
Introduced by Senator Atkins

December 5, 2022

Senate Resolution No. 3—Relative to the Standing Rules of the Senate for the 2023–24 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 2023–24 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

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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.

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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.

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Secretary of the Senate

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.

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

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

20
21 Elected and Appointed Officers
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23 10.5. On the first day of each session, the President pro
24 Tempore, members of the Committee on Rules, Secretary of the
25 Senate, and Sergeant at Arms shall be elected by a majority vote
26 of the duly elected and qualified Members of the Senate and shall
27 serve until their successors are elected and qualify. The Committee
28 on Rules shall appoint an Assistant Secretary, a Minute Clerk, a
29 Chaplain, and other employees with such duties as the committee
30 requires.

31
32 Officers and Employees Compensation: Approval
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34 10.6. The Controller is hereby authorized and directed to draw
35 warrants in favor of officers and employees who render services
36 to the Senate, as certified by the Committee on Rules or by its
37 authorized representative, from the fund set aside for the pay of
38 officers and employees of the Senate at the rate of compensation
39 certified by the committee or its representative, and the Treasurer
40 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 President pro Tempore. A vacancy occurring at any other time shall be filled by election by the Senate.

The President pro Tempore shall appoint all other committees of the Senate and shall designate a chair and vice chair of each committee.

In making committee appointments, the President pro Tempore shall give consideration to seniority, preference, and experience. However, in making committee appointments, the President pro Tempore 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) Agriculture. Bills relating to agriculture.
- (2) Appropriations. Bills that are subject to Joint Rule 10.5 and are not referred to the Committee on Budget and Fiscal Review. Bills that constitute a state-mandated local program.
- (3) Banking and Financial Institutions. Bills relating to financial institutions, lending, and corporations.
- (4) Budget and Fiscal Review. The Budget Bill and bills implementing the Budget. Bills that directly affect the State Budget, including deficiencies and reappropriations.
- (5) Business, Professions and Economic Development. Bills relating to business and professional practices, licensing, and

1 regulations. Bills relating to economic development, commerce,
2 and international trade.

3 (6) Education. Bills relating to education, higher education, and
4 related programs. Bills relating to education employee issues and
5 collective bargaining.

6 (7) Elections and Constitutional Amendments. Bills relating to
7 elections and constitutional amendments, ballot measures, the
8 Political Reform Act of 1974, and elected officials.

9 (8) Energy, Utilities and Communications. Bills relating to
10 public utilities and carriers, energy companies, alternative energy
11 development and conservation, and communications development
12 and technology.

13 (9) Environmental Quality. Bills relating to environmental
14 quality, environmental health, air quality, water quality, waste
15 management, recycling, toxics, and hazardous materials and waste.

16 (10) Governance and Finance. Bills relating to local government
17 procedure, administration, and organization. Bills relating to land
18 use. Bills relating to state and local revenues, bonds, and taxation.

19 (11) Governmental Organization. Bills relating to horse racing,
20 public gaming, and alcoholic beverages. Bills relating to the
21 management of public safety emergencies and disaster response.
22 Bills relating to state government organization and bills regarding
23 the use of state-controlled lands and buildings, state contracting,
24 and interstate compacts.

25 (12) Health. Bills relating to public health, alcohol and drug
26 use, mental health, health insurance, managed care, long-term care,
27 and related institutions.

28 (13) Housing. Bills relating to housing and community
29 redevelopment.

30 (14) Human Services. Bills relating to welfare, social services
31 and support, and related institutions.

32 (15) Insurance. Bills relating to insurance, indemnity, surety,
33 and warranty agreements.

34 (16) Judiciary. Bills amending the Civil Code, Code of Civil
35 Procedure, Evidence Code, Family Code, and Probate Code. Bills
36 relating to courts, judges, and court personnel. Bills relating to
37 liens, claims, and unclaimed property. Bills relating to privacy and
38 consumer protection.

39 (17) Labor, Public Employment and Retirement. Bills relating
40 to labor, industrial safety, unemployment, workers' compensation

1 and insurance. Bills relating to state and local public agency
2 collective bargaining; state and local nonschool public employees;
3 noncertificated and classified public school employees; public
4 retirement systems; public employees' compensation and
5 employment benefits, including retirement and health care; and
6 state social security administration.

7 (18) Military and Veterans Affairs. Bills relating to veterans,
8 military affairs, and armories. Bills amending the Military and
9 Veterans Code.

10 (19) Natural Resources and Water. Bills relating to conservation
11 and the management of public resources, fish and wildlife,
12 regulation of oil, mining, geothermal development, wetlands and
13 lakes, global atmospheric effects, ocean and bay pollution, coastal
14 resources, forestry practices, recreation, parks, and historical
15 resources. Bills relating to water supply management.

16 (20) Public Safety. Bills amending the Evidence Code, relating
17 to criminal procedure; the Penal Code; and statutes of a penal
18 nature. Bills relating to the Department of Corrections and
19 Rehabilitation and the Board of State and Community Corrections.

20 (21) Rules. Proposed amendments to the rules and other matters
21 relating to the business of the Legislature.

22 (22) Transportation. Bills relating to the operation, safety,
23 equipment, transfer of ownership, licensing, and registration of
24 vehicles, aircraft, and vessels. Bills relating to the Department of
25 Transportation and the Department of Motor Vehicles. Bills
26 relating to highways, public transportation systems, and airports.

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

30

31 Committee on Legislative Ethics

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33 12.3. (a) (1) The Committee on Legislative Ethics is hereby
34 created. The committee shall consist of six Senators, at least two
35 of whom are members of the political party having the greatest
36 number of members in the Senate and at least two of whom are
37 members of the political party having the second greatest number
38 of members in the Senate. The members of the committee shall
39 serve two-year terms. The President pro Tempore and the Minority
40 Floor Leader shall serve as ex officio, nonvoting members of the

1 committee. No more than one member of the Committee on Rules
2 from each of those political parties shall be appointed to the
3 committee as voting members.

4 (2) The Chair and Vice Chair may not be members of the same
5 political party. The Chair may not serve more than two consecutive
6 two-year terms.

7 (3) Vacancies in the committee shall be filled within 30 days
8 for the remainder of a term.

9 (4) If a complaint is filed against a member of the committee,
10 that member shall be temporarily replaced with a Senator of the
11 same political party, who shall serve until the complaint is
12 dismissed by the committee or the Senate takes action as it deems
13 appropriate, whichever occurs earlier.

14 (5) The Committee on Rules may retain or appoint a Chief
15 Counsel to assist the committee in carrying out its functions. The
16 staff of the committee shall be considered permanent and
17 professional, and shall perform their duties in a nonpartisan
18 manner. Neither staff of the committee, nor persons currently
19 contracted to provide services for the committee, shall engage in
20 partisan activities regarding a Senate or Assembly election
21 campaign.

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

23 (1) The committee shall formulate and recommend, for adoption
24 by the Senate, standards of conduct for Senators and officers and
25 employees of the Senate in the performance of their legislative
26 responsibilities. The Ethics Manual for Members, Officers, and
27 Employees of the United States House of Representatives, as
28 prepared by the Staff of the Committee on Standards of Official
29 Conduct, 102nd Congress Second Session (United States
30 Government Printing Office, Washington, 1992), the Code of
31 Ethics (Article 2 (commencing with Section 8920) of Chapter 1
32 of Part 1 of Division 2 of Title 2 of the Government Code), and
33 Joint Rule 44 shall serve as guides in the formulation of the
34 standards of conduct.

35 (2) At the request of any Senator or officer or employee of the
36 Senate, the committee shall provide an advisory opinion with
37 respect to the standards of conduct of the Senate on the general
38 propriety of past, current, or anticipated conduct of that Senator,
39 officer, or employee. The opinion shall be rendered within 21 days
40 unless the Chair and Vice Chair agree otherwise. The committee

1 may, with appropriate deletions to ensure the privacy of the
2 individuals concerned, publish the advisory opinions for the
3 guidance of other Senators, officers, or employees.

