
Introduced by Senator Atkins

December 3, 2018

Senate Resolution No. 4—Relative to the Standing Rules of the Senate for the 2019–20 Regular Session.

1 *Resolved by the Senate of the State of California,* That the
2 following rules be, and the same are hereby adopted as, the
3 Standing Rules of the Senate for the 2019–20 Regular Session:
4

5 STANDING RULES OF THE SENATE
6

7 CONVENING AND SESSIONS
8

9 Hours of Meeting
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11 1. The Senate shall meet at 9:00 a.m. daily, except Saturdays
12 and Sundays, unless otherwise ordered by the Senate.
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14 Calling to Order
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16 2. The President pro Tempore, Vice Chair of the Committee
17 on Rules, or senior member present shall call the Senate to order
18 at the hour stated and, if a quorum is present, shall proceed with
19 the order of business.
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21 Attendance of Senators
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23 3. No Senator may be absent from attendance upon the Senate
24 without first obtaining leave. A lesser number than a quorum of
25 the Senate is authorized to send the Sergeant at Arms for any and

1 all absent Senators at the expense of the absent Senators, unless
2 an excuse for nonattendance made to the Senate when a quorum
3 is present shall be judged sufficient, and in that case the expense
4 shall be paid out of the Senate Operating Fund. The President pro
5 Tempore, or less than a quorum present, shall have the power to
6 issue process directly to the Sergeant at Arms to compel the
7 attendance of Senators absent without leave. Any Senator who
8 refuses to obey that process, unless sick or unable to attend, shall
9 be deemed guilty of contempt of the Senate, and the Sergeant at
10 Arms shall have power to use force as may be necessary to compel
11 the attendance of the absent Senator, and for this purpose the
12 Sergeant at Arms may command the force of the county, or of any
13 county in the state.

14 Order of Business

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17 4. The order of business shall be as follows:
18 (1) Rollcall.
19 (2) Prayer by the Chaplain.
20 (3) Pledge of Allegiance.
21 (4) Privileges of the Floor.
22 (5) Communications and Petitions.
23 (6) Messages from the Governor.
24 (7) Messages from the Assembly.
25 (8) Reports of Committees.
26 (9) Motions, Resolutions, and Notices.
27 (10) Introduction and First Reading of Bills.
28 (11) Consideration of Daily File:
29 (a) Second Reading.
30 (b) Special Orders.
31 (c) Unfinished Business.
32 (d) Third Reading.
33 (12) Announcement of Committee Meetings.
34 (13) Leaves of Absence.
35 (14) Adjournment.

36 Executive Sessions

- 37
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39 5. When a motion is adopted to close the doors of the Senate,
40 on the discussion of any business that may require an executive

1 session, the Presiding Officer shall require all persons, except the
2 Senators, Secretary, Minute Clerk, and Sergeant at Arms, to
3 withdraw, and during the discussion of that business the doors
4 shall remain closed. Every Senator and officer present shall keep
5 secret all matters and proceedings concerning which secrecy shall
6 be enjoined by order of the Senate.

7
8 OFFICERS OF THE SENATE

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10 The President

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12 6. The President may preside upon invitation of the Senate.

13
14 The President pro Tempore

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16 7. The President pro Tempore shall take the Chair and call the
17 Senate to order at the hour of the meetings of the Senate. The
18 President pro Tempore is the Presiding Officer of the Senate.

19 It shall be the particular responsibility of the President pro
20 Tempore to secure the prompt and businesslike disposition of bills
21 and other business before the Senate. The President pro Tempore
22 shall maintain order in the Senate Chamber and, in case of a
23 disturbance or disorderly conduct outside the bar or in the gallery,
24 the President pro Tempore shall have the power to order the same
25 cleared.

26 The President pro Tempore shall serve ex officio as a member
27 of all Senate and joint committees of which the President pro
28 Tempore is not a regular member, with all of the rights and
29 privileges of that membership except the right to vote. In counting
30 a quorum of any of these committees, the President pro Tempore
31 may not be counted as a member.

32 The Vice Chair of the Committee on Rules shall, in the absence
33 of the President pro Tempore, perform the duties, and have all
34 powers and authority, of the President pro Tempore.

35
36 Presiding by Senators

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38 8. The President pro Tempore of the Senate may name a Senator
39 to perform the duties of the Chair in the absence of the President
40 pro Tempore. The Senator so named shall be vested, during that

1 time on the floor, with all the powers of the President pro Tempore,
2 and the Senator who performs these duties shall be known as the
3 Presiding Officer.

4 In the absence of the President pro Tempore or the Vice Chair
5 of the Committee on Rules, any Senator may perform the duties
6 of the Chair.

7
8 Secretary of the Senate
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10 9. It shall be the duty of the Secretary of the Senate to attend
11 every session, call the roll, and read all bills, amendments, and
12 resolutions, and all papers ordered read by the Senate or the
13 Presiding Officer.

14 The Secretary of the Senate shall superintend all printing to be
15 done for the Senate.

16 The Secretary of the Senate shall certify to, and transmit to, the
17 Assembly all bills, joint and concurrent resolutions, constitutional
18 amendments, and papers requiring the concurrence of the
19 Assembly, after their passage or adoption by the Senate.

20 The Secretary of the Senate shall also keep a correct Journal of
21 the proceedings of the Senate, and shall notify the Assembly of
22 the action by the Senate on all matters originating in the Assembly
23 and requiring action on the part of the Senate.

24 The Secretary of the Senate shall have custody of all bills,
25 documents, papers, and records of the Senate and may not permit
26 any of the bills, documents, records, or papers to be taken from
27 the Desk or out of the Secretary of the Senate's custody by any
28 person, except in the regular course of the business of the Senate.

29 The Secretary of the Senate is the Executive Officer of the
30 Committee on Rules and shall act as its authorized representative
31 in all matters delegated to the Secretary of the Senate by the
32 committee.

33 Initiative measures received by the Secretary of the Senate in
34 accordance with Section 9034 of the Elections Code shall be
35 transmitted to the Committee on Rules and referred by the
36 Committee on Rules to the appropriate committee.

Sergeant at Arms of the Senate

10. The Sergeant at Arms shall attend the Senate during all of its sittings, and shall execute the commands of the Senate from time to time, together with all process issued by its authority, as shall be directed to the Sergeant at Arms by the President pro Tempore. The Sergeant at Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant at Arms for every arrest and for each day's custody and release, and the Sergeant at Arms's traveling expenses, shall be paid out of the Senate Operating Fund.

The Sergeant at Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, Journals, Histories, and Files, when printed, on the desks of Senators, at least one hour previous to the opening of the session. If printed copies are not available, electronic copies will suffice for purposes of this rule.

Elected and Appointed Officers

10.5. On the first day of each session, the President pro Tempore, members of the Committee on Rules, Secretary of the Senate, and Sergeant at Arms shall be elected by a majority vote of the duly elected and qualified Members of the Senate and shall serve until their successors are elected and qualify. The Committee on Rules shall appoint an Assistant Secretary, a Minute Clerk, a Chaplain, and other employees with such duties as the committee requires.

Officers and Employees Compensation: Approval

10.6. The Controller is hereby authorized and directed to draw warrants in favor of officers and employees who render services to the Senate, as certified by the Committee on Rules or by its authorized representative, from the fund set aside for the pay of officers and employees of the Senate at the rate of compensation certified by the committee or its representative, and the Treasurer is hereby directed to pay the same.

COMMITTEES OF THE SENATE

Appointment of Committees

11. The Committee on Rules shall consist of the President pro Tempore of the Senate, who shall be the chair of the committee, and four other Members of the Senate to be elected by the Senate. There is a vacancy on the committee in the event a member ceases to be a Member of the Senate or resigns from the Committee on Rules. Any vacancy occurring during a summer, interim study, or final recess, except in the case of the President pro Tempore, shall be filled by the remaining members of the Committee on Rules. A vacancy occurring at any other time shall be filled by election by the Senate.

The Committee on Rules shall appoint all other committees of the Senate and shall designate a chair and vice chair of each committee.

In making committee appointments, the Committee on Rules shall give consideration to seniority, preference, and experience. However, in making committee appointments, the Committee on Rules shall, as far as practicable, give equal representation to all parts of the state.

Standing Committees

12. The standing committees of the Senate and subjects to be referred to each are set out below. The provisions set forth below as to the assignment of bills are intended as a guide to the Committee on Rules, but are not binding upon the committee.

(1) Rules, 5 members. Proposed amendments to the rules and other matters relating to the business of the Legislature.

The standing committees of any regular session shall be the standing committees of concurrent special or extraordinary sessions unless otherwise ordered by the Senate.

Committee on Legislative Ethics

12.3. (a) (1) The Committee on Legislative Ethics is hereby created. The committee shall be appointed by the Committee on

1 Rules and shall consist of six Senators, at least two of whom are
2 members of the political party having the greatest number of
3 members in the Senate and at least two of whom are members of
4 the political party having the second greatest number of members
5 in the Senate. The members of the committee shall serve two-year
6 terms. The President pro Tempore and the Minority Floor Leader
7 shall serve as ex officio, nonvoting members of the committee. A
8 member of the Committee on Rules shall not be appointed to the
9 committee.

10 (2) The Committee on Rules shall select a Chair and a Vice
11 Chair, who may not be members of the same political party. The
12 Chair may not serve more than two consecutive two-year terms,
13 and the Committee on Rules shall select a successor who is not a
14 member of the same political party as the immediately previous
15 Chair.

16 (3) Vacancies in the committee shall be filled within 30 days
17 by the Committee on Rules for the remainder of a term.

18 (4) If a complaint is filed against a member of the committee,
19 the Committee on Rules shall temporarily replace the member
20 with a Senator of the same political party, who shall serve until
21 the complaint is dismissed by the committee or the Senate takes
22 action as it deems appropriate, whichever occurs earlier.

23 (5) The Committee on Rules, upon the recommendation of the
24 Committee on Legislative Ethics, may retain or appoint a Chief
25 Counsel to assist the committee in carrying out its functions. The
26 staff of the committee shall be considered permanent and
27 professional, and shall perform their duties in a nonpartisan
28 manner. Neither staff of the committee, nor persons currently
29 contracted to provide services for the committee, shall engage in
30 partisan activities regarding a Senate or Assembly election
31 campaign.

32 (6) (A) The Committee on Rules, after consulting with the Chair
33 and Vice Chair of the Committee on Legislative Ethics, shall
34 appoint an ethics ombudsperson to facilitate the receipt of
35 information about potential ethical violations, and to assist the
36 Senate in ensuring that the information is referred, if appropriate,
37 to Senate offices or state or federal agencies that can assess the
38 information and provide remedies for retaliatory conduct if needed,
39 and ensure that an informant or complainant does not suffer adverse
40 consequences with respect to that person's employment in violation

1 of paragraph (1) of subdivision (u). The identity of the informant
2 or complainant shall be kept confidential unless that person
3 otherwise consents.

4 (B) The ombudsperson may be a Senate employee with other
5 duties, but the ombudsperson's role as ombudsperson shall be
6 independent of those other duties and, in this role, the
7 ombudsperson shall report directly to the Secretary of the Senate.
8 The Secretary of the Senate shall ensure that the ombudsperson
9 has the ability to consult with outside legal counsel when needed
10 to help assess the appropriate referral of information received
11 pursuant to this paragraph.

