CALIFORNIA LEGISLATURE

2023–24 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, December 5, 2022

FIRST SESSION DAY

FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA

NOTE: Official record of rollcall votes. All amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. All Senate amendments to Assembly measures considered by the Assembly on this day are on file with the Secretary of the Senate and available on request. A list of all measures amended and on which amendments were offered in the Assembly is shown on the final page of this day's Assembly Journal.

(Please direct any inquiries and report any omissions or errors to Minute Clerk: Phone 916-319-2360)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, December 5, 2022

Pursuant to the provisions of the Constitution of the State of California, at the hour of 12 o' clock meridian, the 2023–24 Regular Session of the California Legislature was called to order by Sue Parker, Chief Clerk of the Assembly for the 2021–22 Regular Session.

In conformity with the law, the following officers were also present: Amy Leach, Minute Clerk and Alisa Buckley, Chief Sergeant at Arms for the 2021–22 Regular Session.

Reading Clerk David A. Bowman, reading.

ROLLCALL

The Chief Clerk directed the Reading Clerk to call the roll of the Assembly Members-elect.

The roll was called and the following answered to their names:

Addis	Essayli	Lowenthal	Rodriguez
Aguiar-Curry	Flora	Maienschein	Rubio
Alanis	Fong, M.	Mathis	Sanchez
Alvarez	Fong, V.	McCarty	Santiago
Arambula	Friedman	McKinnor	Schiavo
Bains	Gabriel	Muratsuchi	Soria
Bauer-Kahan	Gallagher	Nguyen	Ta
Berman	Garcia	Ortega	Ting
Boerner Horvath	Gipson	Pacheco	Valencia
Bonta	Grayson	Papan	Villapudua
Bryan	Haney	Patterson, Jim	Waldron
Calderon	Hart	Patterson, Joe	Ward
Carrillo, J.	Holden	Pellerin	Weber
Carrillo, W.	Hoover	Petrie-Norris	Wicks
Cervantes	Irwin	Quirk-Silva	Wilson
Chen	Jackson	Ramos	Wood
Connolly	Jones-Sawyer	Rendon	Zbur
Dahle	Kalra	Reyes	
Davies	Lee	Rivas, L.	
Dixon	Low	Rivas, R.	

Quorum of Assembly Members-elect present—77:

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members-elect were granted leaves of absence for the day:

On personal business, and waiving per diem: Assembly Member-elect Bennett.

Because of illness: Assembly Member-elect Lackey.

(NOTE: Assembly Member-elect Lackey took and subscribed to the oath of office for Member of the Assembly on this day, Monday, December 5, 2022, at his district office in Palmdale; Assembly Member-elect Wallis took and subscribed to the oath of office for Member of the Assembly on Monday, December 12, 2022; Assembly Member-elect Bennett took and subscribed to the oath of office for Member of the Assembly on Thursday, December 15, 2022.)

PRAYER

Upon invitation of the Chief Clerk, the following prayer was offered by Assembly Member-elect Valencia from the 68th Assembly District:

Almighty God, As we embark on a new legislative session, we ask that You grant the individuals of this Assembly the courage, wisdom, integrity, and love to best serve the residents of our state of California.

Guide all Members, whether we are navigating our first terms or returning to continue the good works we have been elected to do. Nurture within us a collaborative spirit as we progress towards resolving challenges with commitment, purpose, and humility.

We ask, heavenly God, that the values of dedication and righteousness flow through each team member as they work to support this Assembly. By the same token, we ask for our families and loved ones who continue to provide encouragement and support along our journeys.

May the decisions we make as elected leaders serve as a catalyst for impactful change for the betterment of California. Few of the challenges our state faces are simple, but as a collective and through Your divinity, none are insoluble.

We thank You, God, for this responsibility and for the opportunity to serve.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Chief Clerk, Assembly Member-elect Villapudua from the 13th Assembly District led the Assembly in the pledge of allegiance to the Flag.

REQUEST FOR PHOTOGRAPHER

Upon request of Assembly Member-elect Rendon, and in the absence of objection, photographers were permitted on the Floor of the Assembly.

CERTIFICATE OF ELECTION FROM SECRETARY OF STATE

The following certificate of duly elected Members of the Assembly for the 2023–24 Regular Session of the Legislature of the State of California from the Secretary of State was read, and ordered printed in the Journal:

CERTIFICATE OF ELECTION

State of California
Office of the Secretary of State

I, SHIRLEY N. WEBER, PH.D., Secretary of State of the State of California, hereby certify:

That according to the unofficial election results provided to my office by county elections officials as of 4:00 p.m. on December 2, 2022, the persons whose names are hereinafter set forth appear to have received the plurality of votes in their respective State Assembly districts at the November 8, 2022, General Election.

That opposite their respective names are the State Assembly districts from which they have as of this time and date appear to have received a plurality of the votes and the names of the county or counties comprising or forming a portion of said districts, with the name of any county entirely within or comprising the district shown in capital letters.

