

House Resolution

No. 1

Introduced by Assembly Member Pacheco

December 2, 2024

House Resolution No. 1—Relative to the Standing Rules of the Assembly for the 2025–26 Regular Session.

Resolved by the Assembly of the State of California, That the following Rules be, and the same are hereby, adopted as the Standing Rules of the Assembly for the 2025–26 Regular Session; and be it further

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

STANDING RULES OF THE ASSEMBLY

2025–26 REGULAR SESSION

I. LEGISLATIVE ORGANIZATION

Assembly General Officers

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

(1) Speaker

(2) Speaker pro Tempore

Assistant Speaker pro Tempore

Majority Leader

Republican Leader

(3) Chief Clerk

Sergeant at Arms

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

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

4
5 Hours of Meeting
6

7 2. The Speaker, or, in the Speaker's absence, the Speaker pro
8 Tempore, shall determine the time for convening the session, unless
9 otherwise ordered by a majority vote of the Members present and
10 voting.

11
12 Speaker to Call Assembly to Order
13

14 3. The Speaker, or, in the Speaker's absence, the Speaker pro
15 Tempore, shall, at the hour appointed for meeting, call the
16 Assembly to order.

17
18 Rollcall and Quorum
19

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

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

25 (2) The presiding officer shall announce the names of all
26 Members who will be absent from that day's session and the reason
27 for their absence.

28
29 Organization of Assembly
30

31 5. For the purposes of the organization of any regular session
32 of the Assembly pursuant to Section 9023 of the Government
33 Code, the person who was the Speaker when the previous regular
34 session adjourned sine die, if that person is reelected to the
35 Assembly, shall be deemed to be the senior member elect.

36
37 II. RULES

Adoption of Standing Rules

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

Suspension of Rules

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

Amending Standing Rules

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

Mason's Manual

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

III. ORGANIZATION OF COMMITTEES

Standing Committees

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

Aging and Long-Term Care

Agriculture

Appropriations

1 Arts, Entertainment, Sports, and Tourism
2 Banking and Finance
3 Budget
4 Business and Professions
5 Communications and Conveyance
6 Economic Development, Growth, and Household Impact
7 Education
8 Elections
9 Emergency Management
10 Environmental Safety and Toxic Materials
11 Governmental Organization
12 Health
13 Higher Education
14 Housing and Community Development
15 Human Services
16 Insurance
17 Judiciary
18 Labor and Employment
19 Local Government
20 Military and Veterans Affairs
21 Natural Resources
22 Privacy and Consumer Protection
23 Public Employment and Retirement
24 Public Safety
25 Revenue and Taxation
26 Rules
27 Transportation
28 Utilities and Energy
29 Water, Parks, and Wildlife
30

31 Open Meetings
32

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10
11 Conference Committee Meetings
12

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

16
17 Assembly Investigating Committees
18

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

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

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

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

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

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

12 13 Membership of Standing Committees

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

20 21 Committee on Rules

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

30 31 Organization of Party Caucuses

32
33 13.1. Subject to the discretion of the Speaker and the leader of
34 the caucus of the political party having the second greatest number
35 of Members, after the general election held in November of each
36 even-numbered year, the respective caucuses each may meet for
37 the purpose of selecting their officers for the next regular session.
38 The date and time of the convening of the respective party caucus
39 meetings shall be at the discretion of the Speaker and the leader
40 of the caucus of the political party having the second greatest

1 number of Members. The rules and procedures of each caucus
2 shall be determined by that caucus, but may not be inconsistent
3 with these rules.

4
5 Powers of the Committee on Rules
6

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

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

10 (2) To appoint all employees of the Assembly not otherwise
11 provided for by statute. It has authority to terminate, to discipline,
12 to establish, and to modify the terms and conditions of employment
13 of, or to suspend, with or without pay, any employee of the
14 Assembly, the Chief Clerk, and the Sergeant at Arms.

15 (3) To make studies and recommendations designed to promote,
16 improve, and expedite the business and procedure of the Assembly
17 and of the committees thereof, and to propose any amendments to
18 the Rules deemed necessary to accomplish these purposes.

19 (4) To adopt additional policies or requirements regarding the
20 use of cameras and other recording equipment at committee
21 hearings or Assembly Floor sessions.

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

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

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

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

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

(10) To make available to and furnish to the Assembly, and to Assembly investigating committees created at this session and to each of the members thereof, clerical, secretarial, and stenographic help as may be reasonably necessary for the Assembly to carry out its work, and for the committees and each of the members thereof, to make and carry on the studies and investigations required by or of them by the resolutions creating the committees, and for these purposes to employ additional stenographic and secretarial assistants as may be necessary, assign, reassign, and discharge these assistants and prescribe amounts, times, and methods of payment of their compensation. The committee shall allocate annually an amount for the operation of each investigating committee, which shall constitute the annual budget of the committee.

(b) During the times as the Assembly is not in session, the committee is authorized and directed to incur and pay expenses of the Assembly not otherwise provided for that the committee determines are reasonably necessary, including the repair, alteration, improvement, and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol, the Capitol Annex, and the State Office Building located at 1021 “O” Street, Sacramento, California.

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

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

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

(f) The Committee on Rules may adopt additional rules, procedures, policies, or guidelines by a majority vote of the

1 membership of the committee to implement Sections 7 and 8 of
2 Article IV of the California Constitution.

3
4 Subcommittee on Harassment, Discrimination, and Retaliation
5 Prevention and Response
6

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

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

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

32
33 Committee on Rules
34

35 15. The Committee on Rules shall continue in existence during
36 any recess of the Legislature and after final adjournment and until
37 the convening of the next regular session, and shall have the same
38 powers and duties as while the Assembly is in session. In dealing
39 with any matter within its jurisdiction, the committee and its
40 members have and may exercise all of the rights, duties, and

1 powers conferred upon investigating committees and their members
2 by the Joint Rules of the Senate and Assembly as they are adopted
3 and amended from time to time, which rules are incorporated herein
4 and made applicable to the Committee on Rules and its members.

5 6 Operating Fund Report

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

11 12 Independent Audit of Operating Funds

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

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

26 27 Performance Audit

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

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

3
4 Rules Committee Resolutions
5

6 16. The Committee on Rules, acting unanimously by
7 appropriate resolution, on behalf of and in the name of the
8 Assembly, may extend congratulations, commendations, sympathy,
9 or regret to any person, group, or organization, and may authorize
10 the presentation of suitably prepared copies of these resolutions
11 to the persons concerned and to their relatives.
12

13 Assembly Operating Fund
14

15 17. The Committee on Rules is the committee identified in
16 Section 9127 of the Government Code. The balance of all money
17 in the Assembly Operating Fund, including money now or hereafter
18 appropriated, except the sums that are made available specifically
19 for the expense of designated committees or for other purposes,
20 is hereby made available to the Committee on Rules for any
21 charges or claims it may incur in carrying out the duties imposed
22 upon it by these rules or by Assembly or concurrent resolution.
23 The money made available by this rule includes the unencumbered
24 balances of all sums heretofore made available to any Assembly
25 or joint committee by the Assembly, upon the expiration of that
26 committee, and shall be expended as provided in these rules.
27

28 Expenditures
29

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

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

1 supplies and equipment, shall be governed by competitive bidding.
2 Further, the rules and regulations shall provide for the payment of
3 expenditures, as authorized by these rules and regulations, from
4 the Assembly Operating Fund upon certification of claims therefor
5 to the Controller by the Committee on Rules or its authorized
6 representative.

7 A Member may not be reimbursed for travel outside the State
8 of California without prior approval of the Speaker or the
9 Committee on Rules.

10 Rules and Regulations Governing Committees

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

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

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

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

30 These rules may provide for allowances to committee employees
31 in lieu of actual expenses.

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

39 Copies of all rules and regulations adopted pursuant to this rule
40 shall be distributed to the chairperson of every investigating

1 committee and of any other Assembly committee that has
2 employees.

3
4 Fees for Witnesses

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

9
10 Assembly General Research Committee

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

1 Assembly, and the committee is authorized to act both during and
2 between sessions of the Legislature, including any recess.

3 (b) The committee and its members shall have and exercise all
4 the rights, duties, and powers conferred upon investigating
5 committees and their members by the Joint Rules of the Senate
6 and Assembly and the Standing Rules of the Assembly as they are
7 adopted and amended from time to time at this session, which
8 provisions are incorporated herein and made applicable to the
9 committee and its members.

10 (c) The committee has the following additional powers and
11 duties:

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

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

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

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

26 Assembly Legislative Ethics Committee

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

1 made from a list of nominees that the Republican Leader provides
2 to the Speaker. The Speaker shall designate one member of the
3 committee from the political party having the greatest number of
4 Members in the Assembly and one member of the committee from
5 the political party having the second greatest number of Members
6 to serve as co-chairpersons of the committee. The Speaker shall
7 designate one of the co-chairpersons to serve as the presiding
8 officer at any meeting or hearing conducted by the committee.

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

14 (b) The provisions of this rule, and of Rule 11.5 related to
15 investigating committees, apply to the committee and govern its
16 proceedings.

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

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

25 (d) (1) The committee has the power, pursuant to this rule and
26 Article 3 (commencing with Section 8940) of Chapter 1 of Part 1
27 of Division 2 of Title 2 of the Government Code, to investigate
28 and make findings and recommendations concerning violations
29 by Members of the Assembly of any provision of Article 2
30 (commencing with Section 8920) of Chapter 1 of Part 1 of Division
31 2 of Title 2 of the Government Code or of any other provision of
32 law or legislative rule that governs the official conduct of Members
33 of the Assembly, hereafter collectively referred to as “standards
34 of conduct.”

