

**House Resolution**

**No. 1**

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**Introduced by Assembly Member Cooley**

December 5, 2016

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House Resolution No. 1—Relative to the Standing Rules of the Assembly for the 2017–18 Regular Session.

1     *Resolved by the Assembly of the State of California*, That the  
2 following Rules be, and the same are hereby, adopted as the  
3 Standing Rules of the Assembly for the 2017–18 Regular Session;  
4 and be it further

5     *Resolved*, That these rules shall govern the operations of the  
6 Assembly.

7

8

STANDING RULES OF THE ASSEMBLY

9

2017–18 REGULAR SESSION

10

I. LEGISLATIVE ORGANIZATION

11

Assembly General Officers

12

13     1. (a) The general officers of the Assembly are the following:

14

(1) Speaker

15

(2) Speaker pro Tempore

16

Assistant Speaker pro Tempore

17

Majority Leader

18

Republican Leader

19

(3) Chief Clerk

20

Sergeant at Arms

21

Chaplain

1 (b) Except for the officers listed in paragraph (2) of subdivision  
2 (a), each officer listed in subdivision (a) shall be elected by a  
3 majority vote of the duly elected and qualified Members.

4 (c) The Chief Clerk, subject to the approval of the Committee  
5 on Rules, shall determine the names and titles that shall appear on  
6 the front page of all publications.

7  
8 Hours of Meeting  
9

10 2. The Speaker, or, in his or her absence, the Speaker pro  
11 Tempore, shall determine the time for convening the session, unless  
12 otherwise ordered by a majority vote of the Members present and  
13 voting.

14  
15 Speaker to Call Assembly to Order  
16

17 3. The Speaker, or, in his or her absence, the Speaker pro  
18 Tempore, shall, at the hour appointed for meeting, call the  
19 Assembly to order.

20  
21 Rollcall and Quorum  
22

23 4. Before proceeding with the business of the Assembly, both  
24 of the following shall be completed:

25 (1) The roll of the Members shall be called, and the names of  
26 those present shall be entered in the Journal. Forty-one Members  
27 constitute a quorum.

28 (2) The presiding officer shall announce the names of all  
29 Members who will be absent from that day’s session and the reason  
30 for their absence.

31  
32 Organization of Assembly  
33

34 5. For the purposes of the organization of any regular session  
35 of the Assembly pursuant to Section 9023 of the Government  
36 Code, the person who was the Speaker when the previous regular  
37 session adjourned sine die, if he or she is reelected to the Assembly,  
38 shall be deemed to be the senior member elect.

39  
40 II. RULES

1 Adoption of Standing Rules

2  
3 6. The adoption of the Standing Rules requires an affirmative  
4 recorded vote of a majority of the duly elected and qualified  
5 Members. When once adopted, the Standing Rules shall remain  
6 in effect unless suspended or amended as provided in these rules.

7  
8 Suspension of Rules

9  
10 7. Unless specified otherwise in these rules, any Standing Rule  
11 of the Assembly not requiring more than a majority vote, except  
12 Rule 8, may be suspended temporarily by a vote of a majority of  
13 the Members of the Assembly. A rule requiring a two-thirds vote  
14 may be temporarily suspended by a two-thirds vote of the Members  
15 of the Assembly. A temporary suspension applies only to the matter  
16 under immediate consideration, and in no case may it extend  
17 beyond an adjournment.

18  
19 Amending Standing Rules

20  
21 8. A standing rule of the Assembly may not be amended except  
22 by a resolution adopted by an affirmative recorded vote of a  
23 majority of the duly elected and qualified Members.

24  
25 Mason's Manual

26  
27 10. In all cases not provided for by the California Constitution,  
28 by the Assembly Rules, by the Joint Rules of the Senate and  
29 Assembly, or by statute, the authority is the latest edition of  
30 Mason's Manual.

31  
32 III. ORGANIZATION OF COMMITTEES

33 Standing Committees

34  
35 11. Thirty-two standing committees of the Assembly are hereby  
36 created, upon the several subjects, and titled respectively, as  
37 follows:

- 38 Accountability and Administrative Review  
39 Aging and Long-Term Care  
40 Agriculture

- 1 Appropriations
- 2 Arts, Entertainment, Sports, Tourism, and Internet Media
- 3 Banking and Finance
- 4 Budget
- 5 Business and Professions
- 6 Communications and Conveyance
- 7 Education
- 8 Elections and Redistricting
- 9 Environmental Safety and Toxic Materials
- 10 Governmental Organization
- 11 Health
- 12 Higher Education
- 13 Housing and Community Development
- 14 Human Services
- 15 Insurance
- 16 Jobs, Economic Development, and the Economy
- 17 Judiciary
- 18 Labor and Employment
- 19 Local Government
- 20 Natural Resources
- 21 Privacy and Consumer Protection
- 22 Public Employees, Retirement, and Social Security
- 23 Public Safety
- 24 Revenue and Taxation
- 25 Rules
- 26 Transportation
- 27 Utilities and Energy
- 28 Veterans Affairs
- 29 Water, Parks, and Wildlife

30  
31  
32

Open Meetings

33 11.3. (a) Except as otherwise provided in this rule, all meetings  
34 of the Assembly or a committee thereof shall be open and public,  
35 and all persons shall be permitted to attend the meetings. As used  
36 in this rule, “meeting” means a gathering of a quorum of the  
37 Members of the Assembly or a committee in one place for the  
38 purpose of discussing legislative or other official matters within  
39 the jurisdiction of the Assembly or committee. As used in this rule,  
40 “committee” includes a standing committee, joint committee,

1 conference committee, subcommittee, select committee, special  
2 committee, research committee, or any similar body.

3 (b) Any meeting that is required to be open and public pursuant  
4 to this rule, including any closed session held pursuant to  
5 subdivision (c), may be held only after full and timely notice to  
6 the public as provided by the Joint Rules of the Assembly and  
7 Senate.

8 (c) The Assembly or a committee thereof may hold a closed  
9 session solely for any of the following purposes:

10 (1) To consider the appointment, employment, evaluation of  
11 performance, or dismissal of a public officer or employee, to  
12 consider or hear complaints or charges brought against a Member  
13 of the Legislature or other public officer or employee, or to  
14 establish the classification or compensation of an employee of the  
15 Assembly.

16 (2) To consider matters affecting the safety and security of  
17 Members of the Legislature or its employees, or the safety and  
18 security of any buildings and grounds used by the Legislature.

19 (3) To confer with, or receive advice from, its legal counsel  
20 regarding pending or reasonably anticipated litigation, or whether  
21 to initiate litigation, when discussion in open session would not  
22 protect the interests of the Assembly or committee regarding the  
23 litigation.

24 (d) A caucus of the Members of the Assembly that is composed  
25 of members of the same political party may meet in closed session.

26 (e) A closed session may be held pursuant to paragraph (3) of  
27 subdivision (c) under any of the following circumstances:

28 (1) An adjudicatory proceeding before a court, administrative  
29 body exercising its adjudicatory authority, hearing officer, or  
30 arbitrator, to which the Assembly or a committee, Member, or  
31 employee thereof is a party, has been initiated formally.

32 (2) Based on existing facts and circumstances, a point has been  
33 reached where, in the opinion of the Assembly or a committee  
34 thereof, on the advice of its legal counsel, litigation against the  
35 Assembly or a committee, Member, or employee thereof is  
36 reasonably anticipated.

37 (3) Based on existing facts and circumstances, the Assembly or  
38 a committee thereof has decided to initiate, or is deciding whether  
39 to initiate, litigation.

1 (4) To confer with, or receive advice from, its legal counsel and  
2 negotiator prior to the purchase, sale, exchange, or lease of real  
3 property by or for the Assembly or a committee thereof regarding  
4 the price and terms of payment for the purchase, sale, exchange,  
5 or lease.

6 (f) Prior to holding a closed session pursuant to paragraph (3)  
7 of subdivision (c), the presiding officer of the Assembly or the  
8 chairperson of the committee, as appropriate, shall state publicly  
9 which paragraph of subdivision (e) is applicable. If the closed  
10 session is held pursuant to paragraph (1) of subdivision (e), the  
11 presiding officer or chairperson shall state the title of or otherwise  
12 specifically identify the litigation to be discussed, unless the  
13 presiding officer or chairperson states that to do so would  
14 jeopardize the ability to effectuate service of process upon one or  
15 more unserved parties, or that to do so would jeopardize the ability  
16 of the Assembly or the committee to conclude existing settlement  
17 negotiations to its advantage. If the closed session is held pursuant  
18 to paragraph (4) of subdivision (e), the notice of the closed session  
19 shall identify the real property that the negotiations may concern  
20 and the person with whom the negotiations may take place.

21 (g) The legal counsel for the Assembly or the committee shall  
22 prepare and submit to the Assembly or the committee a  
23 memorandum stating the specific reasons and legal authority for  
24 the closed session. If the closed session is held pursuant to  
25 paragraph (1) of subdivision (e), the memorandum shall include  
26 the title of or other identification of the litigation. If the closed  
27 session is held pursuant to paragraph (2), (3), or (4) of subdivision  
28 (e), the memorandum shall set forth the existing facts and  
29 circumstances on which the closed session is based. The legal  
30 counsel shall submit the memorandum to the Assembly or the  
31 committee prior to the closed session, if feasible, or, in any case,  
32 not later than one week after the closed session. The memorandum  
33 is exempt from disclosure under the Legislative Open Records Act  
34 contained in Article 3.5 (commencing with Section 9070) of  
35 Chapter 1.5 of Part 1 of Division 2 of Title 2 of the Government  
36 Code.

37 (h) For purposes of paragraph (3) of subdivision (c), “litigation”  
38 includes any adjudicatory proceeding, including eminent domain,  
39 before a court, administrative body exercising its adjudicatory  
40 authority, hearing officer, or arbitrator.

1 (i) For purposes of this rule, all expressions of the lawyer-client  
2 privilege other than those provided in this rule are hereby  
3 abrogated. This rule is the exclusive expression of the lawyer-client  
4 privilege for the purposes of conducting closed-session meetings  
5 pursuant to this rule.

6 (j) Disclosure of a memorandum required under this rule shall  
7 not be deemed a waiver of the lawyer-client privilege provided  
8 for under Article 3 (commencing with Section 950) of Chapter 4  
9 of Division 8 of the Evidence Code.

10  
11 Conference Committee Meetings

12  
13 11.4. A Member may not participate in a meeting of a  
14 conference committee considering any bill that is not open to the  
15 public.

16  
17 Assembly Investigating Committees

18  
19 11.5. (a) The standing committees of the Assembly created  
20 pursuant to Rule 11, with the exception of the Committee on Rules,  
21 are hereby constituted Assembly investigating committees and are  
22 authorized and directed to conduct oversight hearings and to  
23 ascertain, study, and analyze all facts relating to any subjects or  
24 matters which the Committee on Rules shall assign to them upon  
25 request of the Assembly or upon its own initiative.

26 (b) Each of the Assembly investigating committees consists of  
27 the members of the standing committee on the same subject as  
28 most recently constituted. The chairperson and vice chairperson  
29 is the chairperson and vice chairperson of the standing committee.  
30 Vacancies occurring in the membership of the committee shall be  
31 filled by the appointing authority.

32 (c) Each committee and any subcommittee, and its members,  
33 have and may exercise all the rights, duties, and powers conferred  
34 upon investigating committees and their members by law and by  
35 the Joint Rules of the Senate and Assembly and the Standing Rules  
36 of the Assembly as they are adopted and amended from time to  
37 time, which rules are incorporated herein and made applicable to  
38 the committee or subcommittee and their members.

39 (d) In order to prevent duplication and overlapping of studies  
40 between the various investigating committees herein created, a

1 committee may not commence the study of any subject or matter  
2 not specifically authorized herein or assigned to it unless and until  
3 prior written approval thereof has been obtained from the  
4 Committee on Rules.

5 (e) The Committee on Rules shall provide for the expenses of  
6 the above committees and their members and for any charges,  
7 expenses, or claims they may incur under this rule, to be paid from  
8 the Assembly Operating Fund and disbursed, after certification by  
9 the Chairperson of the Committee on Rules or his or her authorized  
10 representative, upon warrants drawn by the Controller upon the  
11 State Treasury.

12  
13 Membership of Standing Committees

14  
15 12. The Speaker shall determine the size, and appoint the  
16 membership and the chairperson and vice chairperson, of all  
17 standing committees and subcommittees. In appointing Members  
18 to serve on committees, the Speaker shall consider the preferences  
19 of the Members.

20  
21 Committee on Rules

22  
23 13. There is a Committee on Rules, which acts as the executive  
24 committee of the Assembly. No regular member of the Committee  
25 on Rules may simultaneously serve as a chairperson of any standing  
26 committee. All meetings of the Committee on Rules that are  
27 required to be open and public shall be held in a room of  
28 appropriate size, and audiovisual recordings of those meetings  
29 shall be created and maintained.

30  
31 Organization of Party Caucuses

32  
33 13.1. Within two days after the general election held in  
34 November of each even-numbered year, the caucus of the political  
35 party having the greatest number of Members in the Assembly,  
36 and the caucus of the political party having the second greatest  
37 number of Members, each shall meet for the purpose of selecting  
38 their officers for the next regular session. The rules and procedures  
39 of each caucus shall be determined by that caucus, but may not be  
40 inconsistent with these rules.



1 Powers of the Committee on Rules

2  
3 14. (a) The Committee on Rules has the following powers:

4 (1) To refer each bill and resolution to a committee, as provided  
5 by these rules.

6 (2) To appoint all employees of the Assembly not otherwise  
7 provided for by statute. It has authority to terminate, to discipline,  
8 to establish, and to modify the terms and conditions of employment  
9 of, or to suspend, with or without pay, any employee of the  
10 Assembly.

11 (3) To make studies and recommendations designed to promote,  
12 improve, and expedite the business and procedure of the Assembly  
13 and of the committees thereof, and to propose any amendments to  
14 the Rules deemed necessary to accomplish these purposes.

15 (4) To adopt additional policies or requirements regarding the  
16 use of cameras and other recording equipment at committee  
17 hearings or Assembly floor sessions.

18 (5) To contract with other agencies, public or private, as it deems  
19 necessary for the rendition and affording of those services,  
20 facilities, studies, and reports to the committee that will best assist  
21 it to carry out the purposes for which it is created.

22 (6) To cooperate with and secure the cooperation of county,  
23 city, city and county, and other local law enforcement agencies in  
24 investigating any matter within the scope of these rules and to  
25 direct the sheriff of any county to serve subpoenas, orders, and  
26 other process issued by the committee.

27 (7) To report its findings and recommendations to the  
28 Legislature and to the people from time to time and at any time.

29 (8) To do any and all other things necessary or convenient to  
30 enable it fully and adequately to exercise its powers, perform its  
31 duties, and accomplish the objects and purposes of these rules.

32 (9) To make available to the Assembly, or to any Assembly or  
33 joint committee, or to any Member of the Assembly assistance in  
34 connection with the duties of the committee or other legislative  
35 matters as the personnel under direction of the committee or its  
36 other facilities permit.

37 (10) To make available to and furnish to the Assembly, and to  
38 Assembly investigating committees created at this session and to  
39 each of the members thereof, clerical, secretarial, and stenographic  
40 help as may be reasonably necessary for the Assembly to carry

1 out its work, and for the committees and each of the members  
2 thereof, to make and carry on the studies and investigations  
3 required by or of them by the resolutions creating the committees,  
4 and for these purposes to employ additional stenographic and  
5 secretarial assistants as may be necessary, assign, reassign, and  
6 discharge these assistants and prescribe amounts, times, and  
7 methods of payment of their compensation. The committee shall  
8 allocate annually an amount for the operation of each investigating  
9 committee, which shall constitute the annual budget of the  
10 committee.

