

House Study Bill 51 - Introduced

HOUSE RESOLUTION NO. _____

BY (PROPOSED COMMITTEE ON ADMINISTRATION AND RULES
RESOLUTION BY CHAIRPERSON SEXTON)

1 A Resolution relating to permanent rules of the House
2 of Representatives for the Eighty-seventh General
3 Assembly.

4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
5 the permanent rules of the House for the ~~Eighty-sixth~~
6 Eighty-seventh General Assembly be as follows:

7 DIVISION I — GENERAL RULES

8 Rule 1

9 Call to Order and Order of Business

10 The speaker shall take the chair at the hour to
11 which the house has adjourned, and shall immediately
12 call the house to order, correct the journal of the
13 previous day's proceedings, and proceed to other
14 business, including, but not limited to, introduction
15 of bills, reports, messages, communications, business
16 pending at adjournment, announcements, resolutions
17 and bills on their passage, and points of personal
18 privilege.

19 Rule 2

20 Quorum Call and Time of Convening

21 The house shall convene each Monday at 1:00 p.m.
22 and at 8:30 a.m. on all other legislative days, unless
23 otherwise ordered. The time of convening shall be
24 recorded in the journal. The house shall not convene
25 on Sunday during a regular or special session.

26 The speaker or a member may request a roll call to
27 determine if a quorum is present.

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Rule 3

Absences from the House

No member shall be absent without leave while the house is in session unless excused for good cause.

Rule 4

Preservation of Order

The speaker shall preserve order and decorum and speak to points of order. Subject to an appeal to the house by any member, the speaker shall decide questions of order which shall not be debated.

While recognized to speak in debate, a member shall not use any visual aids to explain to others the member's points in the debate without leave of the speaker.

The speaker may have the chamber of the house cleared in case of any disturbance or disorderly conduct.

Only past legislators, state officials, persons whose presence is deemed by the speaker to be of special significance to the house, and school classes accompanied by teachers and seated in the galleries shall be introduced in the house.

No person other than a member of the house shall be allowed to speak from the floor of the house without prior permission of the speaker.

The public may take photographs from the galleries at any time. However, the use of flash bulbs or any other artificial lighting is prohibited.

Members of the press may photograph from the press box, but shall not use artificial lighting without

1 prior permission from the chief clerk of the house.
2 Photographs shall not be taken on the house floor when
3 the members are voting on a question put before the
4 house. Photographs or video recordings of the voting
5 boards shall not be taken while a nonrecord roll call
6 vote is displayed. Photographs may be taken on the
7 house floor at other times with the consent of the
8 subject or subjects of the photography.

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Rule 4A

10 Use of Electronic Devices and Video Streaming in
11 Chamber

12 1. A person present in the house chamber while the
13 house is in order shall mute any cell phone, computer,
14 or other electronic device under the person's control.
15 The speaker may remove from the chamber any person
16 acting in violation of this rule.

17 2. A member shall not use a cell phone or other
18 electronic device to audibly transmit or receive
19 communications while recognized by the presiding
20 officer to speak in debate.

21 3. The speaker shall control the time, place,
22 and manner of use of the house's internet video
23 streaming system on the floor of the house and in the
24 visitors' galleries. However, the speaker shall not
25 edit, censor, or shut off the house's internet video
26 streaming system during debate on the floor of the
27 house.

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Rule 5

29

Rules of Parliamentary Practice

30 The rules of parliamentary practice in Mason's

1 Manual of Legislative Procedure shall govern the house
2 in all cases where they are not inconsistent with the
3 standing rules of the house, joint rules of the house
4 and senate, or customary practice of the house.

5 Rule 5A

6 House Budget

7 The speaker of the house shall annually prepare a
8 proposed budget for the house of representatives for
9 the payment of expenses, salaries, per diems, and other
10 items. The proposed budget shall be submitted on the
11 fourteenth day of each legislative session to the house
12 administration and rules committee, which shall approve
13 a proposed budget in house resolution form. The house
14 shall adopt a budget prior to adjournment.

15 Rule 6

16 The Speaker Pro Tempore

17 The house shall, at its pleasure, elect a speaker
18 pro tempore. When the speaker shall for any cause be
19 absent, the speaker pro tempore shall preside, except
20 when the chair is filled by appointment by either
21 the speaker or the speaker pro tempore. If a vacancy
22 occurs in the office of speaker, the speaker pro
23 tempore shall assume the duties and responsibilities
24 of the speaker until such time as the house shall elect
25 a new speaker. The speaker or the speaker pro tempore
26 shall have the right to name any member to perform the
27 duties of speaker, but such substitution shall not
28 extend beyond the adjournment. The acts of the speaker
29 pro tempore shall have the same validity as those of
30 the speaker. In the absence of both the speaker and

1 the speaker pro tempore, the house shall name a speaker
2 who shall preside over it and perform all the duties of
3 the speaker with the exception of signing bills, until
4 such time as the speaker or speaker pro tempore shall
5 be present, and the person's acts shall have the same
6 force and validity as those of the regularly elected
7 speaker.

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Rule 7

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Amendment of Rules

10 A motion to change or rescind a standing rule or
11 order of the house requires one day's notice.

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Rule 8

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Violation of House Rules

14 The speaker shall, or any member may, call to order
15 a member who violates the rules of the house. With
16 leave of the house, the member called to order may be
17 permitted to explain. If the case requires it, the
18 member shall be subject to censure of the house.

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Rule 9

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Referral of Rule Violations

21 The speaker shall, upon complaint of a member,
22 or upon the speaker's own motion, refer any alleged
23 violation of house or joint rules by house members,
24 employees or staff to the house ethics committee upon
25 an initial finding that an investigation is warranted.

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27 The ethics committee shall investigate such
28 allegations and report them back to the house with a
29 recommendation.