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

38 (e) Any person may file with the committee a verified complaint
39 in writing, which shall state the name of the Member of the
40 Assembly alleged to have violated any standard of conduct, and

1 which shall set forth the particulars thereof with sufficient clarity
2 and detail to enable the committee to make a determination. The
3 person filing the complaint thereafter shall be designated the
4 complainant.

5 If a verified complaint is filed with the committee, the committee
6 promptly shall send a copy of the complaint to the Member of the
7 Assembly alleged to have committed the violation complained of,
8 who thereafter shall be designated the respondent.

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

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

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

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

36 (ii) If the committee determines that the verified complaint does
37 allege facts, directly or upon information and belief, sufficient to
38 constitute a violation of any standard of conduct, the committee
39 promptly shall investigate the alleged violation and if, after this
40 preliminary investigation, the committee finds that reasonable

1 cause exists for believing the allegations of the complaint, it shall
2 fix a time for a hearing in the matter, which shall be not more than
3 30 days after that finding. The committee may, however, seek an
4 extension of this period, not to exceed an additional 30 days, which
5 may be granted by a majority vote of the Committee on Rules. If,
6 after preliminary investigation, the committee does not find that
7 reasonable cause exists for believing the allegations of the
8 complaint, the committee shall dismiss the complaint. In either
9 event, the committee shall notify the complainant and the
10 respondent of its determination.

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

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

30 (6) Any deliberations of the committee from the time of receipt
31 of a complaint until it decides to dismiss the complaint or to set a
32 hearing shall not be open to the public unless the respondent
33 requests a public meeting.

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

37 (h) If a hearing is held pursuant to subdivision (f), the
38 committee, before the hearing has commenced, shall issue
39 subpoenas and subpoenas duces tecum at the request of any party
40 in accordance with Chapter 4 (commencing with Section 9400) of

1 Part 1 of Division 2 of Title 2 of the Government Code. All of the
2 provisions of that chapter, except Section 9410 of the Government
3 Code, shall apply to the committee and the witnesses before it.

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

5 (1) Oral evidence shall be taken on oath or affirmation.

6 (2) Each party shall have these rights: to be represented by legal
7 counsel; to call and examine witnesses; to introduce exhibits; and
8 to cross-examine opposing witnesses.

9 (3) The hearing shall be open to the public.

10 (j) Any official or other person whose name is mentioned at any
11 investigation or hearing of the committee, and who believes that
12 testimony has been given that adversely affects the official or other
13 person, shall have the right to testify or, at the discretion of the
14 committee, to testify under oath relating solely to the material
15 relevant to the testimony regarding which the official or other
16 person complains.

17 (k) The committee shall have 15 days following the hearing
18 within which to deliberate and reach its final determination on the
19 matter as follows:

20 (1) If the committee finds that the respondent has not violated
21 any standard of conduct, it shall order the action dismissed, shall
22 notify the respondent and complainant thereof, and, in cases
23 concerning an alleged violation of Article 2 (commencing with
24 Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the
25 Government Code, shall transmit a copy of the complaint and the
26 fact of dismissal to the appropriate law enforcement agency. The
27 complaint and the fact of dismissal transmitted pursuant to this
28 paragraph are public records and open to public inspection.

29 (2) If the committee finds that the respondent has violated any
30 standard of conduct, it shall state its findings of fact and submit a
31 report thereon to the Assembly. This report shall be accompanied
32 by a house resolution, authored by the committee, which shall be
33 introduced at the Chief Clerk's desk and then referred by the
34 Committee on Rules to the Ethics Committee. The house resolution
35 shall include a statement of the committee's findings and the
36 committee's recommendation for disciplinary action. Within seven
37 days, the committee shall adopt the final form of the house
38 resolution and report it to the Assembly for placement on the Daily
39 File. The committee also shall send a copy of those findings and
40 report to the complainant and respondent, and, in cases concerning

1 an alleged violation of Article 2 (commencing with Section 8920)
2 of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government
3 Code, shall report thereon to the appropriate law enforcement
4 agency. The report submitted pursuant to this paragraph is a public
5 record and open to public inspection.

6 After the receipt of a copy of the committee's final report and
7 house resolution, the Assembly expeditiously shall take appropriate
8 action with respect to the respondent.

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

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

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

(o) The committee may render advisory opinions to Members of the Assembly with respect to the standards of conduct and their application and construction. The committee may secure an opinion from the Legislative Counsel for this purpose or issue its own opinion. Any committee advisory opinion shall be prepared by committee members or staff and shall be adopted by the committee pursuant to subdivision (n).

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

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

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

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

Printing of Committee Reports

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

Assembly Employees

24. Every employee who works for a committee of the Assembly or a subcommittee of a committee, for a Member of the Assembly, for the Chief Clerk's office, or for the Sergeant at Arms, is an employee of the Assembly. All employees of the Assembly serve at the pleasure of the Assembly and the terms and conditions of their employment may be modified, or their employment may

1 be terminated at will, at any time and without notice, by the
2 Committee on Rules.

3 Every applicant for employment by the Assembly shall prepare
4 a formal application for employment on forms prescribed by the
5 Committee on Rules. The application shall include a statement of
6 the applicant's present employment, the applicant's employment
7 during the preceding two years, and other pertinent information
8 that the Committee on Rules may require. The application shall
9 be certified under penalty of perjury, and any willful false statement
10 or omission of a material fact shall be punishable as perjury. If the
11 application discloses any fact that indicates that the applicant has
12 a personal interest that would conflict with the faithful performance
13 of the applicant's duties, the applicant shall not be employed. All
14 applications shall be retained in the records of the committee.

15 Every employee shall complete the Assembly ethics course in
16 the first six months of the employee's employment. Thereafter,
17 every employee shall take the course in the first six months of
18 every legislative session.

19 Every employee shall, within the first six months of every
20 legislative session, take a course on harassment, discrimination,
21 and retaliation prevention. The content of the course shall be
22 determined by the Committee on Rules and shall include the
23 Legislature's Policy on Appropriate Workplace Conduct: Creating
24 a Culture of Respect, Civility, and Diversity.

25 An employee may not engage in any outside business activity
26 or outside employment that is inconsistent, incompatible, or in
27 conflict with the employee's functions or responsibilities as an
28 employee of the Assembly. Any employee who engages in any
29 outside business activity or employment that is in any way related
30 to the employee's functions or responsibilities as an employee
31 shall promptly notify the Committee on Rules of that business
32 activity or employment.

33 34 Public Legislative Meetings 35

36 25. (a) Accredited press representatives and the public shall
37 not be excluded from any public legislative meeting or hearing
38 and shall not be prohibited from taking photographs of, televising,
39 or recording the committee or house hearings.

(b) The Committee on Rules shall adopt reasonable rules regarding access to public legislative meeting and hearing spaces, including the placement and use of equipment for recording or broadcasting, to minimize disruption of the proceedings. The rules shall grant priority to accredited press representatives in allocating access to public legislative meetings and hearings. Legislative meetings shall comply with the provisions related to the public's recording of legislative meetings set forth in Resolution Chapter 163 of the Statutes of 2018.

IV. ASSEMBLY FUNCTIONS

A. Duties of Assembly Officers

Duties of the Speaker

26. (a) The Speaker possesses the powers and shall perform the duties prescribed as follows:

(1) To preserve order and decorum; the Speaker may speak to points of order in preference to the other Members, rising from the Speaker's chair for that purpose.

(2) To decide all questions of order subject to appeal to the Assembly by any Member. On every appeal, the Speaker shall have the right to assign the reason for the Speaker's decision.

(3) To name any Member to perform the duties of the Speaker, except that any substitution may not extend beyond adjournment.

(4) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by Members as private offices.

(5) To allocate funds, staffing, and other resources for the effective operation of the Assembly.

(6) To appoint the membership of all standing and special committees, including the Committee on Rules, and their respective chairpersons and vice chairpersons. The Speaker has approval power over the appointment of subcommittees of standing and special committees, except as otherwise provided in Rule 14.5. The Committee on Rules consists of the Chairperson, Vice Chairperson, and other Members who shall be appointed by the Speaker in accordance with the process for appointing the membership of standing committees pursuant to this rule. Two alternate members of the Committee on Rules shall be appointed in accordance with the process for appointing members to the

1 Committee on Rules. Members and alternates so appointed shall
2 remain in office until their successors are selected as provided for
3 in these rules. The Speaker may designate any member in lieu of
4 or in addition to the alternate member to fill a temporary vacancy.
5 An alternate member may serve when a committee member is
6 absent.

7 (7) To establish a schedule of meetings of standing committees
8 or subcommittees and to approve special meetings at a time
9 different from the scheduled time.

10 (8) To have general control and direction over the Journals,
11 papers, and bills of the Assembly and to establish a procedure in
12 accordance with Rule 118 for admitting employees of the
13 Legislature to the Assembly Chamber, including the Lobby in the
14 rear of the Chamber and any hallway or area of the Floor that is
15 adjacent to the desks occupied by the assistants to the Chief Clerk.

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

17 (10) To order the Lobby and Gallery cleared whenever the
18 Speaker deems it necessary.