12 (C) The ombudsperson shall be accessible to Senators and
13 officers and employees of the Senate who wish to provide
14 information or seek guidance about ethical standards or possible
15 violations before filing a formal complaint pursuant to subdivision
16 (c). Members of the public may also provide information regarding
17 possible violations. All communications made pursuant to this
18 subparagraph shall be confidential between the informant or
19 complainant and the ombudsperson. In appropriate cases, especially
20 where repeated or systematic violations appear to have occurred,
21 the ombudsperson may refer the information to the Chair of the
22 Committee on Rules, the Chair of the Committee on Legislative
23 Ethics, the Secretary of the Senate, or all three; however, the
24 identity of the informant or complainant shall be kept confidential
25 unless that person otherwise consents.

26 (D) The Senate shall maintain a public hotline telephone number
27 for purposes of contacting the ombudsperson. Complaints received
28 through the hotline shall be considered informal complaints, and
29 the nature and existence of the complaints shall be kept
30 confidential.

31 (b) The committee shall do all of the following:

32 (1) The committee shall formulate and recommend, for adoption
33 by the Senate, standards of conduct for Senators and officers and
34 employees of the Senate in the performance of their legislative
35 responsibilities. The Ethics Manual for Members, Officers, and
36 Employees of the United States House of Representatives, as
37 prepared by the Staff of the Committee on Standards of Official
38 Conduct, 102nd Congress Second Session (United States
39 Government Printing Office, Washington, 1992), the Code of
40 Ethics (Article 2 (commencing with Section 8920) of Chapter 1

1 of Part 1 of Division 2 of Title 2 of the Government Code), and
2 Joint Rule 44 shall serve as guides in the formulation of the
3 standards of conduct.

4 (2) At the request of any Senator or officer or employee of the
5 Senate, the committee shall provide an advisory opinion with
6 respect to the standards of conduct of the Senate on the general
7 propriety of past, current, or anticipated conduct of that Senator,
8 officer, or employee. The opinion shall be rendered within 21 days
9 unless the Chair and Vice Chair agree otherwise. The committee
10 may, with appropriate deletions to ensure the privacy of the
11 individuals concerned, publish the advisory opinions for the
12 guidance of other Senators, officers, or employees.

13 (3) The committee shall develop, issue, and annually update a
14 clear, informative, and usable manual for the Senate based on the
15 standards of conduct adopted by the Senate, including any advisory
16 opinions published pursuant to paragraph (2).

17 (4) The committee shall conduct periodic workshops, at least
18 once each calendar year, for Senators and officers and employees
19 of the Senate, including workshops specifically designed for newly
20 elected Senators and newly appointed officers and employees. At
21 least once in each biennial session, each Senator and each officer
22 or employee of the Senate shall attend one of these workshops.
23 The workshops shall include, but not be limited to, a
24 comprehensive review of all applicable statutes and Senate rules.
25 At least once in each biennial session, each Senator shall also
26 attend an individual training or review session conducted by the
27 Chief Counsel of the committee.

28 (5) After adoption by the Senate of the standards of conduct,
29 the committee shall receive and review complaints alleging
30 violations of the standards of conduct by Senators, or officers or
31 employees of the Senate, in accordance with the procedures
32 specified in this rule.

33 (6) The committee shall maintain a record of its investigations,
34 hearings, and other proceedings. All information, testimony,
35 records, complaints, documents, and reports filed with, submitted
36 to, or made by the committee, and all records and transcripts of
37 any investigations or hearings of the committee, shall be
38 confidential and shall not be open to inspection by any person
39 other than a member of the committee, the staff of the committee,
40 or any person engaged by contract or otherwise to perform services

1 for the committee, except as otherwise specifically provided for
2 in this rule. Any member of the committee or any person on the
3 staff of the committee who, during the person's tenure with the
4 committee or anytime thereafter, and without authorization,
5 discloses, by writing, verbal communication, or conduct, or reveals
6 in any way, in whole, in part, or by way of summary, any
7 information, testimony, record, complaint, document, report, or
8 transcript that is confidential shall be subject to discipline. In the
9 case of a contract for the performance of services for the
10 committee, the contract shall expressly prohibit any party to the
11 contract from, without authorization, disclosing, by writing, verbal
12 communication, or conduct, or from revealing in any way, in
13 whole, in part, or by way of summary, any information, testimony,
14 record, complaint, document, report, or transcript that is
15 confidential. The committee may, by a majority vote of the
16 membership of the committee, authorize the release of any records,
17 complaints, documents, reports, and transcripts in its possession
18 to the appropriate enforcement agency if the committee determines
19 that there is probable cause to believe that the violation or
20 violations alleged in the complaint would constitute a felony or if
21 the committee determines that the information is material to any
22 matter pending before the enforcement agency.

23 (c) (1) Any person may file a formal complaint with the
24 committee that alleges a violation of the standards of conduct. A
25 formal complaint does not include information provided to the
26 ombudsperson pursuant to paragraph (6) of subdivision (a), unless
27 the person who contacted the ombudsperson elects to file a
28 complaint that complies with this subdivision and subdivision (d).

29 (2) Except as provided in paragraphs (3) and (4), a complaint
30 shall not be filed more than 18 months after the date that the alleged
31 violation occurred.

32 (3) If the committee determines that the person filing the
33 complaint did not know, or through the exercise of reasonable
34 diligence could not have known, of the alleged violation within
35 18 months after the date that the alleged violation occurred, the
36 complaint may be filed within three years after the date that the
37 alleged violation occurred.

38 (4) If a complaint is filed within 60 days prior to an election at
39 which a Senator or officer or employee is a candidate for elective
40 office, the complaint shall be returned to the person filing the

1 complaint, and the person shall be informed that the complaint
2 may be filed with an appropriate enforcement agency and may be
3 refiled with the committee after the election. The period of time
4 for filing the complaint shall be extended for 60 days.

5 (5) A complaint shall not be filed if it alleges a violation that
6 occurred prior to the adoption of the standards of conduct.

7 (d) A formal complaint shall satisfy all of the following
8 requirements:

9 (1) It shall be in writing.

10 (2) It shall state the name and contact information of the person
11 filing the complaint.

12 (3) It shall state the name of the Senator, or the name and
13 position or title of the officer or employee of the Senate, who is
14 alleged to have committed a violation of the standards of conduct.

15 (4) It shall set forth allegations that, if true, would constitute a
16 violation of the standards of conduct. The allegations shall be
17 stated with sufficient clarity and detail to enable the committee to
18 make a finding pursuant to subdivision (h).

19 (5) It shall state the date of the alleged violation.

20 (6) It shall include a statement that the allegations are true of
21 the person's own knowledge or that the person believes them to
22 be true, and may include documents in the possession of the party
23 filing the complaint relevant to, or supportive of, the allegations.

24 (e) The committee, on its own motion, two-thirds of the
25 membership concurring, may initiate a proceeding by filing a
26 complaint that complies with paragraphs (1) to (5), inclusive, of
27 subdivision (d).

28 (f) The committee shall promptly send a copy of a complaint
29 to the Senator, or officer or employee of the Senate, alleged to
30 have committed the violation, who shall thereafter be designated
31 as the respondent.

32 (g) If a complaint is filed by a person other than the committee,
33 the Chair and Vice Chair of the committee shall examine the
34 complaint to determine whether it was filed in accordance with
35 this rule and any rules of the committee.

36 (h) Within seven days after the complaint is filed, the Chair and
37 Vice Chair shall provide to the committee a copy of the complaint
38 and their opinion as to whether the allegations in the complaint,
39 if true, would constitute a violation of the standards of conduct. If
40 the committee, by a two-thirds vote of its membership, finds that

1 the allegations, if true, would constitute a violation of the standards
2 of conduct, the committee shall hold a hearing within 30 days to
3 conduct a preliminary inquiry. If two-thirds of the membership of
4 the committee fails to find that the allegations, if true, would
5 constitute a violation of the standards of conduct, it shall dismiss
6 the complaint and so notify the person who filed the complaint
7 and the respondent, and the complaint shall not be made public.

8 (i) At the preliminary inquiry, the respondent may respond to
9 the allegations in the complaint by written statement or oral
10 testimony. If two-thirds of the membership of the committee finds
11 that probable cause exists for believing that the respondent
12 committed a violation of the standards of conduct, the committee
13 shall issue a count-by-count statement of alleged violations. If
14 two-thirds of the membership of the committee fails to find that
15 probable cause exists, the committee shall dismiss the complaint.
16 In either event, the committee shall immediately notify the
17 respondent and the person who filed the complaint of its action.
18 If the committee finds that probable cause exists, the statement of
19 alleged violations shall be made public within seven days.

20 (j) Within 21 days after the issuance of the statement of alleged
21 violations, the respondent may file an answer that admits or denies
22 each count. Upon request of the respondent, the committee may
23 grant the respondent an additional 21 days to respond.

24 (k) Within 60 days after the issuance of the statement of alleged
25 violations, the committee shall hold a disciplinary hearing. If a
26 majority of the membership of each party on the committee fails
27 to find that the respondent committed a violation of the standards
28 of conduct, the committee shall dismiss the complaint. If a majority
29 of the membership of each party on the committee finds by clear
30 and convincing evidence that the respondent committed a violation
31 of the standards of conduct, the committee shall take the following
32 action:

33 (1) If the respondent is a Senator, it shall hold a hearing to
34 determine an appropriate sanction.

35 (2) If the respondent is an officer or employee, it shall transmit
36 its findings to the Committee on Rules for appropriate action.

37 (l) (1) At the hearing to determine an appropriate sanction,
38 two-thirds of the membership of the committee shall determine
39 whether the violation is serious or minor.

1 (2) If the committee determines that a violation is minor or fails
2 to determine that a violation is serious, two-thirds of the
3 membership of the committee (A) shall, if it determines that the
4 violation bears upon the exercise of a right or privilege, recommend
5 that the Committee on Rules deny or limit that right or privilege
6 and shall transmit its findings and recommendation to the
7 Committee on Rules, or (B) shall impose any lesser sanction,
8 including, but not limited to, issuing a private letter of
9 admonishment for an inadvertent, technical, or otherwise de
10 minimis violation, which shall not be considered discipline. Within
11 15 days after the imposition of a lesser sanction, the respondent
12 may appeal the sanction imposed to the Committee on Rules.

13 (3) If the committee determines that a violation is serious,
14 two-thirds of the membership of the committee shall recommend
15 that the Senate take one or more of the following actions and shall
16 transmit its findings and recommendation to the Senate:

17 (A) The denial or limitation of any right or privilege, if the
18 violation bears upon the exercise of that right or privilege.

19 (B) A reprimand for a serious violation.

20 (C) A censure for a more serious violation.

21 (D) A suspension or expulsion for a most serious violation.

22 (m) The Senate shall, within 15 legislative days after receiving
23 the findings and recommendation, vote on the recommendation of
24 the committee. The Senate, by 21 votes, may deny or limit any
25 right or privilege of, reprimand, or censure the Senator or, by 27
26 votes, may suspend or expel the Senator.

27 (n) The committee or Senate may defer any action required by
28 this rule if other proceedings have been commenced on the same
29 matter.

30 (o) (1) At all hearings, the Chief Counsel of the committee shall
31 present the case. All relevant and probative evidence shall be
32 admissible unless it is privileged. Witnesses may be called and
33 cross-examined by the committee and the respondent, and exhibits
34 and other documents may be entered into the record. The
35 respondent shall have the right to be represented by legal counsel
36 or any other person of the respondent's choosing.

37 (2) If the committee receives, at any time, any exculpatory
38 information relating to the alleged violation, the committee shall
39 make the information available to the respondent. The committee
40 and the respondent shall comply with requests for discovery

1 consistent with Sections 1054, 1054.1, and 1054.3 of the Penal
2 Code.