11 (b) During the times as the Assembly is not in session, the  
12 committee is authorized and directed to incur and pay expenses  
13 of the Assembly not otherwise provided for that the committee  
14 determines are reasonably necessary, including the repair,  
15 alteration, improvement, and equipping of the Assembly Chamber  
16 and the offices provided for the Assembly in the State Capitol and  
17 the Capitol Annex.

18 (c) The committee shall allocate sufficient moneys from the  
19 Assembly Operating Fund to support the Assembly's share of joint  
20 operations.

21 (d) The Chairperson of the Committee on Rules shall appoint  
22 a Chief Administrative Officer of the Assembly, subject to the  
23 ratification of the Committee on Rules, who has duties relating to  
24 the administrative, fiscal, and business affairs of the Assembly  
25 that the committee shall prescribe. The Chairperson of the  
26 Committee on Rules or a majority of the membership of the  
27 Committee on Rules may terminate the services of the Chief  
28 Administrative Officer at any time. Notwithstanding the foregoing,  
29 the Speaker may appoint a temporary chief administrative officer  
30 for up to 90 days following the beginning of the session.

31 (e) The Committee on Rules shall provide for the publication  
32 of a compilation of the photographs of accredited press  
33 representatives.

34 (f) The Committee on Rules may delegate powers to the Speaker  
35 by a majority vote of the membership of the committee.

36 (g) The Committee on Rules may adopt additional rules,  
37 procedures, policies, or guidelines by a majority vote of the  
38 membership of the committee to implement Sections 7 and 8 of  
39 Article IV of the California Constitution.

1 Subcommittee on Harassment, Discrimination, and Retaliation  
2 Prevention and Response  
3

4 14.5. (a) The Subcommittee on Harassment, Discrimination,  
5 and Retaliation Prevention and Response is created as a  
6 subcommittee of the Committee on Rules. The subcommittee is  
7 composed of a total of six members, with the following four  
8 members appointed by the Chairperson of the Committee on Rules:  
9 two members of the Committee on Rules from the political party  
10 having the greatest number of Members in the Assembly and two  
11 members of the Committee on Rules from the political party having  
12 the second greatest number of Members. The two members from  
13 the political party having the second greatest number of Members  
14 shall be appointed from a list of nominees that the vice chairperson  
15 of the committee provides to the chairperson. The co-chairpersons  
16 of the Assembly Legislative Ethics Committee also shall be  
17 members of the subcommittee. The Chairperson of the Committee  
18 on Rules shall designate one of the members of the subcommittee  
19 to serve as chairperson of the subcommittee.

20 (b) The subcommittee shall periodically review procedures for  
21 the handling of complaints of harassment, discrimination, and  
22 retaliation lodged against a Member of the Assembly or an  
23 Assembly employee and submit any recommendations to the  
24 Committee on Rules for consideration.

25 (c) Following the submission of the recommendations pursuant  
26 to subdivision (b), the chairperson of the subcommittee may cause  
27 the subcommittee to convene to review and recommend further  
28 changes in procedures as subsequent events may require.

29  
30 Committee on Rules  
31

32 15. The Committee on Rules shall continue in existence during  
33 any recess of the Legislature and after final adjournment and until  
34 the convening of the next regular session, and shall have the same  
35 powers and duties as while the Assembly is in session. In dealing  
36 with any matter within its jurisdiction, the committee and its  
37 members have and may exercise all of the rights, duties, and  
38 powers conferred upon investigating committees and their members  
39 by the Joint Rules of the Senate and Assembly as they are adopted

1 and amended from time to time, which rules are incorporated herein  
2 and made applicable to the Committee on Rules and its members.

3

4

Operating Fund Report

5

6 15.5. The Committee on Rules shall annually prepare a report  
7 to the public of expenditures as required by Section 9131 of the  
8 Government Code.

9

10

Independent Audit of Operating Funds

11

12 15.6. The Committee on Rules shall contract for an independent  
13 audit of the revenues and expenditures, for each fiscal year, from  
14 the Assembly Operating Fund. The organization performing the  
15 audit shall be selected by a majority of the membership of the  
16 Committee on Rules. The contract for the audit shall be awarded  
17 through a competitive bidding procedure. The audit shall be  
18 prepared in a manner and form to be determined by the organization  
19 performing the audit, and shall be consistent with generally  
20 accepted accounting principles.

21 The audit shall be completed and made available to the public  
22 within 180 calendar days following the completion of the fiscal  
23 year for which the audit is performed.

24

25

Performance Audit

26

27 15.7. In addition to the annual financial audit required by Rule  
28 15.6, the Committee on Rules shall contract for an audit of the  
29 administrative operations of the Assembly. The administrative  
30 departments to be audited shall be determined by the Committee  
31 on Rules. An organization performing an audit pursuant to this  
32 rule shall be selected by a majority of the membership of the  
33 Committee on Rules. A contract for an audit shall be awarded  
34 through a competitive bidding procedure. Audits shall be prepared  
35 in a manner and form to be determined by the organization  
36 performing the audit, and shall be consistent with generally  
37 accepted accounting principles.

38 All findings and recommendations reported by an auditing firm  
39 shall be made available to Members and to the public.

1 Rules Committee Resolutions

2  
3 16. The Committee on Rules, acting unanimously by  
4 appropriate resolution, on behalf of and in the name of the  
5 Assembly, may extend congratulations, commendations, sympathy,  
6 or regret to any person, group, or organization, and may authorize  
7 the presentation of suitably prepared copies of these resolutions  
8 to the persons concerned and to their relatives.  
9

10 Assembly Operating Fund

11  
12 17. The Committee on Rules is the committee identified in  
13 Section 9127 of the Government Code. The balance of all money  
14 in the Assembly Operating Fund, including money now or hereafter  
15 appropriated, except the sums that are made available specifically  
16 for the expense of designated committees or for other purposes,  
17 is hereby made available to the Committee on Rules for any  
18 charges or claims it may incur in carrying out the duties imposed  
19 upon it by these rules or by Assembly or concurrent resolution.  
20 The money made available by this rule includes the unencumbered  
21 balances of all sums heretofore made available to any Assembly  
22 or joint committee by the Assembly, upon the expiration of that  
23 committee, and shall be expended as provided in these rules.  
24

25 Expenditures

26  
27 18. A Member or committee may not incur any expense except  
28 as authorized pursuant to these rules or the Joint Rules of the Senate  
29 and Assembly, or as authorized by the Assembly or the Committee  
30 on Rules.

31 The Committee on Rules shall provide, by rules and regulations,  
32 for the manner of authorizing expenditures by Members,  
33 committees, officers, and employees of the Assembly that are not  
34 otherwise authorized by law, these rules, or the Joint Rules of the  
35 Senate and Assembly. These rules and regulations shall incorporate  
36 a provision whereby construction, alteration, improvement, repair,  
37 or maintenance of real or personal property, and the purchase of  
38 supplies and equipment, shall be governed by competitive bidding.  
39 Further, the rules and regulations shall provide for the payment of  
40 expenditures, as authorized by these rules and regulations, from

1 the Assembly Operating Fund upon certification of claims therefor  
2 to the Controller by the Committee on Rules or its authorized  
3 representative.

4 A Member may not be reimbursed for travel outside the State  
5 of California without prior approval of the Speaker or the  
6 Committee on Rules.

7  
8  
9

Rules and Regulations Governing Committees

10 20. All claims for expenses incurred by investigating  
11 committees of the Assembly shall be approved by the Committee  
12 on Rules, or its authorized representative, before the claims are  
13 presented to the Controller.

14 All proposed expenditures, other than expenditures of the funds  
15 of an investigating committee, shall be approved by the Committee  
16 on Rules or its authorized representative before the expenses are  
17 incurred, unless the expenditure is specifically exempted from this  
18 requirement by the resolution authorizing it.

19 No warrant may be drawn in payment of any claim for expenses  
20 until the approval of the Committee on Rules, or its authorized  
21 representative, has been obtained in accordance with this rule.

22 The Committee on Rules shall adopt rules and regulations  
23 governing the awarding of any contract by an investigating  
24 committee, and rules and regulations limiting the amount, time,  
25 and place of expenses and allowances to be paid to employees of  
26 Assembly investigating committees or other Assembly committees.

27 These rules may provide for allowances to committee employees  
28 in lieu of actual expenses.

29 Mileage is an allowance to a committee employee in lieu of  
30 actual expenses of travel. When travel is by private conveyance,  
31 mileage may be allowed only to the operator of, and not to  
32 passengers in, a private vehicle. Claims for mileage by private  
33 conveyance must be accompanied by the license number of the  
34 vehicle and the names of state officers and employees riding as  
35 passengers.

36 Copies of all rules and regulations adopted pursuant to this rule  
37 shall be distributed to the chairperson of every investigating  
38 committee and of any other Assembly committee that has  
39 employees.

1 Fees for Witnesses

2  
3 21. Each witness summoned to appear before the Assembly or  
4 any of its committees shall be reimbursed at a rate set by the  
5 Committee on Rules.

6  
7 Assembly General Research Committee

8  
9 22. (a) The Assembly General Research Committee is hereby  
10 continued as a permanent factfinding committee pursuant to Section  
11 11 of Article IV of the California Constitution. The committee is  
12 allocated all subjects within the scope of legislative regulation and  
13 control, but may not undertake any investigation that another  
14 committee has been specifically requested or directed to undertake.  
15 The Assembly General Research Committee may act through  
16 subcommittees appointed by the Speaker in consultation with the  
17 Committee on Rules, and each of these subcommittees may act  
18 only on the particular study or investigation assigned by the  
19 Speaker in consultation with the Committee on Rules to that  
20 subcommittee. Each subcommittee shall be known and designated  
21 as a select committee. The Speaker is the Chairperson of the  
22 Assembly General Research Committee and may be a voting  
23 member of any subcommittee. Each member of the Assembly  
24 General Research Committee is authorized and directed to receive  
25 and investigate requests for legislative action made by individuals  
26 or groups, and to report thereon to the full committee. The  
27 Committee on Rules is authorized to allocate to any subcommittee  
28 from the Assembly Operating Fund those sums that the Committee  
29 on Rules deems necessary to complete the investigation or study  
30 conferred upon that subcommittee. The Committee on Rules shall  
31 further allocate, from time to time, to the Assembly General  
32 Research Committee from the Assembly Operating Fund those  
33 sums that are necessary to permit the Assembly General Research  
34 Committee and the members thereof to carry out the duties imposed  
35 on them. The committee has continuous existence until the time  
36 that its existence is terminated by a resolution adopted by the  
37 Assembly, and the committee is authorized to act both during and  
38 between sessions of the Legislature, including any recess.

39 (b) The committee and its members shall have and exercise all  
40 the rights, duties, and powers conferred upon investigating

1 committees and their members by the Joint Rules of the Senate  
2 and Assembly and the Standing Rules of the Assembly as they are  
3 adopted and amended from time to time at this session, which  
4 provisions are incorporated herein and made applicable to the  
5 committee and its members.

6 (c) The committee has the following additional powers and  
7 duties:

8 (1) To contract with other agencies, public or private, for the  
9 rendition and affording of services, facilities, studies, and reports  
10 to the committee as the committee deems necessary to assist it to  
11 carry out the purposes for which it is created.

12 (2) To cooperate with and secure the cooperation of county,  
13 city, city and county, and other local law enforcement agencies in  
14 investigating any matter within the scope of this rule and to direct  
15 the sheriff of any county to serve subpoenas, orders, and other  
16 process issued by the committee.

17 (3) To report its findings and recommendations to the  
18 Legislature and the people from time to time.

19 (4) To do any and all other things necessary or convenient to  
20 enable it fully and adequately to exercise its powers, perform its  
21 duties, and accomplish the objects and purposes of this rule.

22

23 Assembly Legislative Ethics Committee

24

25 22.5. (a) The Assembly Legislative Ethics Committee is hereby  
26 created. The committee shall consist of six Members of the  
27 Assembly, appointed by the Speaker. Notwithstanding any other  
28 rule of the Assembly, three members of the committee shall be  
29 from the political party having the greatest number of Members  
30 in the Assembly and three members shall be from the political  
31 party having the second greatest number of Members. Any  
32 temporary or permanent vacancy on the committee shall be filled  
33 within 10 days by a member from the same political party. All  
34 appointments, including appointments to fill permanent or  
35 temporary vacancies, of members from the political party having  
36 the second greatest number of Members in the Assembly shall be  
37 made from a list of nominees that the Republican Leader provides  
38 to the Speaker. The Speaker shall designate one member of the  
39 committee from the political party having the greatest number of  
40 Members in the Assembly and one member of the committee from



1 the political party having the second greatest number of Members  
2 to serve as co-chairpersons of the committee. The Speaker shall  
3 designate one of the co-chairpersons to serve as the presiding  
4 officer at any meeting or hearing conducted by the committee.

5 If a verified complaint is filed against a member of the  
6 committee, the Speaker shall temporarily replace the member with  
7 a Member from the same political party, who shall serve until the  
8 complaint is dismissed or the Assembly takes final action on the  
9 complaint, whichever occurs first.

10 (b) The provisions of this rule, and of Rule 11.5 related to  
11 investigating committees, apply to the committee and govern its  
12 proceedings.

13 Prior to the issuance of any subpoena by the committee with  
14 respect to any matter before the committee, it shall, by a resolution  
15 adopted by the committee pursuant to a vote in accordance with  
16 subdivision (n), define the nature and scope of its investigation in  
17 the matter before it.

18 (c) Funds for the support of the committee shall be provided  
19 from the Assembly Operating Fund in the same manner that those  
20 funds are made available to other committees of the Assembly.

21 (d) (1) The committee has the power, pursuant to this rule and  
22 Article 3 (commencing with Section 8940) of Chapter 1 of Part 1  
23 of Division 2 of Title 2 of the Government Code, to investigate  
24 and make findings and recommendations concerning violations  
25 by Members of the Assembly of any provision of Article 2  
26 (commencing with Section 8920) of Chapter 1 of Part 1 of Division  
27 2 of Title 2 of the Government Code or of any other provision of  
28 law or legislative rule that governs the official conduct of Members  
29 of the Assembly, hereafter collectively referred to as “standards  
30 of conduct.”

31 (2) The committee may, on its own action pursuant to a vote in  
32 accordance with subdivision (n), initiate an investigation of a  
33 Member of the Assembly.

34 (e) Any person may file with the committee a verified complaint  
35 in writing, which shall state the name of the Member of the  
36 Assembly alleged to have violated any standard of conduct, and  
37 which shall set forth the particulars thereof with sufficient clarity  
38 and detail to enable the committee to make a determination. The  
39 person filing the complaint thereafter shall be designated the  
40 complainant.

1 If a verified complaint is filed with the committee, the committee  
2 promptly shall send a copy of the complaint to the Member of the  
3 Assembly alleged to have committed the violation complained of,  
4 who thereafter shall be designated the respondent.

5 A complaint may not be filed with the committee after the  
6 expiration of 12 months from the date the alleged violation is  
7 discovered or three years from the date of the alleged violation,  
8 whichever occurs first.

9 (f) (1) Within 30 days of receipt of a verified complaint, the  
10 co-chairpersons of the committee shall make an initial  
11 determination as to whether the alleged conduct of the Member  
12 of the Assembly against whom the verified complaint has been  
13 filed falls within the jurisdiction of the committee. If the  
14 co-chairpersons agree that the alleged conduct does not fall within  
15 the jurisdiction of the committee, the committee shall notify the  
16 complainant and respondent of the determination and the complaint  
17 shall be dismissed. If one or both of the co-chairpersons determine  
18 that the alleged conduct falls within the jurisdiction of the  
19 committee, the complaint shall be deemed to fall within the  
20 committee's jurisdiction and shall be subject to the applicable  
21 procedures set forth in paragraphs (2) to (6), inclusive.