Name	*District*	*County or Counties*
Megan Dahle	First	ALPINE, Amador, El Dorado, LASSEN, MODOC, NEVADA, Placer, PLUMAS, SHASTA, SIERRA, SISKIYOU
Jim Wood	Second	DEL NORTE, HUMBOLDT, MENDOCINO, Sonoma, TRINITY
James Gallagher	Third	Butte, GLENN, Placer, SUTTER, TEHAMA, YUBA
Cecilia Aguiar-Curry	Fourth	COLUSA, LAKE, NAPA, Sonoma, YOLO
Joe Patterson	Fifth	El Dorado, Placer
Kevin McCarty	Sixth	Sacramento
Josh Hoover	Seventh	Sacramento
Jim Patterson	Eighth	Calaveras, Fresno, INYO, Madera, MARIPOSA, MONO, TUOLUMNE
Heath Flora	Ninth	Amador, Calaveras, Sacramento, San Joaquin, Stanislaus
Stephanie Nguyen	Tenth	Sacramento
Lori D. Wilson	Eleventh	Contra Costa, Sacramento, SOLANO
Damon Connolly	Twelfth	MARIN, San Francisco, Sonoma
Carlos Villapudua	Thirteenth	San Joaquin
Buffy Wicks	Fourteenth	Alameda, Contra Costa
Tim Grayson	Fifteenth	Contra Costa
Rebecca Bauer-Kahan	Sixteenth	Alameda, Contra Costa
Matt Haney	Seventeenth	San Francisco
Mia Bonta	Eighteenth	Alameda, San Francisco
Phil Ting	Nineteenth	San Francisco, San Mateo
Liz Ortega	Twentieth	Alameda
Diane Papan	Twenty-First	San Mateo
Juan Alanis	Twenty-Second	Merced, Stanislaus
Marc Berman	Twenty-Third	San Mateo, Santa Clara
Alex Lee	Twenty-Fourth	Alameda, Santa Clara
Ash Kalra	Twenty-Fifth	Santa Clara
Evan Low	Twenty-Sixth	Santa Clara
Esmeralda Soria	Twenty-Seventh	Fresno, Madera, Merced
Gail Pellerin	Twenty-Eighth	Santa Clara, Santa Cruz
Robert Rivas	Twenty-Ninth	Monterey, SAN BENITO, Santa Clara, Santa Cruz

Dawn Addis	Thirtieth	Monterey, San Luis Obispo, Santa Cruz
Joaquin Arambula	Thirty-First	Fresno
Vince Fong	Thirty-Second	Kern, Tulare
Devon J. Mathis	Thirty-Third	Fresno, KINGS, Tulare
Tom Lackey	Thirty-Fourth	Kern, Los Angeles, San Bernardino
Jasmeet Bains	Thirty-Fifth	Kern
Eduardo Garcia	Thirty-Sixth	IMPERIAL, Riverside, San Bernardino
Gregg Hart	Thirty-Seventh	San Luis Obispo, SANTA BARBARA
Steve Bennett	Thirty-Eighth	Ventura
Juan Carrillo	Thirty-Ninth	Los Angeles, San Bernardino
Pilar Schiavo	Fortieth	Los Angeles
Chris Holden	Forty-First	Los Angeles, San Bernardino
Jacqui Irwin	Forty-Second	Los Angeles, Ventura
Luz Maria Rivas	Forty-Third	Los Angeles
Laura Friedman	Forty-Fourth	Los Angeles
James C. Ramos	Forty-Fifth	San Bernardino
Jesse Gabriel	Forty-Sixth	Los Angeles, Ventura
Blanca E. Rubio	Forty-Eighth	Los Angeles
Mike Fong	Forty-Ninth	Los Angeles
Eloise Gómez Reyes	Fiftieth	San Bernardino
Rick Chavez Zbur	Fifty-First	Los Angeles
Wendy Carrillo	Fifty-Second	Los Angeles
Freddie Rodriguez	Fifty-Third	Los Angeles, San Bernardino
Miguel Santiago	Fifty-Fourth	Los Angeles
Isaac G. Bryan	Fifty-Fifth	Los Angeles
Lisa Calderon	Fifty-Sixth	Los Angeles
Reggie Jones-Sawyer	Fifty-Seventh	Los Angeles
Sabrina Cervantes	Fifty-Eighth	Riverside, San Bernardino
Phillip Chen	Fifty-Ninth	Orange, San Bernardino
Corey A. Jackson	Sixtieth	Riverside
Tina Simone McKinnor	Sixty-First	Los Angeles
Anthony Rendon	Sixty-Second	Los Angeles
Bill Essayli	Sixty-Third	Riverside
Blanca Pacheco	Sixty-Fourth	Los Angeles, Orange
Mike Anthony Gipson	Sixty-Fifth	Los Angeles
Al Muratsuchi	Sixty-Sixth	Los Angeles
Sharon Quirk-Silva	Sixty-Seventh	Los Angeles, Orange
Avelino Valencia	Sixty-Eighth	Orange
Josh Lowenthal	Sixty-Ninth	Los Angeles
Tri Ta	Seventieth	Orange
Kate Sanchez	Seventy-First	Orange, Riverside
Diane Dixon	Seventy-Second	Orange
Cottie Petrie-Norris	Seventy-Third	Orange
Laurie Davies	Seventy-Fourth	Orange, San Diego
Marie Waldron	Seventy-Fifth	San Diego
Brian Maienschein	Seventy-Sixth	San Diego
Tasha Boerner Horvath	Seventy-Seventh	San Diego
Chris Ward	Seventy-Eighth	San Diego
Akilah Weber	Seventy-Ninth	San Diego
David Alvarez	Eightieth	San Diego

IN WITNESS WHEREOF, I hereunto set my hand and affix the Great Seal of the State of California this 2nd day of December, 2022.