3 (p) If the committee determines that the complaint was filed
4 with malicious intent, it may request that the Committee on Rules
5 reimburse the expenses incurred by the respondent.

6 (q) At any time during the proceedings, the respondent may
7 admit to the commission of a violation of the standards of conduct.
8 If the respondent admits some but not all of the violations alleged
9 in the complaint or the counts set forth in the statement of alleged
10 violations, the committee shall find that the admitted violations
11 constituted a violation of the standards of conduct and may
12 continue the proceedings to determine whether the other alleged
13 violations constituted violations of the standards of conduct. If the
14 respondent admits to all alleged violations, the committee shall
15 find that the admitted violations constituted a violation of the
16 standards of conduct, terminate the preliminary inquiry or
17 disciplinary hearing, and take the action required by paragraph (1)
18 or (2) of subdivision (k).

19 (r) Meetings of the committee shall not be open to the public
20 until the committee finds that probable cause exists for believing
21 that the respondent committed a violation of the standards of
22 conduct. Subsequent meetings of the committee or Senate shall
23 be public, and notice of any meeting shall be published in the
24 Senate File for four calendar days prior to the meeting.

25 (s) If the committee finds that probable cause exists for believing
26 that the respondent committed a violation of the standards of
27 conduct, the transcript of any testimony given, or any documents
28 admitted into evidence, at a public hearing and any report prepared
29 by the committee subsequent to that finding that states a final
30 finding or recommendation shall be open to public inspection.

31 (t) Upon request of the respondent, the committee may permit
32 the respondent to inspect, copy, or photograph books, papers,
33 documents, photographs, or other tangible objects that relate to
34 the allegations in the complaint. If the committee finds that
35 probable cause exists for believing that the respondent committed
36 a violation of the standards of conduct, the committee shall permit
37 the respondent to inspect, copy, or photograph books, papers,
38 documents, photographs, or other tangible objects that relate to
39 the statement of alleged violations.

1 (u) (1) A Senator or officer or employee of the Senate shall not
2 directly or indirectly use or attempt to use that person's official
3 authority or influence to intimidate, threaten, coerce, command,
4 or attempt to intimidate, threaten, coerce, or command any other
5 person for the purpose of interfering with the right of the other
6 person to file a complaint with the committee, testify before, or in
7 any way cooperate with, the committee or any panel.

8 (2) For the purpose of paragraph (1), "use of official authority
9 or influence" includes promising to confer, or conferring, any
10 benefit; effecting, or threatening to effect, any reprisal; or taking,
11 or directing others to take, or recommending, processing, or
12 approving, any personnel action, including, but not limited to,
13 appointment, promotion, transfer, assignment, performance
14 evaluation, suspension, or other disciplinary action.

15 (3) Nothing in this subdivision shall be construed to authorize
16 any person to disclose information, the disclosure of which is
17 otherwise prohibited by law.

18 (v) The committee may adopt rules governing its proceedings
19 not inconsistent with this rule. The provisions of Joint Rule 36
20 relating to investigating committees apply to the committee to the
21 extent those provisions are consistent with this rule.

22 (w) The powers and procedures set forth in subdivisions (b) to
23 (v), inclusive, confer independent authority and shall not be limited
24 or altered by Joint Rule 45.

25 (x) Where confidentiality is required pursuant to this rule,
26 confidentiality shall be maintained only to the extent that disclosure
27 of the confidential information is not otherwise required by law.

28
29 General Research Committee
30

31 12.5. The General Research Committee is hereby created
32 pursuant to Section 11 of Article IV of the California Constitution,
33 which relates to legislative committees. The committee consists
34 of the 40 Senators, and the President pro Tempore is its chair. The
35 committee is allocated all subjects within the scope of legislative
36 regulation and control, but may not undertake any investigation
37 that another committee has been specifically requested or directed
38 to undertake. The General Research Committee may act through
39 subcommittees appointed by the Committee on Rules. Each
40 member of the General Research Committee is authorized and

1 directed to receive and investigate requests for legislative action
2 made by individuals or groups and to report thereon to the full
3 committee.

4 The committee and its members shall have and exercise all of
5 the rights, duties, and powers conferred upon investigating
6 committees and their members by the Senate Rules and the Joint
7 Rules of the Senate and Assembly. However, neither the committee
8 nor its members may issue a subpoena without the prior approval
9 of the Committee on Rules. The committee has the following
10 additional powers and duties:

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

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

20 (c) To meet and act at any place within the State of California
21 and, when authorized in writing by the Committee on Rules to do
22 so, to meet and act outside the state to carry out its duties.

23 (d) To report its findings and recommendations to the
24 Legislature and the people from time to time.

25 (e) To act during sessions of the Legislature, including any
26 recess.

27 (f) To do any and all other things necessary or convenient to
28 enable it fully and adequately to exercise its powers, perform its
29 duties, and accomplish the objects and purposes of this rule.

30 The Committee on Rules may allocate, from time to time, to the
31 General Research Committee from the Senate Operating Fund
32 those sums that are necessary to permit the General Research
33 Committee and the members thereof to carry out the duties imposed
34 on them. In addition, the Committee on Rules may allocate to any
35 subcommittee from the Senate Operating Fund those sums that
36 the Committee on Rules deems necessary to complete the
37 investigation or study conferred upon that subcommittee.

38 12.6. A select committee is a subcommittee of the General
39 Research Committee. Staff providing services to a select committee

1 are Senate employees assigned by the Committee on Rules to the
2 General Research Committee.

3 (a) A Senator who proposes to establish a select committee shall
4 submit to the Committee on Rules a written request that includes
5 all of the following:

6 (1) A description of the topic to be addressed by the select
7 committee and a general work plan and timetable, including
8 hearings, anticipated work product, and staffing needs and other
9 anticipated resource demands.

10 (2) A statement by the Senator proposing the select committee
11 that the Senator has discussed the Senator's plans with the chair
12 of the standing committee having jurisdiction over the subject
13 matter of the proposed select committee. The statement shall
14 describe any objections that chair has to the establishment of the
15 proposed select committee.

16 (b) A select committee may be established only by a resolution
17 adopted by the Committee on Rules that specifies the jurisdiction
18 of the select committee. In making this decision, the Committee
19 on Rules shall consider any objections to that action raised by the
20 chair of a standing committee having jurisdiction over the subject
21 matter of the proposed select committee.

22 (c) The Committee on Rules shall appoint the members of a
23 select committee. A select committee may act only with regard to
24 the particular study or investigation assigned to it by the Committee
25 on Rules.

26 (d) A select committee is terminated automatically upon the
27 adjournment of the regular session in which it is established, or at
28 an earlier time specified in the resolution. In deciding whether to
29 reestablish a select committee established in a previous regular
30 session, the Committee on Rules shall consider the extent to which
31 the select committee successfully achieved its assigned objectives.

32 Additional Committee on Rules Powers 33 34

35 12.7. In addition to other rights, duties, and powers vested in
36 the Committee on Rules, the committee and the members thereof
37 shall have and exercise all of the rights, duties, and powers of the
38 General Research Committee and the members thereof, as provided
39 in Rule 12.5, with authority to act on any subject allocated by Rule
40 12.5 to the General Research Committee.

Committee on Rules

13. (a) The Committee on Rules is charged with the general responsibility for the administrative functioning of the Senate. The committee has general charge of the books, documents, and other papers and property of the Senate and shall see that the same are properly kept, cared for, filed, or otherwise disposed of in accordance with applicable law and rules. The committee also has the duties of making studies and recommendations designed to promote, improve, and expedite the business and procedure of the Senate and its committees, including investigating committees consisting wholly or in part of Members of the Senate, and of proposing any amendments to the rules deemed necessary to accomplish those purposes.

(b) The Committee on Rules shall continue in existence during any recess of the Legislature until the convening of the next regular session, and shall have the same powers and duties as while the Senate is in session. The committee has the authority to fill vacancies in any Senate committee or in the Senate membership of any joint committee.

(c) The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

(d) The committee may make available to any Senate or joint committee, or any Member of the Senate, assistance in connection with the duties of the committee or other legislative matters as the personnel resources under the direction of the committee or its other facilities permit.

(e) (1) All employees on the payroll of the Senate are employees of the Senate and not of individual members, and they are under the direct control of the Committee on Rules. The Committee on Rules has general supervision over all employees of the Senate and the powers and duties to suspend, discipline, or discharge any employees when necessary. Any insubordination or inefficiency on the part of any employee shall be reported to the Committee on Rules.

1 (2) A Senator or officer or employee of the Senate shall not
2 retaliate against an employee of the Senate for reporting
3 information to the Senate Committee on Rules, the Senate
4 Committee on Legislative Ethics, or any government or law
5 enforcement agency regarding a possible violation of the Senate
6 Standards of Conduct or any state or federal law or regulation, or
7 because the Senator, officer, or employee believes that the
8 employee reported or may report such information, if the employee
9 who reported the information reasonably believed that the
10 information disclosed a violation of the Senate Standards of
11 Conduct or any state or federal law or regulation.

12 (f) The committee shall make available and furnish to the
13 Members of the Senate, and the Senate committees, personnel
14 resources as may be reasonably necessary for the Members and
15 the committees to carry out their duties.

16 (g) The Committee on Rules constitutes the Committee on
17 Introduction of Bills and has charge of the engrossment and
18 enrollment of bills, the contingent expenses of the Senate, and
19 legislative printing, except insofar as these functions are delegated
20 to the Secretary of the Senate.

21 (h) The rooms, passages, and buildings set apart for the use of
22 the Senate are under the direction of the Committee on Rules, and
23 the committee may assign the press desks in the Senate Chamber
24 to accredited newspaper representatives.

25 (i) Executive communication of nominations sent by the
26 Governor, or any other entity with the authority to make
27 appointments, to the Senate for confirmation shall be referred to
28 the Committee on Rules, unless otherwise ordered by the Senate,
29 without debate.

30 (j) The Committee on Rules shall, at each regular session,
31 appoint a Member of the Senate to serve on the Judicial Council
32 and has the authority during any joint recess to fill any vacancy in
33 that position that occurs during the recess.

34 (k) When a report of a joint legislative committee is delivered
35 to the Senate Desk, the Committee on Rules shall refer it to a
36 standing committee for review and appropriate action.

Expenses of Senate Committees

13.1. All claims for expenses incurred by investigating committees of the Senate, the Secretary of the Senate, and the Sergeant at Arms shall be approved by the Committee on Rules or its authorized representative before the claims are presented to the Controller.

All proposed expenditures, including furniture, equipment, and other property, but not including stationery supplies, shall be approved by the Committee on Rules or its authorized representatives before the expenses are incurred, unless the expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

A warrant may not be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with this rule.

The Committee on Rules may adopt rules and regulations limiting the amount, time, and place of expenses and allowances to be paid to employees of Senate investigating committees and regulating the terms and conditions of employment of their employees. Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chair of every investigating committee.

Alteration, Repair, and Improvement to Senate

13.2. The Committee on Rules is authorized and directed to incur and pay expenses of the Senate not otherwise provided for as the committee determines are reasonably necessary, including the repair, alteration, improvement, and equipping of the Senate Chamber and the offices provided for the Senate in the State Capitol.

In order to avoid unanticipated reversions of appropriations for contingent expenses, the Committee on Rules may designate the appropriation from which payment shall be made pursuant to allocations to committees or for other purposes. If insufficient money is available in any appropriation to pay all claims pursuant to allocations charged against it, the committee shall designate another appropriation from which the allocations shall be paid.