22 (2) If the verified complaint is deemed to fall within the  
23 jurisdiction of the committee pursuant to paragraph (1), the  
24 committee shall determine whether the verified complaint alleges  
25 facts, directly or upon information and belief, sufficient to  
26 constitute a violation of any standard of conduct.

27 (3) (i) If the committee determines that the verified complaint  
28 does not allege facts, directly or upon information and belief,  
29 sufficient to constitute a violation of any standard of conduct, it  
30 shall dismiss the complaint and so notify the complainant and  
31 respondent.

32 (ii) If the committee determines that the verified complaint does  
33 allege facts, directly or upon information and belief, sufficient to  
34 constitute a violation of any standard of conduct, the committee  
35 promptly shall investigate the alleged violation and if, after this  
36 preliminary investigation, the committee finds that reasonable  
37 cause exists for believing the allegations of the complaint, it shall  
38 fix a time for a hearing in the matter, which shall be not more than  
39 30 days after that finding. The committee may, however, seek an  
40 extension of this period, not to exceed an additional 30 days, which

1 may be granted by a majority vote of the Committee on Rules. If,  
2 after preliminary investigation, the committee does not find that  
3 reasonable cause exists for believing the allegations of the  
4 complaint, the committee shall dismiss the complaint. In either  
5 event, the committee shall notify the complainant and the  
6 respondent of its determination.

7 (4) The committee shall make its determination under paragraph  
8 (2) or (3), pursuant to a vote in accordance with subdivision (n),  
9 not later than 120 days after first receiving a complaint that satisfies  
10 subdivision (e). The committee may, however, seek an extension,  
11 not to exceed 30 days, which may be granted by a majority vote  
12 of the membership of the Committee on Rules. If the committee  
13 has requested a law enforcement agency to investigate the  
14 complaint or if the committee knows the complaint is being  
15 investigated by a law enforcement agency, the time limits set forth  
16 in this subdivision shall be tolled until the investigation is  
17 completed.

18 (5) The committee's determination under paragraph (2) or (3)  
19 shall be stated in writing, with reasons given therefor, and shall  
20 be provided to the Assembly, and, in any case concerning an  
21 alleged violation of Article 2 (commencing with Section 8920) of  
22 Chapter 1 of Part 1 of Division 2 of Title 2 of the Government  
23 Code, shall be provided to the appropriate law enforcement agency.  
24 This written determination is a public record and is open to public  
25 inspection.

26 (6) Any deliberations of the committee from the time of receipt  
27 of a complaint until it decides to dismiss the complaint or to set a  
28 hearing shall not be open to the public unless the respondent  
29 requests a public meeting.

30 (g) After the complaint has been filed, the respondent shall be  
31 entitled to examine and make copies of all evidence in the  
32 possession of the committee relating to the complaint.

33 (h) If a hearing is held pursuant to subdivision (f), the  
34 committee, before the hearing has commenced, shall issue  
35 subpoenas and subpoenas duces tecum at the request of any party  
36 in accordance with Chapter 4 (commencing with Section 9400) of  
37 Part 1 of Division 2 of Title 2 of the Government Code. All of the  
38 provisions of that chapter, except Section 9410 of the Government  
39 Code, shall apply to the committee and the witnesses before it.

40 (i) At any hearing held by the committee:

- 1 (1) Oral evidence shall be taken on oath or affirmation.
- 2 (2) Each party shall have these rights: to be represented by legal
- 3 counsel; to call and examine witnesses; to introduce exhibits; and
- 4 to cross-examine opposing witnesses.
- 5 (3) The hearing shall be open to the public.
- 6 (j) Any official or other person whose name is mentioned at any
- 7 investigation or hearing of the committee, and who believes that
- 8 testimony has been given that adversely affects him or her, shall
- 9 have the right to testify or, at the discretion of the committee, to
- 10 testify under oath relating solely to the material relevant to the
- 11 testimony regarding which he or she complains.
- 12 (k) The committee shall have 15 days following the hearing
- 13 within which to deliberate and reach its final determination on the
- 14 matter as follows:
  - 15 (1) If the committee finds that the respondent has not violated
  - 16 any standard of conduct, it shall order the action dismissed, shall
  - 17 notify the respondent and complainant thereof, and, in cases
  - 18 concerning an alleged violation of Article 2 (commencing with
  - 19 Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the
  - 20 Government Code, shall transmit a copy of the complaint and the
  - 21 fact of dismissal to the appropriate law enforcement agency. The
  - 22 complaint and the fact of dismissal transmitted pursuant to this
  - 23 paragraph are public records and open to public inspection.
  - 24 (2) If the committee finds that the respondent has violated any
  - 25 standard of conduct, it shall state its findings of fact and submit a
  - 26 report thereon to the Assembly. This report shall be accompanied
  - 27 by a house resolution, authored by the committee, which shall be
  - 28 introduced at the Chief Clerk's desk and then referred by the
  - 29 Committee on Rules to the Ethics Committee. The house resolution
  - 30 shall include a statement of the committee's findings and the
  - 31 committee's recommendation for disciplinary action. Within seven
  - 32 days, the committee shall adopt the final form of the house
  - 33 resolution and report it to the Assembly for placement on the Daily
  - 34 File. The committee also shall send a copy of those findings and
  - 35 report to the complainant and respondent, and, in cases concerning
  - 36 an alleged violation of Article 2 (commencing with Section 8920)
  - 37 of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government
  - 38 Code, shall report thereon to the appropriate law enforcement
  - 39 agency. The report submitted pursuant to this paragraph is a public
  - 40 record and open to public inspection.

1 After the receipt of a copy of the committee’s final report and  
2 house resolution, the Assembly expeditiously shall take appropriate  
3 action with respect to the respondent.

4 (l) The filing of a complaint with the committee pursuant to this  
5 rule suspends the running of the statute of limitations applicable  
6 to any violation of any standard of conduct alleged in the substance  
7 of that complaint while the complaint is pending.

8 (m) The committee shall maintain a record of its investigations,  
9 inquiries, and proceedings. All records, complaints, documents,  
10 and reports filed with or submitted to or made by the committee,  
11 and all records and transcripts of any investigations, inquiries, or  
12 hearings of the committee under this rule shall be deemed  
13 confidential and shall not be open to inspection, without the express  
14 permission of the committee, by any person other than a member  
15 of the committee, or an employee of the committee or other state  
16 employee designated to assist the committee, except as otherwise  
17 specifically provided in this rule. The committee may, by adoption  
18 of a resolution, authorize the release to the Attorney General or a  
19 district attorney of the appropriate county of any information,  
20 records, complaints, documents, reports, and transcripts in its  
21 possession that are material to any matter pending before the  
22 Attorney General or that district attorney. All matters presented  
23 at a public hearing of the committee and all reports of the  
24 committee stating a final finding of fact pursuant to subdivision  
25 (k) shall be public records and open to public inspection. Any  
26 employee of the committee who divulges any matter that is deemed  
27 to be confidential by this subdivision shall be subject to discipline  
28 by the Committee on Rules.

29 (n) The committee may take any action authorized by this rule  
30 only upon the vote of not less than two members from the  
31 registered political party having the greatest number of Members  
32 in the Assembly and two members from the registered political  
33 party having the second greatest number of Members. Any vacancy  
34 on the committee does not reduce the votes required to take action.

35 (o) The committee may render advisory opinions to Members  
36 of the Assembly with respect to the standards of conduct and their  
37 application and construction. The committee may secure an opinion  
38 from the Legislative Counsel for this purpose or issue its own  
39 opinion. Any committee advisory opinion shall be prepared by

1 committee members or staff and shall be adopted by the committee  
2 pursuant to subdivision (n).

3 (p) The committee shall conduct, at least semiannually, an  
4 orientation course on the relevant statutes and regulations  
5 governing official conduct. The curriculum and presentation of  
6 the course shall be established by the Committee on Rules. At least  
7 once each biennial session, each Member of the Assembly and  
8 each employee of the Assembly shall attend one of these courses.

9 (q) Pursuant to Section 8956 of the Government Code, the  
10 committee shall do each of the following:

11 (1) Conduct, at least semiannually, an orientation course on the  
12 relevant ethical issues and laws relating to lobbying.

13 (2) Impose fees on lobbyists for attending the course specified  
14 in paragraph (1) at an amount that will permit the participation of  
15 lobbyists to the fullest extent possible.

16  
17 Printing of Committee Reports  
18

19 23. All requests for the printing of reports of Assembly  
20 committees shall be referred to the Committee on Rules. The  
21 Committee on Rules shall determine the number of copies needed,  
22 whether the report shall be printed in the Journal, and whether the  
23 report shall be distributed electronically. The Committee on Rules  
24 shall authorize the distribution of reports electronically whenever  
25 possible.

26  
27 Assembly Employees  
28

29 24. Every employee who works for a committee of the  
30 Assembly or a subcommittee of a committee, for a Member of the  
31 Assembly, for the Chief Clerk’s office, or for the Sergeant at Arms,  
32 is an employee of the Assembly. All employees of the Assembly  
33 serve at the pleasure of the Assembly and the terms and conditions  
34 of their employment may be modified, or their employment may  
35 be terminated at will, at any time and without notice, by the  
36 Committee on Rules.

37 Every applicant for employment by the Assembly shall prepare  
38 a formal application for employment on forms prescribed by the  
39 Committee on Rules. The application shall include a statement of  
40 his or her present employment, his or her employment during the

1 preceding two years, and other pertinent information that the  
2 Committee on Rules may require. The application shall be certified  
3 under penalty of perjury, and any willful false statement or  
4 omission of a material fact shall be punishable as perjury. If the  
5 application discloses any fact that indicates that the applicant has  
6 a personal interest that would conflict with the faithful performance  
7 of his or her duties, the applicant shall not be employed. All  
8 applications shall be retained in the records of the committee.

9 Every employee shall complete the Assembly ethics course in  
10 the first six months of his or her employment. Thereafter, every  
11 employee shall take the course in the first six months of every  
12 legislative session.

13 Every employee shall, within the first six months of every  
14 legislative session, take a course on sexual harassment prevention.  
15 The content of the course shall be determined by the Committee  
16 on Rules and shall include the Assembly's policy on sexual  
17 harassment prevention and response.

18 An employee may not engage in any outside business activity  
19 or outside employment that is inconsistent, incompatible, or in  
20 conflict with his or her functions or responsibilities as an employee  
21 of the Assembly. Any employee who engages in any outside  
22 business activity or employment that is in any way related to his  
23 or her functions or responsibilities as an employee shall promptly  
24 notify the Committee on Rules of that business activity or  
25 employment.

#### 26 27 Public Legislative Meetings

28  
29 25. (a) Accredited press representatives and the public shall  
30 not be excluded from any public legislative meeting or hearing  
31 and shall not be prohibited from taking photographs of, televising,  
32 or recording the committee or house hearings.

33 (b) The Committee on Rules shall adopt reasonable rules  
34 regarding access to public legislative meeting and hearing spaces,  
35 including the placement and use of equipment for recording or  
36 broadcasting, to minimize disruption of the proceedings. The rules  
37 shall grant priority to accredited press representatives in allocating  
38 access to public legislative meetings and hearings.

#### 39 40 IV. ASSEMBLY FUNCTIONS

A. Duties of Assembly Officers

Duties of the Speaker

- 1
- 2
- 3
- 4 26. (a) The Speaker possesses the powers and shall perform
- 5 the duties prescribed as follows:
- 6 (1) To preserve order and decorum; he or she may speak to
- 7 points of order in preference to the other Members, rising from
- 8 his or her chair for that purpose.
- 9 (2) To decide all questions of order subject to appeal to the
- 10 Assembly by any Member. On every appeal, the Speaker shall
- 11 have the right to assign the reason for his or her decision.
- 12 (3) To name any Member to perform the duties of the Speaker,
- 13 except that any substitution may not extend beyond adjournment.
- 14 (4) To have general direction over the Assembly chamber and
- 15 rooms set aside for the use of the Assembly, including the rooms
- 16 for use by Members as private offices.
- 17 (5) To allocate funds, staffing, and other resources for the
- 18 effective operation of the Assembly.
- 19 (6) To appoint the membership of all standing and special
- 20 committees, including the Committee on Rules, and their respective
- 21 chairpersons and vice chairpersons. The Speaker has approval
- 22 power over the appointment of subcommittees of standing and
- 23 special committees, except as otherwise provided in Rule 14.5.
- 24 The Committee on Rules consists of the Chairperson, Vice
- 25 Chairperson, and other Members who shall be appointed by the
- 26 Speaker in accordance with the process for appointing the
- 27 membership of standing committees pursuant to this rule. Two
- 28 alternate members of the Committee on Rules shall be appointed
- 29 in accordance with the process for appointing members to the
- 30 Committee on Rules. Members and alternates so appointed shall
- 31 remain in office until their successors are selected as provided for
- 32 in these rules. The Speaker may designate any member in lieu of
- 33 or in addition to the alternate member to fill a temporary vacancy.
- 34 An alternate member may serve when a committee member is
- 35 absent.
- 36 (7) To establish a schedule of meetings of standing committees
- 37 or subcommittees and to approve special meetings at a time
- 38 different from the scheduled time.
- 39 (8) To have general control and direction over the Journals,
- 40 papers, and bills of the Assembly and to establish a procedure in



1 accordance with Rule 118 for admitting employees of the  
2 Legislature to the Assembly Chambers, including the Lobby in  
3 the rear of the chambers and any hallway or area of the floor that  
4 is adjacent to the desks occupied by the assistants to the Chief  
5 Clerk.

6 (9) To act as Chairperson of the Committee of the Whole.

7 (10) To order the Lobby and Gallery cleared whenever he or  
8 she deems it necessary.

9 (11) To authenticate by his or her signature, when necessary or  
10 required by law, all bills, memorials, resolutions, orders,  
11 proceedings, writs, warrants, and subpoenas issued by order of the  
12 Assembly.

13 (b) The Speaker is an ex officio member of all Assembly and  
14 joint committees with all of the rights and privileges of that  
15 membership, except the right to vote. In counting a quorum of any  
16 of those committees, the Speaker shall not be counted as a member.

17 (c) The Speaker shall, at each regular session, appoint a Member  
18 of the Assembly to serve on the Judicial Council pursuant to  
19 Section 6 of Article VI of the California Constitution.

20

21

#### Funerals and Other Ceremonies and Events

22

23 27. The Speaker may designate any one or more of the Members  
24 of the Assembly as the representatives of the Assembly to attend  
25 funerals and other ceremonies and events in appropriate  
26 circumstances. The Members so designated shall receive their  
27 expenses as provided in Joint Rule 35.

28

29

#### Selection of Officers

30

31 28. (a) The Speaker shall appoint all nonelected officers of the  
32 Assembly except the Republican Leader.

33 (b) The Republican Leader shall be selected by the Assembly  
34 Republican Caucus.

35

36

#### Duties of the Speaker pro Tempore

37

38 29. The Speaker pro Tempore shall perform those duties  
39 assigned by the Speaker, including the responsibility of presiding

1 over sessions of the Assembly and advising the Members on  
2 parliamentary procedures of the house.

3

4 Duties of the Assistant Speaker pro Tempore

5

6 29.5. The Assistant Speaker pro Tempore shall perform those  
7 duties assigned by the Speaker or Speaker pro Tempore, including  
8 the responsibility of presiding over sessions of the Assembly and  
9 advising the Members on parliamentary procedures of the house.