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

8 (4) The committee shall conduct periodic workshops, at least
9 once each calendar year, for Senators and officers and employees
10 of the Senate, including workshops specifically designed for newly
11 elected Senators and newly appointed officers and employees. At
12 least once in each biennial session, each Senator and each officer
13 or employee of the Senate shall attend one of these workshops.
14 The workshops shall include, but not be limited to, a
15 comprehensive review of all applicable statutes and Senate rules.
16 At least once in each biennial session, each Senator shall also
17 attend an individual training or review session conducted by the
18 Chief Counsel of the committee.

19 (5) After adoption by the Senate of the standards of conduct,
20 the committee shall receive and review complaints alleging
21 violations of the standards of conduct by Senators, or officers or
22 employees of the Senate, in accordance with the procedures
23 specified in this rule. The Chief Counsel may refer complaints
24 containing allegations outside the committee's jurisdiction to the
25 Workplace Conduct Unit or the Committee on Rules, as
26 appropriate.

27 (6) The committee shall maintain a record of its investigations,
28 hearings, and other proceedings. All information, testimony,
29 records, complaints, documents, and reports filed with, submitted
30 to, or made by the committee, and all records and transcripts of
31 any investigations or hearings of the committee, shall be
32 confidential and shall not be open to inspection by any person
33 other than a member of the committee, the staff of the committee,
34 or any person engaged by contract or otherwise to perform services
35 for the committee, except as otherwise specifically provided for
36 in this rule. Any member of the committee or any person on the
37 staff of the committee who, during the person's tenure with the
38 committee or anytime thereafter, and without authorization,
39 discloses, by writing, verbal communication, or conduct, or reveals
40 in any way, in whole, in part, or by way of summary, any

1 information, testimony, record, complaint, document, report, or
2 transcript that is confidential shall be subject to discipline. In the
3 case of a contract for the performance of services for the
4 committee, the contract shall expressly prohibit any party to the
5 contract from, without authorization, disclosing, by writing, verbal
6 communication, or conduct, or from revealing in any way, in
7 whole, in part, or by way of summary, any information, testimony,
8 record, complaint, document, report, or transcript that is
9 confidential. The committee may, by a majority vote of the
10 membership of the committee, authorize the release of any records,
11 complaints, documents, reports, and transcripts in its possession
12 to the appropriate enforcement agency if the committee determines
13 that there is probable cause to believe that the violation or
14 violations alleged in the complaint would constitute a felony or if
15 the committee determines that the information is material to any
16 matter pending before the enforcement agency.

17 (c) (1) Any person may file a formal complaint with the
18 committee that alleges a violation of the standards of conduct.

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

22 (3) If the committee determines that the person filing the
23 complaint did not know, or through the exercise of reasonable
24 diligence could not have known, of the alleged violation within
25 18 months after the date that the alleged violation occurred, the
26 complaint may be filed within three years after the date that the
27 alleged violation occurred.

28 (4) If a complaint is filed within 60 days prior to an election at
29 which a Senator or officer or employee is a candidate for elective
30 office, the complaint shall be returned to the person filing the
31 complaint, and the person shall be informed that the complaint
32 may be filed with an appropriate enforcement agency and may be
33 refiled with the committee after the election. The period of time
34 for filing the complaint shall be extended for 60 days.

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

37 (d) A formal complaint shall satisfy all of the following
38 requirements:

39 (1) It shall be in writing.

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

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

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

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

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

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

19 (f) The committee shall promptly send a copy of a complaint
20 to the Senator, or officer or employee of the Senate, alleged to
21 have committed the violation, who shall thereafter be designated
22 as the respondent.

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

27 (h) Within 14 days after the complaint is filed, the Chair and
28 Vice Chair shall provide to the committee a copy of the complaint
29 and their opinion as to whether the allegations in the complaint,
30 if true, would constitute a violation of the standards of conduct. If
31 the committee, by a two-thirds vote of its membership, finds that
32 the allegations, if true, would constitute a violation of the standards
33 of conduct, the committee shall hold a hearing, to the extent
34 practicable, within 30 days to conduct a preliminary inquiry. If
35 two-thirds of the membership of the committee fails to find that
36 the allegations, if true, would constitute a violation of the standards
37 of conduct, it shall dismiss the complaint and so notify the person
38 who filed the complaint and the respondent, and the complaint
39 shall not be made public.

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

13 (j) Within 30 days after the issuance of the statement of alleged
14 violations, the respondent may file an answer that admits or denies
15 each count. Upon request of the respondent, the committee may
16 grant the respondent an additional 21 days to respond.

17 (k) Within 60 days after the issuance of the statement of alleged
18 violations, to the extent practicable, the committee shall hold a
19 disciplinary hearing. If a majority of the membership of each party
20 on the committee fails to find that the respondent committed a
21 violation of the standards of conduct, the committee shall dismiss
22 the complaint. If a majority of the membership of each party on
23 the committee finds by clear and convincing evidence that the
24 respondent committed a violation of the standards of conduct, the
25 committee shall take the following action:

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

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

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

33 (2) If the committee determines that a violation is minor or fails
34 to determine that a violation is serious, two-thirds of the
35 membership of the committee (A) shall, if it determines that the
36 violation bears upon the exercise of a right or privilege, recommend
37 that the Committee on Rules deny or limit that right or privilege
38 and shall transmit its findings and recommendation to the
39 Committee on Rules, or (B) shall impose any lesser sanction,
40 including, but not limited to, issuing a private letter of

1 admonishment for an inadvertent, technical, or otherwise de
2 minimis violation, which shall not be considered discipline. Within
3 15 days after the imposition of a lesser sanction, the respondent
4 may appeal the sanction imposed to the Committee on Rules.

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

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

11 (B) A reprimand for a serious violation.

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

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

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

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

22 (o) (1) At all hearings, the Chief Counsel of the committee shall
23 present the case. All relevant and probative evidence shall be
24 admissible unless it is privileged. Witnesses may be called and
25 cross-examined by the committee and the respondent, and exhibits
26 and other documents may be entered into the record. The
27 respondent shall have the right to be represented by legal counsel
28 or any other person of the respondent's choosing.

29 (2) If the committee receives, at any time, any exculpatory
30 information relating to the alleged violation, the committee shall
31 make the information available to the respondent. The committee
32 and the respondent shall comply with requests for discovery
33 consistent with Sections 1054, 1054.1, and 1054.3 of the Penal
34 Code.

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

38 (q) At any time during the proceedings, the respondent may
39 admit to the commission of a violation of the standards of conduct.
40 If the respondent admits some but not all of the violations alleged

1 in the complaint or the counts set forth in the statement of alleged
2 violations, the committee shall find that the admitted violations
3 constituted a violation of the standards of conduct and may
4 continue the proceedings to determine whether the other alleged
5 violations constituted violations of the standards of conduct. If the
6 respondent admits to all alleged violations, the committee shall
7 find that the admitted violations constituted a violation of the
8 standards of conduct, terminate the preliminary inquiry or
9 disciplinary hearing, and take the action required by paragraph (1)
10 or (2) of subdivision (k).

11 (r) Meetings of the committee shall not be open to the public
12 until the committee finds that probable cause exists for believing
13 that the respondent committed a violation of the standards of
14 conduct. Subsequent meetings of the committee or Senate shall
15 be public, and notice of any meeting shall be published in the
16 Senate File for four calendar days prior to the meeting.

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

23 (t) Upon request of the respondent, the committee may permit
24 the respondent to inspect, copy, or photograph books, papers,
25 documents, photographs, or other tangible objects that relate to
26 the allegations in the complaint. If the committee finds that
27 probable cause exists for believing that the respondent committed
28 a violation of the standards of conduct, the committee shall permit
29 the respondent to inspect, copy, or photograph books, papers,
30 documents, photographs, or other tangible objects that relate to
31 the statement of alleged violations.

32 (u) (1) A Senator or officer or employee of the Senate shall not
33 directly or indirectly use or attempt to use that person's official
34 authority or influence to intimidate, threaten, coerce, command,
35 or attempt to intimidate, threaten, coerce, or command any other
36 person for the purpose of interfering with the right of the other
37 person to file a complaint with the committee, testify before, or in
38 any way cooperate with, the committee or any panel.