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Rule 10

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Recognition and Decorum in Debate

1 A member who wishes to speak in debate shall be
2 appropriately attired, with male members wearing coat
3 or tie. After recognition by the chair, a member
4 shall respectfully address the presiding officer
5 by saying "Mr. or Madam Speaker". A member shall
6 confine all remarks to the question under debate,
7 shall be respectful of other members, and shall avoid
8 referencing or questioning the motives of another
9 member.

10 Rule 11

11 Limit on Debate

12 No member shall speak more than once on the same
13 question without leave of the speaker, nor more than
14 twice until every member choosing to speak has spoken,
15 except as provided in Rule 81. A member shall be
16 limited to ten minutes debate on bills, resolutions,
17 and amendments, but may be granted an extension of time
18 by consent of the house. However, the floor manager
19 of a bill or resolution and the lead sponsor of an
20 amendment may exceed the ten-minute limit on opening
21 and closing remarks.

22 Rule 12

23 Decorum During Debate

24 No member shall leave the house while the speaker
25 is putting a question. No one shall pass between the
26 speaker and a member who is speaking or two members who
27 have been recognized by the speaker.

28 Rule 13

29 Stating the Question

30 When a motion is made, it shall be stated by the

1 speaker. A motion made in writing shall be passed to
2 the speaker's station before it is debated.

3 Rule 14

4 Putting the Question

5 Questions shall be distinctly put in this form:

6 "All those in favor of (the question) shall say 'aye';"

7 and after the affirmative voice is expressed, "All

8 those opposed to (the question) shall say 'no'."

9 If the speaker is in doubt or a member of the house
10 requests, a nonrecord roll call vote shall be taken.

11 DIVISION II — EMPLOYEES OF THE HOUSE

12 Rule 15

13 Chief Clerk of the House

14 The chief clerk of the house shall serve as
15 parliamentarian and chief administrative officer of the
16 house under the direction of the speaker of the house.
17 The chief clerk shall supervise the chief clerk's
18 office; be responsible for the custody and safekeeping
19 of all bills, resolutions, and amendments filed,
20 except when they are in the custody of a committee;
21 have charge of the daily journal; have control of all
22 rooms assigned for the use of the house; attest to the
23 accuracy and correctness of text and action on bills
24 and resolutions; process the handling of amendments
25 when filed and during the floor consideration of bills;
26 insert adopted amendments into bills before transmittal
27 to the senate and prior to final enrollment; supervise
28 legislative printing and the distribution of printed
29 material; and perform all other duties pertaining to
30 the office of the chief clerk.

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Rule 16

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Legislative and Session Days

3 For purposes of these rules, a legislative day is a
4 day when the house is called to order. A legislative
5 day that runs past midnight is not considered a new
6 legislative day. A session day is any calendar day
7 beginning with the convening of the annual regular
8 session and ending with adjournment sine die.

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Rule 17

10

Sergeant-At-Arms

11 The sergeant-at-arms shall execute all orders of
12 the house and the presiding officer; perform all
13 assigned duties related to the policing and good order
14 of the house; supervise the entrance and exit of all
15 persons to and from the chamber; promptly execute all
16 messages, etc.; provide that the chamber is properly
17 ventilated and open for the use of the members; and
18 perform all other services pertaining to the office of
19 sergeant-at-arms.

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Rule 18

21

Secretaries

22 Each member may hire a secretary for the legislative
23 session who shall be under the general direction of the
24 member and the chief clerk. Secretaries shall be on
25 duty at the house from 8:00 a.m. to 4:30 p.m. Monday
26 through Thursday and on other legislative days when
27 required by the chief clerk, except when excused by the
28 member for whom the secretary works. Secretaries shall
29 perform such duties as may be assigned to them by the
30 member or the chief clerk.

1 Rule 19

2 Extra Compensation of Employees

3 No employee shall receive any extra compensation,
4 except as provided by the house, or tips for services
5 performed while on duty. Any violation of this rule
6 shall be grounds for removal.

7 DIVISION III — VISITORS AND LOBBYISTS

8 Rule 20

9 Admission to the House; Lobbying

10 The chamber of the house shall include the
11 vestibule, restrooms, bill room, lounge, visitors'
12 galleries, and floor of the house.

13 The floor of the house shall consist of the
14 area between the north and south walls, including
15 the representatives' desks, the press box, and the
16 speaker's station, but excluding the visitors'
17 galleries.

18 During a legislative day while the house is in
19 order, no member of the general assembly or legislative
20 employee or intern shall be admitted to the floor of
21 the house if attired in jeans of any color without
22 leave of the speaker.

23 During a legislative day while the house is in
24 order, and one-half hour before the house convenes and
25 one-half hour after the house recesses or adjourns,
26 no person shall be admitted to the floor of the house
27 except:

28 1. Members of the general assembly and authorized
29 legislative employees in the performance of their
30 duties.

1 2. Former members of the general assembly who are
2 not registered lobbyists.

3 3. A general assembly member's family.

4 4. Representatives of the press, radio, and
5 television who shall go directly to and from the press
6 box.

7 5. Legislative interns registered with the chief
8 clerk who shall go directly to and from the seat of
9 their assigned representative or to be seated in the
10 perimeter seating area.

11 6. Designated representatives of a political party
12 having members serving in the house.

13 7. Members of the state executive council, the
14 lieutenant governor, the attorney general, the
15 governor's executive assistants and administrative
16 assistants, and the administrative rules coordinator,
17 all of whom shall be confined to the perimeter area.

18 The current status of former members of the general
19 assembly shall govern their access to the floor under
20 these rules.

21 No other persons shall be allowed on the house floor
22 while the house is in order without permission of the
23 presiding officer of the house. When the house is not
24 in order, guests of a member of the general assembly
25 escorted by that member shall be allowed on the house
26 floor.

27 No person admitted to the floor of the house while
28 the house is in order, except members of the general
29 assembly, shall lobby or attempt to exercise any
30 influence with any member for or against any matter

1 then pending or that may thereafter be considered by
2 the house.