10

11 Majority Leader

12

13 30. It is the duty of the Majority Leader to make those  
14 appropriate motions, points of order, or other arrangements that  
15 may be necessary to expedite the proceedings of the Assembly,  
16 and he or she is responsible for the presentation of all matters that  
17 relate to the order of business, and to the promotion of harmony  
18 among the membership.

19

20 Caucus Chairpersons

21

22 31. The chairperson of the caucus of the political party having  
23 the greatest number of Members in the Assembly, and the  
24 chairperson of the caucus of the political party having the second  
25 greatest number of Members in the Assembly, shall perform those  
26 duties that are prescribed by their respective party caucuses.

27

28 Chief Clerk

29

30 32. The Chief Clerk of the Assembly has the following duties,  
31 powers, and responsibilities:

32 (a) To keep the bills, papers, and records of the proceedings and  
33 actions of the Assembly and to have charge of the publication and  
34 distribution of those publications related thereto.

35 (b) To supervise Assembly employees who are engaged in duties  
36 related to subdivision (a).

37 (c) To act as Parliamentarian of the Assembly and to advise the  
38 officers of the Assembly and the Committee on Rules on  
39 parliamentary procedure and the Rules of the Assembly when  
40 called upon to do so.

1 (d) To prepare all bills, resolutions, histories, journals, and  
2 related publications for printing.

3 (e) To refuse to permit any bills, papers, or records to be  
4 removed from his or her office or out of his or her custody, except  
5 upon duly signed receipts from persons authorized.

6 (f) To perform other duties that are prescribed by law or the  
7 Committee on Rules.

8 (g) To make technical changes in measures and amendments  
9 pending before the Assembly. The Chief Clerk shall notify the  
10 Speaker and the author of the measure of any such change.

11 (h) To compare all bills, ordered or considered engrossed by  
12 the Assembly, with the engrossed copies thereof; before they pass  
13 out of the possession of the Assembly, to see that each engrossed  
14 bill is a true copy of the original, with those amendments that may  
15 have been made thereto; and to see that all engrossed bills are  
16 reported back in the order in which they were ordered engrossed.

17 (i) To assist the Committee on Rules, upon its request, in  
18 recommending the reference of bills to the appropriate standing  
19 committee.

20 The Assistant Chief Clerk shall have the powers and perform  
21 the duties of the Chief Clerk during his or her absence.

22

23

#### Sergeant at Arms

24

25 33. The Sergeant at Arms has the following duties, powers,  
26 and responsibilities:

27 (a) To attend the Assembly during its session, preserve order,  
28 announce all official messengers, and serve all process issued by  
29 authority of the Assembly and directed by the Speaker; the Sergeant  
30 at Arms shall receive actual expenses for himself or herself, or for  
31 an assistant, incurred in executing any process.

32 (b) To see that no person is admitted to the Assembly Chamber  
33 except in accordance with these rules.

34 (c) To have general supervision over the Assistant Sergeants at  
35 Arms and be responsible for their official acts and their  
36 performance of and regular attendance upon their duties.

37 (d) To execute all commands of the Speaker.

38 (e) To perform all other duties pertaining to his or her office as  
39 prescribed by law or Assembly rule.

1 The Deputy Chief Sergeant at Arms shall have the powers and  
2 perform the duties of the Sergeant at Arms during his or her  
3 absence.

4

5 Filling Interim Vacancies—Assembly Elected Officers

6

7 34. In the event a vacancy in any office, except Speaker, elected  
8 by the membership of the Assembly occurs during joint recesses,  
9 the Committee on Rules shall fill the office until the session  
10 reconvenes. If a vacancy occurs in the office of the Speaker during  
11 a joint recess, the Committee on Rules shall notify the membership  
12 within 15 days from the time the vacancy occurs and shall call a  
13 caucus of the membership of the Assembly for the purpose of  
14 filling the vacancy. This caucus shall be held at the State Capitol  
15 within 30 days from the time the vacancy occurs. Notice of the  
16 caucus shall be in writing and shall be mailed not less than 10 days  
17 prior to the meeting of the caucus. If the Committee on Rules fails  
18 to act within 15 days from the time the vacancy in the office of  
19 Speaker occurs, the Chief Clerk of the Assembly shall act in its  
20 place, following the procedure set forth in this rule. Any person  
21 selected to fill any vacancy pursuant to this rule holds the office  
22 until the session reconvenes.

23 An affirmative recorded vote of a majority of the duly elected  
24 and qualified Members is required for the selection by the  
25 Assembly caucus of a person to fill a vacancy pursuant to this rule.  
26 The procedure for selecting the Speaker at the caucus is the same  
27 as the procedure required for the election of the Speaker at a  
28 session.

29

30

31 B. Printing  
32 Authority for Printing

33

34 35. The State Printer may not charge any printing or other work  
35 to the Assembly other than as provided by law or Assembly rule,  
36 except upon a written order signed by the Chief Clerk of the  
37 Assembly or the Chief Administrative Officer of the Assembly.  
38 All invoices for printing furnished to the Assembly shall be  
39 itemized and rendered by the State Printer within 30 days after  
40 completion of the printing. When necessary, the Chief Clerk of  
the Assembly or the Chief Administrative Officer of the Assembly

1 may order certain printed matter completed in advance of its regular  
2 order by the issuance of a rush order.

3

4

#### Ordering of Printing

5

6 36. The Chief Clerk is authorized to order, and is responsible  
7 for ordering, the printing of bills, resolutions, journals, daily files,  
8 histories, and related documents.

9 The Chief Clerk of the Assembly, or the Chief Administrative  
10 Officer of the Assembly, shall order other printing as directed or  
11 authorized by the Committee on Rules, and the written order for  
12 that printing shall be countersigned by the Speaker or a person  
13 designated by the Speaker. The Chief Clerk of the Assembly or  
14 the Chief Administrative Officer of the Assembly shall also order  
15 other printing as directed or authorized by resolution or motion of  
16 the Assembly.

17

18

#### Printing Assembly History and Legislative Handbook

19

20 37. During the session, the Chief Clerk shall cause to be printed  
21 and placed upon each Member's desk, prior to convening on  
22 Monday of each week, a complete history showing all actions  
23 taken upon each measure up to and including the legislative day  
24 preceding its issuance. For each legislative day intervening between  
25 the issuance of each Weekly History, there shall be printed a Daily  
26 Supplemental History showing only actions taken upon any  
27 measure since the issuance of the preceding Weekly History.

28 The Chief Clerk of the Assembly shall, as soon as practicable,  
29 in each even-numbered year, commence to compile a legislative  
30 manual or handbook, pursuant to Section 9740 of the Government  
31 Code.

32

33

#### Transmittal of Assembly Joint Resolutions

34

35 37.5. Whenever the Chief Clerk is directed to transmit copies  
36 of an Assembly Joint Resolution to Members of the Legislature  
37 or Members of Congress, the Chief Clerk may do one or both of  
38 the following:

39 (a) Transmit the copies to the designated Members by electronic  
40 means.

1 (b) Transmit one physical copy to the appropriate administrative  
2 or legislative officer of the designated body.

3  
4 V. LEGISLATIVE PROCEDURE  
5 Order of Business  
6

7 40. (a) The order of business of the Assembly shall be as  
8 follows:

- 9 1. Rollcall
- 10 2. Prayer by the Chaplain
- 11 3. Reading of the Previous Day’s Journal
- 12 4. Presentation of Petitions
- 13 5. Introduction and Reference of Bills
- 14 6. Reports of Committees
- 15 7. Messages From the Governor
- 16 8. Messages From the Senate
- 17 9. Motions and Resolutions
- 18 10. Business on the Daily File
- 19 11. Announcements
- 20 12. Adjournment

21 (b) With the exception of Special Orders of Business, the  
22 Speaker may determine that a different order of business will result  
23 in a more expeditious processing of the business of the Assembly  
24 by ordering resolutions honoring an individual or an organization,  
25 introductions, and adjournments in memory of individuals to be  
26 taken up in a different order than that listed in subdivision (a).

27  
28 Pledging of Allegiance to the Flag  
29

30 41. At each session, following the prayer by the Chaplain, the  
31 Members of the Assembly and its officers and employees present  
32 in the Assembly Chamber shall pledge their allegiance to the Flag  
33 of the United States of America. The Speaker shall invite guests  
34 present in the Assembly Chamber to join in the pledge of allegiance  
35 to the Flag of the United States of America.

1                   Reading and Correcting Journals  
2

3       42. (a) The reading of the Journal of the previous day may be  
4 dispensed with, on motion, by a majority vote of the Members  
5 present and voting.

6       (b) All journals of the Assembly shall be corrected by the Minute  
7 Clerk and delivered to the Chief Clerk.

8       (c) A motion to correct any day's Journal or to print a letter in  
9 the Journal shall always be in order and shall require a majority  
10 vote of the Members present and voting.

11                                   Presentation of Petitions  
12

13  
14       43. Whenever petitions, memorials, or other papers are  
15 presented by a Member, a brief statement of the contents thereof  
16 may be made verbally by the introducer. Petitions are not debatable  
17 and shall be filed, or referred to a committee as the Speaker shall  
18 determine. Receipt of that presentation and its disposition shall be  
19 noted in the Journal.

20       Upon receipt of a petition for the impeachment of any person  
21 subject to impeachment by the Legislature, the Speaker shall,  
22 without comment or debate, forthwith refer the petition to  
23 committee.

24                                   Messages From the Governor  
25

26  
27       44. Messages from the Governor shall be delivered to the Chief  
28 Clerk or an assistant, and shall be read and ordered printed in the  
29 Journal unless otherwise ordered by an affirmative recorded vote  
30 of 54 or more Members.

31                                   Messages From the Senate  
32

33  
34       45. (a) Messages from the Senate shall be delivered to the  
35 Chief Clerk or an assistant, and shall be read and ordered printed  
36 in the Journal. The Committee on Rules may refer each bill to a  
37 committee, unless upon a motion the Assembly, by an affirmative  
38 recorded vote of 41 or more Members, refers it to some other  
39 committee. The action to refer a bill is not debatable. The reference  
40 shall be entered in the Journal. Assembly bills that have been

1 passed without amendment by the Senate shall be ordered to  
2 enrollment.

3 An Assembly bill amended by the Senate shall be placed upon  
4 the unfinished business file but shall not be eligible to be acted  
5 upon until it is on the unfinished business file for one calendar  
6 day, except that when the Assembly bill is placed upon the  
7 unfinished business file during the last two legislative days  
8 preceding (1) the January 31 bill passage deadline specified by  
9 Section 10 of Article IV of the California Constitution, (2) the  
10 scheduled commencement of the interim study recess, or (3) the  
11 scheduled commencement of the final recess as specified by the  
12 Joint Rules of the Senate and Assembly, it may be acted upon  
13 immediately.

14 (b) An Assembly bill amended by the Senate shall be considered  
15 and voted upon in accordance with Rule 77.

16

17 Presentation of Guests or Memorials in the Assembly

18

19 45.5. These rules do not prohibit the Speaker or Speaker pro  
20 Tempore from permitting the introduction of a special guest or  
21 guests. A request that a session of the Assembly adjourn in memory  
22 of a person shall be made in writing. The request shall be read by  
23 the presiding officer immediately prior to adjournment.

24

25 A. Bills and Resolutions  
26 Bills Defined

27

28 46. (a) The word “bill,” as used in these rules, includes a  
29 constitutional amendment, a concurrent resolution, and a joint  
30 resolution, except as otherwise specifically provided.

31 (b) A concurrent resolution and a joint resolution, other than a  
32 resolution ratifying proposed amendments to the United States  
33 Constitution and a resolution calling for a constitutional  
34 convention, shall be treated in all respects as a bill except as  
35 follows:

36 (1) It shall be given only one formal reading.

37 (2) It shall not be deemed a bill within the meaning of  
38 subdivision (a) and paragraphs (1) and (2) of subdivision (b) of  
39 Section 8 of Article IV of the California Constitution.

40 (c) “Final form,” as used in these rules, means the following:



1 (1) For an Assembly bill, the form of the bill presented on the  
2 Senate floor for a vote upon final passage.

3 (2) For a Senate bill, the form of the bill presented on the  
4 Assembly floor for a vote upon final passage.

5  
6 Introduction and Reference of Bills  
7

8 47. (a) Each bill shall be signed by each Member who is an  
9 author or coauthor of the bill before it is introduced. If any bill is  
10 introduced that does not contain the signature of its author or  
11 coauthor, the bill, on motion of the Member whose name appears  
12 thereon without that signature, shall be stricken from the file by  
13 an affirmative recorded vote of 41 or more Members.

14 (b) After the introduction of preprinted bills, and subject to the  
15 provisions of the Joint Rules of the Senate and Assembly, any  
16 Member desiring to introduce a bill, constitutional amendment, or  
17 concurrent or joint resolution may at any time during a session  
18 send the same to the Chief Clerk's desk.

19 (c) When received at the Chief Clerk's desk each bill shall,  
20 under the proper order of business, be numbered, read the first  
21 time, printed, and referred to a standing committee, and a copy  
22 thereof shall be placed upon the desk of each Member before final  
23 passage.

24 All bills and constitutional amendments introduced before the  
25 standing committees of the Assembly are appointed shall be  
26 referred to committee, the references to take effect when the  
27 committees are appointed.

28 (d) The Committee on Budget may introduce a bill germane to  
29 any subject within the jurisdiction of the committee in the same  
30 manner as any Member. Any other standing committee may  
31 introduce a total of five bills in each year of a biennial session that  
32 are germane to any subject within the proper consideration of the  
33 committee.

34 (e) No committee, except the Committee on Budget, may  
35 introduce or author a house resolution, concurrent resolution, or  
36 joint resolution.

37 (f) A committee bill may not be introduced unless it contains  
38 the signatures of a majority of all of the members, including the  
39 chairperson, of the committee. If all of the members of a committee  
40 sign the bill, at the option of the committee chairperson the

1 committee members’ names need not appear as authors in the  
2 heading of the printed bill.

3 (g) Subdivision (d) or (e) of this rule may be suspended with  
4 respect to a particular bill or resolution by approval of the  
5 Committee on Rules.

6

7

Bills Authored by a Former Member

8

9

10 47.1. Whenever the author of a bill in the Assembly is no longer  
11 a Member of the Legislature, upon a request of a committee or  
12 current Member of the house in which the bill was introduced, the  
13 Assembly Committee on Rules may authorize that committee or  
14 Member to be the author of that bill. Absent that authorization, an  
15 action may not be taken by a committee or the Assembly with  
16 respect to a bill authored by a former Member.

16

17

Limitation on the Introduction of Bills

18

19

20 49. (a) A Member may introduce not more than 50 bills in the  
21 regular session. As used in this rule, “bill” includes a constitutional  
22 amendment, but does not include a concurrent or joint resolution.

22

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51. Except as otherwise provided in this rule, the Committee  
on Rules may refer each bill to a committee by a majority vote of  
the membership of the committee, unless upon a motion the  
Assembly, by an affirmative recorded vote of 41 or more Members,  
refers it to some other committee. A motion to refer a bill is not  
debatable, except as to the propriety of the motion, and it may not  
open the main question to debate.  
The Committee on Rules may require that, if a bill is reported  
out of the committee to which it has been referred, it shall be  
re-referred to another committee that shares jurisdiction of the  
subject matter of the bill.

