is received. The Speaker
21 shall provide notice as soon as practicable to the Majority Leader and the
22 Minority Leader if the Speaker anticipates a conference report will be placed
23 on the favorable calendar the same day the report is received.

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

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

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

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

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

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

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

17 **RULE 61.2. Convening and Assigning Seats in the New House.** – (a) The Principal
18 Clerk of the previous House of Representatives shall convene the House of Representatives at
19 12:00 P.M. on the date established by law for the convening of each regular session and preside
20 over the body until the members elect a Speaker. In the case of a vacancy, inability, or refusal to
21 so serve, the duty shall devolve upon the Sergeant-at-Arms of the prior House, and in the case of
22 a vacancy in that office, or inability or refusal to so serve, the duty shall devolve upon the Reading
23 Clerk of the prior House.

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

37 **RULE 61.3. Livestreaming Sessions.** – To the extent any session of the House is
38 livestreamed, the methods used for the livestreaming shall comply with the policies and
39 procedures established and published by the Principal Clerk.

40 **RULE 62. Matters Not Covered in These Rules.** – Except as herein set out, the rules
41 of Mason's Manual of Legislative Procedure, 2020 Edition, shall govern the operation of the
42 House. Custom and usage may supplement these rules or Mason's Manual, but may not supersede
43 them.

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