3 A registered lobbyist shall not be admitted to
4 the floor of the house on any legislative day except
5 for ceremonial purposes or for attendance at public
6 hearings.

7 A lobbyist who represents the position of a state
8 government agency, in which the person serves or is
9 employed as the designated representative for purposes
10 of encouraging the passage or defeat of legislation,
11 shall file with the chief clerk of the house a
12 statement of the general subjects of legislation in
13 which the lobbyist is or may be interested, but shall
14 not lobby for or against a bill, resolution, or study
15 bill unless the lobbyist does so with the written
16 authorization and on behalf of a statewide elected
17 or retained official. The official's writing may
18 authorize the lobbyist to register and lobby for or
19 against any or all bills in which the lobbyist is
20 or may be interested or may restrict the lobbyist
21 to register and lobby for or against only some bills
22 in which the lobbyist is or may be interested. The
23 written authorizations shall be filed with the chief
24 clerk, according to a procedure established by the
25 clerk for the filing of the authorizations and for
26 making them available to the public, by the following
27 statewide elected or retained official for the
28 following offices, departments, agencies, and branch:

29 By the attorney general, auditor of state, secretary
30 of state, and treasurer of state, for their respective

1 offices.

2 By the secretary of agriculture, for the department
3 of agriculture and land stewardship.

4 By the chairperson of the ethics and campaign
5 disclosure board, for the executive director, legal
6 counsel, and other employees of the board.

7 By the governor, for all other executive branch
8 offices and departments.

9 By the chief justice of the supreme court, for the
10 judicial branch.

11 Each member, employee of the house, and registered
12 lobbyist may report violations of this rule immediately
13 to the sergeant-at-arms or the chief clerk.

14 Any person for cause may be summarily dismissed
15 from the chamber of the house, by action of the house,
16 and may forfeit that person's right to admission
17 thereafter.

18 Rule 20A

19 Legislative Interns

20 A member may appoint one or more interns who shall
21 register with the chief clerk. Only one legislative
22 intern per member of the house is allowed on the floor
23 of the house at any one time.

24 Rule 21

25 Distribution of Literature and Other Items

26 No person except a member or employee of the house
27 of representatives shall distribute or cause to be
28 distributed any pamphlets, material, or other printed
29 literature, or any other items to the members' desks
30 in the house without authorization. An employee

1 of the house shall generally distribute or cause
2 to be distributed such literature or items only on
3 behalf of the employee's office or staff. Items which
4 are permissible gifts under chapter 68B of the Code
5 may be distributed to the members' desks with the
6 authorization of the chief clerk.

7 All copies of pamphlets, material, or printed
8 literature distributed by a member or employee of the
9 house of representatives shall bear the name of the
10 member or employee's office or staff.

11 Other distributions of pamphlets, material, or
12 other printed literature shall bear their source of
13 origin and be distributed through the legislative
14 post office or to the members' desks by completing
15 a form containing a member's or the chief clerk's
16 authorization, with the authorization form filed with
17 the chief clerk. The authorization form shall be
18 retained for a reasonable time period by the chief
19 clerk.

20 Rule 22

21 Distribution of Materials Printed by the State

22 A member of the house shall not distribute maps,
23 books, and pamphlets which have been printed by the
24 state of Iowa and upon which the name of the member
25 of the house has been affixed unless the member has
26 purchased the materials or unless the member has
27 affixed the words "Paid for by the citizens of Iowa and
28 distributed by representative (member's name)."

29 DIVISION IV — FORMS AND PROCEDURES FOR BILLS AND OTHER

30 DOCUMENTS

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Rule 23

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Documents Signed by the Speaker

3 All acts and joint resolutions shall be signed by
4 the speaker, and all writs, warrants, and subpoenas
5 issued by order of the house, shall be signed by the
6 speaker and attested by the chief clerk. The speaker
7 shall cause certificates of recognition or condolence
8 to be issued by the house which shall be signed by
9 the speaker and the chief clerk. The chief clerk
10 shall maintain a list of certificates issued including
11 the name of the requesting member of the house, the
12 name of the recipient, the reason for recognition or
13 condolence, and the date of issuance.

14

Rule 24

15

Presentation of Petitions

16 All petitions, memorials, and other papers addressed
17 to the house shall be signed by the member and filed
18 with the chief clerk. The receipt of petitions shall
19 be noted in the journal and such petitions shall be
20 available in the office of the chief clerk. At the
21 conclusion of each general assembly, the chief clerk
22 may dispose of petitions received during that general
23 assembly.

24

Rule 25

25

Consideration of Simple and Concurrent Resolutions

26

27 Action on a simple or concurrent resolution, except
28 a memorial resolution, shall not be taken until one day
29 after the resolution has been placed on the members'
30 desks. After the resolution is adopted, the chief
30 clerk shall have the resolution printed in the compiled

1 journal and shall transmit certified copies of the
2 resolution as directed.

3 Rule 26

4 Unanimous Consent Calendar

5 The speaker may, upon the request of three members,
6 place on a unanimous consent calendar any house
7 resolution or concurrent resolution which does not
8 contain an appropriation and which has been laid over
9 under Rule 25.

10 If such resolution is placed on the unanimous
11 consent calendar, it may be removed only upon a written
12 request submitted to the speaker by a member of the
13 house.

14 If not removed after five legislative days, the
15 chief clerk shall call up the resolution and without
16 debate the speaker shall pronounce that it has passed
17 by unanimous consent.

18 If the resolution is removed from the unanimous
19 consent calendar, the speaker may again lay the
20 resolution over under Rule 25, place it on a different
21 calendar, or refer the resolution to any of the
22 standing committees of the house.

23 Rule 26A

24 Senate Bills and Resolutions

25 A senate bill or resolution may be referred to a
26 standing committee or passed on file.

27 Rule 27

28 Forms of Bills and Joint Resolutions

29 Every house bill shall be introduced by one or more
30 members or by any standing or specially authorized

1 committee of the house or the administrative rules
2 review committee. All bills and joint resolutions
3 introduced shall be prepared by the legislative
4 services agency with title, enacting clause, text
5 and explanation as directed by the chief clerk of the
6 house. One copy of each bill shall be presented in a
7 bill cover with the number of copies of the bill and
8 the title as directed by the chief clerk.