SHIRLEY N. WEBER, PH.D.
Secretary of State

(NOTE: Certificate of election for Assembly District 47 received December 12, 2022.)

ROLLCALL BY COUNTIES

The Chief Clerk requested that as the roll of the counties was called, the Assembly Member-elect representing such county or counties should stand at their desk, and take and subscribe to the oath of office.

COUNTIES OF CALIFORNIA—Alameda, Alpine, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey, Napa, Nevada, Orange, Placer, Plumas, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Francisco, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare, Tuolumne, Ventura, Yolo, and Yuba.

MEMBERS SWORN IN

As required by Section 9023 of the Government Code, the Principal Clerk read the roll of counties in alphabetical order, and the following Assembly Members-elect presented their certificates of election; and duly qualified by taking and subscribing to the following oath of office administered by the Honorable Patricia Guerrero, Chief Justice-elect of California:

OATH

for the Office of Member of the Assembly
State of California

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Dawn Addis, Cecilia Aguiar-Curry, Juan Alanis, David Alvarez, Joaquin Arambula, Jasmeet Bains, Rebecca Bauer-Kahan, Marc Berman, Tasha Boerner Horvath, Mia Bonta, Isaac G. Bryan, Lisa Calderon, Juan Carrillo, Wendy Carrillo, Sabrina Cervantes, Phillip Chen, Damon Connolly, Megan Dahle, Laurie Davies, Diane Dixon, Bill Essayli, Heath Flora, Mike Fong, Vince Fong, Laura Friedman, Jesse Gabriel, James Gallagher, Eduardo Garcia, Mike Anthony Gipson, Tim Grayson, Matt Haney, Gregg Hart, Chris Holden, Josh Hoover, Jacqui Irwin, Corey A. Jackson, Reginald B. Jones-Sawyer, Sr., Ash Kalra, Alex Lee, Evan Low, Josh Lowenthal, Brian Maienschein, Devon J. Mathis, Kevin McCarty, Tina Simone McKinnor, Al Muratsuchi, Stephanie Nguyen, Liz Ortega, Blanca Pacheco, Diane Papan, Jim Patterson, Joe Patterson, Gail Pellerin, Cottie Petrie-Norris, Sharon Quirk-Silva, James C. Ramos, Anthony Rendon, Eloise Gómez Reyes, Luz Maria Rivas, Robert Rivas, Freddie Rodriguez, Blanca Rubio, Kate Sanchez, Miguel Santiago, Pilar Schiavo, Esmeralda Soria,

Tri Ta, Phil Ting, Avelino Valencia, Carlos Villapudua, Marie Waldron, Chris Ward, Akilah Weber, Buffy Wicks, Lori D. Wilson, Jim Wood, and Rick Chavez Zbur.

Subscribed and sworn to before me,
this 5th day of December, A.D. 2022

THE HONORABLE PATRICIA GUERRERO
Chief Justice-elect of the California Supreme Court

ANNOUNCEMENTS

The Chief Clerk announced that the next order of business was the nomination and election of officers of the Assembly for the 2023–24 Regular Session of the Legislature, and declared that nominations for the Office of Speaker of the Assembly were now in order.

NOMINATIONS FOR SPEAKER OF THE ASSEMBLY

Nominations by Resolution

The following resolution was offered:

House Resolution No. 1

By Assembly Members McCarty and Aguiar-Curry.

Relative to the election of the Speaker and Speaker-designate for the 2023–24 Regular Session

Resolved by the Assembly of the State of California, That Anthony Rendon is hereby elected as the Speaker of the Assembly to be sworn in on December 5, 2022, to serve as Speaker until June 30, 2023, and that Robert Rivas is the Speaker-designate, and is hereby elected as the Speaker of the Assembly to be sworn in as Speaker on June 30, 2023.

Resolution read, and taken up on motion of Assembly Member McCarty.

Nominations Seconded

Nomination of Assembly Member Anthony Rendon for Speaker of the Assembly and Assembly Member Robert Rivas for Speaker-designate was seconded by Assembly Members Aguiar-Curry, Weber, and Hart, whereupon each addressed the assemblage.

Nominations Closed

There being no further nominations, the Chief Clerk closed the nominations for Speaker of the Assembly and Speaker-designate for the 2023–24 Regular Session.

Speaker and Speaker-designate Elected by Acclamation

In the absence of objection, consent was granted to allow Assembly Member Anthony Rendon to be elected Speaker and Assembly Member Robert Rivas to be elected Speaker-designate by adoption of House Resolution No. 1 by voice vote.

