

EIGHTY-EIGHTH GENERAL ASSEMBLY

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES

Senate Concurrent Resolution 5

Adopted by the Senate on 2/13/19

Adopted by the House on 3/7/19

House Concurrent Resolution 108

As amended by the House on 6/3/2020

As amended by the Senate on 6/3/2020

JOINT RULES OF THE SENATE AND HOUSE

Rule 1 Suspension of Joint Rules

The joint rules of the general assembly may be suspended by concurrent resolution, duly adopted by a constitutional majority of the senate and the house.

Rule 2 Designation of Sessions

Each regular session of a general assembly shall be designated by the year in which such regular session commences.

Rule 3 Sessions of a General Assembly

The election of officers, organization, hiring and compensation of employees, and standing committees in each house of the general assembly and action taken by each house shall carry over from the first to the second regular session and to any extraordinary session of the same general assembly. The status of each bill and resolution shall be the same at the beginning of each second session as it was immediately before adjournment of the previous regular or extraordinary session; however the rules of either house may provide for re-referral of some or all bills and resolutions to standing committees upon adjournment of each session or at the beginning of a subsequent regular or extraordinary session, except those which have been adopted by both houses in different forms.

Upon final adoption of a concurrent resolution at any extraordinary session affecting that session, or at a regular session affecting any extraordinary session which may be held before the next regular session, the creation of any calendar by either house shall be suspended and the business of the session shall consist solely of those bills or subject matters stated in the resolution adopted. Bills named in the resolution, or bills containing the subject matter provided for in the resolution, may, at any time, be called up for debate in either house by the majority leader of that house.

Rule 3A International Relations Protocol

The senate and the house of representatives shall comply with the international relations protocol policy adopted by the international relations committee of the legislative council.

Rule 4 Presentation of Messages

All messages between the two houses shall be sent and accepted, as soon as practicable, by the secretary of the senate and the chief clerk of the house of representatives. The messages shall be communicated to and received by the presiding officer of the other house at the earliest appropriate time when that house is in session.

Rule 5 Printing and Form of Bills and Other Documents

Bills and joint resolutions shall be introduced, numbered, prepared, and printed as provided by law, or in the absence of such law, in a manner determined by the secretary of the senate and the chief clerk of the house of representatives. Proposed bills and resolutions which are not introduced but are referred to committee shall be tracked in the legislative computer system as are introduced bills and resolutions. The referral of proposed bills and resolutions to committee

shall be entered in the journal.

All bills and joint resolutions introduced shall be in a form and number approved by the secretary of the senate and chief clerk of the house.

The legal counsel's office of each house shall approve all bills before introduction.

Rule 6 Companion Bills

Identical bills introduced in one or both houses shall be called companion bills. Each house shall designate the sponsor in the usual way followed in parentheses by the sponsor of any companion bill or bills in the other house. The house where a companion bill is first introduced shall print the complete text.

Rule 7 Reprinting of Bills

Whenever any bill has been substantially amended by either house, the secretary of the senate or the chief clerk of the house shall order the bill reprinted on paper of a different color. All adopted amendments shall be distinguishable.

The secretary of the senate or the chief clerk of the house may order the printing of a reasonable number of additional copies of any bill, resolution, amendment, or journal.

Rule 8 Daily Clip Sheet

The secretary of the senate and the chief clerk of the house shall prepare a daily clip sheet covering all amendments filed.

Rule 9 Reintroduction of Bills and Other Measures

A bill or resolution which has passed one house and is rejected in the other shall not be introduced again during that general assembly.

Rule 10 Certification of Bills and Other Enrollments

When any bill or resolution which has passed one house is rejected or adopted in the other, notice of such action and the date thereof shall be given to the house of origin in writing signed by the secretary of the senate or the chief clerk of the house.