1 Spot Bills

2  
3 51.5. A bill that upon introduction makes no substantive change  
4 in or addition to existing law, and would not otherwise affect the  
5 ongoing operations of state or local government, except a bill  
6 stating legislative intent to make necessary statutory changes to  
7 implement the Budget Bill, may not be referred to a committee by  
8 the Committee on Rules. If the author subsequently proposes to  
9 the Committee on Rules to make substantive changes in the bill  
10 as introduced, the Committee on Rules may refer the bill to a  
11 committee, together with the proposed changes for consideration  
12 as author's amendments. A vote on passage of the bill may not be  
13 taken, however, until the bill with its amendments, if adopted, has  
14 been in print for at least 15 days.

15  
16 Delivery of Bills to State Printer

17  
18 52. After introduction and first reading, all bills shall be  
19 delivered to the State Printer.

20  
21 Resolutions

22  
23 53. All resolutions shall be numbered and may be referred to  
24 the appropriate committee by the Committee on Rules.

25 Each resolution shall be signed by each Member who is an author  
26 or coauthor of the resolution before it is introduced.

27  
28 Resolutions by Member

29  
30 54. A concurrent resolution or a house resolution may be  
31 introduced relating to a present or former state or federal elected  
32 official or a member of his or her immediate family. Other  
33 resolutions for the purpose of commendation or congratulation of  
34 any person, group, or organization, or for the purpose of expressing  
35 sympathy, regret, or sorrow on the death of any person, shall be  
36 prepared as a Committee on Rules Resolution and presented to the  
37 committee for appropriate action.

38 The Committee on Rules may approve exceptions to this rule  
39 for house resolutions. The Chief Clerk may not accept for

1 introduction any house resolution that is contrary to this rule unless  
2 it is accompanied by the approval of the Committee on Rules.

3

4 B. Standing Committee Functions  
5 Standing Committee Rules

6

7 55. Subject to the Joint Rules of the Senate and Assembly, the  
8 Rules of the Assembly shall govern the conduct of all committee  
9 and subcommittee meetings.

10

11 Meetings of Standing Committees and Subcommittees

12

13 56. All standing committees and subcommittees shall meet at  
14 the hour and place provided by the schedule established by the  
15 Speaker, unless permission for a different hearing time is granted  
16 by the Speaker. A committee or subcommittee may not meet during  
17 any session of the Assembly, nor may any Member of the  
18 Assembly attend a conference committee meeting on any bill  
19 during any session of the Assembly without first obtaining  
20 permission from the Assembly.

21 When an unscheduled meeting of a standing committee or  
22 subcommittee has been so ordered, the meeting shall convene in  
23 an area that is readily accessible to the public and the Assembly  
24 shall take care that every effort is made to inform the public that  
25 a meeting has been called. An unscheduled meeting of a committee  
26 or subcommittee may not be held in the Assembly Chamber.

27 No bill may be set for hearing, nor may any notice thereof be  
28 published by any Assembly committee or subcommittee, until the  
29 bill has been referred to the committee or subcommittee. Nothing  
30 in this paragraph shall prevent a committee or subcommittee from  
31 acting with regard to a bill referred to it where the only action  
32 taken is to cause the bill to be reported to the Assembly with the  
33 recommendation that amendments be adopted and the bill be  
34 reprinted as amended and re-referred to the committee or  
35 subcommittee.

36 The several standing committees and subcommittees and their  
37 chairpersons may adopt a procedure under which bills are  
38 scheduled for hearing on the basis of like subject matter groupings.

1                   Setting and Hearing Bills in Committee  
2

3       56.1. All bills referred to a standing committee pursuant to Rule  
4 51 shall be set and heard, if requested by the author, as specified  
5 by the Joint Rules. If the analysis of an author’s amendment that  
6 is subsequently adopted pursuant to Rule 68 discloses that the  
7 amendment makes a substantial substantive change to the original  
8 bill as referred by the Committee on Rules, the bill as amended  
9 shall either be set and heard by the committee having jurisdiction  
10 of the bill as amended or re-referred to the Committee on Rules  
11 pursuant to the Assembly Rules.  
12

13                                   Committee Analyses  
14

15       56.5. Except as otherwise provided in this rule, each standing  
16 committee and subcommittee shall prepare an analysis of every  
17 bill it has set for hearing, which shall be available to the public in  
18 the office of the committee or subcommittee one working day prior  
19 to the date on which the hearing is to be held. In the case of a  
20 special meeting, or a meeting of the Committee on Appropriations  
21 or the Committee on Budget, or their subcommittees, the analysis  
22 shall be available to the public at the beginning of the hearing. No  
23 question concerning a committee’s compliance with this rule with  
24 regard to any bill shall be in order following a vote on passage of  
25 the bill in that committee. As used in this rule, a “working day” is  
26 any day on which a house file is published.  
27

28       A copy of each committee analysis shall be transmitted by the  
29 committee secretary to the Assembly Floor Analysis Unit at the  
30 same time it is made available to the public.  
31

32                                   Committee Consultants: Floor Analyses  
33

34       56.6. Except as otherwise provided in this rule, the consultants  
35 of a standing committee or subcommittee are responsible for  
36 monitoring bills assigned to their respective committee or  
37 subcommittee throughout the entire legislative process. Except for  
38 resolutions and bills on the Consent Calendar, a consultant of the  
39 appropriate standing committee shall prepare, in a timely fashion,  
an analysis of every bill on third reading or the unfinished business

1 file, and of any amendment to a bill that is on the Assembly floor,  
2 as directed by the Assembly Floor Analysis Unit.

3 The committee consultant who prepares the analysis shall  
4 transmit a copy of the completed analysis to the Assembly Floor  
5 Analysis Unit. The Assembly Floor Analysis Unit is responsible  
6 for final editing for grammar and format of all floor analyses.

7  
8  
9

Consent Calendar

10 56.7. If the chairperson of a committee or subcommittee, in  
11 advance of a hearing, proposes to recommend any bills for  
12 consideration on the Consent Calendar without hearing testimony  
13 on those bills in committee, a list of those bills shall be made  
14 available to the public at the same time as the committee analysis  
15 required under Rule 56.5.

16  
17  
18

Committee Quorum

19 57. Except as otherwise provided in this rule, a majority of the  
20 membership of any standing committee constitutes a quorum for  
21 the transaction of its business, including the decision to recommend  
22 the adoption of any amendments to any bill. A majority of the  
23 membership of the committee, or a subcommittee thereof, is  
24 required to report a bill out of the committee or subcommittee,  
25 respectively. Any vacancy on a standing committee shall not reduce  
26 the votes required to take action on a bill in that committee.

27 Whenever a member is disqualified pursuant to Joint Rule 44  
28 or the Political Reform Act of 1974 (Title 9 (commencing with  
29 Section 81000) of the Government Code) from voting or taking  
30 any other action related to the passage, defeat, or amendment of  
31 a bill in committee, that disqualification shall be treated the same  
32 as a vacancy. The member shall advise the chairperson of a  
33 disqualification, and the chairperson shall announce which  
34 members are so disqualified at the commencement of the hearing  
35 on the bill.

36  
37  
38

Reconsideration

39 57.1. After a committee has voted on a bill, reconsideration  
40 may be granted only one time. Pursuant to subdivision (a) of Joint

1 Rule 62, reconsideration may be granted within 15 legislative days  
2 or prior to the interim study joint recess, whichever occurs first.  
3 A vote on reconsideration may not be taken without the same  
4 notice required to set a bill for hearing unless that vote is taken at  
5 the same meeting at which the vote to be reconsidered was taken  
6 and the author is present. An action taken by a committee may not  
7 be reconsidered except by a majority vote of the membership of  
8 the committee.

9  
10 Bills Reported Back to Assembly

11  
12 58. All committees shall act upon bills referred to them as soon  
13 as practicable, and when acted upon each bill shall be reported  
14 back to the Assembly forthwith; the chairperson of each committee  
15 is charged with the observance of this rule. The chairperson of  
16 each committee shall, insofar as practicable, report back bills in  
17 the same order as they were acted upon by the committee.

18  
19 Appropriations Suspense File

20  
21 58.2. (a) The Committee on Appropriations may maintain a  
22 suspense file, to which bills may be referred by vote of a majority  
23 of the members of the committee present and voting, pending  
24 further consideration by the committee. A bill may be taken off  
25 the suspense file and heard, upon two days' notice published in  
26 the file, by a vote of a majority of the members of the committee  
27 present and voting. A bill removed from the suspense file for the  
28 purpose of amendment only, pursuant to Rule 68, shall be  
29 re-referred to the committee and shall be placed on the suspense  
30 file pending further consideration by the committee.

31 (b) Notwithstanding any other rule, procedure, or practice, a  
32 committee of the Assembly other than the Committee on  
33 Appropriations shall not establish or maintain a suspense file.

34  
35 Voting in Committee

36  
37 58.5. When a standing committee or subcommittee takes action  
38 on a bill, including reconsideration, the vote may be by rollcall  
39 vote only. All rollcall votes taken in a standing committee or  
40 subcommittee shall be recorded by the committee secretary on

1 forms provided by the Chief Clerk of the Assembly. The record  
2 of a rollcall vote shall show, for each proposal voted upon: all  
3 votes for and against, all members absent, and all members not  
4 voting. The chairperson of each standing committee or  
5 subcommittee shall promptly transmit a copy of the record of the  
6 rollcall votes to the Chief Clerk of the Assembly, who shall cause  
7 the votes to be published in an appendix to the Journal on a  
8 monthly basis.

9 The committee secretary of each standing committee or  
10 subcommittee shall promptly transmit a copy of the record of the  
11 rollcall votes to the Assembly Floor Analysis Unit.

12 A member may submit a written explanation of his or her vote,  
13 absence, or failure to vote on any bill or resolution, and that  
14 explanation shall be printed in the appendix to the Journal in the  
15 appropriate place, provided that no explanation may exceed 50  
16 words in length.

17 At the request of the author or any member of the committee,  
18 the committee shall hold the roll open on any bill until the  
19 adjournment of the committee meeting. At no time may a bill be  
20 passed out by a committee without a quorum being present.

21 This rule does not apply to any of the following:

- 22 (a) Adoption of author's amendments to a bill.
- 23 (b) Withdrawal of a bill from a committee calendar at the request  
24 of an author.
- 25 (c) Return of bills to the house where the bills have not been  
26 voted on by the committee.
- 27 (d) Votes of subcommittees of the Committee on Budget when  
28 considering the Budget Bill.
- 29 (e) Votes of the Committee on Rules when referring bills to  
30 committees.

31

32 Subject Matter of Bill Recommended for Interim Study

33

34 59. Whenever it is the decision of a standing committee that a  
35 bill referred to that committee shall not be given a do-pass  
36 recommendation, but that the subject matter of the bill should be  
37 referred for study, that standing committee shall retain the bill in  
38 its possession and report its recommendation to the Assembly that  
39 the subject matter of the bill be referred to the Committee on Rules



1 for that committee's assignment of the subject matter to an  
2 appropriate committee.

3 Nothing in this rule shall be construed to prohibit a committee  
4 from subsequently reporting the bill to the Assembly with a do-pass  
5 or do-pass as amended recommendation or from reporting it out  
6 of committee without further action on the final day of the session.

7

8

#### Committee Chairperson as Author

9

10 60. A chairperson of a standing committee may not preside at  
11 a committee hearing to consider a bill of which he or she is the  
12 sole author or the lead author, except that the Chairperson of the  
13 Committee on Budget may preside at the hearing of the Budget  
14 Bill by the Committee on Budget.

15

16

#### Reports of Committees

17

18 61. Specially prepared reports of standing and special  
19 committees shall be delivered to the Chief Clerk or an assistant,  
20 and shall be read and ordered printed in the Journal unless  
21 otherwise ordered by the Speaker or a majority vote of the  
22 Members present and voting.

23 When a report of a joint legislative committee is delivered to  
24 the Assembly Desk, the Speaker shall refer it to a standing  
25 committee for review and appropriate action.

26

27

#### Constitutional Amendments

28

29 62.5. All constitutional amendments shall be referred to the  
30 policy standing committee having jurisdiction of that subject matter  
31 and, upon being reported out of that committee, shall be re-referred  
32 to the committee having constitutional amendments within its  
33 jurisdiction.

34

35

#### C. Passage of Bills

36

##### Daily File

37

38 63. There shall be printed an Assembly Daily File for each  
39 legislative day. The following listing shall constitute the order of  
40 business on the Daily File:

- 1 1. Special Orders of the Day
- 2 2. Second Reading, Assembly Bills
- 3 3. Second Reading, Senate Bills
- 4 4. Unfinished Business
- 5 5. Third Reading, Assembly Bills
- 6 6. Third Reading, Senate Bills

7 All bills on the Daily File shall be called for consideration,  
8 provided that Rule 58 has been complied with in the order of their  
9 listing. All scheduled committee hearings, together with the list  
10 of bills to be heard, shall be published in the Daily File.

11

#### 12 Copies of Bills for Action on Floor

13

14 64. A bill may not be considered or acted upon on the floor of  
15 the Assembly unless and until a copy of the bill as introduced, and  
16 a copy of each amended form of the bill, has been distributed to  
17 the desk of each Member in hard copy or in portable document  
18 format (PDF) via computer and, as applicable, the requirements  
19 of paragraph (2) of subdivision (b) of Section 8 of Article IV of  
20 the California Constitution have been complied with.

21

#### 22 Second Reading of Bills

23

24 66. All bills shall be read by title the second time in the order  
25 of their appearance upon the second reading file. Upon second  
26 reading, Assembly bills reported without amendments shall be  
27 ordered engrossed, and Senate bills reported without amendments  
28 shall be ordered to third reading. All bills reported out of committee  
29 shall be placed on the second reading file for the next legislative  
30 day, and may not be read a second time until the next legislative  
31 day under that order of business. As used in this rule, “bill” does  
32 not include a joint or concurrent resolution, but does include a  
33 constitutional amendment.

34

#### 35 Bills Requiring General Fund Appropriation

36

37 66.6. Until the Budget Bill has been enacted, the Assembly  
38 may not send to the Governor for consideration any bill  
39 appropriating funds for expenditure during the fiscal year for which  
40 the Budget Bill is to be enacted, except emergency bills

1 recommended by the Governor or appropriations for the salaries  
2 and expenses of the Legislature.

3

4

Committee Amendments and Coauthors

5

6

67. (a) Committee amendments reported with bills shall be  
7 considered upon their second reading, and the amendments may  
8 be adopted by majority vote of the Members present and voting.  
9 Assembly and Senate bills amended on second reading by  
10 committee amendment shall be ordered reprinted and returned to  
11 the second reading file. Assembly bills so amended shall be  
12 engrossed after printing.

13

Committee amendments reported with bills shall be prepared,  
14 or approved as to form, by the Legislative Counsel. Five copies  
15 of the committee amendments to Assembly bills and five copies  
16 of the committee amendments to Senate bills shall be delivered to  
17 the Chief Clerk's desk.

18

The Chief Clerk shall cause to be transmitted to the Assembly  
19 Floor Analysis Unit a copy of each committee report and committee  
20 amendment, unless the committee report or committee amendment  
21 is relative to a joint, concurrent, or house resolution.

22

Adoption of amendments to any bill in the Assembly prior to  
23 third reading, other than by a rollcall, shall not preclude subsequent  
24 consideration in committee, or on the third reading by the  
25 Assembly, of the bill, those amendments, or any part thereof.

26

(b) Notwithstanding any other rule, the revision of a bill only  
27 to add coauthors shall not be considered an amendment of the bill.  
28 A request to add coauthors may be submitted to the Assembly with  
29 the approval of the committee chairperson, the lead author of the  
30 bill, and each proposed coauthor on a form provided by the Chief  
31 Clerk. The form may be submitted to the Chief Clerk with the  
32 submission of the committee report. Upon submission of the form,  
33 the heading of the bill shall be revised to reflect the additional  
34 coauthor or coauthors. Any Member added as a coauthor to a bill  
35 may subsequently request in writing that his or her name be  
36 removed.