Assembly Member Anthony Rendon Declared Choice of the Assembly for Speaker

Upon request of Chief Clerk Sue Parker, all Members in favor of electing Assembly Member Anthony Rendon Speaker and Robert Rivas Speaker-designate responded by saying "Aye" and all Members not in favor of electing Assembly Member Anthony Rendon Speaker and Robert Rivas Speaker-designate responded by saying "No," whereupon Chief Clerk Sue Parker declared Assembly Member Anthony Rendon the choice of the Assembly for Speaker and Assembly Member Robert Rivas choice of the Assembly for Speaker-designate of the California State Assembly for the 2023–24 Regular Session.

APPOINTMENT OF SELECT COMMITTEE ON ESCORT

Chief Clerk Sue Parker appointed Assembly Members Schiavo, Lowenthal, Ortega, Bains, Connolly, and Jackson as a Select Committee to escort Speaker-elect Anthony Rendon, his wife Annie Lam, and their daughter Vienna to the Rostrum for the administration of his oath of office for Speaker of the Assembly.

OATH OF OFFICE ADMINISTERED

Speaker-elect Rendon appeared at the Rostrum and took and subscribed to the following oath of office administered by the Honorable Patricia Guerrero, Chief Justice-elect of California:

OATH

for the Office of Speaker of the Assembly

I, Anthony Rendon, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

ANTHONY RENDON

Subscribed and sworn to before me,
this 5th day of December, A.D. 2022

THE HONORABLE PATRICIA GUERRERO
Chief Justice-elect of the California Supreme Court

SPEAKER PRESIDING

At 12:42 p.m., the Honorable Anthony Rendon, Speaker of the Assembly, presiding.

Chief Clerk Sue Parker at the Desk.

ADDRESS BY SPEAKER RENDON

Speaker Rendon then addressed the Members of the Assembly.

DELEGATION FROM SENATE

Senators Laird, Limón, Nguyen, Wahab, and Seyarto appeared at the rear of the Chamber to inform the Assembly that the Senate is organized for the 2023–24 Regular Session of the Legislature and ready to proceed with regular business.

SPEAKER PRO TEMPORE APPOINTED

Speaker Rendon announced that he had appointed Assembly Member Christopher M. Ward of the 78th Assembly District to serve as Speaker pro Tempore of the Assembly.

APPOINTMENT OF SELECT COMMITTEE ON ESCORT

Speaker Rendon appointed Assembly Members Calderon, Villapudua, Alvarez, Lee, Davies, and McKinnor as a Select Committee on Escort to escort Speaker pro Tempore-elect Christopher M. Ward, his spouse Thom Harpole, and their children Betty and Billy, to the Rostrum.

OATH OF OFFICE ADMINISTERED

Speaker pro Tempore-elect Christopher M. Ward appeared at the bar of the Assembly and took and subscribed to the following oath of office administered by the Honorable Patricia Guerrero, Chief Justice-elect of California:

OATH

for the Office of Speaker pro Tempore of the Assembly

I, Christopher M. Ward, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

CHRISTOPHER M. WARD

Subscribed and sworn to before me,
this 5th day of December, A.D. 2022

THE HONORABLE PATRICIA GUERRERO
Chief Justice-elect of the California Supreme Court

At 1:20 p.m., Speaker pro Tempore of the Assembly, Christopher M. Ward, 78th District, presiding.

ADDRESS BY SPEAKER PRO TEMPORE WARD

Speaker pro Tempore Ward then addressed the Members of the Assembly.

RESOLUTIONS

The following resolution was offered:

House Resolution No. 2

By Assembly Member Rendon.

Relative to the Standing Rules of the Assembly for the 2023–24 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 2023–24 Regular Session; and be it further

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

STANDING RULES OF THE ASSEMBLY

2023–24 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
Chaplain

(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.

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

Hours of Meeting

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

Speaker to Call Assembly to Order

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

Rollcall and Quorum

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

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

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

Organization of Assembly

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

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-three standing committees of the Assembly are hereby created, upon the several subjects, and titled respectively, as follows:

Accountability and Administrative Review
Aging and Long-Term Care
Agriculture
Appropriations
Arts, Entertainment, Sports, and Tourism
Banking and Finance
Budget
Business and Professions
Communications and Conveyance
Education
Elections
Emergency Management
Environmental Safety and Toxic Materials
Governmental Organization
Health
Higher Education
Housing and Community Development
Human Services
Insurance
Jobs, Economic Development, and the Economy
Judiciary
Labor and Employment
Local Government
Military and Veterans Affairs
Natural Resources
Privacy and Consumer Protection
Public Employment and Retirement
Public Safety
Revenue and Taxation
Rules
Transportation
Utilities and Energy
Water, Parks, and Wildlife

Open Meetings

11.3. (a) Except as otherwise provided in this rule, all meetings of the Assembly or a committee thereof shall be open and public, and all persons shall be permitted to attend the meetings. As used in this rule, "meeting" means a gathering of a quorum of the Members of the Assembly or a committee in one place for the purpose of discussing legislative or other official matters within the jurisdiction of the Assembly or committee. As used in this rule, "committee" includes a standing committee, joint committee, conference committee, subcommittee, select committee, special committee, research committee, or any similar body.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Conference Committee Meetings

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

Assembly Investigating Committees

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

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

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

(d) In order to prevent duplication and overlapping of studies between the various investigating committees herein created, a committee may not commence the study of any subject or matter not specifically authorized herein or assigned to it unless and until prior written approval thereof has been obtained from the Committee on Rules.