39 (2) For the purpose of paragraph (1), "use of official authority
40 or influence" includes promising to confer, or conferring, any

1 benefit; effecting, or threatening to effect, any reprisal; or taking,
2 or directing others to take, or recommending, processing, or
3 approving, any personnel action, including, but not limited to,
4 appointment, promotion, transfer, assignment, performance
5 evaluation, suspension, or other disciplinary action.

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

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

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

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

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General Research Committee

22 12.5. The General Research Committee is hereby created
23 pursuant to Section 11 of Article IV of the California Constitution,
24 which relates to legislative committees. The committee consists
25 of the 40 Senators, and the President pro Tempore is its chair. The
26 committee is allocated all subjects within the scope of legislative
27 regulation and control, but may not undertake any investigation
28 that another committee has been specifically requested or directed
29 to undertake. The General Research Committee may act through
30 subcommittees appointed by the President pro Tempore. Each
31 member of the General Research Committee is authorized and
32 directed to receive and investigate requests for legislative action
33 made by individuals or groups and to report thereon to the full
34 committee.

35 The committee and its members shall have and exercise all of
36 the rights, duties, and powers conferred upon investigating
37 committees and their members by the Senate Rules and the Joint
38 Rules of the Senate and Assembly. However, neither the committee
39 nor its members may issue a subpoena without the prior approval

1 of the Committee on Rules. The committee has the following
2 additional powers and duties:

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

7 (b) To cooperate with and secure the cooperation of county,
8 city, city and county, and other local law enforcement agencies in
9 investigating any matter within the scope established by this rule,
10 and to direct the sheriff of any county to serve subpoenas, orders,
11 and other process issued by the committee.

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

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

17 (e) To act during sessions of the Legislature, including any
18 recess.

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

22 The Committee on Rules may allocate, from time to time, to the
23 General Research Committee from the Senate Operating Fund
24 those sums that are necessary to permit the General Research
25 Committee and the members thereof to carry out the duties imposed
26 on them. In addition, the Committee on Rules may allocate to any
27 subcommittee from the Senate Operating Fund those sums that
28 the Committee on Rules deems necessary to complete the
29 investigation or study conferred upon that subcommittee.

30 12.6. A select committee is a subcommittee of the General
31 Research Committee. Staff providing services to a select committee
32 are Senate employees assigned by the Committee on Rules to the
33 General Research Committee.

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

37 (1) A description of the topic to be addressed by the select
38 committee and a general work plan and timetable, including
39 hearings, anticipated work product, and staffing needs and other
40 anticipated resource demands.

1 (2) A statement by the Senator proposing the select committee
2 that the Senator has discussed the Senator's plans with the chair
3 of the standing committee having jurisdiction over the subject
4 matter of the proposed select committee. The statement shall
5 describe any objections that chair has to the establishment of the
6 proposed select committee.

7 (b) A select committee may be established only by a resolution
8 adopted by the Committee on Rules that specifies the jurisdiction
9 of the select committee. In making this decision, the Committee
10 on Rules shall consider any objections to that action raised by the
11 chair of a standing committee having jurisdiction over the subject
12 matter of the proposed select committee.

13 (c) The Committee on Rules shall appoint the members of a
14 select committee. A select committee may act only with regard to
15 the particular study or investigation assigned to it by the Committee
16 on Rules.

17 (d) A select committee is terminated automatically upon the
18 adjournment of the regular session in which it is established, or at
19 an earlier time specified in the resolution. In deciding whether to
20 reestablish a select committee established in a previous regular
21 session, the Committee on Rules shall consider the extent to which
22 the select committee successfully achieved its assigned objectives.

23

24 Additional Committee on Rules Powers

25

26 12.7. In addition to other rights, duties, and powers vested in
27 the Committee on Rules, the committee and the members thereof
28 shall have and exercise all of the rights, duties, and powers of the
29 General Research Committee and the members thereof, as provided
30 in Rule 12.5, with authority to act on any subject allocated by Rule
31 12.5 to the General Research Committee.

32

33 Committee on Rules

34

35 13. (a) The Committee on Rules is charged with the general
36 responsibility for the administrative functioning of the Senate. The
37 committee has general charge of the books, documents, and other
38 papers and property of the Senate and shall see that the same are
39 properly kept, cared for, filed, or otherwise disposed of in
40 accordance with applicable law and rules. The committee also has

1 the duties of making studies and recommendations designed to
2 promote, improve, and expedite the business and procedure of the
3 Senate and its committees, including investigating committees
4 consisting wholly or in part of Members of the Senate, and of
5 proposing any amendments to the rules deemed necessary to
6 accomplish those purposes.

7 (b) The Committee on Rules shall continue in existence during
8 any recess of the Legislature until the convening of the next regular
9 session, and shall have the same powers and duties as while the
10 Senate is in session.

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

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

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

30 (2) A Senator or officer or employee of the Senate shall not
31 retaliate against an employee of the Senate for reporting
32 information to the Senate Committee on Rules, the Senate
33 Committee on Legislative Ethics, or any government or law
34 enforcement agency regarding a possible violation of the Senate
35 Standards of Conduct or any state or federal law or regulation, or
36 because the Senator, officer, or employee believes that the
37 employee reported or may report such information, if the employee
38 who reported the information reasonably believed that the
39 information disclosed a violation of the Senate Standards of
40 Conduct or any state or federal law or regulation.

1 (f) The committee shall make available and furnish to the
2 Members of the Senate, and the Senate committees, personnel
3 resources as may be reasonably necessary for the Members and
4 the committees to carry out their duties.

5 (g) The Committee on Rules constitutes the Committee on
6 Introduction of Bills and has charge of the engrossment and
7 enrollment of bills, the contingent expenses of the Senate, and
8 legislative printing, except insofar as these functions are delegated
9 to the Secretary of the Senate.

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

14 (i) Executive communication of nominations sent by the
15 Governor, or any other entity with the authority to make
16 appointments, to the Senate for confirmation shall be referred to
17 the Committee on Rules, unless otherwise ordered by the Senate,
18 without debate.

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

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

26
27
28

Expenses of Senate Committees

29 13.1. All claims for expenses incurred by investigating
30 committees of the Senate, the Secretary of the Senate, and the
31 Sergeant at Arms shall be approved by the Committee on Rules
32 or its authorized representative before the claims are presented to
33 the Controller.

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

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

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

12
13 Alteration, Repair, and Improvement to Senate
14

15 13.2. The Committee on Rules is authorized and directed to
16 incur and pay expenses of the Senate not otherwise provided for
17 as the committee determines are reasonably necessary, including
18 the repair, alteration, improvement, and equipping of the Senate
19 Chamber and the offices provided for the Senate in the State
20 Capitol.

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

28
29 Rooms and Property of Senate
30

31 13.3. The Committee on Rules is responsible for the safekeeping
32 of Senate property. The Director of General Services is directed
33 to maintain the Senate Chamber and all the committee rooms and
34 other rooms used by the Senators and officers of the Senate in a
35 condition that they will be available for the use of the Senate at
36 any time. It is further directed that no persons other than the
37 Members, officers, and employees of the Senate may occupy or
38 use the offices, committee rooms, or other rooms now occupied
39 by the Senate without permission as hereinafter provided, that the
40 desks, furniture, and other equipment of the Senate shall be at the

1 disposal of the Committee on Rules, and that no person except
2 Members of the Senate may occupy any of the Senate’s offices or
3 make use of Senate equipment without permission of the committee
4 or its authorized representative.

5

6

Inventory of Senate Property

7

8 13.4. The Committee on Rules is authorized and directed,
9 through its authorized representative, to make and maintain a
10 complete inventory of all property of the Senate, including all
11 property in the possession or control of any Senate committee.
12 The Committee on Rules has custody and control of all property
13 of the Senate and shall adopt rules or orders as it may determine
14 are necessary relating to the purchase, care, custody, and use or
15 disposal thereof.

16

17

Status of Standing Rules for Regular Session

18

19 13.5. The adoption of the Standing Rules for any special session
20 are not to be construed as modifying or rescinding the Standing
21 Rules of the Senate for a regular session.