Rule 11 Code Editor's Correction Bills

A bill recommended by the Code editor which is passed out of committee to the floor for debate by a committee of the house or senate and which contains Code corrections of a nonsubstantive nature shall not be amended on the floor of either house except pursuant to corrective or nonsubstantive amendments filed by the judiciary committee of the senate or the house. Such committee amendments, whether filed at the time of initial committee passage of the bill to the floor for debate or after rereferral to the committee, shall not be incorporated into the bill in the originating house but shall be filed separately. Amendments filed from the floor to strike sections of the bill or the committee amendments shall be in order. Following amendment and passage by the second house, only amendments filed from the floor which strike sections of the amendment of the second house shall be in order.

A bill recommended by the Code editor which is passed out of committee to the floor for debate by a committee of the house or senate and which contains Code corrections beyond those of a nonsubstantive nature shall not be amended on the floor of either house except pursuant to amendments filed by the judiciary committee of the senate or the house. Such committee amendments, whether filed at the time of initial committee passage of the bill to the floor for debate or after rereferral to the committee, shall not be incorporated into the bill in the originating house but shall be filed separately. Such a bill shall be limited to corrections which: Adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, and remove ambiguities. Amendments filed from the floor to strike sections of the bill or the committee amendments shall be in order. Following amendment and passage by the second house, only amendments filed from the floor which strike sections of the amendment of the second house shall be in order.

It is the intent of the house and the senate that such bills be passed out of committee to the floor for debate within the first four weeks of convening of a legislative session.

Rule 12

Amendments by Other House

1. When a bill which originated in one house is amended in the other house, the house originating the bill may amend the amendment, concur in full in the amendment, or refuse to concur in full in the amendment. Precedence of motions shall be in that order. The amendment of the other house shall not be ruled out of order based on a question of germaneness.

a. If the house originating the bill concurs in the amendment, the bill shall then be immediately placed upon its final passage.

b. If the house originating the bill refuses to concur in the amendment, the bill shall be returned to the amending house which shall either:

(1) Recede, after which the bill shall be read for the last time and immediately placed upon its final passage; or

(2) Insist, which will send the bill to a conference committee.

c. If the house originating the bill amends the amendment, that house shall concur in the amendment as amended and the bill shall be immediately placed on final passage, and shall be returned to the other house. The other house cannot further amend the bill.

(1)) If the amending house which gave second consideration to the bill concurs in the amendment to the amendment, the bill shall then be immediately placed upon its final passage.

(2)) If the amending house refuses to concur in the amendment to the amendment, the bill shall be returned to the house originating the bill which shall either:

(a) Recede, after which the bill shall be read for the last time as amended and immediately placed upon its final passage; or

(b) Insist, which will send the bill to a conference committee.

2. A motion to recede has precedence over a motion to insist. Failure to recede means to insist; and failure to insist means to recede.

3. A motion to lay on the table or to indefinitely postpone shall be out of order with respect to motions to recede from or insist upon and to amendments to bills which have passed both houses.

4. A motion to concur, refuse to concur, recede, insist, or adopt a conference committee report is in order even though the subject matter has previously been acted upon.

Rule 13

Conference Committee

1. Within one legislative day after either house insists upon an amendment to a bill, the presiding officer of the house, after consultation with the majority leader, shall appoint three majority party members and, after consultation with the minority leader, shall appoint two minority party members to a conference committee. The majority leader of the senate, after consultation with the president, shall appoint three majority party members and, after consultation with and approval by the minority leader, shall appoint two minority party members to a conference committee. The papers shall remain with the house that originated the bill.

2. The conference committee shall meet before the end of the next legislative day after their appointment, shall select a chair and shall discuss the controversy.

3. The authority of the first conference committee shall cover only issues related to provisions of the bill and amendments to the bill which were adopted by either the senate or the house of representatives and on which the senate and house of representatives differed. If a conference committee report is not acted upon because such action would violate this subsection of this rule, the inaction on the report shall constitute refusal to adopt the conference committee report and shall have the same effect as if the conference committee had disagreed.

4. An agreement on recommendations must be approved by a majority of the committee members from each house. The committee shall submit two originals of the report signed by a majority of the committee members of each house with one signed original and three copies to be submitted to each house. The report shall first be acted upon in the house originating the bill. Such action, including all papers, shall be immediately referred by the secretary of the senate or the chief clerk of the house of representatives to the other house.