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

Membership of Standing Committees

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

Committee on Rules

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

Organization of Party Caucuses

13.1. Within two days after the general election held in November of each even-numbered year, the caucus of the political party having the greatest number of Members in the Assembly, and the caucus of the political party having the second greatest number of Members, each may meet for the purpose of selecting their officers for the next regular session. The convening of the respective party caucus meetings shall be at the discretion of the Speaker and the leader of the caucus of the political party having the second greatest number of Members. The rules and procedures of each caucus shall be determined by that caucus, but may not be inconsistent with these rules.

Powers of the Committee on Rules

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

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

(2) To appoint all employees of the Assembly not otherwise provided for by statute. It has authority to terminate, to discipline, to establish, and to modify the terms and conditions of employment of, or to suspend, with or without pay, any employee of the Assembly.

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

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

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

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

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

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

(9) To make available to the Assembly, or to any Assembly or joint committee, or to any Member of the Assembly assistance in connection with the duties of the committee or other legislative matters as the personnel under direction of the committee or its 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 membership of the committee to implement Sections 7 and 8 of Article IV of the California Constitution.

Subcommittee on Harassment, Discrimination, and Retaliation Prevention and Response

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

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

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

Committee on Rules

15. The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular session, and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction, the committee and its members have and may exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which rules are incorporated herein and made applicable to the Committee on Rules and its members.

Operating Fund Report

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

Independent Audit of Operating Funds

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

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

Performance Audit

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

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

Rules Committee Resolutions

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

Assembly Operating Fund

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

Expenditures

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

The Committee on Rules shall provide, by rules and regulations, for the manner of authorizing expenditures by Members, committees, officers, and employees of the Assembly that are not otherwise authorized by law, these rules, or the Joint Rules of the Senate and Assembly. These rules and regulations shall incorporate a provision whereby construction, alteration, improvement, repair, or maintenance of real or personal property, and the purchase of supplies and equipment, shall be governed by competitive bidding. Further, the rules and regulations shall provide for the payment of expenditures, as authorized by these rules and regulations, from the Assembly Operating Fund upon certification of claims therefor to the Controller by the Committee on Rules or its authorized representative.

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

Rules and Regulations Governing Committees

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

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

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

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

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

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

Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairperson of every investigating committee and of any other Assembly committee that has employees.

Fees for Witnesses

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

Assembly General Research Committee

22. (a) The Assembly General Research Committee is hereby continued as a permanent factfinding committee pursuant to Section 11 of Article IV of the California Constitution. The committee is allocated all subjects within the scope of legislative regulation and control, but may not undertake any investigation that another committee has been specifically requested or directed to undertake. The Assembly General Research Committee may act through subcommittees appointed by the Speaker in consultation with the Committee on Rules, and each of these subcommittees may act only on the particular study or investigation assigned by the Speaker in consultation with the Committee on Rules to that subcommittee. Each subcommittee shall be known and designated as a select committee. The Speaker is the Chairperson of the Assembly General Research Committee and may be a voting member of any subcommittee. Each member of the Assembly General Research Committee is authorized and directed to receive and investigate requests for legislative action made by individuals or groups, and to report thereon to the full committee. The Committee on Rules is authorized to allocate to any subcommittee from the Assembly Operating Fund those sums that the Committee on Rules deems necessary to complete the investigation or study conferred upon that subcommittee. The Committee on Rules shall further allocate, from time to time, to the Assembly General Research Committee from the Assembly Operating Fund those sums that are necessary to permit the Assembly General Research Committee and the members thereof to carry out the duties imposed on them. The committee has continuous existence until the time that its existence is terminated by a resolution adopted by the Assembly, and the committee is authorized to act both during and between sessions of the Legislature, including any recess.

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

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

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

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

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

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

Assembly Legislative Ethics Committee

22.5. (a) The Assembly Legislative Ethics Committee is hereby created. The committee shall consist of six Members of the Assembly, appointed by the Speaker. Notwithstanding any other rule of the Assembly, three members of the committee shall be from the political party having the greatest number of Members in the Assembly and three members shall be from the political party having the second greatest number of Members. Any temporary or permanent vacancy on the committee shall be filled within 10 days by a member from the same political party. All appointments, including appointments to fill permanent or temporary vacancies, of members from the political party having the second greatest number of Members in the Assembly shall be made from a list of nominees that the Republican Leader provides to the Speaker. The Speaker shall designate one member of the committee from the political party having the greatest number of Members in the Assembly and one member of the committee from the political party having the second greatest number of Members to serve as co-chairpersons of the committee. The Speaker shall designate one of the co-chairpersons to serve as the presiding officer at any meeting or hearing conducted by the committee.