9

Rule 28

10

Joint and Nullification Resolutions

11 Joint resolutions shall be framed and treated as
12 bills.

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

20 A nullification resolution may be introduced by an
21 individual, a standing committee or the administrative
22 rules review committee, and may be referred to a
23 standing committee. A nullification resolution is
24 debatable, but cannot be amended on the floor of the
25 house.

26

Rule 29

27

Time of Introduction of Bills

28 No bill or joint resolution under individual
29 sponsorship, other than a nullification resolution,
30 shall be read for the first time after 4:30 p.m. on

1 Friday of the fifth week of the first regular session
2 of the general assembly unless a formal request for
3 drafting the bill has been filed with the legislative
4 services agency before that time.

5 After adjournment of the first regular session,
6 bills may be prefiled at any time before the convening
7 of the second regular session. No bill or joint
8 resolution under individual sponsorship, other than a
9 nullification resolution, shall be read for the first
10 time after 4:30 p.m. on Friday of the second week of
11 the second regular session of the general assembly
12 unless a formal request for drafting the bill has been
13 filed with the legislative services agency before that
14 time.

15 However, bills or joint resolutions sponsored
16 by standing committees or the administrative rules
17 review committee, co-sponsored by the majority and
18 minority floor leaders, or companion bills sponsored
19 by the house majority leader and the senate majority
20 leader may be drafted and introduced at any time
21 permissible under Joint Rule 20. House, concurrent,
22 and nullification resolutions may be introduced at any
23 time.

24 Rule 30

25 Introduction and Reading of Bills

26 All bills and resolutions to be introduced in the
27 house shall be prepared in proper form and filed
28 with the chief clerk no later than 4:30 p.m. on the
29 legislative day preceding its introduction.

30 Every bill shall receive two readings but no bill

1 shall receive its first and last readings on the same
2 day.

3 A "reading of a bill" as required by these rules
4 shall consist of a reading of the title and enacting
5 clause.

6 Rule 31

7 First Reading, Commitment, and Amendment

8 1. A bill is introduced into the house by an
9 initial or "first reading of the bill".

10 2. When the house is in session the first reading
11 shall consist of a "reading" as provided in Rule 30.

12 3. Upon a first reading of the bill, the speaker
13 shall state that it is ready for commitment or
14 amendment; and the speaker shall commit it to the
15 standing or select committee, or to a committee of the
16 whole house. If to a committee of the whole house, the
17 house shall determine on what day.

18 4. On a nonlegislative day the speaker may cause a
19 statement, which shall consist of the title, enacting
20 clause, bill number and committee to which the bill
21 is referred, to be published in the house journal.
22 This publication shall constitute a first reading and
23 commitment and shall contain the notation "read and
24 committed under Rule 31".

25 5. All amendments offered to bills and resolutions
26 shall be accompanied by such copies as the chief clerk
27 shall direct.

28 6. Such amendments shall give the number of
29 the bill sought to amend and the chief clerk shall
30 designate each such amendment thus: Amendment to

1 House File _____, or Senate File _____, by
2 _____.

3 7. A bill reported out by committee shall go to the
4 speaker who shall direct that the bill be placed on the
5 regular calendar unless it covers subject matter more
6 properly within the jurisdiction of some other standing
7 committee, in which case the speaker ~~shall~~ may refer
8 the bill to the proper standing committee. In order to
9 expedite important business and set a definite time for
10 the bill's consideration, the speaker may direct the
11 bill to be placed on the special order calendar.

12 8. No amendment to the rules of the house, to any
13 resolution or bill, except technical amendments and
14 amendments to bills substituted for by senate files
15 containing substantially identical title, language,
16 subject matter, purpose and intrasectional arrangement,
17 shall be considered by the membership of the house
18 without a copy of the amendment having been filed with
19 the chief clerk by 4:00 p.m. or within one-half hour of
20 adjournment, whichever is later, on the day preceding
21 floor debate on the amendment. If the house adjourns
22 prior to 2:00 p.m. on Friday, the final deadline is two
23 hours after adjournment. However, committee amendments
24 filed pursuant to the submission of the committee
25 report may be accepted after this deadline. This
26 provision shall not apply to any proposal debated on
27 the floor of the house after the thirteenth week of
28 the first session and the twelfth week of the second
29 session. No amendment or amendment to an amendment
30 to a bill, rule of the house, or resolution shall be

1 considered by the membership of the house without
2 a copy of the amendment being on the desks of the
3 entire membership of the house prior to consideration.
4 However, the membership of the house may consider an
5 amendment or an amendment to an amendment to a bill,
6 rule of the house, or resolution without a copy of the
7 amendment being on the desks of the entire membership
8 of the house prior to consideration if a copy of the
9 amendment is made available to the entire membership of
10 the house electronically.

11

Rule 32

12

Commitment of Appropriation and Revenue Bills

13

All bills to appropriate money shall be referred to
14 the appropriations committee, and all bills pertaining
15 to the levy, assessment, or collection of taxes or fees
16 shall be referred to the committee on ways and means.

17

Rule 33

18

Regular Calendar

19

Bills, nullification resolutions, and joint
20 resolutions reported out for passage, amendment and
21 passage, or without recommendation by a committee,
22 or passed on file shall be arranged on a regular
23 calendar by the chief clerk each day and electronically
24 distributed to the members at the opening of each
25 legislative day. The regular calendar shall include
26 a list of bills, nullification resolutions, and joint
27 resolutions which have been special ordered, including
28 the date upon which debate is scheduled to begin
29 on each of them, which shall be no sooner than five
30 session days from the first date of publication on the

1 regular calendar.