19 (11) To authenticate by the Speaker's signature, when necessary
20 or required by law, all bills, memorials, resolutions, orders,
21 proceedings, writs, warrants, and subpoenas issued by order of the
22 Assembly.

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

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

30 (d) The Speaker shall, at each regular session, appoint a Chaplain
31 to deliver prayers during Floor sessions pursuant to Rule 40.

32 Funerals and Other Ceremonies and Events

34
35 27. The Speaker may designate any one or more of the Members
36 of the Assembly as the representatives of the Assembly to attend
37 funerals and other ceremonies and events in appropriate
38 circumstances. The Members so designated shall receive their
39 expenses as provided in Joint Rule 35.

1 Selection of Officers

2
3 28. (a) The Speaker shall appoint all nonelected officers of the
4 Assembly except the Republican Leader.

5 (b) The Republican Leader shall be selected by the Assembly
6 Republican Caucus.

7
8 Duties of the Speaker pro Tempore

9
10 29. The Speaker pro Tempore shall perform those duties
11 assigned by the Speaker, including the responsibility of presiding
12 over sessions of the Assembly and advising the Members on
13 parliamentary procedures of the house.

14
15 Duties of the Assistant Speaker pro Tempore

16
17 29.5. The Assistant Speaker pro Tempore shall perform those
18 duties assigned by the Speaker or Speaker pro Tempore, including
19 the responsibility of presiding over sessions of the Assembly and
20 advising the Members on parliamentary procedures of the house.

21
22 Majority Leader

23
24 30. It is the duty of the Majority Leader to make those
25 appropriate motions, points of order, or other arrangements that
26 may be necessary to expedite the proceedings of the Assembly,
27 and the Majority Leader is responsible for the presentation of all
28 matters that relate to the order of business, and to the promotion
29 of harmony among the membership.

30
31 Caucus Chairpersons

32
33 31. The chairperson of the caucus of the political party having
34 the greatest number of Members in the Assembly, and the
35 chairperson of the caucus of the political party having the second
36 greatest number of Members in the Assembly, shall perform those
37 duties that are prescribed by their respective party caucuses.

Chief Clerk

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

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

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

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

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

(e) To refuse to permit any bills, papers, or records to be removed from the Chief Clerk's office or out of the Chief Clerk's custody, except upon duly signed receipts from persons authorized.

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

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

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

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

The Assistant Chief Clerk shall have the powers and perform the duties of the Chief Clerk during the Chief Clerk's absence.

Sergeant at Arms

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

1 (a) To attend the Assembly during its session, preserve order,
2 announce all official messengers, and serve all process issued by
3 authority of the Assembly and directed by the Speaker; the Sergeant
4 at Arms shall receive actual expenses for the Sergeant at Arms, or
5 for an assistant, incurred in executing any process.

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

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

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

12 (e) To perform all other duties pertaining to the Sergeant at
13 Arms' office as prescribed by law or Assembly Rule.

14 The Deputy Chief Sergeant at Arms shall have the powers and
15 perform the duties of the Sergeant at Arms during the Sergeant at
16 Arms' absence.

17
18 Filling Interim Vacancies—Assembly Elected Officers
19

20 34. In the event a vacancy in any office, except Speaker, elected
21 by the membership of the Assembly occurs during joint recesses,
22 the Committee on Rules shall fill the office until the session
23 reconvenes. If a vacancy occurs in the office of the Speaker during
24 a joint recess, the Committee on Rules shall notify the membership
25 within 15 days from the time the vacancy occurs and shall call a
26 caucus of the membership of the Assembly for the purpose of
27 filling the vacancy. This caucus shall be held at the State Capitol
28 within 30 days from the time the vacancy occurs. Notice of the
29 caucus shall be in writing and shall be mailed not less than 10 days
30 prior to the meeting of the caucus. If the Committee on Rules fails
31 to act within 15 days from the time the vacancy in the office of
32 Speaker occurs, the Chief Clerk of the Assembly shall act in its
33 place, following the procedure set forth in this rule. Any person
34 selected to fill any vacancy pursuant to this rule holds the office
35 until the session reconvenes.

36 An affirmative recorded vote of a majority of the duly elected
37 and qualified Members is required for the selection by the
38 Assembly caucus of a person to fill a vacancy pursuant to this rule.
39 The procedure for selecting the Speaker at the caucus is the same

1 as the procedure required for the election of the Speaker at a
2 session.

3
4 B. Printing
5 Authority for Printing
6

7 35. The State Printer may not charge any printing or other work
8 to the Assembly other than as provided by law or Assembly Rule,
9 except upon a written order signed by the Chief Clerk of the
10 Assembly or the Chief Administrative Officer of the Assembly.
11 All invoices for printing furnished to the Assembly shall be
12 itemized and rendered by the State Printer within 30 days after
13 completion of the printing. When necessary, the Chief Clerk of
14 the Assembly or the Chief Administrative Officer of the Assembly
15 may order certain printed matter completed in advance of its regular
16 order by the issuance of a rush order.

17
18 Ordering of Printing
19

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

23 The Chief Clerk of the Assembly, or the Chief Administrative
24 Officer of the Assembly, shall order other printing as directed or
25 authorized by the Committee on Rules, and the written order for
26 that printing shall be countersigned by the Speaker or a person
27 designated by the Speaker. The Chief Clerk of the Assembly or
28 the Chief Administrative Officer of the Assembly shall also order
29 other printing as directed or authorized by resolution or motion of
30 the Assembly.

31
32 Printing Assembly History and Legislative Handbook
33

34 37. During the session, the Chief Clerk shall cause to be
35 published, prior to convening on Monday of each week, a complete
36 history showing all actions taken upon each measure up to and
37 including the legislative day preceding its issuance. For each
38 legislative day intervening between the issuance of each Weekly
39 History, there shall be published a Daily Supplemental History

1 showing only actions taken upon any measure since the issuance
2 of the preceding Weekly History.

3 The Chief Clerk of the Assembly shall, as soon as practicable,
4 in each even-numbered year, commence to compile a legislative
5 manual or handbook, pursuant to Section 9740 of the Government
6 Code.

7 8 Transmittal of Assembly Joint Resolutions 9

10 37.5. Whenever the Chief Clerk is directed to transmit copies
11 of an Assembly Joint Resolution to Members of the Legislature
12 or Members of Congress, the Chief Clerk may do one or both of
13 the following:

14 (a) Transmit the copies to the designated Members by electronic
15 means.

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

18 19 V. LEGISLATIVE PROCEDURE

20 Order of Business 21

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

- 24 1. Rollcall
- 25 2. Prayer by the Chaplain
- 26 3. Reading of the Previous Day's Journal
- 27 4. Presentation of Petitions
- 28 5. Introduction and Reference of Bills
- 29 6. Reports of Committees
- 30 7. Messages From the Governor
- 31 8. Messages From the Senate
- 32 9. Motions and Resolutions
- 33 10. Business on the Daily File
- 34 11. Announcements
- 35 12. Adjournment

36 (b) With the exception of Special Orders of Business, the
37 Speaker may determine that a different order of business will result
38 in a more expeditious processing of the business of the Assembly
39 pursuant to Assembly Rule 63, or by ordering resolutions honoring
40 an individual or an organization, introductions, and adjournments

1 in memory of individuals to be taken up in a different order than
2 that listed in subdivision (a).

3
4 Pledging of Allegiance to the Flag
5

6 41. At each session, following the prayer by the Chaplain, the
7 Members of the Assembly and its officers and employees present
8 in the Assembly Chamber shall pledge their allegiance to the Flag
9 of the United States of America. The Speaker shall invite guests
10 present in the Assembly Chamber to join in the pledge of allegiance
11 to the Flag of the United States of America.
12

13 Reading and Correcting Journals
14

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

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

20 (c) A motion to correct any day's Journal or to print a letter in
21 the Journal shall always be in order and shall require a majority
22 vote of the Members present and voting.
23

24 Presentation of Petitions
25

26 43. Whenever petitions, memorials, or other papers are
27 presented by a Member, a brief statement of the contents thereof
28 may be made verbally by the introducer. Petitions are not debatable
29 and shall be filed, or referred to a committee as the Speaker shall
30 determine. Receipt of that presentation and its disposition shall be
31 noted in the Journal.

32 Upon receipt of a petition for the impeachment of any person
33 subject to impeachment by the Legislature, the Speaker shall,
34 without comment or debate, forthwith refer the petition to
35 committee.
36

37 Messages From the Governor
38

39 44. Messages from the Governor shall be delivered to the Chief
40 Clerk or an assistant, and shall be read and ordered printed in the

1 Journal unless otherwise ordered by an affirmative recorded vote
2 of 54 or more Members.

3
4 Messages From the Senate
5

6 45. (a) Messages from the Senate shall be delivered to the
7 Chief Clerk or an assistant, and shall be read and ordered printed
8 in the Journal. The Committee on Rules may refer each bill to a
9 committee, unless upon a motion the Assembly, by an affirmative
10 recorded vote of 41 or more Members, refers it to some other
11 committee. The action to refer a bill is not debatable. The reference
12 shall be entered in the Journal. Assembly bills that have been
13 passed without amendment by the Senate shall be ordered to
14 enrollment.

15 An Assembly bill amended by the Senate shall be placed upon
16 the unfinished business file but shall not be eligible to be acted
17 upon until it is on the unfinished business file for one calendar
18 day, except that when the Assembly bill is placed upon the
19 unfinished business file during the last two legislative days
20 preceding (1) the January 31 bill passage deadline specified by
21 Section 10 of Article IV of the California Constitution, (2) the
22 scheduled commencement of the interim study recess, or (3) the
23 scheduled commencement of the final recess as specified by the
24 Joint Rules of the Senate and Assembly, it may be acted upon
25 immediately.