22

23

Operating Expense Fund

24

25 13.6. The Committee on Rules is the committee identified in
26 Section 9126 of the Government Code. The balance of all money
27 in the Senate Operating Fund, including money now or hereafter
28 appropriated by the Legislature, except sums that are made
29 available specifically for purposes other than the expenses of
30 designated committees, is hereby made available to the Committee
31 on Rules for any charges or claims it may incur in carrying out the
32 duties imposed upon it by these rules or by Senate or concurrent
33 resolution.

34

35

Schedule of Committee Meetings

36

37 14. The Committee on Rules shall propose to the Senate such
38 schedules for regular meetings of the standing committees as will
39 permit all members of each committee to attend without a conflict
40 of committee engagements.

1 The committee may also propose such special committee
2 meetings or special schedules of committee meetings as will
3 facilitate the business of the Senate. Those schedules may provide
4 a special schedule of committee meetings upon certain days of the
5 week or to meet any special condition that may arise.

6
7 Powers of Standing Committees
8

9 16. Each standing committee of the Senate to which a proposed
10 law or bill is assigned has full power and authority during the
11 session of the Legislature, or any recess thereof, to make an
12 investigation and study concerning any proposed law or bill as the
13 committee shall determine necessary to enable it to properly act
14 thereon.

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

19 Each standing committee is authorized and empowered to
20 summon and subpoena witnesses, to require the production of
21 papers, books, accounts, reports, documents, records, and papers
22 of every kind and description, to issue subpoenas, and to take all
23 necessary means to compel the attendance of witnesses and to
24 procure testimony, oral and documentary. However, no committee
25 may issue a subpoena, nor may a committee require testimony
26 under oath, without the prior approval of the Committee on Rules.

27 The Sergeant at Arms, or other person designated by the Sergeant
28 at Arms or by the committee, shall serve any and all subpoenas,
29 orders, and other process that may be issued by the committee,
30 when directed to do so upon a vote of the majority of the
31 membership of the committee.

32 Each of the members of the standing committees is authorized
33 and empowered to administer oaths, and all of the provisions of
34 Chapter 4 (commencing with Section 9400) of Part 1 of Division
35 2 of Title 2 of the Government Code, relating to the attendance
36 and examination of witnesses before the Legislature and the
37 committees thereof, apply to the committees.

38 All officers of this state, including the head of each department,
39 agency, and subdivision thereof, all employees of the departments,
40 agencies, and subdivisions of the state, the Legislative Counsel,

1 and all other persons, whether connected with the state government
2 or not, shall give and furnish to these committees upon request
3 such information, records, and documents as the committees deem
4 necessary or proper for the achievement of the purposes for which
5 each standing committee was created.

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

12

13

Funerals

14

15 17.5. The Chair or Vice Chair of the Committee on Rules may
16 designate any one or more of the Members of the Senate as a Senate
17 committee to attend funerals in appropriate circumstances. The
18 Members so designated may receive expenses as provided in Joint
19 Rule 35.

20 The Chair or Vice Chair of the Committee on Rules, or any
21 Member of the Senate designated by either of these officers, may
22 incur such expense as may be necessary for the purchase on behalf
23 of the Senate of suitable floral pieces for the funeral.

24 All expenses incurred pursuant to this rule shall be paid out of
25 the money allocated from the Senate Operating Fund to the
26 Committee on Rules and disbursed, after certification by the Chair
27 or Vice Chair of the committee or by the committee's disbursing
28 officer appointed and designated therefor by the committee, upon
29 warrants drawn by the Controller upon the Treasury.

30

31

Expenditures

32

33 18. A member of a committee may not incur any expense
34 chargeable to the Senate unless authorized by resolution of the
35 Senate.

36 The Committee on Rules shall provide, by rules and regulations,
37 for the manner of authorizing expenditures by Members,
38 committees, and officers and employees of the Senate that are not
39 otherwise authorized by law, these rules, or the Joint Rules of the
40 Senate and Assembly, and for the payment of the expenditures

1 vote on any question may be amended only by a two-thirds vote
2 on one day's notice, except that a rule requiring a two-thirds vote
3 may be temporarily suspended without that notice by a two-thirds
4 vote.

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

7
8
9

Suspension of the Joint Rules

10 21.1. Pursuant to Joint Rule 33, a joint rule may not be
11 suspended by the Senate except with the concurrence of 27
12 Members unless a lower vote is prescribed by these rules or the
13 Joint Rules of the Senate and the Assembly.

14
15
16

Permission of Committee on Rules

17 21.2. Notwithstanding Rule 21 or 21.1, a Senate or Joint Rule
18 may not be suspended unless the Committee on Rules determines
19 that an extraordinary circumstance exists that justifies the
20 suspension.

21
22
23

Rules Governing Standing Committees

24 21.5. Except as otherwise provided in these rules, standing
25 committees of the Senate shall be governed as follows:

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

28 (b) The chair shall preside at meetings when present except
29 when the committee is considering a bill of which the chair is the
30 sole author or the lead author. Whenever the chair is not presiding,
31 the vice chair shall assume the duties of the chair. In the absence
32 of both, a member designated by the chair shall preside.

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

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

1 (e) A special meeting may be called by the chair, with the
2 approval of the Committee on Rules, by giving reasonable notice
3 to all members of the committee, either in writing or by telephone,
4 specifying the purpose of the meeting, the time and place thereof,
5 and the matters to be considered at the meeting. Notice of hearing
6 of bills as required by subdivision (a) of Joint Rule 62 may also
7 be given in the Daily File. A matter may not be considered at the
8 special meeting unless specified in the notice.

9 A special meeting shall be scheduled so as to permit all members
10 of the committee to attend without conflict with other scheduled
11 committee meetings.

12 (f) A majority of the membership of the committee shall
13 constitute a quorum. A vote of a majority of the membership of
14 the committee shall be required to table a bill, remove it from the
15 table, or reconsider a vote on a bill.

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

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

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

28 (j) The chair shall direct the order of presentation of the
29 arguments for and against matters for consideration by the
30 committee, and shall permit questions to be asked by members of
31 the committee in an orderly fashion and in keeping with proper
32 decorum.

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

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

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

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

11 (m) When a committee adopts proposed amendments to a bill,
12 the bill may be taken up for vote at that meeting or, if the
13 committee or author requests, sent out to print before final action.
14 If the amendments are not in proper form, they shall be prepared
15 and submitted to the chair for approval before being reported to
16 the Desk. Amendments submitted by the author that, in the opinion
17 of the committee chair, are major or substantial shall be submitted
18 to the committee at least two legislative days before the bill is
19 scheduled for hearing.

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

23 (o) The chair may appoint, with the permission of the Committee
24 on Rules, subcommittees of one or more members to consider and
25 recommend to the full committee action on matters as may be
26 assigned to the subcommittee for consideration from time to time
27 by the chair. The chair may assign and reassign members of, and
28 matters to, the various subcommittees. The recommendation of a
29 subcommittee may be accepted by a vote of a majority of the
30 members of the committee.

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

34

35 Additional Rules

36

37 21.6. Committees may adopt additional rules that are not in
38 conflict with Rule 21.5 or any other rule.

1 Reporting Measures Out of Committee

2
3 21.7. The vote of a majority of the membership of a standing
4 committee shall be required to report a bill, constitutional
5 amendment, concurrent resolution, or joint resolution out of
6 committee.

7 A vote of a majority of all members of a standing committee
8 who are present and voting shall be required to report a Senate
9 resolution out of committee.

10
11 Press Participation

12
13 21.8. Accredited press representatives may not be excluded
14 from any public legislative meeting or hearing, and may not be
15 prohibited from taking photographs of, televising, or recording the
16 committee or house hearings, subject to the following conditions:

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

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

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

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

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

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

30 However, the chair of a committee may request any person to
31 relocate or remove any object, or discontinue the use of any
32 equipment, that is situated or used in a manner so as to disrupt the
33 proceedings or to create a potential danger to, or substantially
34 obstruct the view of, members of the committee or the public.

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

INTRODUCTION AND REFERENCE OF MEASURES

Introduction, First Reading, and Reference of Measures

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

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

All joint resolutions, concurrent resolutions, and Senate resolutions shall be automatically referred to the Committee on Rules upon introduction, and may be rereferred to any other standing committee upon the vote of a majority of the membership of the Committee on Rules.