2

Rule 34

3

Daily Debate Calendar

4 The majority floor leadership shall cause to
5 be prepared and distributed to the members at the
6 opening of each legislative day when floor action is
7 scheduled, a daily debate calendar consisting of bills,
8 nullification resolutions, and joint resolutions from
9 the regular calendar setting forth the number and
10 title of bills, nullification resolutions, and joint
11 resolutions for the next legislative day that floor
12 action is scheduled.

13 This rule does not apply to bills which have passed
14 both houses in different forms, reconsiderations, or
15 veto reconsiderations.

16

Rule 35

17

Substitution of Bills

18 A senate bill or resolution may be substituted
19 for an identical house bill or resolution which has
20 been called up for debate. An amendment to a senate
21 bill or resolution which has been substituted for an
22 identical house bill or resolution is out of order if
23 an identical amendment to the house bill or resolution
24 was considered.

25

Rule 36

26

Consideration of Committee Amendments

27 After a bill has been referred and reported back,
28 it shall be considered on its first reading after the
29 amendments of the committee have been read.

30

Rule 37

1 Amendments to Special Order Bills

2 All amendments to bills which have been special
3 ordered shall be filed at least three session days
4 prior to the date set for debate. Amendments to an
5 amendment shall be filed at least two session days
6 prior to the date set for debate. However, corrective
7 amendments and amendments sponsored by either the
8 majority floor leader or the minority floor leader may
9 be filed at any time. Rule 31, subsection 8, shall not
10 apply to these amendments.

11 A corrective amendment is an amendment which does
12 not substantively change the amendment or the bill.

13

 Rule 38

14

 Germane Amendments

15 An amendment must be germane to the subject matter
16 of the bill it seeks to amend. An amendment to an
17 amendment must be germane to both the amendment and the
18 bill it seeks to amend. When a member objects to an
19 amendment on grounds that the amendment is not germane,
20 the speaker may invite members, who shall include the
21 majority and minority leaders, to the speaker's station
22 to discuss the objection.

23

 Rule 39

24

 Consideration of Bills

25 Bills, including committee bills, joint resolutions,
26 and nullification resolutions, reported out for
27 passage, for amendment and passage, or without
28 recommendation by the committee, are first eligible to
29 be acted upon beginning the third legislative day they
30 appear on the regular calendar.

1 Committee reports shall be printed in the journal
2 immediately after they are filed with the chief clerk.
3 Reports recommending bills, joint resolutions, and
4 nullification resolutions for passage, for amendment
5 and passage, or without recommendation shall stand
6 approved unless written objections are filed during
7 the first legislative day following their printing in
8 the journal. If objections are filed, they shall be
9 disposed of as soon as possible.

10 Rule 40

11 Consideration of Bills Upon Last Reading

12 No amendment, unless by way of correcting an error
13 or omission, shall be received to any bill on its last
14 reading, and no debate shall be allowed on it.

15 Rule 41

16 Printing of Bills and Joint Resolutions

17 Bills and joint resolutions shall be printed in form
18 as provided by law and by rule. Each house may direct
19 the printing of an additional number of its own bills.

20 Legalizing bills of a local or private nature shall
21 be printed in bill form and placed in the files of the
22 members, the same as other bills, in the order of their
23 introduction. The cost of printing shall be deposited
24 with the treasurer of state in advance at a rate to be
25 fixed, and the newspaper publication of the bill shall
26 be without cost to the state. No legalizing act may
27 be introduced until all provisions of law have been
28 complied with.

29 Rule 42

30 Certification and Engrossment of Bills

1 The chief clerk shall certify the passage of each
2 bill and note the date of its passage.

3 In engrossing a bill, the chief clerk shall
4 correct all obvious typographical, spelling, or other
5 clerical errors and change section subunit numbers
6 and letters and internal references as required to
7 conform the original bill to any amendments which have
8 been adopted. The chief clerk shall report all such
9 corrections or changes in the journal. The engrossed
10 bill shall be placed in the bill file with the original
11 bill and amendments.

12 Rule 43

13 Rereferral

14 A bill may be rereferred by the speaker or, upon
15 motion, by the house at any time before its passage and
16 after the report of its referral to committee.

17 Rule 44

18 Effect of Indefinite Postponement

19 When a question is indefinitely postponed, it shall
20 not be acted upon again during that session.

21 Rule 45

22 Status of Bills Following First Regular Session

23 Except for those bills which have been adopted by
24 both houses in different forms, all bills which have
25 not been withdrawn, defeated or indefinitely postponed,
26 shall be rereferred to committee upon adjournment of
27 the first regular session. Within seven days after
28 the first committee meeting following convening of
29 the second regular session, the committee chair shall
30 submit the bill to the full committee for action or the

1 taken until one day following the notation of the study
2 bill assignment in the house journal.

3 Rule 49

4 Committee Meetings

5 No committee, except a conference committee or the
6 administrative rules review committee, shall meet
7 while the house is in session without special leave.
8 Committees with overlapping memberships shall not meet
9 at the same time without special leave.

10 Rule 50

11 Smoking Prohibited

12 Smoking shall not be permitted in the house or in
13 any area of the capitol building.

14 Rule 51

15 Assignments to Subcommittee

16 The chair of the committee shall report to the house
17 the bill number of each bill assigned to subcommittee
18 and the names of the subcommittee members. The report
19 shall be printed in the journal.

20 All bills, prior to consideration by the committee,
21 shall be referred by the chair to a subcommittee,
22 unless acted upon by a committee of the whole.

23 The chair may assign bills to subcommittees without
24 a meeting of the committee, but the membership of the
25 subcommittee so appointed shall be reported at the next
26 meeting of the committee.

27 Rule 52

28 Open Meetings

29 Standing committee meetings shall be open, and
30 voting by secret ballot is prohibited. The committee

1 on administration and rules may close its meetings to
2 evaluate the professional competency of an individual.

3

Rule 53

4

Quorum and Vote Requirements

5 The committee roll shall be taken at the convening
6 of each meeting to determine the presence of a quorum.
7 A majority of the committee membership shall constitute
8 a quorum.