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

28
29 Presentation of Guests or Memorials in the Assembly
30

31 45.5. These rules do not prohibit the Speaker or Speaker pro
32 Tempore from permitting the introduction of a special guest or
33 guests. A request that a session of the Assembly adjourn in memory
34 of a current or former California resident, or prominent national
35 figure, who died within the previous 12 months shall be made in
36 writing to the Speaker and Majority Leader on a form provided
37 by the Chief Clerk. If approved, the memorial adjournment shall
38 be printed in the Journal. A Member may not speak on an
39 adjournment in memory unless this rule is suspended by a majority

1 of the Members of the Assembly, in which case the Member may
2 speak for a maximum of two minutes.

3
4 A. Bills and Resolutions
5 Bills Defined
6

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

10 (b) A concurrent resolution and a joint resolution, other than a
11 resolution ratifying proposed amendments to the United States
12 Constitution and a resolution calling for a constitutional
13 convention, shall be treated in all respects as a bill except as
14 follows:

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

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

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

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

22 (2) For a Senate bill, the form of the bill presented on the
23 Assembly Floor for a vote upon final passage.
24

25 Introduction and Reference of Bills
26

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

33 (b) For the purposes of this rule, a signature is defined as, and
34 includes, a signature on the bill language provided by the
35 Legislative Counsel or a letter to the Chief Clerk signed by the
36 author submitted at the time of introduction. The letter may identify
37 any Members to be added as joint authors, principal coauthors, or
38 coauthors provided that the author maintain documentation that
39 the Members intended to sign on to the bill.

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

6 All bills and constitutional amendments introduced before the
7 standing committees of the Assembly are appointed shall be
8 referred to committee, the references to take effect when the
9 committees are appointed.

10 (d) The Committee on Budget may introduce a bill germane to
11 any subject within the jurisdiction of the committee in the same
12 manner as any Member. Any other standing committee may
13 introduce a total of five bills in each year of a biennial session that
14 are germane to any subject within the proper consideration of the
15 committee.

16 (e) No committee, except the Committee on Budget, may
17 introduce or author a house resolution, concurrent resolution, or
18 joint resolution.

19 (f) A committee bill may not be introduced unless it contains
20 the signatures, as defined in subdivision (b), of a majority of all
21 of the members, including the chairperson, of the committee. If
22 all of the members of a committee sign the bill, at the option of
23 the committee chairperson the committee members' names need
24 not appear as authors in the heading of the printed bill. The
25 committee shall maintain documentation that committee members
26 who are listed in the letter to the Chief Clerk or who have signed
27 the bill language provided by the Legislative Counsel intended to
28 appear as authors.

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

32 Bills Authored by a Former Member

33
34
35 47.1. Whenever the author of a bill in the Assembly is no longer
36 a Member of the Legislature, upon a request of a committee or
37 current Member of the house in which the bill was introduced, the
38 Assembly Committee on Rules may authorize that committee or
39 Member to be the author of that bill. Absent that authorization, an

1 action may not be taken by a committee or the Assembly with
2 respect to a bill authored by a former Member.

4 Limitation on the Introduction of Bills

6 49. (a) A Member may introduce not more than 35 bills in the
7 regular session. As used in this rule, “bill” includes a constitutional
8 amendment, but does not include a concurrent or joint resolution.

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

12 Reference of Bills to Committee

14 51. Except as otherwise provided in this rule, the Committee
15 on Rules may refer each bill to a committee by a majority vote of
16 the membership of the committee, unless upon a motion the
17 Assembly, by an affirmative recorded vote of 41 or more Members,
18 refers it to some other committee. A motion to refer a bill is not
19 debatable, except as to the propriety of the motion, and it may not
20 open the main question to debate.

21 The Committee on Rules may require that, if a bill is reported
22 out of the committee to which it has been referred, it shall be
23 re-referred to another committee that shares jurisdiction of the
24 subject matter of the bill.

25 When the Assembly is in recess during a state of emergency due
26 to a pandemic, the Chairperson of the Committee on Rules may
27 refer bills and resolutions to a committee when requested by the
28 Speaker. A referral made pursuant to the Speaker’s request shall
29 be made in consultation with the Vice Chairperson of the
30 Committee on Rules; shall be transmitted to the Chief Clerk, the
31 Speaker, the Republican Leader, and members of the Committee
32 on Rules; and shall be printed in the Journal.

34 Spot Bills

36 51.5. A bill that upon introduction makes no substantive change
37 in or addition to existing law, and would not otherwise affect the
38 ongoing operations of state or local government, except a bill
39 stating legislative intent to make necessary statutory changes to
40 implement the Budget Bill, may not be referred to a committee by

1 the Committee on Rules. If the author subsequently proposes to
2 the Committee on Rules to make substantive changes in the bill
3 as introduced, the Committee on Rules may refer the bill to a
4 committee, together with the proposed changes for consideration
5 as author's amendments. A vote on passage of the bill may not be
6 taken, however, until the bill with its amendments, if adopted, has
7 been in print for at least 15 days.

8 9 Delivery of Bills to State Printer

10
11 52. After introduction and first reading, all bills shall be
12 delivered to the State Printer.

13 14 Resolutions

15
16 53. All resolutions shall be numbered and may be referred to
17 the appropriate committee by the Committee on Rules.

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

20 21 Resolutions by Member

22
23 54. A concurrent resolution or a house resolution may be
24 introduced relating to a present or former state or federal elected
25 official or a member of the official's immediate family. Other
26 resolutions for the purpose of commendation or congratulation of
27 any person, group, or organization, or for the purpose of expressing
28 sympathy, regret, or sorrow on the death of any person, shall be
29 prepared as a Committee on Rules Resolution and presented to the
30 committee for appropriate action.

31 The Committee on Rules may approve exceptions to this rule
32 for house resolutions. The Chief Clerk may not accept for
33 introduction any house resolution that is contrary to this rule unless
34 it is accompanied by the approval of the Committee on Rules.

35 36 B. Standing Committee Functions

1 Standing Committee Rules

2
3 55. Subject to the Joint Rules of the Senate and Assembly, the
4 Rules of the Assembly shall govern the conduct of all committee
5 and subcommittee meetings.
6

7 Meetings of Standing Committees and Subcommittees

8
9 56. All standing committees and subcommittees shall meet at
10 the hour and place provided by the schedule established by the
11 Speaker, unless permission for a different hearing time is granted
12 by the Speaker. A committee or subcommittee may not meet during
13 any session of the Assembly, nor may any Member of the
14 Assembly attend a conference committee meeting on any bill
15 during any session of the Assembly without first obtaining
16 permission from the Assembly. The Speaker may grant permission
17 for a committee to meet for the purpose of holding an informational
18 hearing, or to hear and report resolutions, at times when no
19 committee may meet for any purpose.

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

27 Unless authorized by the Speaker, no bill may be set for hearing,
28 nor may any notice thereof be published by any Assembly
29 committee or subcommittee, until the bill has been referred to the
30 committee or subcommittee hearing the bill. If the Speaker
31 authorizes a hearing on a bill pursuant to this rule, the authorization
32 shall be printed in the Journal. Permission to set a bill for hearing
33 pending referral may also be granted by a vote of a majority of the
34 Members of the Assembly. Nothing in this paragraph shall prevent
35 a committee or subcommittee from acting with regard to a bill
36 referred to it where the only action taken is to cause the bill to be
37 reported to the Assembly with the recommendation that
38 amendments be adopted and the bill be reprinted as amended and
39 re-referred to the committee or subcommittee.

1 The Committee on Budget and its subcommittees may meet at
2 any time, including during designated periods when no other
3 committee may meet for any purpose, subject to approval by the
4 Speaker, and in compliance with file notice requirements.

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

8 9 Setting and Hearing Bills in Committee

10
11 56.1. All bills referred to a standing committee pursuant to Rule
12 51 may be set and heard, if requested by the author, as specified
13 by the Joint Rules. If the analysis of an author's amendment that
14 is subsequently adopted pursuant to Rule 68 discloses that the
15 amendment makes a substantial substantive change to the original
16 bill as referred by the Committee on Rules, the bill as amended
17 shall either be set and heard by the committee having jurisdiction
18 of the bill as amended or re-referred to the Committee on Rules
19 pursuant to the Assembly Rules.

20 The file notice requirements for committees may be temporarily
21 suspended for specified bills upon approval of the Speaker and the
22 Republican Leader. A waiver of the file notice requirement made
23 pursuant to this rule shall be printed in the Journal.

24 25 Committee Analyses

26
27 56.5. Except as otherwise provided in this rule, each standing
28 committee and subcommittee shall prepare an analysis of every
29 bill it has set for hearing, which shall be available to the public in
30 the office of the committee or subcommittee one working day prior
31 to the date on which the hearing is to be held. In the case of a
32 special meeting, or a meeting of the Committee on Appropriations
33 or the Committee on Budget, or their subcommittees, the analysis
34 shall be available to the public at the beginning of the hearing. No
35 question concerning a committee's compliance with this rule with
36 regard to any bill shall be in order following a vote on passage of
37 the bill in that committee. As used in this rule, a "working day" is
38 any day on which a house file is published.