5. The report of agreement is debatable, but cannot be amended. If the report contains recommended amendments to the bill, adoption of the report shall automatically adopt all amendments contained therein. After the report is adopted, there shall be no more debate, and the bill shall immediately be placed upon its final passage.

6. Refusal of either house to adopt the conference committee report has the same effect as if the committee had disagreed.

7. If the conference committee fails to reach agreement, a report of such failure signed by a majority of the committee members of each house shall be given promptly to each house. The bill shall be returned to the house that originated the bill, the members of the committee shall be immediately discharged, and a new conference committee appointed in the same manner as the first conference committee.

8. The authority of a second or subsequent conference committee shall cover free conference during which the committee has authority to propose amendments to any portion of a bill provided the amendment is within the subject matter content of the bill as passed by the house of origin or as amended by the second house.

Rule 14

Enrollment and Authentication of Bills

A bill or resolution which has passed both houses shall be enrolled in the house of origin under the direction of either the secretary of the senate or the chief clerk of the house and its house of origin shall be certified by the endorsement of the secretary of the senate or the chief clerk of the house.

After enrollment, each bill shall be signed by the president of the senate and by the speaker of the house.

Rule 15

Concerning Other Enrollments

All resolutions and other matters which are to be presented to the governor for approval shall be enrolled, signed, and presented in the same manner as bills.

All resolutions and other matters which are not to be presented to the governor or the secretary of state shall be enrolled, signed, and retained permanently by the secretary of the senate or chief clerk of the house.

Rule 16

Transmission of Bills to the Governor

After a bill has been signed in each house, it shall be presented by the house of origin to the governor by either the secretary of the senate or the chief clerk of the house. The secretary or the chief clerk shall report the date of the presentation, which shall be entered upon the journal of the house of origin.

Rule 17

Fiscal Notes

A fiscal note shall be attached to any bill or joint resolution which reasonably could have an annual effect of at least one hundred thousand dollars or a combined total effect within five years after enactment of five hundred thousand dollars or more on the aggregate revenues, expenditures, or fiscal liability of the state or its subdivisions. This rule does

not apply to appropriation and ways and means measures where the total effect is stated in dollar amounts.

Each fiscal note shall state in dollars the estimated effect of the bill on the revenues, expenditures, and fiscal liability of the state or its subdivisions during the first five years after enactment. The information shall specifically note the fiscal impact for the first two years following enactment and the anticipated impact for the succeeding three years. The fiscal note shall specify the source of the information. Sources of funds for expenditures under the bill shall be stated, including federal funds. If an accurate estimate cannot be made, the fiscal note shall state the best available estimate or shall state that no dollar estimate can be made and state concisely the reason.

The preliminary determination of whether the bill appears to require a fiscal note shall be made by the legal services staff of the legislative services agency. Unless the requestor specifies the request is to be confidential, upon completion of the bill draft, the legal services staff shall immediately send a copy to the fiscal services director for review.

When a committee reports a bill to the floor, the committee shall state in the report whether a fiscal note is or is not required.

The fiscal services director or the director's designee shall review all bills placed on the senate or house calendars to determine whether the bills are subject to this rule.

Additionally, a legislator may request the preparation of a fiscal note by the fiscal services staff for any bill or joint resolution introduced which reasonably could be subject to this rule.

The fiscal services director or the director's designee shall cause to be prepared and shall approve a fiscal note within a reasonable time after receiving a request or determining that a bill is subject to this rule. All fiscal notes approved by the fiscal services director shall be transmitted immediately to the secretary of the senate or the chief clerk of the house, after notifying the sponsor of the bill that a fiscal note has been prepared, for publication in the daily clip sheet. The secretary of the senate or chief clerk of the house shall attach the fiscal note to the bill as soon as it is available.

The fiscal services director may request the cooperation of any state department or agency in preparing a fiscal note.

A revised fiscal note may be requested by a legislator if the fiscal effect of the bill has been changed by adoption of an amendment. However, a request for a revised fiscal note shall not delay action on a bill unless so ordered by the presiding officer of the house in which the bill is under consideration.