1 Rooms and Property of Senate

2
3 13.3. The Committee on Rules is responsible for the safekeeping
4 of Senate property. The Director of General Services is directed
5 to maintain the Senate Chamber and all the committee rooms and
6 other rooms used by the Senators and officers of the Senate in a
7 condition that they will be available for the use of the Senate at
8 any time. It is further directed that no persons other than the
9 Members, officers, and employees of the Senate may occupy or
10 use the offices, committee rooms, or other rooms now occupied
11 by the Senate without permission as hereinafter provided, that the
12 desks, furniture, and other equipment of the Senate shall be at the
13 disposal of the Committee on Rules, and that no person except
14 Members of the Senate may occupy any of the Senate's offices or
15 make use of Senate equipment without permission of the committee
16 or its authorized representative.

17
18 Inventory of Senate Property

19
20 13.4. The Committee on Rules is authorized and directed,
21 through its authorized representative, to make and maintain a
22 complete inventory of all property of the Senate, including all
23 property in the possession or control of any Senate committee.
24 The Committee on Rules has custody and control of all property
25 of the Senate and shall adopt rules or orders as it may determine
26 are necessary relating to the purchase, care, custody, and use or
27 disposal thereof.

28
29 Status of Standing Rules for Regular Session

30
31 13.5. The adoption of the Standing Rules for any special session
32 are not to be construed as modifying or rescinding the Standing
33 Rules of the Senate for a regular session.

34
35 Operating Expense Fund

36
37 13.6. The Committee on Rules is the committee identified in
38 Section 9126 of the Government Code. The balance of all money
39 in the Senate Operating Fund, including money now or hereafter
40 appropriated by the Legislature, except sums that are made

1 available specifically for purposes other than the expenses of
2 designated committees, is hereby made available to the Committee
3 on Rules for any charges or claims it may incur in carrying out the
4 duties imposed upon it by these rules or by Senate or concurrent
5 resolution.

7 Rules Committee Appointees

8
9 13.8. The Committee on Rules shall review its nonlegislator
10 appointees every two years. That review shall be completed not
11 later than the 120th calendar day of the regular session in which
12 the review is undertaken.

14 Schedule of Committee Meetings

15
16 14. The Committee on Rules shall propose to the Senate such
17 schedules for regular meetings of the standing committees as will
18 permit all members of each committee to attend without a conflict
19 of committee engagements.

20 The committee may also propose such special committee
21 meetings or special schedules of committee meetings as will
22 facilitate the business of the Senate. Those schedules may provide
23 a special schedule of committee meetings upon certain days of the
24 week or to meet any special condition that may arise.

26 Powers of Standing Committees

27
28 16. Each standing committee of the Senate to which a proposed
29 law or bill is assigned has full power and authority during the
30 session of the Legislature, or any recess thereof, to make an
31 investigation and study concerning any proposed law or bill as the
32 committee shall determine necessary to enable it to properly act
33 thereon.

34 In the exercise of the power granted by this rule, each committee
35 may appoint a secretary and employ clerical, legal, and technical
36 assistants as may appear necessary when money has been made
37 available therefor by the Senate.

38 Each standing committee is authorized and empowered to
39 summon and subpoena witnesses, to require the production of
40 papers, books, accounts, reports, documents, records, and papers

1 of every kind and description, to issue subpoenas, and to take all
2 necessary means to compel the attendance of witnesses and to
3 procure testimony, oral and documentary. However, no committee
4 may issue a subpoena, nor may a committee require testimony
5 under oath, without the prior approval of the Committee on Rules.

6 The Sergeant at Arms, or other person designated by the Sergeant
7 at Arms or by the committee, shall serve any and all subpoenas,
8 orders, and other process that may be issued by the committee,
9 when directed to do so upon a vote of the majority of the
10 membership of the committee.

11 Each of the members of the standing committees is authorized
12 and empowered to administer oaths, and all of the provisions of
13 Chapter 4 (commencing with Section 9400) of Part 1 of Division
14 2 of Title 2 of the Government Code, relating to the attendance
15 and examination of witnesses before the Legislature and the
16 committees thereof, apply to the committees.

17 All officers of this state, including the head of each department,
18 agency, and subdivision thereof, all employees of the departments,
19 agencies, and subdivisions of the state, the Legislative Counsel,
20 and all other persons, whether connected with the state government
21 or not, shall give and furnish to these committees upon request
22 such information, records, and documents as the committees deem
23 necessary or proper for the achievement of the purposes for which
24 each standing committee was created.

25 Each standing committee may meet at the State Capitol and do
26 any and all things necessary or convenient to enable it to exercise
27 the powers and perform the duties herein granted to it, and may
28 expend such money as may be made available by the Senate for
29 that purpose, except that no committee may incur any indebtedness
30 unless money has been first made available therefor.

31 32 Funerals

33
34 17.5. The Chair or Vice Chair of the Committee on Rules may
35 designate any one or more of the Members of the Senate as a Senate
36 committee to attend funerals in appropriate circumstances. The
37 Members so designated may receive expenses as provided in Joint
38 Rule 35.

39 The Chair or Vice Chair of the Committee on Rules, or any
40 Member of the Senate designated by either of these officers, may

1 incur such expense as may be necessary for the purchase on behalf
2 of the Senate of suitable floral pieces for the funeral.

3 All expenses incurred pursuant to this rule shall be paid out of
4 the money allocated from the Senate Operating Fund to the
5 Committee on Rules and disbursed, after certification by the Chair
6 or Vice Chair of the committee or by the committee's disbursing
7 officer appointed and designated therefor by the committee, upon
8 warrants drawn by the Controller upon the Treasury.

9
10 Expenditures

11
12 18. A member of a committee may not incur any expense
13 chargeable to the Senate unless authorized by resolution of the
14 Senate.

15 The Committee on Rules shall provide, by rules and regulations,
16 for the manner of authorizing expenditures by Members,
17 committees, and officers and employees of the Senate that are not
18 otherwise authorized by law, these rules, or the Joint Rules of the
19 Senate and Assembly, and for the payment of the expenditures
20 from the Senate Operating Fund upon certification of claims
21 therefor to the Controller by the Committee on Rules or its
22 authorized representative.

23
24 Printing of Reports

25
26 18.5. All requests for the printing of reports of Senate
27 committees shall be made to the Committee on Rules.

28 The Committee on Rules shall determine if the report is to be
29 printed, the number of copies needed, and whether or not the report
30 shall be printed in the Journal.

31 If the report is to be printed by the Office of State Publishing, it
32 shall hold the type for each Senate committee report for a period
33 of 90 days from the date of the first printing or for such other time
34 as the Committee on Rules deems necessary.

PROCEDURES AND RULES

Resolutions and Constitutional Amendments

19. Joint, concurrent, and Senate resolutions, and constitutional amendments shall be treated the same as bills under these rules, except that they shall have only one official reading, which reading shall occur after they have been reported by committee.

Parliamentary Rules

20. In all cases not provided for by the Constitution, these rules, the Joint Rules of the Senate and Assembly, or statute, the authority shall be the latest edition of Mason's Manual or the custom and usage of the Senate.

Suspension of Rules or Amending of Rules

21. A standing rule of the Senate may not be adopted, amended, or repealed except upon an affirmative vote of a majority of the membership of the Senate, one day's notice being given, except that any rule not requiring more than a majority vote may be temporarily suspended without that notice by a vote of a majority of the membership of the Senate. A rule requiring a two-thirds vote on any question may be amended only by a two-thirds vote on one day's notice, except that a rule requiring a two-thirds vote may be temporarily suspended without that notice by a two-thirds vote.

All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

Suspension of the Joint Rules

21.1. Pursuant to Joint Rule 33, a joint rule may not be suspended by the Senate except with the concurrence of 27 Members unless a lower vote is prescribed by these rules or the Joint Rules of the Senate and the Assembly.

1 Permission of Committee on Rules

2
3 21.2. Notwithstanding Rule 21 or 21.1, a Senate or Joint Rule
4 may not be suspended unless the Committee on Rules determines
5 that an extraordinary circumstance exists that justifies the
6 suspension.

7
8 Rules Governing Standing Committees

9
10 21.5. Except as otherwise provided in these rules, standing
11 committees of the Senate shall be governed as follows:

12 (a) The officers of each Senate committee shall be a chair, vice
13 chair, and secretary.

14 (b) The chair shall preside at meetings when present except
15 when the committee is considering a bill of which the chair is the
16 sole author or the lead author. Whenever the chair is not presiding,
17 the vice chair shall assume the duties of the chair. In the absence
18 of both, a member designated by the chair shall preside.

19 (c) The secretary shall keep a complete record of the meetings
20 and actions taken by the committee. Bills and other measures
21 favorably acted upon shall be reported to the Senate as
22 expeditiously as the reports can be prepared.

23 (d) The committee shall meet in regular session on the day and
24 hour designated by the Committee on Rules. Adjourned meetings
25 or special meetings shall be held at the time fixed in the adjourning
26 motion, or, for a special meeting, on the call of the chair.

27 (e) A special meeting may be called by the chair, with the
28 approval of the Committee on Rules, by giving reasonable notice
29 to all members of the committee, either in writing or by telephone,
30 specifying the purpose of the meeting, the time and place thereof,
31 and the matters to be considered at the meeting. Notice of hearing
32 of bills as required by subdivision (a) of Joint Rule 62 may also
33 be given in the Daily File. A matter may not be considered at the
34 special meeting unless specified in the notice.

35 A special meeting shall be scheduled so as to permit all members
36 of the committee to attend without conflict with other scheduled
37 committee meetings.

38 (f) A majority of the membership of the committee shall
39 constitute a quorum. A vote of a majority of the membership of

1 the committee shall be required to table a bill, remove it from the
2 table, or reconsider a vote on a bill.

3 (g) Action may not be taken on any measure outside of a duly
4 constituted committee meeting.

5 (h) The chair shall set the hearings of bills and arrange the
6 calendar for committee hearings. Notice of hearing of any bill shall
7 be given to the author and other persons requiring notice. A bill
8 may not be considered in the absence of the author without the
9 author's consent, except that a bill may be presented by the author's
10 representative who is authorized in writing.

11 (i) A committee or a subcommittee thereof, by a majority vote
12 of the membership of the committee, may meet in executive session
13 for any purpose authorized by Section 9029 of the Government
14 Code. Otherwise, all meetings shall be open and public.

15 (j) The chair shall direct the order of presentation of the
16 arguments for and against matters for consideration by the
17 committee, and shall permit questions to be asked by members of
18 the committee in an orderly fashion and in keeping with proper
19 decorum.

20 (k) Further consideration of a bill that has been voted out of a
21 committee or defeated shall be by reconsideration only, as follows:

22 (1) A motion to reconsider a vote by which a bill is voted out
23 shall be in order, and shall be voted upon at the same meeting. If
24 the motion is carried by a vote of a majority of the membership of
25 the committee, the bill may be considered at that meeting, provided
26 the author is present, or at a subsequent meeting.

27 (2) The procedure for reconsideration of a bill that has been
28 defeated shall conform to the requirements of subdivision (a) of
29 Joint Rule 62. Any bill as to which reconsideration has been
30 granted pursuant to this paragraph may not be heard again until a
31 subsequent meeting of the committee, after being calendared in
32 the Daily File.

33 (l) Any bill that has been laid on the table and is removed from
34 the table at a later meeting may not be heard again until a
35 subsequent meeting of the committee, after being calendared in
36 the Daily File and after notice.