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

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

Bill Introduction Limitation

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

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

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

1 Short Title

2
3 22.6. A bill may not add a short title that names a current or
4 former Member of the Legislature.

5
6 Bills Assigning, Requesting, or Requiring Studies

7
8 22.7. Except as determined by the Committee on Rules, a bill
9 that assigns, requests, or requires a study, or is amended to assign,
10 request, or require a study, shall be rereferred to the Committee
11 on Rules.

12
13 Introduction of Bills by a Committee

14
15 23. (a) A standing committee may introduce a bill germane to
16 any subject within the proper consideration of the committee in
17 the same manner as any Member. A committee bill shall contain
18 the signatures of all of the members of the committee.

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

22
23 Bill Introduction Deadline

24
25 23.5. The Senate Desk shall remain open for the introduction
26 of bills from 9:00 a.m. to 5:00 p.m. on the days designated in
27 subdivision (a) of Joint Rule 54 as the deadlines for the introduction
28 of bills in the first and second years of the regular session.

29
30 Introduction of Bills and Resolutions at Special Sessions

31
32 24. Whenever, at any special session, a bill or resolution is
33 received at the Desk, under the order of Introduction of Bills, it
34 shall be referred to the Committee on Rules, which shall decide
35 whether or not the bill or resolution can properly be considered at
36 the session. If, in the judgment of the Committee on Rules, the bill
37 or resolution can be considered, the committee shall report the bill
38 or resolution back and designate the committee to which it shall
39 be assigned. Thereafter the bill or resolution shall be assigned a
40 number by the Secretary, read the first time, and referred to the

1 committee recommended by the Committee on Rules unless
2 otherwise referred on motion without debate.

3

4

Resolutions

5

6 24.5. A Senate concurrent resolution or Senate resolution may
7 be introduced relating to a present or former state or federal elected
8 official or a member of the official’s immediate family. Other
9 resolutions for the purpose of commendation or congratulation of
10 any person, group, or organization, or for the purpose of expressing
11 sympathy, regret, or sorrow on the death of any person, shall be
12 prepared as Rules Committee resolutions and presented to the
13 Committee on Rules for appropriate action.

14 The Committee on Rules may approve exceptions to this rule
15 for Senate resolutions. The Secretary may not accept for
16 introduction any Senate resolution that is contrary to this rule
17 unless it is accompanied by the approval of the Committee on
18 Rules.

19

20

Senate Resolutions

21

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

26

27

Bills Authored by a Former Member

28

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

1 recommendation that it be placed on second reading, except that
2 the bill first shall be referred to the Committee on Rules. Upon
3 receipt of the bill, the Committee on Rules shall either refer the
4 bill to an appropriate policy committee or order that the bill be
5 placed on second reading.

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

11

12 Measures to be Authored

13

14 28.5. Each bill, constitutional amendment, or resolution shall
15 be authored by a Member or committee of the Legislature before
16 it is considered or voted on by a committee or the Senate. Each
17 amendment to a bill, constitutional amendment, or resolution shall
18 be signed by a Member or committee of the Legislature prior to
19 adoption by the Senate. A bill may be authored only by a Member
20 or committee of the house of origin. A Member other than a
21 Member of the house of origin may be a “principal coauthor” or
22 “coauthor.”

23

24

25 Vote in Committee

26

27 28.7. Voting on the disposition of bills, constitutional
28 amendments, concurrent resolutions, and joint resolutions by
29 committees shall be by rollcall vote only. A rollcall vote shall be
30 taken on a motion to amend only if requested by any member of
31 the committee or the author of the measure. All rollcall votes taken
32 in committees shall be promptly transmitted by their respective
33 chairs to the Secretary of the Senate, who shall cause a record of
34 the rollcall votes to be printed in the Journal.

34 This rule does not apply to:

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

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

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

1 (d) The assignment of bills to committee.

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

19

20 Appropriations Committee

21

22 28.8. Any bill referred to the Committee on Appropriations
23 pursuant to Joint Rule 10.5 that does not appropriate money may
24 not be set for hearing and shall, along with any nonsubstantive
25 amendments, promptly be reported to the Senate with the
26 recommendation it be placed on second reading if the chair of the
27 committee determines that (a) any additional state costs are not
28 significant and do not and will not require the appropriation of
29 additional state funds, and (b) the bill will cause no significant
30 reduction in revenues.

31

32 State-Mandated Local Program Bills

33

34 28.9. (a) Any bill having a digest that, pursuant to Section
35 17575 of the Government Code, indicates that the bill imposes a
36 state-mandated local program on local agencies or school districts
37 shall be rereferred to the Committee on Appropriations. The bill
38 may not be rereferred to the Committee on Governance and
39 Finance.

1 (b) Any bill rereferred to the Committee on Appropriations
2 pursuant to this rule that does not appropriate money and does not
3 contain a complete disclaimer of all of the provisions of Section
4 905.2 of, and Part 7 (commencing with Section 17500) of Division
5 4 of Title 2 of, the Government Code, need not be set for hearing
6 and may, along with any nonsubstantive amendments, be reported
7 to the Senate with the recommendation that it be placed on second
8 reading if the chair of the committee determines, after consideration
9 of the analyses of local costs prepared by the Legislative Analyst
10 and the Department of Finance, that (1) any additional local costs
11 are not significant and (2) the bill will cause no significant
12 reduction in local revenues.

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

18 (c) Whenever the Assembly amends and passes a Senate bill
19 and the Senate must concur in the amendments, upon the request
20 of any Senator the bill shall be rereferred to the Committee on
21 Appropriations if, based upon the Legislative Counsel’s Digest of
22 the Assembly amendments or an analysis prepared pursuant to
23 Rule 29.8, the bill (1) imposes state-mandated local costs without
24 providing adequate reimbursement, or (2) contains a complete
25 disclaimer. The Committee on Appropriations shall make a
26 recommendation to the Senate regarding whether the Senate should
27 concur in the Assembly amendments.

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

33

34

Display Bills

35

36 28.10. A display bill shall not be heard or acted on in any
37 committee, or voted on by the Senate. For purposes of this rule,
38 “display bill” means a bill that sets forth substantive changes in
39 or additions to existing law but states in the text of the bill that its

1 provisions are set forth for display purposes only, or words of like
2 effect.

3
4 CONSIDERATION OF BILLS

5
6 Order of Making Files

7
8 29. When bills are reported from committee they shall be placed
9 upon the Daily File, to be kept by the Secretary as follows: All
10 bills when reported to the Senate by the committee shall be placed
11 at the foot of the Second Reading Senate or Assembly File, in the
12 order in which the reports are made and, after the second reading,
13 shall be placed at the foot of the Senate or Assembly Third Reading
14 File, in the order of reading. Unless otherwise ordered by the
15 Senate, the File shall be taken up in the following order: Senate
16 Second Reading File, Assembly Second Reading File, Special
17 Orders, Unfinished Business, Senate Third Reading File, and
18 Assembly Third Reading File. The bills upon the third reading
19 shall be considered in the order in which they appear upon the
20 File, unless otherwise ordered by the Senate.

21 A Senate bill returned from the Assembly for concurrence in
22 Assembly amendments may not be considered until it appears
23 under Unfinished Business on the Daily File pursuant to Joint Rule
24 26.5 and an analysis is provided to each Senator pursuant to Senate
25 Rule 29.8.

26 An inactive file shall be kept, to which bills and resolutions may
27 be transferred at the request of the author, or on motion. Bills shall
28 be so transferred when they have been passed on third reading file
29 without action three successive times. Bills and resolutions may
30 be transferred from the inactive file to the second reading file on
31 motion and, after being read the second time, the bills shall take
32 their place regularly on third reading file and be available for
33 consideration and passage.

34 Bills, resolutions, and other questions may be transferred from
35 the unfinished business file to the inactive file upon request or
36 motion and may be returned to the unfinished business file by
37 request or on motion.