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

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

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

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

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

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

(e) Any person may file with the committee a verified complaint in writing, which shall state the name of the Member of the Assembly alleged to have violated any standard of conduct, and which shall set forth the particulars thereof with sufficient clarity and detail to enable the committee to make a determination. The person filing the complaint thereafter shall be designated the complainant.

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

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

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

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

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

(ii) If the committee determines that the verified complaint does allege facts, directly or upon information and belief, sufficient to constitute a violation of any standard of conduct, the committee promptly shall investigate the alleged violation and if, after this preliminary investigation, the committee finds that reasonable cause exists for believing the allegations of the complaint, it shall fix a time for a hearing in the matter, which shall be not more than 30 days after that finding. The committee may, however, seek an extension of this period, not to exceed an additional 30 days, which may be granted by a majority vote of the Committee on Rules. If, after preliminary investigation, the committee does not find that reasonable cause exists for believing the allegations of the complaint, the committee shall dismiss the complaint. In either event, the committee shall notify the complainant and the respondent of its determination.

(4) The committee shall make its determination under paragraph (2) or (3), pursuant to a vote in accordance with subdivision (n), not later than 120 days after first receiving a complaint that satisfies subdivision (e). The committee may, however, seek an extension, not to exceed 30 days, which may be granted by a majority vote of the membership of the Committee on Rules. If the committee has requested

a law enforcement agency to investigate the complaint or if the committee knows the complaint is being investigated by a law enforcement agency, the time limits set forth in this subdivision shall be tolled until the investigation is completed.

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

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

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

(h) If a hearing is held pursuant to subdivision (f), the committee, before the hearing has commenced, shall issue subpoenas and subpoenas duces tecum at the request of any party in accordance with Chapter 4 (commencing with Section 9400) of Part 1 of Division 2 of Title 2 of the Government Code. All of the provisions of that chapter, except Section 9410 of the Government Code, shall apply to the committee and the witnesses before it.

(i) At any hearing held by the committee:

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

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

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

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

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

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

(2) If the committee finds that the respondent has violated any standard of conduct, it shall state its findings of fact and submit a report thereon to the Assembly. This report shall be accompanied by a house resolution, authored by the committee, which shall be introduced at the Chief Clerk's desk and then referred by the Committee on Rules to the

Ethics Committee. The house resolution shall include a statement of the committee's findings and the committee's recommendation for disciplinary action. Within seven days, the committee shall adopt the final form of the house resolution and report it to the Assembly for placement on the Daily File. The committee also shall send a copy of those findings and report to the complainant and respondent, and, in cases concerning an alleged violation of Article 2 (commencing with Section 8920) of Chapter 1 of Part 1 of Division 2 of Title 2 of the Government Code, shall report thereon to the appropriate law enforcement agency. The report submitted pursuant to this paragraph is a public record and open to public inspection.

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

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

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

(n) The committee may take any action authorized by this rule only upon the vote of not less than two members from the registered political party having the greatest number of Members in the Assembly and two members from the registered political party having the second greatest number of Members. Any vacancy 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 be terminated at will, at any time and without notice, by the Committee on Rules.

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

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

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

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

Public Legislative Meetings

25. (a) Accredited press representatives and the public shall not be excluded from any public legislative meeting or hearing and shall not be prohibited from taking photographs of, televising, 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 Committee on Rules. Members and alternates so appointed shall remain in office until their successors are selected as provided for in these rules. The Speaker may designate any member in lieu of or in addition to the alternate member to fill a temporary vacancy. An alternate member may

serve when a committee member is absent.

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

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

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

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

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

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

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

Funerals and Other Ceremonies and Events

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

Selection of Officers

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

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

Duties of the Speaker pro Tempore

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

Duties of the Assistant Speaker pro Tempore

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

Majority Leader

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

Caucus Chairpersons

31. The chairperson of the caucus of the political party having the greatest number of Members in the Assembly, and the chairperson of the caucus of the political party having the second greatest number of Members in the Assembly, shall perform those 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:

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

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

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

(d) To execute all commands of the Speaker.

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

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

Filling Interim Vacancies—Assembly Elected Officers

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

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

B. Printing

Authority for Printing

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

Ordering of Printing

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

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

Printing Assembly History and Legislative Handbook

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

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

Transmittal of Assembly Joint Resolutions

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

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

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

V. LEGISLATIVE PROCEDURE

Order of Business

40. (a) The order of business of the Assembly shall be as follows:
1. Rollcall
2. Prayer by the Chaplain
3. Reading of the Previous Day's Journal
4. Presentation of Petitions
5. Introduction and Reference of Bills
6. Reports of Committees
7. Messages From the Governor
8. Messages From the Senate
9. Motions and Resolutions
10. Business on the Daily File
11. Announcements
12. Adjournment

(b) With the exception of Special Orders of Business, the Speaker may determine that a different order of business will result in a more expeditious processing of the business of the Assembly by ordering resolutions honoring an individual or an organization, introductions, and adjournments in memory of individuals to be taken up in a different order than that listed in subdivision (a).

Pledging of Allegiance to the Flag

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

Reading and Correcting Journals

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

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

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

Presentation of Petitions

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

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

Messages From the Governor

44. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by an affirmative recorded vote of 54 or more Members.