37 (m) When a committee adopts proposed amendments to a bill,
38 the bill may be taken up for vote at that meeting or, if the
39 committee or author requests, sent out to print before final action.
40 If the amendments are not in proper form, they shall be prepared

1 and submitted to the chair for approval before being reported to
2 the Desk. Amendments submitted by the author that, in the opinion
3 of the committee chair, are major or substantial shall be submitted
4 to the committee at least two legislative days before the bill is
5 scheduled for hearing.

6 (n) A bill may not be set for hearing, nor may any notice thereof
7 be published, by a Senate committee until the bill has been referred
8 to the committee by the Committee on Rules.

9 (o) The chair may appoint, with the permission of the Committee
10 on Rules, subcommittees of one or more members to consider and
11 recommend to the full committee action on matters as may be
12 assigned to the subcommittee for consideration from time to time
13 by the chair. The chair may assign and reassign members of, and
14 matters to, the various subcommittees. The recommendation of a
15 subcommittee may be accepted by a vote of a majority of the
16 members of the committee.

17 (p) In all cases not provided for by this rule, the Senate Rules,
18 the Joint Rules of the Senate and Assembly, or statute, the authority
19 shall be the latest edition of Mason's Manual.

20 Additional Rules

21
22
23 21.6. Committees may adopt additional rules that are not in
24 conflict with Rule 21.5 or any other rule.

25 Reporting Measures Out of Committee

26
27
28 21.7. The vote of a majority of the membership of a standing
29 committee shall be required to report a bill, constitutional
30 amendment, concurrent resolution, or joint resolution out of
31 committee.

32 A vote of a majority of all members of a standing committee
33 who are present and voting shall be required to report a Senate
34 resolution out of committee.

35 Press Participation

36
37
38 21.8. Accredited press representatives may not be excluded
39 from any public legislative meeting or hearing, and may not be

1 prohibited from taking photographs of, televising, or recording the
2 committee or house hearings, subject to the following conditions:

3 (1) This rule extends to all public legislative meetings.

4 (2) Lights may be used only when cameras are filming and,
5 when possible, proceedings in hearing rooms and the chamber
6 shall be filmed without lights.

7 (3) Every effort should be made to set up filming equipment
8 before hearings or sessions begin.

9 (4) The committee chair or the Committee on Rules shall be
10 notified, as far in advance of the proceedings as possible, that
11 recordings and television cameras will be present and filming.

12 (5) To the extent practical, flash cameras shall not be used.

13 (6) Photographs shall be taken in an orderly and expeditious
14 manner so as to cause the least possible inconvenience to the
15 committee or to the Members in the chamber.

16 However, the chair of a committee may request any person to
17 relocate or remove any object, or discontinue the use of any
18 equipment, that is situated or used in a manner so as to disrupt the
19 proceedings or to create a potential danger to, or substantially
20 obstruct the view of, members of the committee or the public.

21 In case any person fails to respond to a request of the chair to
22 relocate, remove, or discontinue the use of the objects or
23 equipment, the committee may, by majority vote, require it.

24 INTRODUCTION AND REFERENCE OF MEASURES

25 Introduction, First Reading, and Reference of Measures

26
27 22. Any Senator desiring to introduce a bill, constitutional
28 amendment, concurrent resolution, joint resolution, or Senate
29 resolution shall send it to the Senate Desk.

30 When received at the Secretary's desk, a bill shall, under the
31 proper order of business, be numbered, read, printed, and referred
32 by the Committee on Rules to a standing committee. The
33 Committee on Rules shall check all Assembly measures before
34 reference to committee and shall designate the committee to which
35 they shall be referred.

36 All joint resolutions, concurrent resolutions, and Senate
37 resolutions shall be automatically referred to the Committee on
38 Rules upon introduction, and may be rereferred to any other
39
40

1 standing committee upon the vote of a majority of the membership
2 of the Committee on Rules.

3 Unless otherwise ordered by the Senate without debate, the
4 assignment of the measure shall then be complete and, after
5 printing, the Secretary shall deliver the measure to the committee
6 designated by the Committee on Rules.

7 Under the order of Messages from the Assembly, the Secretary
8 shall read each Assembly bill the first time and shall read the name
9 of the committee to which the bill has been assigned by the
10 Committee on Rules. Unless otherwise ordered by the Senate
11 without debate the assignment of the bill shall then be complete,
12 and the Secretary shall deliver the bill to the committee so
13 designated.

14 Bill Introduction Limitation

15
16
17 22.5. (a) A Member of the Senate may introduce or
18 subsequently author not more than 40 bills in the regular session.

19 (b) This rule may be suspended with respect to a particular bill
20 by approval of the Committee on Rules.

21 (c) This rule does not apply to a constitutional amendment, any
22 type of resolution, or a bill introduced by a committee.

23 Short Title

24
25
26 22.6. A bill may not add a short title that names a current or
27 former Member of the Legislature.

28 Bills Assigning, Requesting, or Requiring Studies

29
30
31 22.7. A bill that assigns, requests, or requires a study, or is
32 amended to assign, request, or require a study, shall be rereferred
33 to the Committee on Rules.

34 Introduction of Bills by a Committee

35
36
37 23. (a) A standing committee may introduce a bill germane to
38 any subject within the proper consideration of the committee in
39 the same manner as any Member. A committee bill shall contain
40 the signatures of all of the members of the committee.

1 (b) A committee may amend into a bill related provisions
2 germane to the subject and embraced within the title and, with the
3 consent of the author, may constitute that bill a committee bill.

4
5 Bill Introduction Deadline

6
7 23.5. The Senate Desk shall remain open for the introduction
8 of bills from 9:00 a.m. to 5:00 p.m. on the days designated in
9 subdivision (a) of Joint Rule 54 as the deadlines for the introduction
10 of bills in the first and second years of the regular session.

11
12 Introduction of Bills and Resolutions at Special Sessions

13
14 24. Whenever, at any special session, a bill or resolution is
15 received at the Desk, under the order of Introduction of Bills, it
16 shall be referred to the Committee on Rules, which shall decide
17 whether or not the bill or resolution can properly be considered at
18 the session. If, in the judgment of the Committee on Rules, the bill
19 or resolution can be considered, the committee shall report the bill
20 or resolution back and designate the committee to which it shall
21 be assigned. Thereafter the bill or resolution shall be assigned a
22 number by the Secretary, read the first time, and referred to the
23 committee recommended by the Committee on Rules unless
24 otherwise referred on motion without debate.

25
26 Resolutions

27
28 24.5. A Senate concurrent resolution or Senate resolution may
29 be introduced relating to a present or former state or federal elected
30 official or a member of the official's immediate family. Other
31 resolutions for the purpose of commendation or congratulation of
32 any person, group, or organization, or for the purpose of expressing
33 sympathy, regret, or sorrow on the death of any person, shall be
34 prepared as Rules Committee resolutions and presented to the
35 Committee on Rules for appropriate action.

36 The Committee on Rules may approve exceptions to this rule
37 for Senate resolutions. The Secretary may not accept for
38 introduction any Senate resolution that is contrary to this rule
39 unless it is accompanied by the approval of the Committee on
40 Rules.

Senate Resolutions

25. All Senate resolutions eligible to be introduced under the rules, upon being presented, shall be given a number by the Secretary. A Senate resolution shall be printed, and indexed in the History and Journal.

Bills Authored by a Former Member

26. Whenever a bill in the Senate is authored by an individual who is no longer a Member of the Legislature, upon a request of a committee or current Member of the house in which the bill was introduced, the Senate Committee on Rules may authorize that committee or Member to be the author of that bill. Absent that authorization, action may not be taken by a committee or the Senate with respect to a bill authored by a former Member.

BILLS IN COMMITTEE

Author's Amendments

27. Upon request of the author of a bill, the chair of the committee to which the bill has been referred may, by the chair's individual action taken independently of any committee meeting, cause the bill to be reported to the Senate with the recommendation that amendments submitted by the author be adopted and the bill be reprinted as amended and rereferred to the committee.

Withdrawing a Bill From Committee

28. A bill or resolution may not be withdrawn from committee except upon written notice being first given to the Committee on Rules and by 21 votes of the Senate.

Consent Calendar

28.3. (a) If a Senate bill or Assembly bill is amended in the Senate to create a new bill or to rewrite the bill, a standing committee may not place the bill on its consent calendar, and may

1 not report the bill out of committee with the recommendation that
2 it be placed on the consent calendar on the floor.

3 (b) For purposes of this rule, an amendment creates a new bill
4 or rewrites the bill if the amendment (1) changes the subject of the
5 bill to a new or different subject, or (2) adds a new subject to the
6 bill that is different from, and not related to, the contents of the
7 bill.

8
9 Referral of Bills

10
11 28.4. (a) If a Senate bill or Assembly bill is amended in the
12 Committee on Appropriations to create a new bill or to rewrite the
13 bill and the chair of the committee determines pursuant to Senate
14 Rule 28.8 that (1) any additional state costs are not significant and
15 do not and will not require the appropriation of additional state
16 funds, and (2) the bill will cause no significant reduction in
17 revenues, the bill shall be reported to the Senate with the
18 recommendation that it be placed on second reading, except that
19 the bill first shall be referred to the Committee on Rules. Upon
20 receipt of the bill, the Committee on Rules shall either refer the
21 bill to an appropriate policy committee or order that the bill be
22 placed on second reading.

23 (b) For purposes of this rule, an amendment creates a new bill
24 or rewrites the bill if the amendment (1) changes the subject of the
25 bill to a new or different subject, or (2) adds a new subject to the
26 bill that is different from, and not related to, the contents of the
27 bill.

28
29 Measures to be Authored

30
31 28.5. Each bill, constitutional amendment, or resolution shall
32 be authored by a Member or committee of the Legislature before
33 it is considered or voted on by a committee or the Senate. Each
34 amendment to a bill, constitutional amendment, or resolution shall
35 be signed by a Member or committee of the Legislature prior to
36 adoption by the Senate. A bill may be authored only by a Member
37 or committee of the house of origin. A Member other than a
38 Member of the house of origin may be a “principal coauthor” or
39 “coauthor.”

Vote in Committee

28.7. Voting on the disposition of bills, constitutional amendments, concurrent resolutions, and joint resolutions by committees shall be by rollcall vote only. A rollcall vote shall be taken on a motion to amend only if requested by any member of the committee or the author of the measure. All rollcall votes taken in committees shall be promptly transmitted by their respective chairs to the Secretary of the Senate, who shall cause a record of the rollcall votes to be printed in the Journal.

This rule does not apply to:

(a) Procedural motions that do not have the effect of disposing of a bill.

(b) Withdrawal of a bill from a committee calendar at the request of an author.

(c) A committee's return of a bill to the Senate, if the bill has not been voted on by the committee.

(d) The assignment of bills to committee.

On a legislative day when the President pro Tempore or Minority Floor Leader is in attendance, the President pro Tempore or Minority Floor Leader, in the absence of any objection, may instruct the committee secretary of a committee of which the President pro Tempore or Minority Floor Leader is a member to add the President pro Tempore's or Minority Floor Leader's vote to any previously announced vote that was taken while the President pro Tempore or Minority Floor Leader was performing the responsibilities of the office of President pro Tempore or Minority Floor Leader, provided the outcome of the vote is not thereby changed. This provision does not apply to any rollcall after adjournment of the legislative day during which the rollcall in question was taken. The intent of this paragraph is to allow the President pro Tempore and the Minority Floor Leader to carry out the unique and special duties of their offices without losing the opportunity to vote on matters before the committees of which they are members.