1 A copy of each committee analysis shall be transmitted by the
2 committee secretary to the Assembly Floor Analysis Unit at the
3 same time it is made available to the public.

4
5 Committee Consultants: Floor Analyses
6

7 56.6. Except as otherwise provided in this rule, the consultants
8 of a standing committee or subcommittee are responsible for
9 monitoring bills assigned to their respective committee or
10 subcommittee throughout the entire legislative process. Except for
11 resolutions and bills on the Consent Calendar, a consultant of the
12 appropriate standing committee shall prepare, in a timely fashion,
13 an analysis of every bill on third reading or the unfinished business
14 file, and of any amendment to a bill that is on the Assembly Floor,
15 as directed by the Assembly Floor Analysis Unit.

16 The committee consultant who prepares the analysis shall
17 transmit a copy of the completed analysis to the Assembly Floor
18 Analysis Unit. The Assembly Floor Analysis Unit is responsible
19 for final editing for grammar and format of all Floor analyses.

20
21 Consent Calendar
22

23 56.7. If the chairperson of a committee or subcommittee, in
24 advance of a hearing, proposes to recommend any bills for
25 consideration on the Consent Calendar without hearing testimony
26 on those bills in committee, a list of those bills shall be made
27 available to the public at the same time as the committee analysis
28 required under Rule 56.5.

29
30 Committee Quorum
31

32 57. Except as otherwise provided in this rule, a majority of the
33 membership of any standing committee constitutes a quorum for
34 the transaction of its business, including the decision to recommend
35 the adoption of any amendments to any bill. A majority of the
36 membership of the committee, or a subcommittee thereof, is
37 required to report a bill out of the committee or subcommittee,
38 respectively. Any vacancy on a standing committee shall not reduce
39 the votes required to take action on a bill in that committee.

1 Whenever a member is disqualified pursuant to Joint Rule 44
2 or the Political Reform Act of 1974 (Title 9 (commencing with
3 Section 81000) of the Government Code) from voting or taking
4 any other action related to the passage, defeat, or amendment of
5 a bill in committee, that disqualification shall be treated the same
6 as a vacancy. The member shall advise the chairperson of a
7 disqualification, and the chairperson shall announce which
8 members are so disqualified at the commencement of the hearing
9 on the bill.

10 11 Reconsideration

12
13 57.1. After a committee has voted on a bill, reconsideration
14 may be granted only one time. Pursuant to subdivision (a) of Joint
15 Rule 62, reconsideration may be granted within 15 legislative days
16 or prior to the interim study joint recess, whichever occurs first.
17 A vote on reconsideration may not be taken without the same
18 notice required to set a bill for hearing unless that vote is taken at
19 the same meeting at which the vote to be reconsidered was taken
20 and the author is present. An action taken by a committee may not
21 be reconsidered except by a majority vote of the membership of
22 the committee.

23 24 Bills Reported Back to Assembly

25
26 58. All committees shall act upon bills referred to them as soon
27 as practicable, and when acted upon each bill shall be reported
28 back to the Assembly forthwith; the chairperson of each committee
29 is charged with the observance of this rule. The chairperson of
30 each committee shall, insofar as practicable, report back bills in
31 the same order as they were acted upon by the committee.

32 33 Suspense Files

34
35 58.2. (a) The Committee on Appropriations may maintain a
36 suspense file, to which bills may be referred by vote of a majority
37 of the members of the committee present and voting, pending
38 further consideration by the committee. A bill may be taken off
39 the suspense file and heard, upon two days' notice published in
40 the file, by a vote of a majority of the members of the committee

present and voting. A bill removed from the suspense file for the purpose of amendment only, pursuant to Rule 68, shall be re-referred to the committee and shall be placed on the suspense file pending further consideration by the committee.

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

Voting in Committee

58.5. When a standing committee or subcommittee takes action on a bill, including reconsideration, the vote may be by rollcall vote only. All rollcall votes taken in a standing committee or subcommittee shall be recorded by the committee secretary on forms provided by the Chief Clerk of the Assembly. The record of a rollcall vote shall show, for each proposal voted upon: all votes for and against, all members absent, and all members not voting. The chairperson of each standing committee or subcommittee shall promptly transmit a copy of the record of the rollcall votes to the Chief Clerk of the Assembly, who shall cause the votes to be published.

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

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

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

This rule does not apply to any of the following:

- (a) Adoption of author's amendments to a bill.
- (b) Withdrawal of a bill from a committee calendar at the request of an author.
- (c) Return of bills to the house where the bills have not been voted on by the committee.

1 (d) Votes of subcommittees of the Committee on Budget when
2 considering the Budget Bill.

3 (e) Votes of the Committee on Rules when referring bills to
4 committees.

5
6 Subject Matter of Bill Recommended for Interim Study
7

8 59. Whenever it is the decision of a standing committee that a
9 bill referred to that committee shall not be given a do-pass
10 recommendation, but that the subject matter of the bill should be
11 referred for study, that standing committee shall retain the bill in
12 its possession and report its recommendation to the Assembly that
13 the subject matter of the bill be referred to the Committee on Rules
14 for that committee's assignment of the subject matter to an
15 appropriate committee.

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

20
21 Committee Chairperson as Author
22

23 60. A chairperson of a standing committee may not preside at
24 a committee hearing to consider a bill of which the chairperson is
25 the sole author or the lead author, except that the Chairperson of
26 the Committee on Budget may preside at the hearing of the Budget
27 Bill by the Committee on Budget.

28
29 Reports of Committees
30

31 61. Specially prepared reports of standing and special
32 committees shall be delivered to the Chief Clerk or an assistant,
33 and shall be read and ordered printed in the Journal unless
34 otherwise ordered by the Speaker or a majority vote of the
35 Members present and voting.

36 When a report of a joint legislative committee is delivered to
37 the Chief Clerk, the Speaker shall refer it to a standing committee
38 for review and appropriate action.

Constitutional Amendments

62.5. All constitutional amendments shall be referred to the policy standing committee having jurisdiction of that subject matter.

C. Passage of Bills
Daily File

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

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

Unless the Speaker determines that a different order of business will result in a more expeditious processing of the business of the Assembly, all bills on the Daily File shall be called for consideration in file order, provided that Rule 58 has been complied with in the order of their listing. The house shall observe any Special Orders of the Day. All scheduled committee hearings, together with the list of bills to be heard, shall be published in the Daily File.

Copies of Bills for Action on Floor

64. A bill may not be considered or acted upon on the Floor of the Assembly unless and until a copy of the bill as introduced, and a copy of each amended form of the bill, has been distributed to the desk of each Member in hardcopy or in portable document format (PDF) via electronic device and, as applicable, the requirements of paragraph (2) of subdivision (b) of Section 8 of Article IV of the California Constitution have been complied with.

1 Second Reading of Bills

2
3 66. All bills shall be read by title the second time in the order
4 of their appearance upon the second reading file. Upon second
5 reading, Assembly bills reported without amendments shall be
6 ordered engrossed, and Senate bills reported without amendments
7 shall be ordered to third reading. All bills reported out of committee
8 shall be placed on the second reading file for the next legislative
9 day, and may not be read a second time until the next legislative
10 day under that order of business. As used in this rule, “bill” does
11 not include a joint or concurrent resolution, but does include a
12 constitutional amendment.

13
14 Bills Requiring General Fund Appropriation

15
16 66.6. Until the Budget Bill has been enacted, the Assembly
17 may not send to the Governor for consideration any bill
18 appropriating funds for expenditure during the fiscal year for which
19 the Budget Bill is to be enacted, except emergency bills
20 recommended by the Governor or appropriations for the salaries
21 and expenses of the Legislature.

22
23 Committee Amendments and Coauthors

24
25 67. (a) Committee amendments reported with bills shall be
26 considered upon their second reading, and the amendments may
27 be adopted by majority vote of the Members present and voting.
28 Assembly and Senate bills amended on second reading by
29 committee amendment shall be ordered reprinted and returned to
30 the second reading file. Assembly bills so amended shall be
31 engrossed after printing.

32 Committee amendments reported with bills shall be prepared,
33 or approved as to form, by the Legislative Counsel. Committee
34 reports and amendments shall be submitted to the Chief Clerk’s
35 desk in a form and manner established by the Chief Clerk.

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

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

5 (b) Notwithstanding any other rule, the revision of a bill only
6 to add coauthors shall not be considered an amendment of the bill.
7 A request to add coauthors may be submitted to the Assembly with
8 the approval of the committee chairperson, the lead author of the
9 bill, and each proposed coauthor on a form provided by the Chief
10 Clerk. The form may be submitted to the Chief Clerk with the
11 submission of the committee report. A coauthor revision form may
12 be submitted for a bill only one time in each committee to which
13 the bill has been re-referred, except that the limit of one coauthor
14 revision form per bill shall not apply to fiscal committees. Upon
15 submission of the form, the heading of the bill shall be revised to
16 reflect the additional coauthor or coauthors. Any Member added
17 as a coauthor to a bill may subsequently request in writing that the
18 Member's name be removed.

19
20 Author's Amendments
21

22 68. Upon request of the author of a bill, the chairperson of the
23 committee to which the bill has been referred may, by the
24 chairperson's individual action taken independently of any
25 committee meeting, cause the bill to be reported to the Assembly
26 with the recommendation that amendments submitted by the author
27 be adopted and the bill be reprinted as amended and re-referred to
28 the committee. When the Assembly is in recess, the Chairperson
29 of the Committee on Rules may authorize the adoption of author's
30 amendments pursuant to this rule if requested by the chairperson
31 of a standing committee in possession of the bill. Bills amended
32 during recess shall be reprinted as amended, read a second time,
33 and re-referred to the committee.