Messages From the Senate

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

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

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

Presentation of Guests or Memorials in the Assembly

45.5. These rules do not prohibit the Speaker or Speaker pro Tempore from permitting the introduction of a special guest or guests. A request that a session of the Assembly adjourn in memory of a person shall be made in writing. The request shall be read by the presiding officer immediately prior to adjournment.

A. Bills and Resolutions

Bills Defined

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

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

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

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

(c) "Final form," as used in these rules, means the following:

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

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

Introduction and Reference of Bills

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

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

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

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

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

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

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

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

Bills Authored by a Former Member

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

Limitation on the Introduction of Bills

49. (a) A Member may introduce not more than 50 bills in the regular session. As used in this rule, "bill" includes a constitutional amendment, but does not include a concurrent or joint resolution.

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

Reference of Bills to Committee

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

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

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

Spot Bills

51.5. A bill that upon introduction makes no substantive change in or addition to existing law, and would not otherwise affect the ongoing operations of state or local government, except a bill stating legislative intent to make necessary statutory changes to implement the Budget Bill, may not be referred to a committee by the Committee on Rules. If the author subsequently proposes to the Committee on Rules to make substantive changes in the bill as introduced, the Committee on Rules may refer the bill to a committee, together with the proposed changes for consideration as author's amendments. A vote on passage of the bill may not be taken, however, until the bill with its amendments, if adopted, has been in print for at least 15 days.

Delivery of Bills to State Printer

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

Resolutions

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

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

Resolutions by Member

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

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

B. Standing Committee Functions

Standing Committee Rules

55. Subject to the Joint Rules of the Senate and Assembly, the Rules of the Assembly shall govern the conduct of all committee and subcommittee meetings.

Meetings of Standing Committees and Subcommittees

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

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

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

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

Setting and Hearing Bills in Committee

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

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

Committee Analyses

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

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

Committee Consultants: Floor Analyses

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

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

Consent Calendar

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

Committee Quorum

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

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

Reconsideration

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

Bills Reported Back to Assembly

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

Suspense Files

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

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

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

Subject Matter of Bill Recommended for Interim Study

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

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

Committee Chairperson as Author

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

Reports of Committees

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

When a report of a joint legislative committee is delivered to the Chief Clerk, the Speaker shall refer it to a standing committee 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

All bills on the Daily File shall be called for consideration, provided that Rule 58 has been complied with in the order of their listing. 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.

Second Reading of Bills

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

Bills Requiring General Fund Appropriation

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

Committee Amendments and Coauthors

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

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

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

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

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

Author's Amendments

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

Notwithstanding any other rule, a bill to be amended pursuant to this rule may not be placed on the second reading file for the 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 Analysis Unit and placed upon the desks of the Members, unless otherwise ordered by the Speaker.

Printing of Conference Committee Reports

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

Conference Committee: Substantial Policy Change

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

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

Amendments From the Floor and Coauthors

69. (a) Any Member may move to amend a bill during its second or third reading, and that motion to amend may be adopted by a majority vote of the Members present and voting.

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

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

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

Before debate three copies of the proposed amendment to Assembly bills, and three copies of the proposed amendments to Senate bills, shall be delivered to the Chief Clerk's desk. One copy of the proposed amendment shall be transmitted by the Chief Clerk to the Assembly

Floor Analysis Unit. Bills so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed as many copies of all amended bills as the Chief Clerk may determine to be necessary.

(b) (1) Amendments from the Floor during a bill's second or third reading that would make a substantive change in the bill shall be submitted to the Chief Clerk's desk by 5:00 p.m. or the time of adjournment, whichever is later, the business day before the start of session on the legislative day at which they are to be considered.

(2) Upon receipt of the proposed amendments by the Chief Clerk, an analysis shall be prepared by the committee of origin in conjunction with the Assembly Floor Analysis Unit, and a copy of that analysis shall be distributed to each Member's desk prior to the beginning of debate on adoption of the proposed amendments, unless otherwise ordered by the Speaker.

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

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

(e) A motion to amend a bill on the second or third reading file, other than committee amendments reported pursuant to Rule 57, is not in order on (1) the last two legislative days preceding the January 31 bill passage deadline specified by Section 10 of Article IV of the California Constitution or (2) the last seven days preceding the scheduled commencement of the interim study recess or the scheduled commencement of the final recess as specified by the Joint Rules of the Senate and Assembly. This subdivision may be suspended temporarily by two-thirds vote of the Members present and voting. This subdivision does not apply to amendments to a bill pursuant to Joint Rule 23.5, amendments to a bill to add or delete an urgency clause, or amendments to a bill to incorporate one or more statutory amendments proposed in another bill to avoid superseding those amendments.

Consideration of Political Reform Act Bills

69.1. Pursuant to Section 81012 of the Government Code, any bill that would amend the Political Reform Act of 1974 (Title 9 (commencing with Section 81000) of the Government Code) may not be passed until, 12 days prior to being considered for passage, the bill in its final form has been delivered by the Chief Clerk to the Fair Political Practices Commission for distribution to the news media and to every person who has requested the commission to send a copy of any such bill to the person.