Appropriations Committee

28.8. Any bill referred to the Committee on Appropriations pursuant to Joint Rule 10.5 that does not appropriate money may

1 not be set for hearing and shall, along with any nonsubstantive
2 amendments, promptly be reported to the Senate with the
3 recommendation it be placed on second reading if the chair of the
4 committee determines that (a) any additional state costs are not
5 significant and do not and will not require the appropriation of
6 additional state funds, and (b) the bill will cause no significant
7 reduction in revenues.

8
9 State-Mandated Local Program Bills

10
11 28.9. (a) Any bill having a digest that, pursuant to Section
12 17575 of the Government Code, indicates that the bill imposes a
13 state-mandated local program on local agencies or school districts
14 shall be rereferred to the Committee on Appropriations. The bill
15 may not be rereferred to the Committee on Governance and
16 Finance.

17 (b) Any bill rereferred to the Committee on Appropriations
18 pursuant to this rule that does not appropriate money and does not
19 contain a complete disclaimer of all of the provisions of Section
20 905.2 of, and Part 7 (commencing with Section 17500) of Division
21 4 of Title 2 of, the Government Code, need not be set for hearing
22 and may, along with any nonsubstantive amendments, be reported
23 to the Senate with the recommendation that it be placed on second
24 reading if the chair of the committee determines, after consideration
25 of the analyses of local costs prepared by the Legislative Analyst
26 and the Department of Finance, that (1) any additional local costs
27 are not significant and (2) the bill will cause no significant
28 reduction in local revenues.

29 For the purposes of this rule, “complete disclaimer” means a
30 provision in a bill that prohibits local agencies and school districts
31 from filing claims with the Commission on State Mandates for
32 reimbursement for the costs of unfunded mandated programs or
33 services.

34 (c) Whenever the Assembly amends and passes a Senate bill
35 and the Senate must concur in the amendments, upon the request
36 of any Senator the bill shall be rereferred to the Committee on
37 Appropriations if, based upon the Legislative Counsel’s Digest of
38 the Assembly amendments or an analysis prepared pursuant to
39 Rule 29.8, the bill (1) imposes state-mandated local costs without
40 providing adequate reimbursement, or (2) contains a complete

1 disclaimer. The Committee on Appropriations shall make a
2 recommendation to the Senate regarding whether the Senate should
3 concur in the Assembly amendments.

4 (d) Any bill referred to the Committee on Appropriations solely
5 pursuant to this rule, and that otherwise would not be rereferred
6 to the committee pursuant to Joint Rule 10.5, is not subject to
7 subparagraph (a)(2), (a)(5), (a)(6), (a)(10), (a)(12), (b)(1), (b)(2),
8 (b)(5), (b)(8), (b)(9), (b)(13), or (b)(15) of Joint Rule 61.

10 Display Bills

11
12 28.10. A display bill shall not be heard or acted on in any
13 committee, or voted on by the Senate. For purposes of this rule,
14 “display bill” means a bill that sets forth substantive changes in
15 or additions to existing law but states in the text of the bill that its
16 provisions are set forth for display purposes only, or words of like
17 effect.

19 CONSIDERATION OF BILLS

21 Order of Making Files

22
23 29. When bills are reported from committee they shall be placed
24 upon the Daily File, to be kept by the Secretary as follows: All
25 bills when reported to the Senate by the committee shall be placed
26 at the foot of the Second Reading Senate or Assembly File, in the
27 order in which the reports are made and, after the second reading,
28 shall be placed at the foot of the Senate or Assembly Third Reading
29 File, in the order of reading. Unless otherwise ordered by the
30 Senate, the File shall be taken up in the following order: Senate
31 Second Reading File, Assembly Second Reading File, Special
32 Orders, Unfinished Business, Senate Third Reading File, and
33 Assembly Third Reading File. The bills upon the third reading
34 shall be considered in the order in which they appear upon the
35 File, unless otherwise ordered by the Senate.

36 A Senate bill returned from the Assembly for concurrence in
37 Assembly amendments may not be considered until it appears
38 under Unfinished Business on the Daily File pursuant to Joint Rule
39 26.5 and an analysis is provided to each Senator pursuant to Senate
40 Rule 29.8.

1 An inactive file shall be kept, to which bills and resolutions may
2 be transferred at the request of the author, or on motion. Bills shall
3 be so transferred when they have been passed on third reading file
4 without action three successive times. Bills and resolutions may
5 be transferred from the inactive file to the second reading file on
6 motion and, after being read the second time, the bills shall take
7 their place regularly on third reading file and be available for
8 consideration and passage.

9 Bills, resolutions, and other questions may be transferred from
10 the unfinished business file to the inactive file upon request or
11 motion and may be returned to the unfinished business file by
12 request or on motion.

13 Placement of any question on the inactive file shall not prejudice
14 the question.

15 16 Strike From File

17
18 29.2. A motion to strike any bill, resolution, or other question
19 from the File shall require 21 votes. That bill, resolution, or other
20 question may not be acted upon again during the session.

21 22 Measures Amended From the Floor

23
24 29.3. (a) The consideration of a bill, constitutional amendment,
25 concurrent resolution, joint resolution, or Senate resolution that
26 has been amended by amendments offered from the floor, except
27 committee amendments reported with measures or amendments
28 offered with a motion to amend and rerefer to committee, is not
29 in order until the amended measure has been in print for not less
30 than one legislative day. Any measure so amended shall be placed
31 on the second reading file.

32 (b) A bill, constitutional amendment, concurrent resolution,
33 joint resolution, or Senate resolution shall not be recommended
34 for amendment by any committee after the last day specified in
35 the Joint Rules for the 2019–20 Regular Session to amend bills on
36 the floor, as specified in paragraph (14) of subdivision (a) of Joint
37 Rule 61 for odd-numbered years, and in paragraph (17) of
38 subdivision (b) of Joint Rule 61 for even-numbered years.

1 Bills Approving Memoranda of Understanding

2
3 29.4. The Senate may not pass a bill that approves a
4 memorandum of understanding, for purposes of Section 3517.5
5 and following of the Government Code, until the final version of
6 the subject memorandum of understanding is received by the
7 Secretary of the Senate and made available for review for seven
8 legislative days and its availability for review noted in the Senate
9 Daily Journal for that period.

10
11 Amended Forms of Measures

12
13 29.5. No bill, constitutional amendment, concurrent resolution,
14 joint resolution, or Senate resolution may be considered for passage
15 unless and until a copy of the measure as last amended is on the
16 desk of each Member in printed or electronic form.

17
18 Conference Reports

19
20 29.6. (a) No conference committee on any bill, other than the
21 Budget Bill and the budget implementation bills, may approve any
22 substantial policy change in any bill if that substantial policy
23 change has been defeated in a policy committee of the Senate
24 during the current legislative session.

25 (b) For purposes of subdivision (d) of Joint Rule 29.5, the term
26 “heard” means that a printed bill with substantially similar language
27 was before the appropriate committee and taken up at a regular or
28 special hearing of the committee during the current legislative
29 session, or that an amendment, which was drafted and given a
30 request number or approved as to form by Legislative Counsel,
31 was before the committee and taken up at a regular or special
32 hearing of the committee.

33
34 Conference Committee Meetings

35
36 29.7. Before the adoption of a conference report by the Senate,
37 any Senator may raise a point of order and put the following
38 question to the chair of the Committee on Conference from the
39 Senate: “Did the Committee on Conference meet at a public
40 meeting attended by at least two of the Assembly Members and

1 two of the Senate Members of the Committee on Conference and
2 adopt the conference report by an affirmative rollcall vote of not
3 less than two of the Assembly Members and two of the Senate
4 Members constituting the Committee on Conference?” If the chair
5 answers this question in the negative, the conference report shall
6 be returned to the Committee on Conference and may not be further
7 considered by the Senate until the committee has met at a public
8 meeting attended by at least two of the Assembly Members and
9 two of the Senate Members of the committee, and has adopted the
10 conference report by an affirmative rollcall vote of not less than
11 two of the Assembly Members and two of the Senate Members
12 constituting the committee.

13
14 Analysis of Measures, Conference Reports, and Floor
15 Amendments
16

17 29.8. (a) With the exception of the Budget Bill and budget
18 implementation bills, no bill, constitutional amendment, concurrent
19 resolution, joint resolution, Senate resolution, unfinished business
20 item, or report of a conference committee may be considered unless
21 and until an analysis thereof has been prepared by the Office of
22 Senate Floor Analyses and placed upon the desks of the Senators,
23 unless otherwise ordered by the President pro Tempore.

24 (b) An amendment from the floor is not in order unless and until
25 the amendment has been reviewed by the Office of Senate Floor
26 Analyses. Upon a request by the Chair or Vice Chair of the
27 Committee on Rules, or by the lead author of the measure to which
28 a substantive amendment is proposed from the floor, an analysis
29 thereof shall be prepared by the Office of Senate Floor Analyses
30 and placed upon the desks of the Senators.

31
32 Consideration of Conference Reports
33

34 29.9. No conference report may be adopted by the Senate until
35 it has been in print for two days prior to being taken up by the
36 Senate.

Referral of Bills

29.10. (a) If the analysis, prepared in accordance with subdivision (b) of Rule 29.8, of proposed floor amendments to a bill, other than the Budget Bill, discloses that the amendments create a new bill or rewrite the current form of the bill, upon adoption of the amendments the bill shall be reprinted and referred to the Committee on Rules.

(b) When amendments adopted pursuant to subdivision (a) rewrite the bill, as specified in subdivision (e), the Committee on Rules shall either refer the bill to a standing committee or hold the bill. If the bill is referred to a standing committee, the standing committee shall meet and act upon the bill no later than the next scheduled hearing of the committee. If the bill is referred to a standing committee during a time when standing committees are not meeting, the standing committee shall meet and act upon the bill as directed by the Committee on Rules and, in any event, within two legislative days of receipt of the bill. Upon receipt of the bill, the committee by a vote of a majority of the membership may do any of the following: (1) hold the bill, (2) return the bill to the Senate floor for consideration, or (3) rerefer the bill to fiscal committee pursuant to Joint Rule 10.5.

If the bill is referred to a standing committee during the time when no committee may meet, the Committee on Rules shall grant permission to suspend the joint rule to allow the committee to meet as directed by the Committee on Rules.

If the bill is referred to the Committee on Rules on the last legislative day preceding a joint recess, the Committee on Rules and, if the bill is referred to a standing committee, the standing committee, shall meet and act upon the bill before adjourning for the recess. If the bill is referred to the Committee on Rules on any of the three legislative days preceding February 1 or September 1 of an even-numbered year, the Committee on Rules and, if the bill is referred to a standing committee, the standing committee, shall meet and act upon the bill on the same legislative day.

(c) When amendments adopted pursuant to subdivision (a) create a new bill, as specified in subdivision (f), the bill shall be referred to the Committee on Rules. The Committee on Rules, by a vote of a majority of its membership may either (1) hold the bill, or (2) refer the bill to the appropriate standing committee subject to all

1 of the time and other limitations provided in these rules and the
2 Joint Rules for the hearing and passage of bills.

3 (d) If the analysis, prepared in accordance with subdivision (a)
4 of Rule 29.8, of a bill, other than the Budget Bill, that is returned
5 to the Senate for a vote on concurrence discloses that the Assembly
6 amendments create a new bill or rewrite the bill as passed by the
7 Senate, the bill shall be referred to the Committee on Rules. The
8 Committee on Rules by a vote of a majority of its membership
9 may either (1) refer the bill to an appropriate standing committee,
10 (2) recommend that the bill be taken up for consideration of the
11 Assembly amendments, or (3) hold the bill.