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

Rules Committee Author's Amendments

68.1. (a) If a proposed amendment to a bill on the Floor is submitted pursuant to Rule 69, the Chairperson of the Committee on Rules may, upon request of the author of the bill, re-refer the bill and proposed Floor amendments to the Committee on Rules for further action.

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

Vote on Passage of Bill as Amended

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

Bill Analysis Prior to Third Reading

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

Analysis of Conference Committee Amendments

68.7. A report of a conference committee on any bill, other than the Budget Bill, that recommends the substantive amendment of a bill may not be considered unless and until an analysis of the proposed amendment has been distributed by the Assembly Floor

1 Analysis Unit and placed upon the desks of the Members, unless
2 otherwise ordered by the Speaker.

3
4 Printing of Conference Committee Reports
5

6 68.8. A conference report may not be heard by the Assembly
7 until it has been in print for 72 hours prior to being taken up by
8 the house.
9

10 Conference Committee: Substantial Policy Change
11

12 68.9. (a) A conference committee on any bill, other than the
13 Budget Bill or a bill that is making statutory changes to implement
14 the Budget Bill, may not approve any substantial policy change
15 in any bill if that substantial policy change has been defeated in a
16 policy committee of the Assembly within the current legislative
17 session. For purposes of this rule, the most recent action of a policy
18 committee with regard to a substantial policy change is deemed
19 the only action taken when the policy committee has taken
20 inconsistent actions with respect to a substantial policy change.

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

30 Amendments From the Floor and Coauthors
31

32 69. (a) Any Member may move to amend a bill during its
33 second or third reading, and that motion to amend shall be adopted
34 and the bill ordered returned to the second or third reading file if
35 approved by the chairperson of the policy committee of first
36 reference or the Chairperson of the Committee on Budget.
37 Amendments not approved by the chairperson are subject to debate,
38 a motion to lay on the table by a majority of those present and
39 voting, or a motion to pass on file by a majority of those present

1 and voting. A motion to lay on the table or pass on file shall not
2 be debatable.

3 Amendments to a bill offered from the Floor, except committee
4 amendments reported with bills, amendments offered with a motion
5 to amend and re-refer a bill to committee, amendments deleting
6 any number of words, or amendments previously printed in the
7 Journal, are not in order unless and until a copy of the proposed
8 amendments has been placed upon the desks of the Members.

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

17 Amendments offered from the Floor during a bill's second or
18 third reading shall be prepared, or approved as to form, by the
19 Legislative Counsel.

20 Before consideration, adoption, or tabling, three copies of the
21 proposed amendment to Assembly bills, and three copies of the
22 proposed amendments to Senate bills, shall be delivered to the
23 Chief Clerk's desk. One copy of the proposed amendment shall
24 be transmitted by the Chief Clerk to the Assembly Floor Analysis
25 Unit. Bills so amended upon second or third reading pursuant to
26 this subdivision shall be reprinted and re-engrossed. The Chief
27 Clerk shall order printed as many copies of all amended bills as
28 the Chief Clerk may determine to be necessary.

29 (b) (1) Amendments from the Floor during a bill's second or
30 third reading that would make a substantive change in the bill shall
31 be submitted to the Chief Clerk's desk by 5:00 p.m. or the time of
32 adjournment, whichever is later, the business day before the start
33 of session on the legislative day at which they are to be considered.
34 Amendments received by the Chief Clerk's desk on a nonlegislative
35 day may be printed the day of receipt, and adopted on the next
36 legislative day, if they comply with subdivision (a).

37 (2) Upon receipt of the proposed amendments by the Chief
38 Clerk, an analysis shall be prepared by the committee of origin in
39 conjunction with the Assembly Floor Analysis Unit, and a copy
40 of that analysis shall be distributed to each Member's desk prior

1 to the adoption of the proposed amendments, unless otherwise
2 ordered by the Speaker.

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

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

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

1 Consideration of Political Reform Act Bills

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

13
14 Consideration of Bills Amending the California Stem Cell
15 Research and Cures Act

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

21 (a) The bill may not be passed until, 14 days prior to the date
22 of passage, copies of the bill in its final form are made available
23 by the Chief Clerk to the public and the news media.

24 (b) Passage of the bill requires the affirmative votes of 56
25 Members.

26
27 Electronic Distribution of Bills, Conference Reports,
28 Amendments, and Analyses

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

36
37 Consideration of Bills Re-referred to Committee

38
39 70. Whenever a bill that has been amended and re-referred to
40 committee is reported out by that committee, it shall be placed on

1 the second reading file and may not be transferred therefrom to
2 the third reading file until the following day.

3
4 Uncontested Bills
5

6 71. A bill may not be placed on the Assembly Consent Calendar
7 unless it has met the requirements of Joint Rule 22.1 with respect
8 to each Assembly standing committee to which the bill has been
9 referred. Any Member may remove a measure from the Consent
10 Calendar. An author of an Assembly measure or a Floor Manager
11 of a Senate measure on the Consent Calendar may request to
12 remove their item from the Consent Calendar on any legislative
13 day, and the measure shall cease to be a Consent Calendar measure
14 and shall be returned to the third reading file. During a legislative
15 day on which there is no Floor session, an author of an Assembly
16 measure or the Floor Manager of a Senate measure shall submit
17 the author's or the Floor Manager's written request to remove the
18 measure from the Consent Calendar to the Chief Clerk, who shall
19 cause the measure to be removed from the Consent Calendar and
20 return it to the third reading file. The Chief Clerk shall also transmit
21 the written request to the Speaker and the Republican Leader. The
22 request to remove the measure from the Consent Calendar shall
23 be published in the Journal.

24
25 Consideration of Concurrent and Joint Resolutions
26

27 73. A concurrent or joint resolution may be amended by a
28 majority vote of the Members present and voting. The ayes and
29 noes may not be called upon the adoption of concurrent resolutions,
30 except those authorizing expenditures of money, unless regularly
31 demanded, or required by statute or the California Constitution.

32
33 Adoption of Resolutions
34

35 74. (a) Any resolution upon which a rollcall vote is demanded
36 requires an affirmative recorded vote of 41 or more Members for
37 adoption.

38 (b) The adoption of any resolution authorizing the expenditure
39 of money requires an affirmative recorded vote of 41 or more
40 Members.

1 (c) The adoption of any joint resolution requires an affirmative
2 recorded vote of 41 or more Members.

3 (d) A resolution may not be adopted on the third reading file
4 on the last seven days preceding the scheduled commencement of
5 the interim study recess or the scheduled commencement of the
6 final recess as specified by the Joint Rules of the Senate and
7 Assembly. This subdivision does not apply to the Consent Calendar
8 and may be suspended temporarily by an affirmative recorded vote
9 of 41 or more Members.

10 11 Printing of Resolutions 12

13 75. When any previously printed house resolution is before the
14 Assembly for adoption, it may be printed in the Journal only if
15 amendments to it have been adopted, in which case it shall be
16 printed as amended. In the absence of those amendments, house
17 resolutions before the Assembly for adoption shall be referred to
18 by day and page of the Journal as printed upon introduction. For
19 the purposes of this rule, the adding of a coauthor shall not be
20 deemed an amendment.

21 22 Internet Publication Prior to Final Passage of Senate Bill 23

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

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

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

35 36 Concurrence in Senate Amendments 37

38 77. (a) Concurrence in any Senate amendment to an Assembly
39 bill requires the same affirmative recorded vote as the vote required
40 by the California Constitution for the passage of the bill. The vote

1 on concurrence shall be deemed the vote upon final passage of the
2 bill.

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

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

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

19
20 Digest of Bills Amended in Senate
21

22 77.1. Whenever the Senate amends and passes an Assembly
23 bill, the Legislative Counsel shall, within one day after the bill is
24 passed by the Senate, prepare and transmit to the Chief Clerk and
25 the Speaker a brief digest summarizing the effect of the Senate
26 amendment. Upon receipt from the Legislative Counsel, the Chief
27 Clerk shall cause the digest to be printed in the Daily File
28 immediately following any reference in the file to the bill covered
29 by the digest.
30

31 Substantially Amended Bills
32

33 77.2. If the analysis of an amendment submitted pursuant to
34 Rule 69 or adopted on the Floor discloses that the amendment
35 makes a substantial substantive change to a bill as passed by the
36 last committee of reference, the bill, as amended or with proposed
37 amendments, may be referred by the Speaker to the appropriate
38 committee. Bills with proposed Floor amendments may only be
39 re-referred under this rule when the proposed amendments have

1 been submitted by the author or designated Floor Manager pursuant
2 to Rule 69 and when a state of emergency exists due to a pandemic.

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

7 If the digest to an Assembly bill that has been returned to the
8 Assembly by the Senate for concurrence in Senate amendments
9 discloses that the Senate has made a substantial substantive change
10 in the bill as first passed by the Assembly, the bill may be referred
11 by the Speaker to the appropriate committee.