38 Placement of any question on the inactive file shall not prejudice
39 the question.

Strike From File

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

Measures Amended From the Floor

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

(b) A bill, constitutional amendment, concurrent resolution, joint resolution, or Senate resolution shall not be recommended for amendment by any committee after the last day to amend bills on the floor, as specified in the legislative calendar adopted by the Senate for the 2023–24 Regular Session.

Bills Approving Memoranda of Understanding

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

Amended Forms of Measures

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

1 Conference Reports

2
3 29.6. (a) No conference committee on any bill, other than the
4 Budget Bill and the budget implementation bills, may approve any
5 substantial policy change in any bill if that substantial policy
6 change has been defeated in a policy committee of the Senate
7 during the current legislative session.

8 (b) For purposes of subdivision (d) of Joint Rule 29.5, the term
9 “heard” means that a printed bill with substantially similar language
10 was before the appropriate committee and taken up at a regular or
11 special hearing of the committee during the current legislative
12 session, or that an amendment, which was drafted and given a
13 request number or approved as to form by Legislative Counsel,
14 was before the committee and taken up at a regular or special
15 hearing of the committee.

16
17 Conference Committee Meetings

18
19 29.7. Before the adoption of a conference report by the Senate,
20 any Senator may raise a point of order and put the following
21 question to the chair of the Committee on Conference from the
22 Senate: “Did the Committee on Conference meet at a public
23 meeting attended by at least two of the Assembly Members and
24 two of the Senate Members of the Committee on Conference and
25 adopt the conference report by an affirmative rollcall vote of not
26 less than two of the Assembly Members and two of the Senate
27 Members constituting the Committee on Conference?” If the chair
28 answers this question in the negative, the conference report shall
29 be returned to the Committee on Conference and may not be further
30 considered by the Senate until the committee has met at a public
31 meeting attended by at least two of the Assembly Members and
32 two of the Senate Members of the committee, and has adopted the
33 conference report by an affirmative rollcall vote of not less than
34 two of the Assembly Members and two of the Senate Members
35 constituting the committee.

1 Analysis of Measures, Conference Reports, and Floor
2 Amendments

3
4 29.8. (a) With the exception of the Budget Bill and budget
5 implementation bills, no bill, constitutional amendment, concurrent
6 resolution, joint resolution, Senate resolution, unfinished business
7 item, or report of a conference committee may be considered unless
8 and until an analysis thereof has been prepared by the Office of
9 Senate Floor Analyses and placed upon the desks of the Senators,
10 unless otherwise ordered by the President pro Tempore.

11 (b) An amendment from the floor is not in order unless and until
12 the amendment has been reviewed by the Office of Senate Floor
13 Analyses. Upon a request by the Chair or Vice Chair of the
14 Committee on Rules, or by the lead author of the measure to which
15 a substantive amendment is proposed from the floor, an analysis
16 thereof shall be prepared by the Office of Senate Floor Analyses
17 and placed upon the desks of the Senators.

18
19 Consideration of Conference Reports

20
21 29.9. No conference report may be adopted by the Senate until
22 it has been in print for two days prior to being taken up by the
23 Senate.

24
25 Referral of Bills

26
27 29.10. (a) If the analysis, prepared in accordance with
28 subdivision (b) of Rule 29.8, of proposed floor amendments to a
29 bill, other than the Budget Bill, discloses that the amendments
30 create a new bill or rewrite the current form of the bill, upon
31 adoption of the amendments the bill shall be reprinted and referred
32 to the Committee on Rules.

33 (b) When amendments adopted pursuant to subdivision (a)
34 rewrite the bill, as specified in subdivision (e), the Committee on
35 Rules shall either refer the bill to a standing committee or hold the
36 bill. If the bill is referred to a standing committee, the standing
37 committee shall meet and act upon the bill no later than the next
38 scheduled hearing of the committee. If the bill is referred to a
39 standing committee during a time when standing committees are
40 not meeting, the standing committee shall meet and act upon the

1 bill as directed by the Committee on Rules and, in any event, within
2 two legislative days of receipt of the bill. Upon receipt of the bill,
3 the committee by a vote of a majority of the membership may do
4 any of the following: (1) hold the bill, (2) return the bill to the
5 Senate floor for consideration, or (3) rerefer the bill to fiscal
6 committee pursuant to Joint Rule 10.5.

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

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

20 (c) When amendments adopted pursuant to subdivision (a) create
21 a new bill, as specified in subdivision (f), the bill shall be referred
22 to the Committee on Rules. The Committee on Rules, by a vote
23 of a majority of its membership may either (1) hold the bill, or (2)
24 refer the bill to the appropriate standing committee subject to all
25 of the time and other limitations provided in these rules and the
26 Joint Rules for the hearing and passage of bills.

27 (d) If the analysis, prepared in accordance with subdivision (a)
28 of Rule 29.8, of a bill, other than the Budget Bill, that is returned
29 to the Senate for a vote on concurrence discloses that the Assembly
30 amendments create a new bill or rewrite the bill as passed by the
31 Senate, the bill shall be referred to the Committee on Rules. The
32 Committee on Rules by a vote of a majority of its membership
33 may either (1) refer the bill to an appropriate standing committee,
34 (2) recommend that the bill be taken up for consideration of the
35 Assembly amendments, or (3) hold the bill.

36 If the bill is referred to a standing committee, the committee
37 shall meet and act upon the bill no later than the next scheduled
38 hearing of the committee. If the bill is referred to a standing
39 committee during a time when standing committees are not
40 meeting, the standing committee shall meet and act upon the bill

1 as directed by the Committee on Rules and, in any event, within
2 two legislative days of receipt of the bill. Upon receipt of the bill,
3 the standing committee by a majority vote of the membership may
4 either (1) hold the bill, or (2) return the bill to the Senate floor for
5 consideration of the bill as amended in the Assembly.

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

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

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

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

27

28

Special Order

29

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

34

35

Messages From the Governor or Assembly

36

37 31. Messages from the Governor or from the Assembly may
38 be introduced at any stage of business except while a question is
39 being put, while the ayes and noes are being called, or while a
40 Senator is addressing the Senate.

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

4
5 Engrossing Measures
6

7 32. All Senate bills, constitutional amendments, and joint and
8 concurrent resolutions shall be engrossed after each amendment
9 and before final action is taken on them in the Senate. Engrossment
10 shall consist of comparing the printed engrossed measure with the
11 original measure introduced and any amendments adopted to
12 ascertain that it is correct, and making necessary technical
13 corrections. When a measure is reported correctly engrossed it
14 shall be substituted for the original measure.

15
16 Enrolling Measures
17

18 33. All Senate measures shall be enrolled immediately following
19 their final passage and receipt from the Assembly. An enrolled
20 copy of every bill, constitutional amendment, or resolution shall
21 be printed and examined to ascertain that it is a true and accurate
22 copy of the measure as it was passed. It shall then be authenticated
23 by the signature of the Secretary of the Senate or a designee, and
24 the Chief Clerk of the Assembly or a designee, and transmitted to
25 the Governor or Secretary of State, as the case may be.

26
27 DEBATE
28

29 Statement of Motion
30

31 34. A motion may not be debated until it is distinctly announced
32 by the Presiding Officer, and it shall be reduced to writing if
33 desired by any Senator, and read by the Secretary, before it is
34 debated.

35
36 Regulations as to Speaking
37

38 35. (a) When a Senator desires to address the Senate, the
39 Senator shall rise at the Senator's desk, address the Presiding
40 Officer, and, when recognized, proceed to speak through the public

1 address system. When speaking, the Senator shall confine the
2 Senator's remarks to the question before the house. A Senator who
3 has not been recognized by the Presiding Officer shall not address
4 the body.

5 (b) A Senator may not speak more than twice in any one debate
6 on the same day, and at the same stage of the bill, without leave;
7 Senators who have once spoken are not again entitled to the floor
8 (except for explanation) so long as any Senator who has not spoken
9 desires to speak. During the five days prior to the deadline for each
10 house to pass bills introduced in that house and the five days prior
11 to the last day for each house to pass bills, limits may be adopted
12 to expedite the completion of the Senate's business by limiting the
13 number of speakers per measure, amendment, or debatable motion
14 and the time allotted to each speaker as long as these limits are
15 applied equally to speakers in support and in opposition.