12 If the bill is referred to a standing committee, the committee
13 shall meet and act upon the bill no later than the next scheduled
14 hearing of the committee. If the bill is referred to a standing
15 committee during a time when standing committees are not
16 meeting, the standing committee shall meet and act upon the bill
17 as directed by the Committee on Rules and, in any event, within
18 two legislative days of receipt of the bill. Upon receipt of the bill,
19 the standing committee by a majority vote of the membership may
20 either (1) hold the bill, or (2) return the bill to the Senate floor for
21 consideration of the bill as amended in the Assembly.

22 If the bill is referred to a standing committee during the time
23 when no committee may meet, the Committee on Rules shall grant
24 permission to suspend the joint rule to allow the committee to meet
25 as directed by the Committee on Rules.

26 If the bill is referred to the Committee on Rules on the last
27 legislative day preceding a joint recess, the Committee on Rules
28 and, if the bill is referred to a standing committee, the standing
29 committee, shall meet and act upon the bill before adjourning for
30 the recess. If the bill is referred to the Committee on Rules on any
31 of the three legislative days preceding February 1 or September 1
32 of an even-numbered year, the Committee on Rules and, if the bill
33 is referred to a standing committee, the standing committee, shall
34 meet and act upon the bill on the same legislative day.

35 (e) An amendment rewrites a bill if the amendment (1) is
36 germane to the previous version of the bill but adds a new subject
37 to the bill that is different from, but related to, the contents of the
38 bill, or (2) is not described in subdivision (f) and makes a change
39 of fiscal or policy significance that may be appropriate for review
40 by a standing committee.

1 (f) An amendment creates a new bill if the amendment changes
2 the subject of the bill to a new or different subject.

3
4 Special Order

5
6 30. Any measure or subject may, by vote of a majority of those
7 voting, be made a special order and, when the time fixed for its
8 consideration arrives, the Presiding Officer shall lay it before the
9 Senate.

10
11 Messages From the Governor or Assembly

12
13 31. Messages from the Governor or from the Assembly may
14 be introduced at any stage of business except while a question is
15 being put, while the ayes and noes are being called, or while a
16 Senator is addressing the Senate.

17 Messages from the Governor or from the Assembly may be
18 considered when indicated in the order of business or at any other
19 time by unanimous consent or upon motion.

20
21 Engrossing Measures

22
23 32. All Senate bills, constitutional amendments, and joint and
24 concurrent resolutions shall be engrossed after each amendment
25 and before final action is taken on them in the Senate. Engrossment
26 shall consist of comparing the printed engrossed measure with the
27 original measure introduced and any amendments adopted to
28 ascertain that it is correct, and making necessary technical
29 corrections. When a measure is reported correctly engrossed it
30 shall be substituted for the original measure.

31
32 Enrolling Measures

33
34 33. All Senate measures shall be enrolled immediately following
35 their final passage and receipt from the Assembly. An enrolled
36 copy of every bill, constitutional amendment, or resolution shall
37 be printed and examined to ascertain that it is a true and accurate
38 copy of the measure as it was passed. It shall then be authenticated
39 by the signature of the Secretary of the Senate or a designee, and

1 the Chief Clerk of the Assembly or a designee, and transmitted to
2 the Governor or Secretary of State, as the case may be.

3
4 DEBATE

5
6 Statement of Motion

7
8 34. A motion may not be debated until it is distinctly announced
9 by the Presiding Officer, and it shall be reduced to writing if
10 desired by any Senator, and read by the Secretary, before it is
11 debated.

12
13 Regulations as to Speaking

14
15 35. (a) When a Senator desires to address the Senate, the
16 Senator shall rise at the Senator's desk, address the Presiding
17 Officer, and, when recognized, proceed to speak through the public
18 address system.

19 (b) A Senator may not speak more than twice in any one debate
20 on the same day, and at the same stage of the bill, without leave;
21 Senators who have once spoken are not again entitled to the floor
22 (except for explanation) so long as any Senator who has not spoken
23 desires to speak.

24 (c) When two or more Senators arise at the same time to address
25 the Senate, the Presiding Officer shall designate the Senator who
26 is entitled to the floor.

27 (d) A Senator may not be interrupted when speaking, and no
28 question may be asked of the Senator except through the Presiding
29 Officer.

30 (e) The author of a bill, motion, or resolution shall have the
31 privilege of closing the debate.

32
33 Order in Debate

34
35 36. When a Senator is called to order, the Senator shall sit down
36 until the Presiding Officer has determined whether or not the
37 Senator is in order. Every question of order shall be decided by
38 the Presiding Officer, subject to an appeal to the Senate by any
39 Senator. If a Senator is called to order for words spoken, the

1 objectionable language shall immediately be taken down in writing
2 by the Secretary of the Senate.

3
4 Right to Address the Senate
5

6 37. A person other than a Member of the Senate may not
7 address the Senate while it is in session, except that the Senate
8 may resolve itself into a Committee of the Whole and, while sitting
9 as a Committee of the Whole, may be addressed by persons other
10 than Members.

11
12 QUESTIONS AND MOTIONS
13

14 Amendments to Measures
15

16 38. When amendments to a measure are reported by a
17 committee or offered from the floor, the amendments shall be
18 submitted in writing.

19 Adoption of amendments to any measure in the Senate prior to
20 third reading, other than by rollcall, shall not preclude subsequent
21 consideration, in committee or on the third reading of the measure,
22 of the amendments or any part thereof by the Senate.

23
24 Amendments to Be Germane
25

26 38.5. Every amendment proposed must be germane. In order
27 to be germane, an amendment must relate to the same subject as
28 the original bill, resolution, or other question under consideration.

29 A point of order may be raised that the proposed amendment or
30 an amendment now in the bill, resolution, or other question under
31 consideration is not germane, so long as the question is within
32 control of the body. In that case the President pro Tempore shall
33 decide whether the point of order is well taken. In the absence of
34 the President pro Tempore, the Vice Chair of the Committee on
35 Rules shall decide whether the point of order is well taken. If, in
36 the opinion of the President pro Tempore or the Vice Chair of the
37 Committee on Rules, the point of order is well taken, the question
38 of germaneness shall upon the motion of the President pro Tempore
39 or the Vice Chair of the Committee on Rules be referred to the
40 Committee on Rules for determination. The Committee on Rules

1 shall make its determination by the following legislative day. If
2 the point of order is raised and referral is made on the last
3 legislative day preceding a joint recess, the Committee on Rules
4 shall make its determination before adjourning for the recess.

5 The proposition shall remain on file until the determination is
6 made. If, upon consideration of the matter, the Committee on Rules
7 determines that the amendment is not germane, the bill, resolution,
8 or other question shall be stricken from the file and may not be
9 acted upon during the remainder of the session, provided that the
10 author of a bill, resolution, or other question shall be given the
11 opportunity to amend the bill, resolution, or other question to delete
12 the portions that are not germane, in which case the bill, resolution,
13 or other question may continue to be acted upon. If the Committee
14 on Rules determines that the amendment is germane, the bill,
15 resolution, or other question may thereafter be acted upon by the
16 house.

17 Notwithstanding Rule 21, this rule may not be suspended unless
18 the Committee on Rules determines that an extraordinary
19 circumstance and overwhelming public interest exist that justify
20 the suspension.

21 22 Amendments From the Floor

23
24 38.6. Amendments to a bill, constitutional amendment,
25 concurrent resolution, joint resolution, or Senate resolution offered
26 from the floor, except committee amendments reported with
27 measures or amendments offered with a motion to amend and
28 rerefer to committee, are not in order unless and until a copy of
29 the proposed amendments provided by the author has been placed
30 upon the desks of the Members.

31 32 Motion to Lay on the Table

33
34 39. When an amendment proposed to any pending measure is
35 laid on the table, it may not carry with it or prejudice the measure.

36 37 Division of a Question

38
39 40. If a question in debate contains more than one distinct
40 proposition, any Senator may have the same divided.

The Previous Question

41. The previous question shall be put in the following form: “Shall the question be now put?” It shall require a majority vote of the Senators present, and its effect shall be to put an end to all the debate except that the author of the bill or the amendment shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote.

Call of the Senate

42. Upon a motion being carried for a call of the Senate, the Presiding Officer shall immediately order the doors to be closed, and shall direct the Secretary to call the names of the absentees as disclosed by the last previous rollcall. Thereupon, a Member may not be permitted to leave the Senate Chamber except by written permission of the President pro Tempore or, in the absence of the President pro Tempore, the Vice Chair of the Committee on Rules or, in the absence of the Vice Chair of the Committee on Rules, another member of the Committee on Rules designated for that purpose by the President pro Tempore or the Vice Chair of the Committee on Rules. Those Members who are found to be absent and for whom no excuse or insufficient excuses are made may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant at Arms whenever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the Members present may order a rollcall of the Senate and compel the attendance of absentees in the manner above provided.

A call of the Senate may be ordered after the roll has been called and prior to the announcement of the vote. A call of the Senate may be dispensed with at any time upon a majority vote of the Senators present, that action to become effective upon completion of the rollcall and the announcement of the vote upon the matter for which the call was ordered.

A recess may not be taken during a call of the Senate. During any call, the call may be made to apply also to other items of business by a motion made and adopted by a majority vote of the Members present. Under those circumstances, when the call of the Senate is dispensed with as to any item of business, the call is

1 deemed to be continued in effect until other items of business that
2 have been made subject to the call by a majority of the Members
3 present have been acted upon. When a call of the Senate is ordered,
4 pending the announcement of the vote upon the completion of a
5 rollcall, the pending rollcall shall become unfinished business, the
6 consideration of which shall be continued until further proceedings
7 under the call of the Senate are dispensed with, when it will
8 forthwith become the order of business before the Senate.

9 A motion to adjourn is not in order during a call of the Senate.

10
11 Reconsideration
12

13 43. On the day on which a vote has been taken on any question,
14 a motion to reconsider the vote may be made by any Member.
15 Reconsideration may be granted only once.

16 The motion may be considered on the day made or on the
17 succeeding legislative day, but may not be further postponed
18 without the concurrence of 30 Members.

19 A vote by which a bill was passed may not be reconsidered on
20 the last legislative day preceding the interim study joint recess or
21 the final recess, and a vote by which the bill was passed may not
22 be reconsidered on a Senate bill introduced during the first year
23 of the biennium of the legislative session on January 31, or on the
24 last legislative day immediately preceding January 31, of an
25 even-numbered year.

26 When reconsideration of the vote by which any bill has passed
27 has been demanded, the Secretary may not transmit it to the
28 Assembly until the demand has been disposed of or the time for
29 reconsideration has expired, but if the bill has already been
30 transmitted to the Assembly the demand for reconsideration shall
31 be preceded by a motion to request the Assembly to return the bill.
32 The motion shall be put to a vote immediately without debate and,
33 if not adopted, shall preclude a demand for reconsideration.

34 A demand to reconsider the vote on any debatable question opens
35 the main question to debate, and the vote on the reconsideration
36 shall be on the merits of the main question.

VOTING BY SENATE

Rescinding

43.5. An action whereby a bill has been passed or defeated may not be rescinded without the concurrence of 27 Members.

Voting on Rollcall

44. Whenever a rollcall is required by the Constitution or rules, or is ordered by the Senate or demanded by three Members, every Member within the Senate shall without debate answer “Aye” or “No” when the Member’s name is called.

The names of Members shall be called alphabetically.

A Senator may not vote or change the Senator’s vote after the announcement of the vote by the Presiding Officer.