12 Inactive File

13
14
15 78. Whenever a bill has been passed twice on the third reading
16 file on two successive legislative days, it shall be placed forthwith
17 upon a special file to be known as the inactive file. A bill also may
18 be placed on the inactive file at the request of the author, or upon
19 a motion adopted without debate by a majority of those Members
20 present and voting. When a bill has been placed on the inactive
21 file, it may be returned to the third reading file by request of the
22 author on any legislative day. During a legislative day on which
23 there is no Floor session, an author of an Assembly bill or the Floor
24 Manager of a Senate bill shall submit the author's or the Floor
25 Manager's written intention to remove the measure from the
26 inactive file to the Chief Clerk, who shall cause the notice to be
27 printed in the Journal. The Chief Clerk shall also transmit the
28 written intention to the Speaker and the Republican Leader. Notice
29 of the request to return the bill to the third reading file shall be
30 published one day in advance in the Daily File. The bill, when
31 returned to the third reading file, shall then be placed at the foot
32 of the third reading file. Notice of removal of resolutions and
33 concurrence items from the inactive file on a legislative day on
34 which there is no Floor session shall be published one day in
35 advance in the Daily File.

36 When a bill, placed on the inactive file from the second reading
37 file or the unfinished business file, is removed from the inactive
38 file, it shall be returned to the foot of the second reading file or
39 the unfinished business file, respectively, in the next published
40 Daily File.

Engrossing and Enrolling Bills

79. The Engrossing and Enrolling Clerk shall engross and enroll all bills that come to the Engrossing and Enrolling Clerk's hands for that purpose, in compliance with the provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

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

VI. PARLIAMENTARY PROCEDURE

A. Motions and Questions

Precedence of Motions During Debate

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

First—To adjourn;

Second—To recess to a time certain;

Third—To lay on the table;

Fourth—For the previous question;

Fifth—To set as a special order;

Sixth—To postpone indefinitely;

Seventh—To refer to or to re-refer;

Eighth—To amend.

Questions of Order Decided Without Debate

81. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 80 and pending that motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal From Decision of the Speaker

82. Any Member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another Member has the Floor. An appeal is not in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken. Upon the appeal being seconded, the Speaker may give the Speaker's reasons for the decision, and the Member making the appeal may give the Member's reasons for the appeal, and the Speaker forthwith shall put one of the following questions to the Assembly:

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

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

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

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

Speaker Explains Order of Business

83. The Speaker may, on the Speaker's own motion or the motion of any Member, explain the order of business when the motion pending before the Assembly is not debatable. That explanation may not consume more than two minutes.

To Adjourn

84. A motion to adjourn is not debatable and may not be amended, and is always in order, except: (a) when another Member has the Floor; (b) when the Assembly is voting; or (c) during a call of the Assembly. The name of any Member moving an adjournment, and the hour at which the motion was made and adjournment taken, shall be entered in the Journal. A motion to adjourn shall be adopted by a majority vote of the Members present and voting.

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

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

10
11 To Recess to a Time Certain
12

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

18
19 To Lay on the Table
20

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

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

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

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

33 A motion to lay on the table may not be applied with respect to
34 reconsideration.

35
36 The Previous Question
37

38 87. The previous question shall be put only when demanded
39 by five Members who have not previously spoken on the question,
40 and its effect, when sustained by a majority vote of the Members

1 present and voting, shall be to put an end to all debate and bring
2 the Assembly to a vote only on the question then pending, except
3 that the proponent of the matter pending shall be allowed not more
4 than five minutes to close the debate.

5
6 Motion to Set Special Order
7

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

13
14 Motion to Postpone to a Time Certain
15

16 89. A motion to postpone to a time certain is deemed and treated
17 as a motion to set as a special order.

18
19 Motion to Postpone Indefinitely
20

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

26
27 Motion to Amend
28

29 91. A motion to amend may itself be amended, but an
30 “amendment to an amendment” may not be amended. A motion
31 to substitute is deemed to be a motion to amend and is considered
32 the same as an amendment.

33 Only one substitute is in order when an amendment is pending.
34 A motion to amend or to substitute is debatable, except where the
35 main question to be amended is not debatable. Any motion to
36 amend may be adopted by a majority vote of the Members present
37 and voting.

38 A motion to amend that is decided in the negative is not again
39 in order on the same day, or at the same stage of proceeding. The
40 fact that a motion to amend by striking out certain words is decided

1 in the negative does not preclude a motion to amend by adding
2 words, or a motion to amend by striking out and inserting words,
3 except that in no case may a further amendment be substantially
4 the same as the one rejected.

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

7
8 Amendment to be Germane
9

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

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

18 An amendment is not in order that changes the original number
19 of any bill.

20 A Member may not be added or deleted as an author or coauthor
21 of a bill or resolution without the Member's consent.

22
23 Consideration of Motions
24

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

27
28 Motions in Writing
29

30 94. Upon request of the Speaker, all motions shall be reduced
31 to writing and shall be read to the Assembly by the Speaker before
32 being acted upon.

33
34 Withdrawal of Motions
35

36 95. After a motion is stated by the Speaker, or a bill, resolution,
37 or petition is read by the Chief Clerk, it is in the possession of the
38 Assembly.

Motion to Withdraw or Re-refer Bills

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

(b) A bill or resolution may not be withdrawn from committee and placed upon the file, unless a motion to withdraw has been heard by, and has been approved by a majority vote of, the Committee on Rules. This subdivision does not apply to the Budget Bill, a bill that is making statutory changes to implement the Budget Bill, a bill that is authored by the Committee on Budget, or a bill in a fiscal committee that has been amended so as not to require its reference to a fiscal committee, as indicated by the Legislative Counsel's Digest.

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

(d) When the Assembly is in recess during a state of emergency due to a pandemic, the Chairperson of the Committee on Rules, in consultation with the Vice Chairperson of the Committee on Rules, may instruct the Chief Clerk to withdraw and re-refer bills and resolutions from one committee to another committee. Re-referral instructions made pursuant to this subdivision shall be printed in the Journal.

Re-reference of Measures on File

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

Bills Stricken From File

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

Motion to Rescind Action or Expunge Record

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

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

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

Reconsideration of Vote

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

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

(b) (1) Interim Study Recess:

1 No motion to reconsider the vote whereby amendments are
2 concurred in on Assembly bills, the vote whereby a Senate bill is
3 passed and returned to the Senate, or the vote whereby a conference
4 committee report is adopted is in order on the last two legislative
5 days preceding the interim study recess.

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

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

14 (2) January 31—Even-numbered Year:

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

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

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

24 (3) Spring or Summer Recess:

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

29 (4) Deadline for Passage by House:

30 A motion to reconsider the vote whereby an Assembly bill is
31 passed to the Senate is not in order on the last two legislative days
32 preceding the last day for the Assembly to pass a bill introduced
33 in the Assembly, as set forth in the Joint Rules of the Senate and
34 Assembly.

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

37 (5) Final Recess:

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

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

4 (c) Any Member voting on any matter may move to take up on
5 the same day the motion, previously made by another Member, to
6 reconsider the vote on that matter. A motion to take up on the same
7 day a motion to reconsider the vote on a bill requires an affirmative
8 recorded vote of at least 41 Members. A motion to take up on the
9 same day a motion to reconsider the vote on any motion,
10 amendment, Assembly resolution, or proposition other than a bill
11 requires an affirmative vote of a majority vote of the Members
12 present and voting. The motion to take up the reconsideration on
13 the same day takes precedence over the motion to reconsider and,
14 upon demand of any Member, the motion to take up the
15 reconsideration on the same day shall be put to an immediate vote.
16 If the motion to take up the reconsideration on the same day is
17 adopted, the motion to reconsider is the next order of business
18 before the Assembly.

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

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

23
24 Call of Assembly
25

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

38 Each Member who is found to be absent, and for whom a leave
39 of absence has not been granted, shall be forthwith taken into
40 custody wherever found by the Sergeant at Arms, the Sergeant at

1 Arms' assistants, or any person designated by the Sergeant at Arms,
2 including members of the California Highway Patrol, and sheriffs
3 or their deputies, and brought to the Assembly Chamber.

4 A recess or adjournment may not be taken during a call of the
5 Assembly. Additional business may be conducted and calls placed
6 regardless of the number of calls in effect. A call of the Assembly
7 may be dispensed with at any time upon a majority vote of the
8 Members present, that action to become effective upon the
9 completion of the rollcall and the announcement of the vote upon
10 the matter for which the call was ordered, unless, prior to the
11 announcement of the vote, the call is continued by a majority vote
12 of the Members present.

13 14 Division of Question

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

22 23 B. Voting 24 Members Voting

25
26 104. Every Member in the Assembly Chamber when a rollcall
27 is required shall record the Member's vote openly and without
28 debate, unless the Assembly excuses that Member by a majority
29 vote of the Members present and voting.

30 A Member may not operate the voting switch of any other
31 Member, except that a Member presiding at the time of a rollcall,
32 who is not the Speaker or the Speaker pro Tempore, may direct
33 another Member on the Floor to operate the voting switch of the
34 presiding Member, and any Member so presiding, including the
35 Speaker and the Speaker pro Tempore, may also operate the voting
36 switches at the rostrum of the Speaker and the Speaker pro
37 Tempore, at their direction.

38 The name of any Member who refuses to vote as required by
39 this rule, after being requested by the Speaker to do so, shall be
40 entered in the Journal, together with a statement that the Member

1 was present and did so refuse to vote. Any Member who refuses
2 so to vote may, if the Member so desires, and immediately after
3 the announcement of the vote, submit a written explanation of the
4 failure to vote and that explanation shall be printed in the Journal,
5 provided that no explanation may exceed 50 words in length.