9 An affirmative vote of a majority of the committee
10 membership is required to report a bill out of
11 committee or to suspend a committee rule.

12 A motion to reconsider may be made only by a
13 committee member who voted on the prevailing side of
14 the question sought to be reconsidered. A motion to
15 reconsider may only be made prior to the adjournment of
16 the committee meeting at which the bill was reported
17 out.

18 If a member, who is in the committee room when a
19 question to report a bill out of committee is put, has
20 not asked to be excused prior to commencing to take
21 the vote on the question, the member shall vote aye
22 or nay unless the committee has excused the member for
23 special reasons. However, a member may pass on the
24 first taking of the roll call on the question but shall
25 vote aye or nay when the member's name is called for a
26 second time.

27

Rule 54

28 Committee Attendance Record and Report of Committee
29 Form

30 1. A committee attendance record shall be filed

1 with the chief clerk no later than 10:00 a.m. or two
2 hours after the house convenes, whichever is later,
3 of the legislative day immediately following the day
4 of the committee meeting. The committee attendance
5 record is a public record and may be published in the
6 journal. The committee attendance record shall include
7 the following information:

- 8 a. The time the meeting convened.
- 9 b. The members present at the meeting.
- 10 c. The time the meeting adjourned.
- 11 d. A list of bills receiving final committee
12 disposition.

13 2. A report of committee form shall be filed with
14 the chief clerk no later than 10:00 a.m. or two hours
15 after the house convenes, whichever is later, of the
16 legislative day immediately following the day of the
17 committee meeting for each study bill, numbered bill
18 or resolution receiving final committee disposition.
19 The report of committee form is a public record and
20 a report of committee action shall be printed in the
21 journal. The report of committee form shall include
22 the following information:

- 23 a. The committee action taken.
- 24 b. The committee amendment number, if any.
- 25 c. The roll call vote of the committee on final
26 disposition.
- 27 d. The minority recommendation, if any.

28 3. Upon final adjournment of the first session
29 and final adjournment of the second session of the
30 general assembly, the chair of each committee shall

1 have placed the committee's book of record containing
2 minutes, record roll calls on final disposition, record
3 roll call votes on any amendments considered, rules,
4 etc., with the chief clerk for access of any interested
5 person.

6 Rule 55

7 Minority Recommendation

8 The minority of the members of a committee may
9 present its recommendations on the final disposition
10 of a bill to the house by attaching its recommendation
11 to the committee report. The minority recommendation
12 shall be noted in the journal along with the committee
13 report.

14 Rule 56

15 Committee Amendment

16 Whenever a committee amendment is proposed which
17 would amend another committee amendment, the amendment
18 shall be drafted in the form of a substitute amendment
19 and shall be considered as such.

20 Rule 57

21 Committee Notice and Agenda

22 Each committee shall prepare and publish a notice
23 and agenda of each committee meeting at least one
24 legislative day prior to the meeting. The notice and
25 agenda may be placed on the desks of or transmitted
26 electronically to committee members.

27 The notice shall contain the committee name, the
28 date, time, and location of the meeting.

29 The agenda shall contain the matters to be
30 discussed, including a list of bills, joint

1 resolutions, nullification resolutions, and study
2 bills by number. The agenda should contain the names
3 of individuals who are scheduled to appear before the
4 committee and the organization which they represent.

5 A bill, joint resolution, nullification resolution,
6 or study bill shall not be reported out of committee if
7 the bill was not included in the published notice and
8 agenda unless this rule is suspended by a majority of
9 the total membership of the committee.

10 A committee chair may call a meeting without
11 providing the required notice and agenda upon leave
12 of the house if a notice is either electronically
13 transmitted to committee members or placed on the desks
14 of committee members.

15 Rule 58

16 Clearing of Committee Room

17 The chair of a committee may clear the committee
18 room in case of any disturbance or disorderly conduct.

19 Rule 58A

20 Use of Telephonic or Electronic Devices in Committee

21 Rooms Restricted

22 1. In any committee room while a standing committee
23 is in session:

24 a. A person shall mute any cell phone, computer, or
25 other electronic device under the person's control.

26 b. A person shall not use a cell phone or other
27 electronic device to audibly transmit or receive
28 communications.

29 2. The chair or acting chair of a standing
30 committee may clear the committee room of any person

1 acting in violation of this rule.

2

Rule 59

3

Committee Amendments

4 All amendments to a bill or resolution adopted in
5 committee shall be incorporated in a single committee
6 amendment or incorporated in a new committee bill.

7

Rule 60

8 Withdrawal of Bills, Joint Resolutions, or
9 Nullification Resolutions From Committee

10 A bill, joint resolution, or nullification
11 resolution which has been in committee for eighteen
12 legislative days following notation of such referral
13 in the journal may be withdrawn from the committee and
14 placed on the calendar by an affirmative vote of not
15 less than fifty-one members of the house.

16

Rule 61

17

Committee Public Hearings

18 The chair of a committee may call a public hearing
19 for the purpose of receiving public comment on any
20 matter within the purview of the committee.

21 The chair shall call a public hearing upon the
22 written request of committee members according to
23 committee rules, but no more than one-third of the
24 committee members shall be required.

25 A public hearing shall not be called or requested
26 after final action on the bill, joint resolution,
27 or nullification resolution has been taken by the
28 committee. However, a public hearing called or
29 requested before final action has been taken by the
30 committee may be held after final action on the bill,

1 joint resolution, or nullification resolution has been
2 taken by the committee.

3 The chair shall designate a time and place for a
4 public hearing and provide public notice at least five
5 days prior to a public hearing.

6 A bill, joint resolution, or nullification
7 resolution for which a public hearing has been called
8 can be voted to the calendar but cannot be debated
9 until after the public hearing has been held. If a
10 bill, joint resolution, or nullification resolution
11 for which a public hearing has been called is not
12 debated by the house during the session in which it
13 is introduced, the request for the public hearing is
14 deemed to have lapsed upon adjournment sine die of that
15 session.