On a legislative day when the President pro Tempore or Minority Floor Leader is in attendance throughout a session, the President pro Tempore or Minority Floor Leader, in the absence of any objection, may instruct the Secretary of the Senate to add the vote of the President pro Tempore or Minority Floor Leader to any previously announced vote that was taken while the President pro Tempore or Minority Floor Leader was performing the responsibilities of the office of President pro Tempore or Minority Floor Leader, provided the outcome of the vote is not thereby changed. This provision does not apply to any rollcall after adjournment of the legislative day during which the rollcall in question was taken. The intent of this paragraph is to allow the President pro Tempore and the Minority Floor Leader to carry out the unique and special duties of their offices without losing the opportunity to vote on matters before the Senate.

Excused From Voting

45. When a Senator declines or fails to vote on call of the Senator’s name, the Senator may, after completion of the rollcall and before the announcement of the vote, be required to assign the reasons therefor and, the Senator having assigned them, the Presiding Officer shall submit the question to the Senate: “Shall

1 the Senator, for the reasons assigned by the Senator, be excused
2 from voting?” which question shall be decided without debate.
3 Unless the Senator is excused from voting, the Senator shall be
4 required to vote.

5
6 Voting by Presiding Senator
7

8 46. When any Member is presiding over the Senate, the Member
9 shall vote on rollcall the same as though the Member were not
10 presiding.

11
12 Vote Required
13

14 47. Unless otherwise required by the Constitution, the Joint
15 Rules of the Senate and Assembly, or these rules, any action that
16 can be taken by the Senate requires only a majority vote of the
17 Senate, a quorum being present.

18 The following actions require 32 votes:

19 (1) To pass a bill amending specified provisions of the Tobacco
20 Tax and Health Protection Act of 1988 (Prop. 99, Nov. 8, 1988;
21 Sec. 30130, R.& T.C.).

22 (2) To pass a bill amending the Clean Air and Transportation
23 Improvement Act of 1990 (Prop. 116, June 5, 1990; Sec. 99605,
24 P.U.C.).

25 (3) To pass a bill amending the California Wildlife Protection
26 Act of 1990 (Sec. 8, Prop. 117, June 5, 1990).

27 (4) To pass a bill amending specified provisions of the California
28 Healthcare, Research and Prevention Tobacco Tax Act of 2016
29 (Sec. 9(c), Prop. 56, Nov. 8, 2016).

30 (5) To pass a bill amending the Emergency Ambulance
31 Employee Safety and Preparedness Act (Prop. 11, Nov. 6, 2018;
32 Sec. 890, Lab. C.).

33 (6) To pass a bill amending the Prevention of Cruelty to Farm
34 Animals Act (Sec. 8, Prop. 12, Nov. 6, 2018).

35 The following actions require 30 votes:

36 (7) To dispense with the constitutional provision requiring a
37 30-calendar-day delay after introduction before a bill may be heard
38 by any committee or acted upon by either house (Constitution,
39 Art. IV, Sec. 8(a)).

1 (8) To postpone the reconsideration of a vote beyond the first
2 legislative day succeeding the day the motion was made.

3 (9) To pass a bill amending the Death Penalty Reform and
4 Savings Act of 2016 (Sec. 20, Prop. 66, Nov. 8, 2016).

5 The following actions require 28 votes:

6 (10) To pass a bill amending the statutory provisions, other than
7 the bond provisions, of the California Stem Cell Research and
8 Cures Act (Sec. 8, Prop. 71, Nov. 2, 2004).

9 (11) To pass a bill amending the statutory provisions of the
10 Victims' Bill of Rights Act (Sec. 9, Prop. 9, Nov. 4, 2008).

11 The following actions require 27 votes:

12 (12) To pass an urgency clause and urgency statute
13 (Constitution, Art. IV, Sec. 8(d)).

14 (13) To dispense with the constitutional provision requiring the
15 reading of bills on three several days (Constitution, Art. IV, Sec.
16 8(b)(1)).

17 (14) To waive the 72-hour notice period for a bill if the Governor
18 has submitted to the Legislature a written statement that dispensing
19 with the notice period for that bill is necessary to address a state
20 of emergency (Constitution, Art. IV, Sec. 8(b)(2)).

21 (15) To pass a bill over the Governor's veto (Constitution, Art.
22 IV, Sec. 10).

23 (16) To prescribe compensation and reimbursement for travel
24 and living expenses of the Members of the Legislature
25 (Constitution, Art. IV, Sec. 4).

26 (17) To propose an amendment to or revision of the Constitution
27 (Constitution, Art. XVIII, Secs. 1, 2).

28 (18) To amend or withdraw a proposed legislative constitutional
29 amendment or revision (Constitution, Art. XVIII, Sec. 1).

30 (19) To classify or exempt personal property for property
31 taxation purposes (Constitution, Art. XIII, Sec. 2).

32 (20) To permit an exemption of real property from taxation
33 (Constitution, Art. XIII, Sec. 7).

34 (21) To remove a member of the Public Utilities Commission
35 (Constitution, Art. XII, Sec. 1).

36 (22) To reconsider the vote by which a concurrent resolution
37 proposing a constitutional amendment is defeated.

38 (23) To rescind the action whereby a bill has been passed or
39 defeated.

1 (24) To suspend the rule against lobbying in the Senate
2 Chamber.

3 (25) To concur in Assembly amendments to, or adopt a report
4 of a committee on conference concerning, a constitutional
5 amendment or bill that requires 27 votes for passage.

6 (26) To concur in Assembly amendments to, or adopt a report
7 of a committee on conference concerning, a Senate bill that
8 contains an item or items of appropriation subject to Section 12(d)
9 of Article IV of the Constitution.

10 (27) To amend an initiative statute that permits that action and
11 requires 27 votes for passage.

12 The following action requires 22 votes:

13 (28) To pass a bill amending the Safety for All Act of 2016
14 (Sec. 13, Prop. 63, Nov. 8, 2016).

15 The following actions require 21 votes:

16 (29) To adopt, amend, or suspend the rules, except as provided
17 in Rule 21.

18 (30) To pass a bill, unless under other rules a greater vote is
19 required (Constitution, Art. IV, Sec. 8(b)).

20 (31) To adopt a joint or concurrent resolution.

21 (32) To reconsider a bill, or a joint or concurrent resolution.

22 (33) To confirm an appointment by the Governor, unless a
23 greater vote is required by statute, or to reconsider the same.

24 (34) To recall a bill from committee.

25 (35) To concur in Assembly amendments to, or adopt a report
26 of a committee on conference concerning, a joint or concurrent
27 resolution or bill that requires 21 votes for passage.

28 (36) To change a rate of bank and corporation taxation, or tax
29 on insurers, for state purposes (Constitution, Art. XIII, Secs. 27,
30 28).

31 (37) To strike from file.

32 (38) To adopt a resolution that does not favor a Governor's
33 Reorganization Plan (Sec. 12080.5, Gov. Code).

34 Actions requiring 14 votes:

35 (39) To reconsider a vote by which a concurrent resolution
36 proposing a constitutional amendment was adopted.

1 Vote Required for Amendments

2
3 48. A constitutional amendment or bill requiring a vote of
4 two-thirds of the Members elected to the Senate for final adoption
5 or passage may be amended by a majority of those voting.

6
7 CONTENTS OF SENATE JOURNAL

8
9 Proceedings to Be Printed

10
11 49. The proceedings of the Senate, when not acting as a
12 Committee of the Whole, shall be entered in the Journal as
13 concisely as possible, care being taken to record a true and accurate
14 account of the proceedings.

15 The Journal shall state the name of the Senator presenting each
16 Assembly bill, concurrent or joint resolution, or constitutional
17 amendment to the Senate for final action.

18 Every vote of the Senate shall be recorded in the Journal.

19
20 Titles of Measures to Be Printed

21
22 50. The titles of all bills, joint and concurrent resolutions, and
23 constitutional amendments when introduced and when acted upon
24 by the Senate, and a brief statement of the contents of each petition,
25 memorial, or paper presented to the Senate, shall be printed in the
26 Journal.

27
28 Other Matters to Be Printed

29
30 51. Messages from the Governor (other than annual messages
31 and inaugural addresses) shall be printed in the Journal, unless
32 otherwise ordered by the Senate.

33 Letters of transmittal presenting reports of committees and
34 reports of state departments and agencies as shall be made to the
35 Senate pursuant to law or resolution adopted by the Senate shall
36 be printed in the Journal, but the reports shall be printed in the
37 Appendix to the Journal unless otherwise directed by the Senate.

Duty of Secretary to Order Printing

52. It shall be the duty of the Secretary of the Senate, and the Secretary of the Senate is hereby directed, to order for the Senate the necessary printing, including stationery for the Members, and to audit and approve all bills for printing to be charged to the Senate. The Secretary of the Senate shall order from the Office of State Publishing the number of copies of bills, Journals, Histories, Files, forms, and other printing as shall be necessary.

It shall further be the duty of the Secretary of the Senate to order bills and other legislative publications for which there is a demand, to be printed before the supply of same shall become exhausted.

Printing Only on Written Orders; Rush Orders

53. The Office of State Publishing may not charge any printing or other work to the Senate except as required by law unless the Office of State Publishing has a written order from the Secretary of the Senate prior to beginning the printing or other work. All printing orders by the Secretary of the Senate shall be delivered as directed by the Secretary of the Senate. The Secretary of the Senate may, when necessity requires it, order from the Office of State Publishing the printing that the Secretary of the Senate deems necessary to be printed in advance of the regular order of business, under a specially prepared written order to be known as a "Rush Order."

THE SENATE CHAMBER

Admission to the Senate Chamber

55. (a) Persons who are not Members, officers, or employees of the Senate may be admitted to the Senate Chamber only as follows:

1. The Members, officers, and assistant clerks of the Assembly.
2. The Legislative Counsel or the Legislative Counsel's representatives.
3. The accredited press, radio, and television representatives.
4. Former State Senators and Assembly Members.

1 5. Visitors in the chairs reserved for that purpose, on invitation
2 of the President pro Tempore or a Senator or on presentation of a
3 pass.

4 (b) While the Senate is in session a person, except Members of
5 the Legislature, may not engage in influencing the passage or
6 defeat of legislation in any way in the Senate Chamber.

7 (c) A person meeting the definition of a lobbyist in Section
8 82039 of the Government Code may not be admitted to the Senate
9 Chamber while the Senate is in session.

10 (d) Only Members and officers of the Senate and Assembly,
11 former Members of the Senate, assistant clerks of the Senate and
12 the Assembly, the Legislative Counsel or the Legislative Counsel's
13 representatives, Senate employees for the purpose of delivering
14 messages and when so directed by a Member of the Senate, and
15 members of the press who have seats assigned to them may be
16 permitted on the Floor of the Senate.

17 (e) The Senate Chamber is the Senate Chamber proper, the
18 adjoining hallway, Rooms 3030, 3046, 3191, 3195, and 3196 of
19 the Capitol Annex, and Room 215 of the Capitol.

20 (f) The Floor of the Senate is all of the Senate Chamber except
21 the adjoining hallway and the rooms listed in subdivision (e), the
22 visitors seating area, and the western portion of Room 3191.

23 (g) Notwithstanding any other provision of this rule, any person
24 may be admitted to Room 3191 and Room 215 to attend a meeting
25 of a Senate, Assembly, joint, or conference committee.

26 (h) Notwithstanding any other provision of this rule, a person
27 may not be permitted on the Floor of the Senate while it is in
28 session unless the person is wearing formal business attire.
29 Accredited camerapersons, sound technicians, and photographers
30 are exempt from this requirement. Floor of the Senate, for this
31 purpose, has the same meaning set forth in subdivision (f).

32 (i) This rule may be suspended by a vote of two-thirds of the
33 Members of the Senate.