6 In addition to the entry of the Member's name in the Journal,
7 any Member who refuses so to vote when required, and who has
8 not been excused from doing so, may, immediately after the
9 announcement of the vote, at the discretion of the Speaker or upon
10 demand of any Member, be summoned to appear before the bar
11 of the Assembly for public censure by the Speaker or by any
12 Member designated by the Speaker. Censure of a Member as
13 provided by this rule does not constitute a bar to proceedings for
14 the Member's expulsion from the Assembly pursuant to Section
15 5 of Article IV of the California Constitution.

16 A Member may submit a written explanation of the Member's
17 vote on any bill or house resolution, and that explanation shall be
18 printed in the Journal immediately following the vote, provided
19 that no explanation may exceed 50 words in length.

20 A Member, prior to adjournment on the same legislative day, in
21 the absence of any objection, may instruct the Chief Clerk to add
22 the Member's vote to any previously announced vote that had been
23 taken during the Member's absence, so long as the outcome of the
24 vote is not thereby changed. The Chief Clerk shall record any vote
25 additions or vote changes in the order signed by the Members at
26 the Chief Clerk's desk.

27 28 Ayes and Noes

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

36 37 Voting and Vote Changes

38
39 106. When once begun, voting may not be interrupted, except
40 that, before the vote is announced, any Member may have the total

1 pending vote flashed on the visible vote recorder. Prior to the
2 announcement of the vote, the presiding officer shall instruct the
3 Chief Clerk to record verbal votes from Members not at their desks.
4 Any Member may move a call of the Assembly after the
5 completion of the roll. A Member, prior to adjournment on the
6 same legislative day, and in the absence of any objection, may
7 instruct the Chief Clerk to change the Member's recorded vote
8 after the vote is announced, so long as the outcome of the vote is
9 not thereby changed. The Chief Clerk may record any vote change
10 only after the Member making the change has announced it to the
11 Assembly.

12 Tie Vote

13
14
15 107. In case of an equal division, or tie vote, the question shall
16 be lost.

17 VII. MEMBERS' DECORUM AND PRIVILEGES

18 Order in Speaking to Questions

19
20
21 108. When a Member desires to address the Assembly, the
22 Member shall rise from the Member's seat and respectfully address
23 the presiding officer as "Mr. Speaker" or "Madame Speaker."
24 Upon being recognized, the Member may speak, confining the
25 Member's remarks to the question under consideration. When two
26 or more Members rise at the same time, the Speaker shall designate
27 the Member who is entitled to the Floor.

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

Rules of Decorum

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

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

Motions

109. When a Member desires to make a motion, the Member shall obtain recognition as provided in Rule 108. Upon being recognized, the Member shall open by stating the Member's motion, except in the case of a nomination, and in any other case may not speak to the merits of the motion at that time, but shall confine the Member's remarks to those necessary to explain the motion. If the motion is in order and is seconded, it shall be stated to the Assembly by the Speaker. If the motion is debated, the Member who made it shall then be entitled to recognition to open the debate on the motion.

When a Member obtains the Floor during debate upon any question that is pending before the Assembly and addresses the Assembly regarding the merits of the pending question, the Member may not be permitted to conclude the Member's debate by making any motion or by demanding the previous question.

Leave of Absence

110. A Member may not be absent from attendance at any session of the Assembly without leave of the Assembly. A Member may not obtain that leave of absence or be excused for nonattendance except by a vote of 54 or more Members or by unanimous consent. A Member who obtains a leave of absence for personal business, or is excused for nonattendance for personal business, thereby waives the Member's per diem allowance for attendance upon any session of the Legislature for which the Member secures that leave of absence or excuse. A Member may not obtain a leave of absence for legislative business or be excused

1 for nonattendance for legislative business unless the Member has
2 filed with the Speaker a statement of the legislative business for
3 which the Member seeks that leave of absence or excuse. That
4 statement shall be printed in the Journal.

5 If a Member is not recorded on the attendance roll within 30
6 minutes after the scheduled start of the session, the Member shall
7 stand up before the Assembly and explain the reason the Member
8 is late before the Member is recorded on the rollcall for any vote.
9 If a Member does not explain the Member's reason for being late,
10 any other Member may raise a point of order under this rule,
11 whereupon the tardy Member's vote may not be recorded until an
12 explanation is made.

13 14 Personal Privilege

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

22 23 Objection to Reading Paper or Use of Objects

24
25 112. Any Member, upon recognition by the Speaker, may object
26 to the reading of any paper or the use of any visual aid before the
27 Assembly. When that objection is made, the question of reading
28 or of the use of a visual aid shall be determined without debate by
29 a majority vote of the Members present and voting, upon a brief
30 statement by the Speaker of the substance of the objection.

31 Framed resolutions and certificates are not permitted on the
32 Assembly Floor during Floor session, unless approved by the
33 Speaker, the Chairperson of the Committee on Rules, or upon a
34 motion approved without debate by a majority of those present
35 and voting.

Members at Chief Clerk's Desk

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

Members Called to Order for Transgressing Rules

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

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

VIII. MISCELLANEOUS
Committee of the Whole

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

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

1 Use of Assembly Chamber

2
3 116. The Assembly Chamber may not be used for any public
4 or private business, other than legislative matters, except upon
5 approval of the Speaker or the Chairperson of the Committee on
6 Rules.

7
8 Use of Assembly Facilities: Smoking

9
10 117. The smoking of tobacco products is prohibited within any
11 building, or portion of a building, occupied or used by Assembly
12 Members or employees if the building or portion of the building
13 is under the jurisdiction or control of the Assembly. This smoking
14 prohibition shall apply to any outdoor area within five feet of an
15 entrance or exit to any building or portion of a building subject to
16 this rule. This smoking prohibition shall apply to the Assembly
17 Chamber, Assembly hearing rooms, and Assembly offices, and to
18 hallways, stairways, and bathrooms within any building or portion
19 of a building subject to this rule.

20
21 Telephones and Electronic Communications

22
23 117.5. While on the Floor of the Assembly during any session
24 of the Assembly, or while serving on a committee during any
25 hearing of that committee, a Member may not do either of the
26 following:

- 27 (a) Use a cellular telephone to make or receive calls.
28 (b) Send electronic communications to, or receive electronic
29 communications from, any lobbyist.

30
31 Meeting of the Assembly: Firearms

32
33 117.7. A person, except a peace officer acting within the scope
34 of the peace officer's employment, may not carry or possess a
35 firearm on the Floor of the Assembly during any session of the
36 Assembly or in a committee hearing room during any meeting of
37 a committee or subcommittee.

Persons Admitted to Floor of the Assembly

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

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

Guests may be seated only in the chairs in the back of the rail in the rear of the Assembly Chamber, and may not be permitted to sit at the desks of the Members. No person other than an accredited newspaper representative may be permitted to sit at the press desks. A special section in the balcony may be reserved for those holding guest cards. Neither any person mentioned in this rule nor any other person, except a Member of the Legislature, may engage in influencing the passage or defeat of legislation in the Assembly Chamber.

A person other than a Member of the Legislature, the Sergeant at Arms or the Sergeant at Arms' assistants, the Chief Clerk or the Chief Clerk's assistants, or the Legislative Counsel or the Legislative Counsel's representatives may not be permitted in the area of the Floor of the chamber which is occupied by the desks of the Members.

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

(c) Notwithstanding subdivision (a), the Speaker, while presiding, may request advice from a designated staff person who may approach the rostrum area to confer with the presiding officer.

Floor Attire

118.1. (a) Members of the Legislature, officers and employees of the Legislature, and accredited members of the press shall wear professional business attire, inclusive of standards of culture,

1 ethnicity, and gender expression and identity, while on the Floor
2 of the Assembly during any session.

3 (b) Notwithstanding any other provision of these Rules,
4 Members of the Legislature, officers or employees of the
5 Legislature, accredited members of the press, or any other persons
6 may be restricted from admission to the Floor of the Assembly
7 during any session if they are inappropriately attired in accordance
8 with this rule. The Committee on Rules may, as necessary, adopt
9 policies to implement this rule.

10
11 Persons Admitted to the Gallery
12

13 118.2. A person shall not be admitted to the Gallery in
14 possession of a placard, display, banner, or sign.

15
16 Qualifications and Elections of Members
17

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

24
25 Compensation and Expenses of Member Convicted of Felony
26

27 120. If a Member of the Assembly is convicted of a felony by
28 a superior court, the Member's right to further compensation or
29 expenses is thereupon suspended, and the Member's membership
30 on any committee is thereupon suspended. If the conviction
31 becomes final, the right of the Member to further compensation
32 or expenses shall terminate and any compensation or expenses
33 withheld shall be forfeited to the state. If the conviction is reversed
34 by an appellate court or a motion for a new trial is granted, and
35 the Member is thereafter found not guilty or the charges against
36 the Member are dismissed, the amounts of the withheld
37 compensation or expenses shall be paid to the Member and the
38 suspension of the Member's committee membership shall
39 terminate.

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

9
10 The Seal of the Assembly

11
12 121. The Seal of the Assembly may be used only by or on
13 behalf of a Member of the Assembly, or when specifically
14 authorized by the Committee on Rules.

15
16 Agency Reports: Electronic Copies

17
18 122. Pursuant to Section 9795 of the Government Code, any
19 report required or requested by law to be submitted by a state or
20 local agency to the Members, or to the Legislature generally, shall
21 be submitted as an electronic copy to the Chief Clerk.