16 However, public hearings which have been requested
17 during or after the 9th week of the first session and
18 during or after the 7th week of the second session must
19 be held within four legislative days of the date of the
20 request.

21 Rule 62

22 Limitation on Filing of Claims

23 All claims shall be referred to the appropriations
24 committee. A claim referred to the appropriations
25 committee in a prior session of the general assembly
26 shall not be considered by the appropriations
27 committee or by the house unless it has been
28 specifically referred to this session by a vote of the
29 appropriations committee. The appropriations committee
30 is authorized to set a definite date each session after

1 which it will not receive claims or claim bills for
2 consideration.

3 DIVISION VI — COMMITTEE OF THE WHOLE

4 Rule 63

5 Organization of Committee of the Whole

6 In forming the committee of the whole house, the
7 speaker shall appoint a member to preside in committee
8 and then leave the chair.

9 Rule 64

10 Rules in Committee of the Whole

11 The rules of the house shall be observed in
12 committee of the whole house, so far as they are
13 applicable.

14 Rule 65

15 Bills in Committee of the Whole

16 Bills committed to the committee of the whole house
17 shall first be debated by section. After the report
18 of the committee of the whole, the bill shall again be
19 subject to debate and amendment before a vote is had on
20 its last reading and passage.

21 Rule 66

22 Amendments by Committee of the Whole

23 All amendments made to a report committed to a
24 committee of the whole house shall be noted and
25 reported as in the case of bills.

26 DIVISION VII — MOTIONS

27 Rule 67

28 Order and Precedence of Motions

29 The following order of motions, listed in order
30 of precedence, shall govern when a question is under

1 debate:

- 2 1. Adjourn.
- 3 2. Recess.
- 4 3. Questions of privilege.
- 5 4. Lay on the table.
- 6 5. Previous question.
- 7 6. Limit debate.
- 8 7. Postpone definitely or to a certain time.
- 9 8. Refer or rerefer.
- 10 9. Defer.
- 11 10. Amend an amendment.
- 12 11. Amend.
- 13 12. Postpone indefinitely.

14 A motion to postpone definitely or to a certain
15 time, to refer or commit, or to postpone indefinitely a
16 particular question shall not be considered more than
17 once on the same day.

18 Adoption of a motion to strike the enacting words is
19 equivalent to rejection of the question.

20 Rule 68

21 Order of Consideration of Amendments

22 Amendments shall be considered by earliest position
23 in the bill. Amendments to the same place in the bill
24 shall be considered by the lowest amendment number. An
25 amendment which inserts language after a line and an
26 amendment which inserts language before the succeeding
27 line shall be considered amendments to the same place
28 in the bill.

29 However, an amendment to strike the enacting clause
30 shall always be considered first. An amendment filed

1 by a committee shall have the next highest order of
2 priority, followed by an amendment to strike everything
3 after the enacting clause and insert new language. An
4 amendment to strike language or to strike and insert
5 new language, except an amendment to strike everything
6 after the enacting clause and insert new language,
7 shall not be considered before amendments to perfect
8 all or part of the same portion of the bill.

9

Rule 69

10

Motions Not Debatable

11 The following motions are not debatable:

- 12 1. Adjourn.
- 13 2. Adjourn to a certain time.
- 14 3. Suspend house rules.
- 15 4. Previous question.
- 16 5. Close debate at a certain time.
- 17 6. Recess.
- 18 7. Defer.
- 19 8. Refer or rerefer.
- 20 9. Lay on the table.
- 21 10. Take from the table.
- 22 11. Call of the house.
- 23 12. Withdraw a bill or resolution from committee.
- 24 13. Appeal a decision of the chair.
- 25 14. Immediately message a bill or resolution.

26

Rule 69A

27

Constitutional Majority

28 1. The following motions require a constitutional
29 majority for approval:

- 30 a. Final passage of a bill, joint resolution, or

1 nullification resolution.

2 b. Lay on the table.

3 c. Take from the table.

4 d. Suspend house rules.

5 e. Previous question.

6 f. Withdraw a bill or resolution from committee.

7 g. Reconsider a bill, joint resolution, or

8 nullification resolution.

9 h. Immediately message a bill or resolution.

10 2. A division must be taken on any motion which
11 requires a constitutional majority.

12 Rule 70

13 Motion to Adjourn

14 A motion to adjourn shall always be in order, except
15 when a member is speaking or the house is voting.

16 Rule 71

17 Withdrawal of Motions

18 After a motion is stated by the speaker or read by
19 the chief clerk, it shall be deemed to be in possession
20 of the house, but may be withdrawn by leave of the
21 house.

22 Rule 72

23 Unanimous Consent

24 Unanimous consent of the members may be asked for
25 suspension of any rule of the house. If there is no
26 objection to the request, the rule shall be considered
27 suspended.

28 Rule 73

29 Reconsideration

30 1. A motion to reconsider may be made only by a

1 member who voted on the prevailing side of the question
2 sought to be reconsidered.

3 2. A motion to reconsider may be made not later
4 than adjournment on the legislative day following
5 the legislative day of the action sought to be
6 reconsidered. Where the floor manager voted on
7 the prevailing side, the floor manager has the
8 prior right to make the motion, until adjournment
9 on the legislative day of the action sought to be
10 reconsidered. A motion to reconsider a nullification
11 resolution shall be acted upon not later than
12 adjournment on the legislative day following
13 the legislative day of the action sought to be
14 reconsidered.

15 3. A motion to reconsider made beginning the
16 fifteenth week of the first regular session, or the
17 thirteenth week of the second regular session, may be
18 taken up when made. A motion made at any other time
19 may be taken up prior to the third legislative day
20 succeeding the legislative day of the action sought
21 to be reconsidered only if called up by the mover,
22 and after the second legislative day succeeding the
23 legislative day of the action sought to be reconsidered
24 if called up by any member.