## Author's Amendments

1  
2  
3  
4  
5  
6  
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8  
9

68. Upon request of the author of a bill, the chairperson of the committee to which the bill has been referred may, by his or her individual action taken independently of any committee meeting, cause the bill to be reported to the Assembly with the recommendation that amendments submitted by the author be adopted and the bill be reprinted as amended and re-referred to the committee.

10 Notwithstanding any other rule, a bill to be amended pursuant  
11 to this rule may not be placed on the second reading file for the  
12 adoption of those amendments.

13  
14  
15

## Rules Committee Author's Amendments

16 68.1 (a) If a proposed amendment to a bill on the floor is  
17 submitted pursuant to Rule 69, the chairperson of the Committee  
18 on Rules may, upon request of the author of the bill, re-refer the  
19 bill and proposed floor amendments to the Committee on Rules  
20 for further action.

21 (b) Upon re-referral, the chairperson of the Committee on Rules  
22 may cause the amendments submitted by the author to be adopted  
23 and the bill to be reprinted as amended and ordered returned to  
24 either the second or third reading file.

25  
26  
27

## Vote on Passage of Bill as Amended

28 68.5. Except as otherwise provided in this rule, a vote on  
29 passage of any bill in a standing committee or subcommittee shall  
30 be taken only when the bill is in print, including any previously  
31 adopted amendments to the bill. A vote on passage of an amended  
32 bill, when the amended form of the bill is not in print, may be  
33 taken only if the sole effect of the amendment is to add coauthors  
34 to the bill or if the committee determines that the effect of the  
35 amendment upon the bill can be readily understood by all of the  
36 members and audience present at the hearing. In that circumstance,  
37 any member may require that the amendments be in writing at the  
38 time of their adoption.

1 Bill Analysis Prior to Third Reading

2  
3 68.6. A bill, concurrent resolution, or joint resolution may not  
4 be considered on third reading unless and until an analysis of the  
5 measure has been distributed by the Assembly Floor Analysis Unit  
6 and placed upon the desks of the Members, unless otherwise  
7 ordered by the Speaker.

8  
9 Analysis of Conference Committee Amendments

10  
11 68.7. A report of a conference committee on any bill, other  
12 than the Budget Bill, that recommends the substantive amendment  
13 of a bill may not be considered unless and until an analysis of the  
14 proposed amendment has been distributed by the Assembly Floor  
15 Analysis Unit and placed upon the desks of the Members, unless  
16 otherwise ordered by the Speaker.

17  
18 Printing of Conference Committee Reports

19  
20 68.8. A conference report may not be heard by the Assembly  
21 until it has been in print for 72 hours prior to being taken up by  
22 the house.

23  
24 Conference Committee: Substantial Policy Change

25  
26 68.9. (a) A conference committee on any bill, other than the  
27 Budget Bill or a bill that is making statutory changes to implement  
28 the Budget Bill, may not approve any substantial policy change  
29 in any bill if that substantial policy change has been defeated in a  
30 policy committee of the Assembly within the current legislative  
31 session. For purposes of this rule, the most recent action of a policy  
32 committee with regard to a substantial policy change is deemed  
33 the only action taken when the policy committee has taken  
34 inconsistent actions with respect to a substantial policy change.

35 (b) For purposes of subdivision (d) of Joint Rule 29.5, the term  
36 “heard” means that a printed bill with substantially similar language  
37 was before the appropriate committee and taken up at a regular or  
38 special hearing of the committee during the current legislative  
39 session; or that an amendment, which was drafted and given a  
40 request number or approved as to form by the Legislative Counsel,

1 was before the committee and taken up at a regular or special  
2 hearing of the committee.

3

4 Amendments From the Floor and Coauthors

5

6 69. (a) Any Member may move to amend a bill during its  
7 second or third reading, and that motion to amend may be adopted  
8 by a majority vote of the Members present and voting.

9 Amendments to a bill offered from the floor, except committee  
10 amendments reported with bills, amendments offered with a motion  
11 to amend and re-refer a bill to committee, amendments deleting  
12 any number of words, or amendments previously printed in the  
13 Journal, are not in order unless and until a copy of the proposed  
14 amendments has been placed upon the desks of the Members.

15 Notwithstanding any other rule, a bill that has been revised on  
16 the Assembly Floor at the request of the lead author and on forms  
17 provided by the Chief Clerk only to add coauthors to the bill shall  
18 not be considered an amendment and a copy of the bill is not  
19 required to be placed upon the desks of the Members if both the  
20 Speaker and the Republican Leader, or a majority vote of the house,  
21 approve the request. The heading of the bill shall be revised to  
22 reflect the addition of the coauthor or coauthors.

23 Amendments offered from the floor during a bill's second or  
24 third reading shall be prepared, or approved as to form, by the  
25 Legislative Counsel.

26 Before debate five copies of the proposed amendment to  
27 Assembly bills, and five copies of the proposed amendments to  
28 Senate bills, shall be delivered to the Chief Clerk's desk. One copy  
29 of the proposed amendment shall be transmitted by the Chief Clerk  
30 to the Assembly Floor Analysis Unit. Bills so amended upon  
31 second or third reading shall be reprinted and re-engrossed. The  
32 Chief Clerk shall order printed as many copies of all amended bills  
33 as he or she may determine to be necessary.

34 (b) (1) Amendments from the floor during a bill's second or  
35 third reading that would make a substantive change in the bill shall  
36 be submitted to the Chief Clerk's desk by 5:00 p.m. or the time of  
37 adjournment, whichever is later, the business day before the start  
38 of session on the legislative day at which they are to be considered.

39 (2) Upon receipt of the proposed amendments by the Chief  
40 Clerk, an analysis shall be prepared by the committee of origin in

1 conjunction with the Assembly Floor Analysis Unit, and a copy  
2 of that analysis shall be distributed to each Member's desk prior  
3 to the beginning of debate on adoption of the proposed  
4 amendments, unless otherwise ordered by the Speaker.

5 (c) Paragraph (1) of subdivision (b) does not apply to (1)  
6 amendments to a bill taken up without reference to file, (2)  
7 amendments to a bill to add or delete an urgency clause, (3)  
8 amendments to a bill that are identical to other amendments  
9 submitted to the Chief Clerk's desk in accordance with the  
10 requirements of this rule, (4) amendments to the Budget Bill or to  
11 a bill that is making statutory changes necessary to implement the  
12 Budget Bill, or (5) amendments to a bill to make the bill contingent  
13 upon the enactment of another bill, or to incorporate one or more  
14 statutory amendments proposed in another bill to avoid superseding  
15 those amendments.

16 (d) Any bill amended on the second or third reading file shall  
17 be ordered reprinted and returned to the third reading file, and may  
18 not be acted on by the Assembly until the bill, as amended, has  
19 been on the Daily File for one calendar day, and, with regard to  
20 an amended Senate bill, may not be voted upon for final passage  
21 until the bill complies with Rule 76. This subdivision does not  
22 apply to a bill that is amended to add or delete an urgency clause  
23 or to a bill that is amended to make statutory changes to implement  
24 the Budget Bill.

25 (e) A motion to amend a bill on the second or third reading file,  
26 other than committee amendments reported pursuant to Rule 57,  
27 is not in order on (1) the last two legislative days preceding the  
28 January 31 bill passage deadline specified by Section 10 of Article  
29 IV of the California Constitution or (2) the last seven days  
30 preceding the scheduled commencement of the interim study recess  
31 or the scheduled commencement of the final recess as specified  
32 by the Joint Rules of the Senate and Assembly. This subdivision  
33 may be suspended temporarily by two-thirds vote of the Members  
34 present and voting. This subdivision does not apply to amendments  
35 to a bill pursuant to Joint Rule 23.5, amendments to a bill to add  
36 or delete an urgency clause, or amendments to a bill to incorporate  
37 one or more statutory amendments proposed in another bill to  
38 avoid superseding those amendments.

1                   Consideration of Political Reform Act Bills

2  
3       69.1. Pursuant to Section 81012 of the Government Code, any  
4 bill that would amend the Political Reform Act of 1974 (Title 9  
5 (commencing with Section 81000) of the Government Code) may  
6 not be passed until, 12 days prior to being considered for passage,  
7 the bill in its final form has been delivered by the Chief Clerk to  
8 the Fair Political Practices Commission for distribution to the news  
9 media and to every person who has requested the commission to  
10 send a copy of any such bill to him or her.

11  
12                   Consideration of Bills Amending the California Stem Cell  
13                                   Research and Cures Act

14  
15       69.2. Pursuant to Section 8 of the California Stem Cell Research  
16 and Cures Act (Proposition 71 of the November 2, 2004, statewide  
17 general election), the following requirements apply to a bill that  
18 would amend the provisions of that act:

- 19       (a) The bill may not be passed until, 14 days prior to the date  
20 of passage, copies of the bill in its final form are made available  
21 by the Chief Clerk to the public and the news media.  
22       (b) Passage of the bill requires the affirmative votes of 56  
23 Members.

24  
25                   Electronic Distribution of Bills, Conference Reports,  
26                                   Amendments, and Analyses

27  
28       69.5. Any requirement that bills, conference reports,  
29 amendments, or an analysis be placed on the desks of the Members  
30 is satisfied by electronic distribution of the same information in  
31 portable document format (PDF) via computer to the desk of the  
32 Members through the Assembly Floor System, unless otherwise  
33 ordered by the Speaker.

34  
35                   Consideration of Bills Re-referred to Committee

36  
37       70. Whenever a bill that has been amended and re-referred to  
38 committee is reported out by that committee, it shall be placed on  
39 the second reading file and may not be transferred therefrom to  
40 the third reading file until the following day.



1 Uncontested Bills

2  
3 71. A bill may not be placed on the Assembly Consent Calendar  
4 unless it has met the requirements of Joint Rule 22.1 with respect  
5 to each Assembly standing committee to which the bill has been  
6 referred.

7  
8 Consideration of Concurrent and Joint Resolutions

9  
10 73. A concurrent or joint resolution may be amended by a  
11 majority vote of the Members present and voting. The ayes and  
12 noes may not be called upon the adoption of concurrent resolutions,  
13 except those authorizing expenditures of money, unless regularly  
14 demanded, or required by statute or the California Constitution.

15  
16 Adoption of Resolutions

17  
18 74. Any resolution upon which a rollcall vote is demanded  
19 requires an affirmative recorded vote of 41 or more Members for  
20 adoption.

21 The adoption of any resolution authorizing the expenditure of  
22 money requires an affirmative recorded vote of 41 or more  
23 Members.

24  
25 Printing of Resolutions

26  
27 75. When any previously printed house resolution is before the  
28 Assembly for adoption, it may be printed in the Journal only if  
29 amendments to it have been adopted, in which case it shall be  
30 printed as amended. In the absence of those amendments, house  
31 resolutions before the Assembly for adoption shall be referred to  
32 by day and page of the Journal as printed upon introduction. For  
33 the purposes of this rule, the adding of a coauthor shall not be  
34 deemed an amendment.

35  
36 Internet Publication Prior to Final Passage of Senate Bill

37  
38 76. (a) A Senate bill shall not be voted upon by the Assembly  
39 for final passage unless the bill has been published on the Internet  
40 in its final form for at least 72 hours prior to that vote.

1 (b) The requirement of subdivision (a) may be waived for a bill  
 2 if the Governor has submitted to the Legislature a written statement  
 3 that dispensing with the notice period for that bill is necessary to  
 4 address a state of emergency, as described in paragraph (2) of  
 5 subdivision (b) of Section 8 of Article IV of the California  
 6 Constitution.

7 (c) As used in this rule, “bill” does not include a joint or  
 8 concurrent resolution or a constitutional amendment.

9

Concurrence in Senate Amendments

10

11

12 77. (a) Concurrence in any Senate amendment to an Assembly  
 13 bill requires the same affirmative recorded vote as the vote required  
 14 by the California Constitution for the passage of the bill. A vote  
 15 on concurrence may not be taken until the bill has been on the  
 16 unfinished business file for one calendar day, except that when  
 17 the bill is placed upon the unfinished business file during the last  
 18 two legislative days preceding (1) the January 31 bill passage  
 19 deadline specified by Section 10 of Article IV of the California  
 20 Constitution, (2) the scheduled commencement of the interim study  
 21 recess, or (3) the scheduled commencement of the final recess as  
 22 specified by the Joint Rules of the Senate and Assembly, it may  
 23 be acted upon immediately. The vote on concurrence shall be  
 24 deemed the vote upon final passage of the bill.

25 (b) Senate amendments to Assembly bills shall not be concurred  
 26 in until both of the following have occurred:

27 (1) An analysis of the bill has been distributed by the Assembly  
 28 Floor Analysis Unit and a copy placed upon the desks of the  
 29 Members, unless otherwise ordered by the Speaker. As used in  
 30 this paragraph, “bill” includes a constitutional amendment, but  
 31 does not include a joint or concurrent resolution.

32 (2) The bill has been published on the Internet in its final form  
 33 for at least 72 hours prior to that vote. This requirement may be  
 34 waived for a bill if the Governor has submitted to the Legislature  
 35 a written statement that dispensing with this notice period for that  
 36 bill is necessary to address a state of emergency, as described in  
 37 paragraph (2) of subdivision (b) of Section 8 of Article IV of the  
 38 California Constitution. As used in this paragraph, “bill” does not  
 39 include a joint or concurrent resolution or a constitutional  
 40 amendment.

1                   Digest of Bills Amended in Senate  
2

3       77.1. Whenever the Senate amends and passes an Assembly  
4 bill, the Legislative Counsel shall, within one day after the bill is  
5 passed by the Senate, prepare and transmit to the Chief Clerk and  
6 the Speaker a brief digest summarizing the effect of the Senate  
7 amendment. Upon receipt from the Legislative Counsel, the Chief  
8 Clerk shall cause the digest to be printed in the Daily File  
9 immediately following any reference in the file to the bill covered  
10 by the digest.

11   Substantially Amended Bills  
12

13  
14       77.2. If the analysis of an amendment adopted on the floor  
15 discloses that the amendment makes a substantial substantive  
16 change to a bill as passed by the last committee of reference, the  
17 bill, as amended, may be referred by the Speaker to the appropriate  
18 committee.

19       A bill that was previously reported from a policy or fiscal  
20 committee of reference in compliance with Joint Rule 61 is not  
21 subject to the deadlines in Joint Rule 61 if the bill is subsequently  
22 referred to a policy or fiscal committee pursuant to this rule.

23       If the digest to an Assembly bill that has been returned to the  
24 Assembly by the Senate for concurrence in Senate amendments  
25 discloses that the Senate has made a substantial substantive change  
26 in the bill as first passed by the Assembly, the bill may be referred  
27 by the Speaker to the appropriate committee.  
28

29   Inactive File  
30

31       78. Whenever a bill has been passed twice on the third reading  
32 file on two successive legislative days, it shall be placed forthwith  
33 upon a special file to be known as the inactive file. A bill also may  
34 be placed on the inactive file at the request of the author. When a  
35 bill has been placed on the inactive file, it may be returned to the  
36 third reading file by request of the author. Notice of the request to  
37 return the bill to the third reading file shall be published one day  
38 in advance in the Assembly File. The bill, when returned to the  
39 third reading file, shall then be placed at the foot of the third  
40 reading file.

1 When a bill, placed on the inactive file from the second reading  
 2 file or the unfinished business file, is removed from the inactive  
 3 file, it shall be returned to the foot of the second reading file or  
 4 the unfinished business file, respectively, in the next published  
 5 Daily File.