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

19 (d) A Senator may not be interrupted when speaking, and no
20 question may be asked of the Senator except through the Presiding
21 Officer.

22 (e) The author or floor manager of a bill, motion, or resolution
23 shall have the privilege of closing the debate, and may elect to
24 answer questions raised in the debate during the author's or floor
25 manager's closing.

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Order in Debate

29 36. When a Senator is called to order, the Senator shall sit down
30 until the Presiding Officer has determined whether or not the
31 Senator is in order. Every question of order shall be decided by
32 the Presiding Officer, subject to an appeal to the Senate by any
33 Senator. If a Senator is called to order for words spoken, the
34 objectionable language shall immediately be taken down in writing
35 by the Secretary of the Senate.

36
37
38

Right to Address the Senate

39 37. A person other than a Member of the Senate may not
40 address the Senate while it is in session, except that the Senate

1 may resolve itself into a Committee of the Whole and, while sitting
2 as a Committee of the Whole, may be addressed by persons other
3 than Members.

4
5 QUESTIONS AND MOTIONS

6
7 Amendments to Measures

8
9 38. When amendments to a measure are reported by a
10 committee or offered from the floor, the amendments shall be
11 submitted in writing.

12 Adoption of amendments to any measure in the Senate prior to
13 third reading, other than by rollcall, shall not preclude subsequent
14 consideration, in committee or on the third reading of the measure,
15 of the amendments or any part thereof by the Senate.

16
17 Amendments to Be Germane

18
19 38.5. Every amendment proposed must be germane. In order
20 to be germane, an amendment must relate to the same subject as
21 the original bill, resolution, or other question under consideration.

22 A point of order may be raised that the proposed amendment or
23 an amendment now in the bill, resolution, or other question under
24 consideration is not germane, so long as the question is within
25 control of the body. In that case the President pro Tempore shall
26 decide whether the point of order is well taken. In the absence of
27 the President pro Tempore, the Vice Chair of the Committee on
28 Rules shall decide whether the point of order is well taken. If, in
29 the opinion of the President pro Tempore or the Vice Chair of the
30 Committee on Rules, the point of order is well taken, the question
31 of germaneness shall upon the motion of the President pro Tempore
32 or the Vice Chair of the Committee on Rules be referred to the
33 Committee on Rules for determination. The Committee on Rules
34 shall make its determination by the following legislative day. If
35 the point of order is raised and referral is made on the last
36 legislative day preceding a joint recess, the Committee on Rules
37 shall make its determination before adjourning for the recess.

38 The proposition shall remain on file until the determination is
39 made. If, upon consideration of the matter, the Committee on Rules
40 determines that the amendment is not germane, the bill, resolution,

1 or other question shall be stricken from the file and may not be
2 acted upon during the remainder of the session, provided that the
3 author of a bill, resolution, or other question shall be given the
4 opportunity to amend the bill, resolution, or other question to delete
5 the portions that are not germane, in which case the bill, resolution,
6 or other question may continue to be acted upon. If the Committee
7 on Rules determines that the amendment is germane, the bill,
8 resolution, or other question may thereafter be acted upon by the
9 house.

10 Notwithstanding Rule 21, this rule may not be suspended unless
11 the Committee on Rules determines that an extraordinary
12 circumstance and overwhelming public interest exist that justify
13 the suspension.

14

15 Amendments From the Floor

16

17 38.6. Amendments to a bill, constitutional amendment,
18 concurrent resolution, joint resolution, or Senate resolution offered
19 from the floor, except committee amendments reported with
20 measures or amendments offered with a motion to amend and
21 rerefer to committee, are not in order unless and until a copy of
22 the proposed amendments provided by the author has been placed
23 upon the desks of the Members.

24

25 Motion to Lay on the Table

26

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

29

30 Division of a Question

31

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

34

35 The Previous Question

36

37 41. The previous question shall be put in the following form:
38 “Shall the question be now put?” It shall require a majority vote
39 of the Senators present, and its effect shall be to put an end to all
40 the debate except that the author of the bill or the amendment shall

1 have the right to close, and the question under discussion shall
2 thereupon be immediately put to a vote.

3

4

Call of the Senate

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

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

30 A recess may not be taken during a call of the Senate. During
31 any call, the call may be made to apply also to other items of
32 business by a motion made and adopted by a majority vote of the
33 Members present. Under those circumstances, when the call of the
34 Senate is dispensed with as to any item of business, the call is
35 deemed to be continued in effect until other items of business that
36 have been made subject to the call by a majority of the Members
37 present have been acted upon. When a call of the Senate is ordered,
38 pending the announcement of the vote upon the completion of a
39 rollcall, the pending rollcall shall become unfinished business, the
40 consideration of which shall be continued until further proceedings

1 under the call of the Senate are dispensed with, when it will
2 forthwith become the order of business before the Senate.

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

4

5

Reconsideration

6

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

10 The motion may be considered on the day made or on the
11 succeeding legislative day, but may not be further postponed
12 without the concurrence of 30 Members.

13 A vote by which a bill was passed may not be reconsidered on
14 the last legislative day preceding the interim study joint recess or
15 the final recess, and a vote by which the bill was passed may not
16 be reconsidered on a Senate bill introduced during the first year
17 of the biennium of the legislative session on January 31, or on the
18 last legislative day immediately preceding January 31, of an
19 even-numbered year.

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

28 A demand to reconsider the vote on any debatable question opens
29 the main question to debate, and the vote on the reconsideration
30 shall be on the merits of the main question.

31

32

VOTING BY SENATE

33

34

Rescinding

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36 43.5. An action whereby a bill has been passed or defeated may
37 not be rescinded without the concurrence of 27 Members.

Voting on Rollcall

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

7 The names of Members shall be called alphabetically.

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

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

25
26 Excused From Voting

27
28 45. When a Senator declines or fails to vote on call of the
29 Senator’s name, the Senator may, after completion of the rollcall
30 and before the announcement of the vote, be required to assign the
31 reasons therefor and, the Senator having assigned them, the
32 Presiding Officer shall submit the question to the Senate: “Shall
33 the Senator, for the reasons assigned by the Senator, be excused
34 from voting?” which question shall be decided without debate.
35 Unless the Senator is excused from voting, the Senator shall be
36 required to vote.

Voting by Presiding Senator

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

Vote Required

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

The following actions require 35 votes:

(1) To pass a bill amending specified provisions of the Protect App-Based Drivers and Services Act (Prop. 22, Nov. 3, 2020; Sec. 7465, Bus. & Prof. C.).

The following actions require 32 votes:

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

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

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

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

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

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

The following actions require 30 votes:

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

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

- 1 (10) To pass a bill amending the Death Penalty Reform and
2 Savings Act of 2016 (Sec. 20, Prop. 66, Nov. 8, 2016).
- 3 The following actions require 28 votes:
- 4 (11) To pass a bill amending the statutory provisions, other than
5 the bond provisions, of the California Stem Cell Research and
6 Cures Act (Sec. 8, Prop. 71, Nov. 2, 2004).
- 7 (12) To pass a bill amending the statutory provisions of the
8 Victims' Bill of Rights Act (Sec. 9, Prop. 9, Nov. 4, 2008).
- 9 (13) To pass a bill amending the statutory provisions, other than
10 the bond provisions, of the California Stem Cell Research,
11 Treatments, and Cures Initiative of 2020 (Sec. 26, Prop. 14, Nov.
12 3, 2020).
- 13 The following actions require 27 votes:
- 14 (14) To pass an urgency clause and urgency statute
15 (Constitution, Art. IV, Sec. 8(d)).
- 16 (15) To dispense with the constitutional provision requiring the
17 reading of bills on three several days (Constitution, Art. IV, Sec.
18 8(b)(1)).
- 19 (16) To waive the 72-hour notice period for a bill if the Governor
20 has submitted to the Legislature a written statement that dispensing
21 with the notice period for that bill is necessary to address a state
22 of emergency (Constitution, Art. IV, Sec. 8(b)(2)).
- 23 (17) To pass a bill over the Governor's veto (Constitution, Art.
24 IV, Sec. 10).
- 25 (18) To prescribe compensation and reimbursement for travel
26 and living expenses of the Members of the Legislature
27 (Constitution, Art. IV, Sec. 4).
- 28 (19) To propose an amendment to or revision of the Constitution
29 (Constitution, Art. XVIII, Secs. 1, 2).
- 30 (20) To amend or withdraw a proposed legislative constitutional
31 amendment or revision (Constitution, Art. XVIII, Sec. 1).
- 32 (21) To classify or exempt personal property for property
33 taxation purposes (Constitution, Art. XIII, Sec. 2).
- 34 (22) To permit an exemption of real property from taxation
35 (Constitution, Art. XIII, Sec. 7).
- 36 (23) To remove a member of the Public Utilities Commission
37 (Constitution, Art. XII, Sec. 1).
- 38 (24) To reconsider the vote by which a concurrent resolution
39 proposing a constitutional amendment is defeated.