If a date for adjournment has been set, then a constitutional majority of the house in which the bill is under consideration may waive the fiscal note requirement during the three days prior to the date set for adjournment.

Rule 18 Legislative Interns

Legislators may arrange student internships during the legislative session with Iowa college, university, or law school students, for which the students may receive college credit at the discretion of their schools. Each legislator is allowed only one intern at a time per legislative session, and all interns must be registered with the offices of the secretary of the senate and the chief clerk of the house.

The purpose of the legislative intern program shall be: to provide useful staff services to legislators not otherwise provided by the general assembly; to give interested college, graduate, and law school students practical experience in the legislative process as well as providing a meaningful educational experience; and to enrich the curriculum of participating colleges and universities.

The secretary of the senate and the chief clerk of the house or their designees shall have the following responsibilities as regards the legislative intern program:

1. Identify a supervising faculty member at each participating institution who shall be responsible for authorizing students to participate in the intern program.
2. Provide legislators with a list of participating institutions and the names of supervising professors to contact if interested in arranging for an intern.
3. Provide interns with name badges which will allow them access to the floor of either house when required to be present by the legislators for whom they work.
4. Provide orientation materials to interns prior to the convening of each session.

Rule 19 Administrative Rules Review Committee Bills and Rule Referrals

A bill which relates to departmental rules and which is approved by the administrative rules review committee by a majority of the committee's members of each house is eligible for introduction in either house at any time and must be

referred to a standing committee, which must take action on the bill within three weeks of referral, except bills referred to appropriations and ways and means committees.

If, on or after July 1, 1999, the administrative rules review committee delays the effective date of a rule until the adjournment of the next regular session of the general assembly and the speaker of the house or the president of the senate refers the rule to a standing committee, the standing committee shall review the rule within twenty-one days of the referral and shall take formal committee action by sponsoring a joint resolution to disapprove the rule, by proposing legislation relating to the rule, or by refusing to propose a joint resolution or legislation concerning the rule. The standing committee shall inform the administrative rules review committee of the committee action taken concerning the rule.

Rule 20

Time of Committee Passage and Consideration of Bills

1. This rule does not apply to concurrent or simple resolutions, joint resolutions nullifying administrative rules, senate confirmations, bills embodying redistricting plans prepared by the legislative services agency pursuant to chapter 42, or bills passed by both houses in different forms. Subsection 2 of this rule does not apply to appropriations bills, ways and means bills, government oversight bills, legalizing acts, administrative rules review committee bills, bills sponsored by standing committees in response to a referral from the president of the senate or the speaker of the house of representatives relating to an administrative rule whose effective date has been delayed or whose applicability has been suspended until the adjournment of the next regular session of the general assembly by the administrative rules review committee, bills cosponsored by majority and minority floor leaders of one house, bills in conference committee, and companion bills sponsored by the majority floor leaders of both houses after consultation with the respective minority floor leaders. For the purposes of this rule, a joint resolution is considered as a bill. To be considered an appropriations, ways and means, or government oversight bill for the purposes of this rule, the appropriations committee, the ways and means committee, or the government oversight committee must either be the sponsor of the bill or the committee of first referral in the originating house.

2. To be placed on the calendar in the house of origin, a bill must be first reported out of a standing committee by Friday of the 8th week of the first session and the 6th week of the second session. To be placed on the calendar in the other house, a bill must be first reported out of a standing committee by Friday of the 12th week of the first session and by June 6, 2020, during the second session.

3. Commencing June 3, 2020, each house shall only consider the following bills and resolutions:

- a. Any bill that is exempt from subsection 2 of this rule.
- b. Any bill that has passed one house and at least one standing committee in the other house.

4. A motion to reconsider filed and not disposed of on an action taken on a bill or resolution which is subject to a deadline under this rule may be called up at any time before or after the day of the deadline by the person filing the motion or after the deadline by the majority floor leader, notwithstanding any other rule to the contrary.