6  
 7 Engrossing and Enrolling Bills  
 8

9 79. The Engrossing and Enrolling Clerk shall engross and enroll  
 10 all bills that come to his or her hands for that purpose, in  
 11 compliance with the provisions of Section 9503 of the Government  
 12 Code, and in the order of time in which the same shall be acted  
 13 upon by the Assembly.

14 After final passage by both houses, any Assembly bill not  
 15 amended by the Senate shall be ordered by the Speaker forthwith  
 16 to be enrolled, as provided in Sections 9508 and 9509 of the  
 17 Government Code. The Chief Clerk shall report both the day and  
 18 hour each enrolled bill is presented to the Governor, which report  
 19 shall be entered in the Journal.

20  
 21 VI. PARLIAMENTARY PROCEDURE

22 A. Motions and Questions

23 Precedence of Motions During Debate  
 24

25 80. When a question is under debate or before the Assembly,  
 26 no motions shall be received but the following, which shall take  
 27 precedence in the order named:

- 28 First—To adjourn;
- 29 Second—To recess to a time certain;
- 30 Third—To lay on the table;
- 31 Fourth—For the previous question;
- 32 Fifth—To set as a special order;
- 33 Sixth—To postpone indefinitely;
- 34 Seventh—To refer to or to re-refer;
- 35 Eighth—To amend.

36  
 37 Questions of Order Decided Without Debate  
 38

39 81. All incidental questions of order, arising after a motion is  
 40 made for any of the questions named in Rule 80 and pending that

1 motion, shall be decided by the Speaker without debate, whether  
2 on appeal or otherwise.

3  
4 Appeal From Decision of the Speaker  
5

6 82. Any Member may appeal from a decision of the Speaker  
7 without waiting for recognition by the Speaker, even though  
8 another Member has the floor. An appeal is not in order when  
9 another is pending, or when other business has been transacted by  
10 the Assembly prior to the appeal being taken. Upon the appeal  
11 being seconded, the Speaker may give his or her reasons for the  
12 decision, and the Member making the appeal may give his or her  
13 reasons for the appeal, and the Speaker forthwith shall put one of  
14 the following questions to the Assembly:

15 (1) "Shall the decision of the Speaker be sustained?"

16 (2) "Shall the decision of the Speaker be overruled?"

17 An appeal may not be amended and yields only to a motion to  
18 recess or adjourn, or to lay on the table, or a question of personal  
19 privilege. If an appeal is laid on the table, that action shall have  
20 no effect on the pending question.

21 An appeal may not be debated when relating to indecorum, the  
22 transgression of rules, or the priority of business. A majority vote  
23 of the Members present and voting decides any appeal. In the event  
24 of a tie vote, the appeal is lost.

25  
26 Speaker Explains Order of Business  
27

28 83. The Speaker may, on his or her own motion or the motion  
29 of any Member, explain the order of business when the motion  
30 pending before the Assembly is not debatable. That explanation  
31 may not consume more than two minutes.

32  
33 To Adjourn  
34

35 84. A motion to adjourn is not debatable and may not be  
36 amended, and is always in order, except: (a) when another Member  
37 has the floor; (b) when the Assembly is voting; or (c) during a  
38 call of the Assembly. The name of any Member moving an  
39 adjournment, and the hour at which the motion was made and  
40 adjournment taken, shall be entered in the Journal. A motion to

1 adjourn shall be adopted by a majority vote of the Members present  
2 and voting.

3 When a motion to adjourn is made and seconded, it shall be in  
4 order for the Speaker, before putting the question, to permit any  
5 Member to state to the Assembly any fact relating to the condition  
6 of the business of the Assembly which would seem to render it  
7 improper or inadvisable to adjourn. That statement may not occupy  
8 more than two minutes and is not debatable.

9 An affirmative recorded vote of a majority of the duly elected  
10 and qualified Members is required to adjourn any session of the  
11 Assembly sine die.

12

13 To Recess to a Time Certain

14

15 85. A motion to recess to a time certain is treated the same as  
16 a motion to adjourn, except that the motion is debatable when no  
17 business is before the Assembly, and can be amended as to the  
18 time and duration of the recess. It yields only to a motion to  
19 adjourn.

20

21

To Lay on the Table

22

23 86. A motion to lay on the table is not debatable and may not  
24 be amended.

25 A motion to table a bill, constitutional amendment, or concurrent  
26 or joint resolution is adopted by an affirmative recorded vote of  
27 41 or more Members.

28 Any motion to lay on the table, if carried by 41 or more votes,  
29 carries with it the main question and everything that adheres to it,  
30 except that a motion to lay an amendment on the table, if adopted,  
31 does not carry with it a bill, constitutional amendment, or  
32 concurrent, joint, or house resolution.

33 A motion to lay an amendment on the table is adopted by a  
34 majority vote of the Members present and voting.

35 A motion to lay on the table may not be applied with respect to  
36 reconsideration.

1                                   The Previous Question  
2

3       87. The previous question shall be put only when demanded  
4 by five Members, and its effect, when sustained by a majority vote  
5 of the Members present and voting, shall be to put an end to all  
6 debate and bring the Assembly to a vote only on the question then  
7 pending, except that the proponent of the matter pending shall be  
8 allowed not more than five minutes to close the debate.  
9

10                                  Motion to Set Special Order  
11

12       88. A motion to set any matter before the Assembly as a special  
13 order of business is adopted by an affirmative recorded vote of 54  
14 or more Members. The motion is debatable only as to the propriety  
15 of setting the main question as a special order of business, and  
16 may be amended only as to the time.  
17

18                                  Motion to Postpone to a Time Certain  
19

20       89. A motion to postpone to a time certain is deemed and treated  
21 as a motion to set as a special order.  
22

23                                  Motion to Postpone Indefinitely  
24

25       90. The making of a motion to postpone indefinitely any bill,  
26 motion, or amendment opens the main question to debate. If the  
27 motion to postpone indefinitely prevails by an affirmative recorded  
28 vote of 41 or more Members, the main question may not be acted  
29 upon again during the session.  
30

31                                  Motion to Amend  
32

33       91. A motion to amend may itself be amended, but an  
34 “amendment to an amendment” may not be amended. A motion  
35 to substitute is deemed to be a motion to amend and is considered  
36 the same as an amendment.

37       Only one substitute is in order when an amendment is pending.  
38 A motion to amend or to substitute is debatable, except where the  
39 main question to be amended is not debatable. Any motion to

1 amend may be adopted by a majority vote of the Members present  
2 and voting.

3 A motion to amend that is decided in the negative is not again  
4 in order on the same day, or at the same stage of proceeding. The  
5 fact that a motion to amend by striking out certain words is decided  
6 in the negative does not preclude a motion to amend by adding  
7 words, or a motion to amend by striking out and inserting words,  
8 except that in no case may a further amendment be substantially  
9 the same as the one rejected.

10 Subject to the above provisions of this rule and Rule 69, a motion  
11 to amend is in order during the second or third reading of any bill.

12

### 13 Amendment to Be Germane

14

15 92. An amendment to any bill, other than a bill stating  
16 legislative intent to make necessary statutory changes to implement  
17 the Budget Bill, whether reported by a committee or offered by a  
18 Member, is not in order when the amendment relates to a different  
19 subject than, is intended to accomplish a different purpose than,  
20 or requires a title essentially different than, the original bill.

21 A motion or proposition on a subject different from that under  
22 consideration may not be admitted as an amendment.

23 An amendment is not in order that changes the original number  
24 of any bill.

25 A Member may not be added or deleted as an author or coauthor  
26 of a bill or resolution without his or her consent.

27

### 28 Consideration of Motions

29

30 93. A motion, whether oral or written, may not be adopted until  
31 it is seconded and distinctly stated to the Assembly by the Speaker.

32

### 33 Motions in Writing

34

35 94. Upon request of the Speaker, all motions shall be reduced  
36 to writing and shall be read to the Assembly by the Speaker before  
37 being acted upon.



1 Withdrawal of Motions

2  
3 95. After a motion is stated by the Speaker, or a bill, resolution,  
4 or petition is read by the Chief Clerk, it is in the possession of the  
5 Assembly.

6  
7 Motion to Withdraw or Re-refer Bills

8  
9 96. (a) A motion to withdraw a bill or resolution from  
10 committee, or to re-refer a bill or resolution from one committee  
11 to another committee, may be made during the regular order of  
12 business. A motion to re-refer may be debated only as to the  
13 propriety of the reference, and shall require an affirmative recorded  
14 vote of 41 or more Members.

15 (b) A bill or resolution may not be withdrawn from committee  
16 and placed upon the file, unless a motion to withdraw has been  
17 heard by, and has been approved by a majority vote of, the  
18 Committee on Rules. This subdivision does not apply to a bill in  
19 a fiscal committee that has been amended so as not to require its  
20 reference to a fiscal committee, as indicated by the Legislative  
21 Counsel's Digest.

22 (c) A motion to continue a motion to withdraw a bill or  
23 resolution from committee requires a majority of those Members  
24 present and voting. A motion to withdraw a motion to withdraw  
25 is not in order.

26  
27 Re-reference of Measures on File

28  
29 97. A motion to re-refer a bill or resolution that is on the  
30 Assembly Daily File to committee may be made during the regular  
31 order of business. The motion is debatable only as to the propriety  
32 of that reference and shall require an affirmative recorded vote of  
33 41 or more Members.

34  
35 Bills Stricken From File

36  
37 98. A motion to strike from the file any bill or resolution  
38 requires an affirmative recorded vote of 41 or more Members. That  
39 bill or resolution may not be acted upon again during the session.

## 1                   Motion to Rescind Action or Expunge Record

2  
3       99. Previous to the approval of the Journal by the Assembly,  
4 any action may be rescinded and its record ordered expunged by  
5 the affirmative recorded vote sufficient to take that action  
6 originally, except that an action may not be rescinded and the  
7 record expunged by a vote less than an affirmative recorded vote  
8 of 41 or more Members. A motion to rescind the action and  
9 expunge the record may not be made twice on the same proposition.

10       A motion to rescind is not in order on any matter upon which a  
11 vote to reconsider has previously been taken in the Assembly.

12       Whenever any action of the Assembly is rescinded and its record  
13 ordered expunged, the record of the action expunged may not  
14 appear in any form whatsoever, except that the record of the  
15 proceedings on the motion to rescind and expunge shall appear in  
16 the Journal as and when printed.

17  
18                   Reconsideration of Vote

19  
20       100. (a) A motion to reconsider a vote on the next legislative  
21 day shall be made on the same day the vote to be reconsidered was  
22 taken. A motion to reconsider may not be adopted unless it receives  
23 an affirmative recorded vote of 41 or more Members. A motion  
24 to reconsider may be voted on without a second.

25       A motion to reconsider a vote shall be made by a Member voting  
26 on the question, and takes precedence over all motions, except a  
27 motion to adjourn. Upon that motion being made, the matter to be  
28 reconsidered forthwith shall be placed upon the unfinished business  
29 file, and further action may not be taken prior to the next legislative  
30 day. When a motion to reconsider has once been made, the motion  
31 is the property of the Assembly. When reconsideration is granted,  
32 the matter to be reconsidered shall be before the Assembly in the  
33 same status it had prior to the vote being reconsidered.

34       (b) (1) Interim Study Recess:

35       No motion to reconsider the vote whereby amendments are  
36 concurred in on Assembly bills, the vote whereby a Senate bill is  
37 passed and returned to the Senate, or the vote whereby a conference  
38 committee report is adopted is in order on the last two legislative  
39 days preceding the interim study recess.

1 A motion to reconsider the vote whereby amendments are refused  
2 concurrence on Assembly bills, the vote whereby Senate bills are  
3 refused passage, or the vote whereby a conference committee  
4 report is refused adoption is in order on the last legislative day  
5 preceding the interim study recess. The motion may be taken up  
6 before the end of that legislative day.

7 As used in this paragraph, “bill” does not include a joint or  
8 concurrent resolution.

9 (2) January 31—Even-numbered Year:

10 A motion to reconsider the vote whereby an Assembly bill is  
11 passed to the Senate is not in order on the last two legislative days  
12 preceding January 31 of the even-numbered year.

13 A motion to reconsider the vote whereby an Assembly bill is  
14 refused passage on its third reading is in order on the last legislative  
15 day preceding January 31 of the even-numbered year. The motion  
16 must be taken up before the end of that legislative day.

17 As used in this paragraph, “bill” does not include a Senate bill,  
18 a constitutional amendment, or a joint or concurrent resolution.

19 (3) Spring or Summer Recess:

20 A motion to reconsider the vote whereby a bill is passed is not  
21 in order on the last two legislative days preceding the Spring or  
22 Summer Recess as established by the Joint Rules of the Senate  
23 and Assembly.

24 (4) Deadline for Passage by House:

25 A motion to reconsider the vote whereby an Assembly bill is  
26 passed to the Senate is not in order on the last two legislative days  
27 preceding the last day for the Assembly to pass a bill introduced  
28 in the Assembly, as set forth in the Joint Rules of the Senate and  
29 the Assembly.

30 As used in this paragraph, “bill” does not include a Senate bill,  
31 a constitutional amendment, or a joint or concurrent resolution.

32 (5) Final Recess:

33 A motion to reconsider the vote whereby a bill is passed is not  
34 in order on the last two legislative days preceding the final recess.

35 A motion to reconsider the vote whereby a bill is defeated is in  
36 order on the day of the final recess. The motion must be taken up  
37 before the end of that legislative day.

38 (c) Any Member voting on any matter may move to take up on  
39 the same day the motion, previously made by another Member, to  
40 reconsider the vote on that matter. A motion to take up on the same

1 day a motion to reconsider the vote on a bill requires an affirmative  
2 recorded vote of at least 41 Members. A motion to take up on the  
3 same day a motion to reconsider the vote on any motion,  
4 amendment, Assembly resolution, or proposition other than a bill  
5 requires an affirmative vote of a majority vote of the Members  
6 present and voting. The motion to take up the reconsideration on  
7 the same day takes precedence over the motion to reconsider and,  
8 upon demand of any Member, the motion to take up the  
9 reconsideration on the same day shall be put to an immediate vote.  
10 If the motion to take up the reconsideration on the same day is  
11 adopted, the motion to reconsider is the next order of business  
12 before the Assembly.

13 (d) A second motion to reconsider the same question is not in  
14 order, nor is a motion to reconsider reconsideration in order.

15 (e) A motion to continue a motion to reconsider requires a  
16 majority vote of those Members present and voting.

17

18

#### Call of Assembly

19

20 101. After the roll has been called, and prior to the  
21 announcement of the vote, any Member may move a call of the  
22 Assembly. The Members present may order a call of the Assembly  
23 by a majority vote of the Members present and voting, and the  
24 Speaker shall immediately order the Sergeant at Arms to lock all  
25 doors and direct the Chief Clerk to prepare a list of absentees as  
26 disclosed by the last rollcall. The list of absentees shall be furnished  
27 to the Sergeant at Arms, whereupon no Members shall be permitted  
28 to leave the Assembly Chamber except by written permission of  
29 the Speaker, and a person may not be permitted to enter except  
30 Members, Senators, or officers, or employees of the Legislature  
31 in the official performance of their duties.

32 Each Member who is found to be absent, and for whom a leave  
33 of absence has not been granted, shall be forthwith taken into  
34 custody wherever found by the Sergeant at Arms, his or her  
35 assistants, or any person designated by the Sergeant at Arms,  
36 including members of the California Highway Patrol, and sheriffs  
37 or their deputies, and brought to the Assembly Chamber.