- 1 (25) To rescind the action whereby a bill has been passed or
- 2 defeated.
- 3 (26) To suspend the rule against lobbying in the Senate
- 4 Chamber.
- 5 (27) To concur in Assembly amendments to, or adopt a report
- 6 of a committee on conference concerning, a constitutional
- 7 amendment or bill that requires 27 votes for passage.
- 8 (28) To concur in Assembly amendments to, or adopt a report
- 9 of a committee on conference concerning, a Senate bill that
- 10 contains an item or items of appropriation subject to Section 12(d)
- 11 of Article IV of the Constitution.
- 12 (29) To amend an initiative statute that permits that action and
- 13 requires 27 votes for passage.
- 14 The following action requires 22 votes:
- 15 (30) To pass a bill amending the Safety for All Act of 2016
- 16 (Sec. 13, Prop. 63, Nov. 8, 2016).
- 17 The following actions require 21 votes:
- 18 (31) To adopt, amend, or suspend the rules, except as provided
- 19 in Rule 21.
- 20 (32) To pass a bill, unless under other rules a greater vote is
- 21 required (Constitution, Art. IV, Sec. 8(b)).
- 22 (33) To adopt a joint or concurrent resolution.
- 23 (34) To reconsider a bill, or a joint or concurrent resolution.
- 24 (35) To confirm an appointment by the Governor, unless a
- 25 greater vote is required by statute, or to reconsider the same.
- 26 (36) To recall a bill from committee.
- 27 (37) To concur in Assembly amendments to, or adopt a report
- 28 of a committee on conference concerning, a joint or concurrent
- 29 resolution or bill that requires 21 votes for passage.
- 30 (38) To change a rate of bank and corporation taxation, or tax
- 31 on insurers, for state purposes (Constitution, Art. XIII, Secs. 27,
- 32 28).
- 33 (39) To strike from file.
- 34 (40) To adopt a resolution that does not favor a Governor's
- 35 Reorganization Plan (Sec. 12080.5, Gov. Code).
- 36 Actions requiring 14 votes:
- 37 (41) To reconsider a vote by which a concurrent resolution
- 38 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

1
2
3 52. It shall be the duty of the Secretary of the Senate, and the
4 Secretary of the Senate is hereby directed, to order for the Senate
5 the necessary printing, including stationery for the Members, and
6 to audit and approve all bills for printing to be charged to the
7 Senate. The Secretary of the Senate shall order from the Office of
8 State Publishing the number of copies of bills, Journals, Histories,
9 Files, forms, and other printing as shall be necessary.

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

13
14 Printing Only on Written Orders; Rush Orders

15
16 53. The Office of State Publishing may not charge any printing
17 or other work to the Senate except as required by law unless the
18 Office of State Publishing has a written order from the Secretary
19 of the Senate prior to beginning the printing or other work. All
20 printing orders by the Secretary of the Senate shall be delivered
21 as directed by the Secretary of the Senate. The Secretary of the
22 Senate may, when necessity requires it, order from the Office of
23 State Publishing the printing that the Secretary of the Senate deems
24 necessary to be printed in advance of the regular order of business,
25 under a specially prepared written order to be known as a "Rush
26 Order."

27
28 THE SENATE CHAMBER

29
30 Admission to the Senate Chamber

31
32 55. (a) Persons who are not Members, officers, or employees
33 of the Senate may be admitted to the Senate Chamber only as
34 follows:

- 35 1. The Members, officers, and assistant clerks of the Assembly.
- 36 2. The Legislative Counsel or the Legislative Counsel's
- 37 representatives.
- 38 3. The accredited press, radio, and television representatives.
- 39 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, including
18 Room 215 of the Capitol.

19 (f) The Floor of the Senate is all of the Senate Chamber.

20 (g) Notwithstanding any other provision of this rule, any person
21 may be admitted to Room 215 to attend a meeting of a Senate,
22 Assembly, joint, or conference committee.

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

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

31

32

Procedures During Emergencies

33

34 56. (a) This rule applies only during an emergency. For
35 purposes of this rule, "emergency" means a state of emergency or
36 a local emergency, as those terms are defined in Section 8558 of
37 the Government Code, or an imminent threat of a state of
38 emergency or local emergency.

39 (b) The President pro Tempore or the President pro Tempore's
40 designee may assign, remove, and replace any member of a

1 standing, joint, or special committee or subcommittee during an
2 emergency. The President pro Tempore may also establish, define
3 the jurisdiction of, and appoint members and staff to any special
4 committee that the President pro Tempore deems necessary.

5 (c) (1) During an emergency, the President pro Tempore or the
6 President pro Tempore's designee may authorize a standing, joint,
7 or special committee or subcommittee to conduct a meeting in
8 which one or more members of the committee participate remotely
9 by telephone, teleconference, videoconference, or other electronic
10 means. The public may also participate remotely in the meeting
11 by any means made available by the committee.

12 (2) During an emergency, the President pro Tempore may
13 determine that Senators who are participating remotely can be
14 considered present for purposes of determining if a quorum is
15 present.

16 (3) With a quorum present, a vote of a majority of the members
17 of a committee shall be required to report a bill, constitutional
18 amendment, or resolution out of the committee.

19 (d) (1) During an emergency, the President pro Tempore or the
20 President pro Tempore's designee may authorize a meeting of the
21 Senate to be conducted at which one or more Senators participate
22 in the meeting remotely by telephone, teleconference,
23 videoconference or other electronic means.

24 (2) During an emergency, the President pro Tempore may
25 determine that Senators who are participating remotely can be
26 considered present for purposes of determining if a quorum is
27 present.

28 (3) When a Senator participating remotely desires to address
29 the Senate, the Senator shall notify the Presiding Officer through
30 the electronic means used by the Senator to participate remotely.
31 When recognized, the Presiding Officer shall announce the Senator
32 and the Senator may speak through the same electronic means.

33 (e) To the extent practicable, a Senator who requests to
34 participate or vote remotely must submit a request to the Secretary
35 of the Senate and obtain approval from the Secretary prior to
36 participating or voting remotely.

37 (f) To the extent practicable, a Senator participating remotely
38 under this rule shall participate from the Senator's district office
39 with the office background visible without video alteration.

1 (g) A Senator participating remotely by electronic means who
2 has been authorized to vote remotely may vote during a rollcall
3 vote. The Senator must be visible and audible through the
4 electronic means used for remote participation at the time the
5 Senator casts a vote. The Secretary of the Senate shall prepare a
6 certification of votes cast remotely which shall be signed by the
7 Senator voting remotely to certify the Senator's vote.

8 (h) During an emergency, no Senator other than the author or
9 floor manager may be allowed to speak more than three minutes
10 on any measure, amendment, or debatable motion. The author or
11 floor manager may speak for a total of five minutes, which shall
12 include the author's or floor manager's opening and closing
13 statements. Questions asked of the author or floor manager by any
14 Senator shall be charged to that Senator's allotted time.

15 (i) During an emergency, the Committee on Rules may adopt
16 limits on the number of bills each Senator and Member of the
17 Assembly may have heard by the Senate during the emergency.

18 (j) During an emergency, the President pro Tempore may adopt
19 additional policies and protocols to protect the health and safety
20 of Senators, staff, and the public.