Rule 21

Resolutions

1. A “concurrent resolution” is a resolution to be adopted by both houses of the general assembly which expresses the sentiment of the general assembly or deals with temporary legislative matters. It may authorize the expenditure, for any legislative purpose, of funds appropriated to the general assembly. A concurrent resolution is not limited to, but may provide for a joint convention of the general assembly, adjournment or recess of the general assembly, or requests to a state agency or to the general assembly or a committee. A concurrent resolution requires the affirmative vote of a majority of the senators or representatives present and voting unless otherwise specified by statute. A concurrent resolution does not require the governor’s approval unless otherwise specified by statute. A concurrent resolution shall be filed with the secretary of the senate or the chief clerk of the house. A concurrent resolution shall be printed in the bound journal after its adoption.

2. A “joint resolution” is a resolution which requires for approval the affirmative vote of a constitutional majority of each house of the general assembly. A joint resolution which appropriates funds or enacts temporary laws must contain the clause “Be It Enacted by the General Assembly of the State of Iowa:”, is equivalent to a bill, and must be

transmitted to the governor for approval. A joint resolution which proposes amendments to the Constitution of the State of Iowa, ratifies amendments to the Constitution of the United States, proposes a request to Congress or an agency of the government of the United States of America, proposes to Congress an amendment to the Constitution of the United States of America, nullifies an administrative rule, or creates a special commission or committee must contain the clause "Be It Resolved by the General Assembly of the State of Iowa:" and shall not be transmitted to the governor. A joint resolution shall not amend a statute in the Code of Iowa.

Rule 22

Nullification Resolutions

A "nullification resolution" is a joint resolution which nullifies all of an administrative rule, or a severable item of an administrative rule adopted pursuant to chapter 17A of the Code. A nullification resolution shall not amend an administrative rule by adding language or by inserting new language in lieu of existing language.

A nullification resolution is debatable, but cannot be amended on the floor of the house or senate. The effective date of a nullification resolution shall be stated in the resolution. Any motions filed to reconsider adoption of a nullification resolution must be disposed of within one legislative day of the filing.

Rule 23

Consideration of Vetoes

1. The senate and house calendar shall include a list known as the "Veto Calendar." The veto calendar shall consist of:

a. Bills returned to that house by the governor in accordance with Article III, section 16 of the Constitution of the State of Iowa.

b. Appropriations items returned to that house by the governor in accordance with Article III, section 16 of the Constitution of the State of Iowa.

c. Bills and appropriations items received from the other house after that house has voted to override a veto of them by the governor.

2. Vetoed bills and appropriations items shall automatically be placed on the veto calendar upon receipt. Vetoed bills and appropriations items shall not be referred to committee.

3. Upon first publication in the veto calendar, the senate majority leader or the house majority leader may call up a vetoed bill or appropriations item at any time.

4. The affirmative vote of two-thirds of the members of the body by record roll call is required on a motion to override an executive veto or item veto.

5. A motion to override an executive veto or item veto is debatable. A vetoed bill or appropriation item cannot be amended in this case.

6. The vote by which a motion to override an executive veto or item veto passes or fails to pass either house is not subject to reconsideration under senate rule 24 or house rule 73.

7. The secretary of the senate or the chief clerk of the house shall immediately notify the other house of the adoption or rejection of a motion to override an executive veto or item veto.

8. All bills and appropriations items on the veto calendar shall be disposed of before adjournment sine die, unless the house having a bill or appropriation item before it declines to do so by unanimous consent.

9. Bills and appropriations items on the veto calendar are exempt from deadlines imposed by joint rule 20.

Rule 24

Special Rules Regarding Redistricting

1. If, pursuant to chapter 42, either the senate or the house of representatives rejects a redistricting plan submitted by the legislative services agency, the house rejecting the plan shall convey the reasons for the rejection of the plan to the legislative services agency by resolution.

2. If, pursuant to chapter 42, the legislative services agency submits a third redistricting plan as provided by law, the senate and the house of representatives, when considering a bill embodying the third plan, shall be allowed to accept for filing as amendments only such amendments which constitute the total text of a congressional plan without striking

a legislative redistricting plan, the total text of a legislative redistricting plan without striking a congressional plan, or the combined total text of a congressional plan and a legislative redistricting plan, and nonsubstantive, technical corrections to the text of any such bills or amendments.