38 A recess or adjournment may not be taken during a call of the  
39 Assembly. Additional business may be conducted and calls placed  
40 regardless of the number of calls in effect. A call of the Assembly

1 may be dispensed with at any time upon a majority vote of the  
2 Members present, that action to become effective upon the  
3 completion of the rollcall and the announcement of the vote upon  
4 the matter for which the call was ordered, unless, prior to the  
5 announcement of the vote, the call is continued by a majority vote  
6 of the Members present.

7  
8  
9

#### Division of Question

10 102. Any Member may call for a division of the question, and  
11 the Speaker shall order the question divided if it comprehends  
12 propositions in substance so distinct that, one being taken away,  
13 a substantive proposition would remain for the decision of the  
14 Assembly. This rule does not apply to an individual bill or  
15 resolution.

16  
17  
18  
19

#### B. Voting Members Voting

20 104. Every Member in the Assembly Chamber when a rollcall  
21 is required shall record his or her vote openly and without debate,  
22 unless the Assembly excuses that Member by a majority vote of  
23 the Members present and voting.

24 A Member may not operate the voting switch of any other  
25 Member, except that a Member presiding at the time of a rollcall,  
26 who is not the Speaker or the Speaker pro Tempore, may direct  
27 another Member on the floor to operate the voting switch of the  
28 presiding Member, and any Member so presiding, including the  
29 Speaker and the Speaker pro Tempore, may also operate the voting  
30 switches at the rostrum of the Speaker and the Speaker pro  
31 Tempore, at their direction.

32 The name of any Member who refuses to vote as required by  
33 this rule, after being requested by the Speaker to do so, shall be  
34 entered in the Journal, together with a statement that he or she was  
35 present and did so refuse to vote. Any Member who refuses so to  
36 vote may, if he or she so desires, and immediately after the  
37 announcement of the vote, submit a written explanation of the  
38 failure to vote and that explanation shall be printed in the Journal,  
39 provided that no explanation may exceed 50 words in length.

1 In addition to the entry of his or her name in the Journal, any  
 2 Member who refuses so to vote when required, and who has not  
 3 been excused from doing so, may, immediately after the  
 4 announcement of the vote, at the discretion of the Speaker or upon  
 5 demand of any Member, be summoned to appear before the bar  
 6 of the Assembly for public censure by the Speaker or by any  
 7 Member designated by the Speaker. Censure of a Member as  
 8 provided by this rule does not constitute a bar to proceedings for  
 9 his or her expulsion from the Assembly pursuant to Section 5 of  
 10 Article IV of the California Constitution.

11 A Member may submit a written explanation of his or her vote  
 12 on any bill or house resolution, and that explanation shall be printed  
 13 in the Journal immediately following the vote, provided that no  
 14 explanation may exceed 50 words in length.

15 A Member, prior to adjournment on the same legislative day, in  
 16 the absence of any objection, may instruct the Chief Clerk to add  
 17 his or her vote to any previously announced vote that had been  
 18 taken during his or her absence, so long as the outcome of the vote  
 19 is not thereby changed. The Chief Clerk shall record any vote  
 20 additions or vote changes in the order signed by the Members at  
 21 the Chief Clerk’s desk.

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 23  
 24

Ayes and Noes

25 105. The ayes and noes shall be recorded by the electrical voting  
 26 system on the final passage of all bills, when an affirmative  
 27 recorded vote of 41 Members or any vote above that number is  
 28 required, when demanded by three Members, or when ordered by  
 29 the Speaker. The names of the Members so voting shall be entered  
 30 in the Journal.

31  
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 33

Voting and Vote Changes

34 106. When once begun, voting may not be interrupted, except  
 35 that, before the vote is announced, any Member may have the total  
 36 pending vote flashed on the visible vote recorder. Prior to the  
 37 announcement of the vote, the presiding officer shall instruct the  
 38 Chief Clerk to record verbal votes from Members not at their desks.  
 39 Any Member may move a call of the Assembly after the  
 40 completion of the roll. A Member, prior to adjournment on the

1 same legislative day, and in the absence of any objection, may  
2 instruct the Chief Clerk to change his or her recorded vote after  
3 the vote is announced, so long as the outcome of the vote is not  
4 thereby changed. The Chief Clerk may record any vote change  
5 only after the Member making the change has announced it to the  
6 Assembly.

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#### Tie Vote

10 107. In case of an equal division, or tie vote, the question shall  
11 be lost.

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### VII. MEMBERS' DECORUM AND PRIVILEGES

#### Order in Speaking to Questions

16 108. When a Member desires to address the Assembly, the  
17 Member shall rise from his or her seat and respectfully address  
18 himself or herself to "Mr. Speaker" or "Madame Speaker." Upon  
19 being recognized, the Member may speak, confining himself or  
20 herself to the question under consideration. When two or more  
21 Members rise at the same time, the Speaker shall designate the  
22 Member who is entitled to the floor.

23 A Member may not speak more than once during the  
24 consideration of any one question on the same day and at the same  
25 stage of proceeding, except that the author of a bill or resolution  
26 or the mover of a question has the right to open and close the debate  
27 thereon. A Member may not be allowed to speak more than five  
28 minutes to open and five minutes to close the debate on any  
29 question, including amendments, and no Member other than the  
30 author or the mover of the question may be allowed to speak more  
31 than five minutes thereon. A Member may not yield to any other  
32 Member the time for which he or she is entitled to speak on any  
33 matter.

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36

#### Rules of Decorum

37 108.1. (a) In accordance with Rule 10, Members of the  
38 Assembly shall conduct themselves in accordance with the rules  
39 of decorum specified in Sections 120 to 126, inclusive, of Mason's  
40 Manual of Legislative Procedure.

1 (b) Notwithstanding subdivision (a), the Committee on Rules  
2 may adopt additional rules of decorum by majority vote of the  
3 membership of the committee.

4  
5 Motions

6  
7 109. When a Member desires to make a motion, the Member  
8 shall obtain recognition as provided in Rule 108. Upon being  
9 recognized, the Member shall open by stating his or her motion,  
10 except in the case of a nomination, and in any other case may not  
11 speak to the merits of the motion at that time, but shall confine his  
12 or her remarks to those necessary to explain the motion. If the  
13 motion is in order and is seconded, it shall be stated to the  
14 Assembly by the Speaker. If the motion is debated, the Member  
15 who made it shall then be entitled to recognition to open the debate  
16 on the motion.

17 When a Member obtains the floor during debate upon any  
18 question that is pending before the Assembly and addresses the  
19 Assembly regarding the merits of the pending question, the  
20 Member may not be permitted to conclude his or her debate by  
21 making any motion or by demanding the previous question.

22  
23 Leave of Absence

24  
25 110. A Member may not absent himself or herself from  
26 attendance at any session of the Assembly without leave of the  
27 Assembly. A Member may not obtain that leave of absence or be  
28 excused for nonattendance except by a vote of 54 or more Members  
29 or by unanimous consent. A Member who obtains a leave of  
30 absence for personal business, or is excused for nonattendance for  
31 personal business, thereby waives his or her per diem allowance  
32 for attendance upon any session of the Legislature for which he  
33 or she secures that leave of absence or excuse. A Member may not  
34 obtain a leave of absence for legislative business or be excused  
35 for nonattendance for legislative business unless the Member has  
36 filed with the Speaker a statement of the legislative business for  
37 which he or she seeks that leave of absence or excuse. That  
38 statement shall be printed in the Journal.

39 If a Member is not recorded on the attendance roll within 30  
40 minutes after the scheduled start of the session, the Member shall



1 stand up before the Assembly and explain the reason he or she is  
2 late before he or she is recorded on the rollcall for any vote. If a  
3 Member does not explain his or her reason for being late, any other  
4 Member may raise a point of order under this rule, whereupon the  
5 tardy Member's vote may not be recorded until an explanation is  
6 made.

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#### Personal Privilege

10 111. Any Member may rise to explain a matter of personal  
11 privilege. A matter of personal privilege is a matter involving the  
12 Member's integrity, dignity, or honor. Upon rising to explain such  
13 a matter, the Member forthwith shall be recognized by the Speaker,  
14 but may not discuss a question in that explanation. Matters of  
15 personal privilege yield only to a motion to recess or adjourn.

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18

#### Objection to Reading of Any Paper

19 112. Any Member, upon recognition by the Speaker, may object  
20 to the reading of any paper before the Assembly. When that  
21 objection is made, the question of reading shall be determined  
22 without debate by a majority vote of the Members present and  
23 voting, upon a brief statement by the Speaker of the substance of  
24 the objection.

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27

#### Members at Chief Clerk's Desk

28 113. A Member or other person may not be allowed at the Chief  
29 Clerk's desk while the ayes and noes are being recorded or the  
30 votes counted.

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32  
33

#### Members Called to Order for Transgressing Rules

34 114. If any Member transgresses the Rules of the Assembly,  
35 the Speaker shall, or any Member may, call the offending Member  
36 to order. The Member so called to order immediately shall take  
37 his or her seat, until the Speaker, without debate, has determined  
38 whether the Member is in order. That decision by the Speaker shall  
39 be subject to an appeal to the Assembly.

1 If any Member is called to order for offensive words spoken in  
 2 debate, the person calling him or her to order shall state to the  
 3 Assembly the words to which exception is taken. No Member may  
 4 be held to answer, or be subject to censure by the Assembly, for  
 5 language used in debate if other business has been transacted by  
 6 the Assembly prior to exception being taken to the words spoken.

7  
 8 VIII. MISCELLANEOUS  
 9 Committee of the Whole

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 11 115. The Assembly may resolve itself into a Committee of the  
 12 Whole at any time by a majority vote of the Members present and  
 13 voting. While sitting as that committee, persons other than  
 14 Members may address the committee. The Speaker of the  
 15 Assembly, or any Member named by the Speaker, shall preside as  
 16 Chairperson of the Committee of the Whole.

17 A motion that the Committee of the Whole “do now rise and  
 18 report back to the Assembly,” shall always be in order and shall  
 19 be decided without debate. All actions of the Committee of the  
 20 Whole shall be reported to the Assembly by the chairperson, but  
 21 may not be entered in the Journal except upon motion and a  
 22 majority vote of the Members present and voting.

23  
 24 Use of Assembly Chamber

25  
 26 116. The Assembly Chamber may not be used for any public  
 27 or private business, other than legislative matters, except upon  
 28 approval of the Speaker or the Chairperson of the Committee on  
 29 Rules.

30  
 31 Use of Assembly Facilities: Smoking

32  
 33 117. The smoking of tobacco products is prohibited within any  
 34 building, or portion of a building, occupied or used by Assembly  
 35 Members or employees if the building or portion of the building  
 36 is under the jurisdiction or control of the Assembly. This smoking  
 37 prohibition shall apply to any outdoor area within five feet of an  
 38 entrance or exit to any building or portion of a building subject to  
 39 this rule. This smoking prohibition shall apply to the Assembly  
 40 Chamber, Assembly hearing rooms, and Assembly offices, and to

1 hallways, stairways, and bathrooms within any building or portion  
2 of a building subject to this rule.

3

4           Telephones and Electronic Communications

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6       117.5. While on the floor of the Assembly during any session  
7 of the Assembly, or while serving on a committee during any  
8 hearing of that committee, a Member may not do either of the  
9 following:

10       (a) Use a cellular telephone to make or receive calls.

11       (b) Send electronic communications to, or receive electronic  
12 communications from, any lobbyist.

13

14           Meeting of the Assembly: Firearms

15

16       117.7. A person, except a peace officer acting within the scope  
17 of his or her employment, may not carry or possess a firearm on  
18 the floor of the Assembly during any session of the Assembly or  
19 in a committee hearing room during any meeting of a committee  
20 or subcommittee.

21

22           Persons Admitted to Floor of the Assembly

23

24       118. (a) A person other than Members of the Legislature,  
25 officers, employees of the Legislature, accredited members of the  
26 press, and guests may not be admitted to the floor of the Assembly  
27 during any session of the Assembly. A guest of any Member may  
28 be admitted only upon presentation of a guest card of the Member  
29 countersigned by the Speaker. A guest card is valid only on the  
30 legislative day for which it is issued.

31       Persons admitted to the Assembly Chamber, other than Members,  
32 may not be permitted to stand in the Lobby in the rear of the  
33 Assembly Chamber while the Assembly is in session, but shall be  
34 required to occupy the seats provided for them.

35       Guests may be seated only in the chairs in the back of the rail  
36 in the rear of the Assembly Chamber, and may not be permitted  
37 to sit at the desks of the Members. No person other than an  
38 accredited newspaper representative may be permitted to sit at the  
39 press desks. A special section in the balcony may be reserved for  
40 those holding guest cards. Neither any person mentioned in this

1 rule nor any other person, except a Member of the Legislature,  
2 may engage in influencing the passage or defeat of legislation in  
3 the Assembly Chamber.

4 A person other than a Member of the Legislature, the Sergeant  
5 at Arms or his or her assistants, the Chief Clerk or his or her  
6 assistants, or the Legislative Counsel or his or her representatives  
7 may not be permitted in the area of the floor of the chamber which  
8 is occupied by the desks of the Members.

9 (b) A lobbyist, as defined by Section 82039 of the Government  
10 Code, may not, under any circumstances, be admitted to the  
11 Assembly Chamber while the Assembly is in session.

12

13 Floor Attire

14

15 118.1. Notwithstanding any other provision of these Rules,  
16 Members of the Legislature, officers or employees of the  
17 Legislature, accredited members of the press, or any other persons  
18 may be restricted from admission to the floor of the Assembly  
19 during any session if they are inappropriately attired. The  
20 Committee on Rules may, as necessary, adopt policies to  
21 implement this rule.

22

23 Qualifications and Elections of Members

24

25 119. An affirmative vote of 41 or more Members shall be  
26 required to determine the qualifications and election of any  
27 Member pursuant to Section 5 of Article IV of the California  
28 Constitution. A motion to disqualify a Member is not in order at  
29 the convening of a legislative session until a Speaker has been  
30 elected in accordance with Section 9023 of the Government Code.

31

32 Compensation and Expenses of Member Convicted of Felony

33

34 120. If a Member of the Assembly is convicted of a felony by  
35 a superior court, his or her right to further compensation or  
36 expenses is thereupon suspended, and his or her membership on  
37 any committee is thereupon suspended. If the conviction becomes  
38 final, the right of the Member to further compensation or expenses  
39 shall terminate and any compensation or expenses withheld shall  
40 be forfeited to the state. If the conviction is reversed by an appellate

1 court or a motion for a new trial is granted, and the Member is  
2 thereafter found not guilty or the charges against him or her are  
3 dismissed, the amounts of the withheld compensation or expenses  
4 shall be paid to the Member and the suspension of his or her  
5 committee membership shall terminate.

6 Whenever a Member is convicted of a felony in the superior  
7 court, the Committee on Rules shall give written notice thereof to  
8 the Controller, directing him or her to discontinue any further  
9 payments to the Member unless and until the Committee on Rules  
10 notifies the Controller that the Member has been found not guilty  
11 or that the charges against him or her are dismissed. The Controller  
12 may not draw any warrant payable to that Member except as  
13 provided in this rule.

14  
15 The Seal of the Assembly

16  
17 121. The Seal of the Assembly may be used only by or on  
18 behalf of a Member of the Assembly, or when specifically  
19 authorized by the Committee on Rules.

20  
21 Agency Reports: Electronic Copies

22  
23 122. Pursuant to Section 9795 of the Government Code, any  
24 report required or requested by law to be submitted by a state or  
25 local agency to the Members, or to the Legislature generally, shall  
26 be submitted as an electronic copy to the Chief Clerk.