25 4. The making of a motion to reconsider takes
26 precedence over all other questions.

27 5. When passage, adoption, or failure of any bill,
28 joint resolution, or nullification resolution is
29 reconsidered, questions on amendments may also be
30 reconsidered and shall be disposed of immediately.

1 6. In the event that a motion to reconsider
2 is pending at the end of the first session or any
3 extraordinary session of any general assembly, or the
4 general assembly adjourns sine die, and the motion to
5 reconsider has not been voted upon by the house, the
6 motion shall be determined to have failed.

7 DIVISION VIII — VOTING

8 Rule 74

9 Manner of Voting

10 Members present may cast their votes, either by
11 operating the voting mechanism located at their
12 assigned desk or by signaling the speaker from the
13 floor of the house or from the south visitors' gallery
14 if they are unable to vote at their assigned desk.
15 Only a member may operate the voting mechanism at that
16 member's assigned desk. The speaker shall announce the
17 votes of members signaling their votes. Upon direction
18 of the speaker only those members at their desks and
19 voting shall be counted. Members who are not present
20 shall not cast their votes except:

21 1. Members who have not voted may record their
22 votes on any record roll call vote except quorum
23 calls within ten minutes after the outcome of the
24 vote has been announced. Members shall initial their
25 recorded votes on a copy of the record roll call at the
26 speaker's station. However, if the aggregate of votes
27 cast under this rule would change the outcome of the
28 vote on a question, then none of the votes cast on the
29 question under this rule shall be recorded. A member
30 may request announcement of the names of members so

1 recorded after the ten-minute period.

2 2. Members meeting in a conference committee
3 or in administrative rules review committee at the
4 time a vote is taken on a question may have their
5 vote recorded within thirty minutes or adjournment,
6 whichever is first, of that same legislative day,
7 provided the aggregate of votes cast does not change
8 the outcome of the vote on a question.

9

Rule 75

10

Voting in the House and Duty of Voting

11 Voting on a question put to members on the floor of
12 the house shall not occur between midnight and 8 a.m.
13 on any legislative day except for voting on a motion to
14 recess, defer, or adjourn. Except as limited in Rule
15 76, every member who is in the house when a question is
16 put shall vote unless the house has excused that member
17 from voting for special reasons; however, such member
18 must have asked to be excused from voting prior to the
19 time the speaker puts the question.

20

Rule 76

21

Limitation on Right to Vote

22 No member shall vote on any question in which
23 the member or the member's immediate family member,
24 as defined in chapter 68B of the Code, has a direct
25 financial interest different from other similarly
26 situated persons or classes of persons of the general
27 public.

28

Rule 77

29

Call of the House

30 Upon written request of five members, the presiding

1 officer shall compel attendance of absent and unexcused
2 members for the consideration of specified bills,
3 resolutions, or amendments.

4 A call of the house shall specify the propositions
5 to which it is to apply and must be put into effect
6 before roll call is taken on the proposition. The
7 request may be filed with the chief clerk at any time
8 before final action upon the propositions, who shall
9 notify the house immediately.

10

Rule 78

11

Method of Calling the House

12 Upon a call of the house, the names of the members
13 shall be called by the chief clerk and the absentees
14 noted, after which the names of the absentees shall
15 again be called. The sergeant-at-arms shall be
16 directed by the speaker to compel the attendance of
17 absent members, unless they are previously excused.
18 Any member occupying the member's seat during a call
19 of the house shall be counted by the speaker and that
20 person's name entered in the journal as being present
21 for the purpose of making a quorum.

22

Rule 79

23

Method of Calling the Roll

24 The electrical voting machine shall be used for a
25 call of the house, a quorum call or a roll call vote
26 on any question. If the electrical voting machine is
27 not in operating order when it is necessary to take
28 a record roll call vote, the presiding officer shall
29 order the vote to be taken by calling the roll in
30 alphabetical order, except the name of the presiding

1 officer shall be called last.

2 During the casting of the vote with the voting
3 machine, the individual votes and the vote totals shall
4 be shown on the display boards. Before the voting
5 machine is closed, the presiding officer shall inquire
6 of the house, "Have you all voted?"

7 Rule 80

8 Quorum and Record Roll Call Votes

9 A majority of the members shall constitute a quorum.

10 A record roll call vote shall be ordered upon
11 request of any two members. The names of the members
12 requesting the record roll call shall be entered in the
13 journal.

14 Rule 81

15 Previous Question

16 When a member moves for the previous question, the
17 member shall state whether the motion will apply to the
18 main question, to all the amendments, or to particular
19 amendments. The motion requires an affirmative vote of
20 at least a constitutional majority of the members. If
21 the motion for a previous question is not adopted, the
22 house shall proceed in the same manner as before the
23 motion was made.

24 If the motion is adopted, all debate must end and
25 the house will vote upon the question except:

26 1. If the motion applies to the main question, the
27 member in charge of the measure will have ten minutes
28 to speak for the purpose of closing discussion before
29 the vote on the measure is taken.

30 2. If the motion applies to an amendment, the

1 member proposing the amendment will have five minutes
2 to speak for the purpose of closing discussion before
3 the vote on the amendment is taken.

4 3. If a member has filed a written request with
5 the chief clerk of the house indicating the member's
6 desire to speak on a particular question. The request
7 must be filed before the motion is made by the movant.
8 The request allows a member to speak on a particular
9 question before the closing discussion by the member
10 who is in charge of the measure or who is proposing the
11 amendment.

12 Rule 82

13 Division of the Question

14 Any member may call for a division of the question,
15 which shall be divided if it comprehends questions so
16 distinct that one being taken away, the remainder may
17 stand separately for discussion by the house. Upon
18 request to divide an amendment, the chief clerk shall
19 restate the division and note the divided amendment in
20 the house journal. An amendment to strike out being
21 lost shall not preclude an amendment to strike out and
22 insert. An amendment to strike out and insert shall be
23 deemed indivisible.