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

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

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

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

Electronic Distribution of Bills, Conference Reports, Amendments, and Analyses

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

Consideration of Bills Re-referred to Committee

70. Whenever a bill that has been amended and re-referred to committee is reported out by that committee, it shall be placed on the second reading file and may not be transferred therefrom to the third reading file until the following day.

Uncontested Bills

71. A bill may not be placed on the Assembly Consent Calendar unless it has met the requirements of Joint Rule 22.1 with respect to each Assembly standing committee to which the bill has been referred.

Consideration of Concurrent and Joint Resolutions

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

Adoption of Resolutions

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

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

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

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

Printing of Resolutions

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

Internet Publication Prior to Final Passage of Senate Bill

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

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

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

Concurrence in Senate Amendments

77. (a) Concurrence in any Senate amendment to an Assembly bill requires the same affirmative recorded vote as the vote required by the California Constitution for the passage of the bill. A vote on concurrence may not be taken until the bill has been on the unfinished business file for one calendar day, except that when the bill is placed upon the unfinished business file during the last two legislative days preceding (1) the January 31 bill passage deadline specified by Section 10 of Article IV of the California Constitution, (2) the scheduled commencement of the interim study recess, or (3) the scheduled commencement of the final recess as specified by the Joint Rules of the Senate and Assembly, it may be acted upon immediately. The vote on concurrence shall be deemed the vote upon final passage of the bill.

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

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

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

Digest of Bills Amended in Senate

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

Substantially Amended Bills

77.2. If the analysis of an amendment submitted pursuant to Rule 69 or adopted on the Floor discloses that the amendment makes a substantial substantive change to a bill as passed by the last committee of reference, the bill, as amended or with proposed amendments, may be referred by the Speaker to the appropriate committee. Bills with proposed Floor amendments may only be re-referred under this rule when the proposed amendments have been submitted by the author or designated Floor manager pursuant to Rule 69 and when a state of emergency exists due to a pandemic.

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

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

Inactive File

78. Whenever a bill has been passed twice on the third reading file on two successive legislative days, it shall be placed forthwith upon a special file to be known as the inactive file. A bill also may be placed on the inactive file at the request of the author. When a bill has been placed on the inactive file, it may be returned to the third reading file by request of the author on any legislative day. During a legislative day on which there is no Floor session, an author of an Assembly bill or the Floor Manager of a Senate bill shall submit the author's or the Floor Manager's written intention to remove the measure from the inactive file to the Chief Clerk, who shall cause the notice to be printed in the Journal. The Chief Clerk shall also transmit the written intention to the Speaker and the Republican Leader. Notice of the request to return the bill to the third reading file shall be published one day in advance in the Daily File. The bill, when returned to the third reading file, shall then be placed at the foot of the third reading file. Notice of removal of resolutions and concurrence items from the inactive file on a legislative day on which there is no Floor session shall be published one day in advance in the Daily File.

When a bill, placed on the inactive file from the second reading file or the unfinished business file, is removed from the inactive file, it shall be returned to the foot of the second reading file or the unfinished business file, respectively, in the next published 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 in decorum, 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.

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

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

To Recess to a Time Certain

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

To Lay on the Table

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

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

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

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

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

The Previous Question

87. The previous question shall be put only when demanded by five Members who have not previously spoken on the question, and its effect, when sustained by a majority vote of the Members present and voting, shall be to put an end to all debate and bring the Assembly to a vote only on the question then pending, except that the proponent of the matter pending shall be allowed not more than five minutes to close the debate.

Motion to Set Special Order

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

Motion to Postpone to a Time Certain

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

Motion to Postpone Indefinitely

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

Motion to Amend

91. A motion to amend may itself be amended, but an "amendment to an amendment" may not be amended. A motion to substitute is deemed to be a motion to amend and is considered the same as an amendment.

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

A motion to amend that is decided in the negative is not again in order on the same day, or at the same stage of proceeding. The fact that a motion to amend by striking out certain words is decided in the negative does not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words, except that in no case may a further amendment be substantially the same as the one rejected.

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

Amendment to be Germane

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

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

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

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

Consideration of Motions

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

Motions in Writing

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

Withdrawal of Motions

95. After a motion is stated by the Speaker, or a bill, resolution, or petition is read by the Chief Clerk, it is in the possession of the 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 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 maybe 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:

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

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

As used in this paragraph, "bill" does not include a joint or concurrent resolution.

(2) January 31—Even-numbered Year:

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

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

As used in this paragraph, "bill" does not include a Senate bill, a constitutional amendment, or a joint or concurrent resolution.

(3) Spring or Summer Recess:

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

(4) Deadline for Passage by House:

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

As used in this paragraph, "bill" does not include a Senate bill, a constitutional amendment, or a joint or concurrent resolution.

(5) Final Recess:

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

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

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

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

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

Call of Assembly

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

Each Member who is found to be absent, and for whom a leave of absence has not been granted, shall be forthwith taken into custody wherever found by the Sergeant at Arms, the Sergeant at Arms' assistants, or any person designated by the Sergeant at Arms, including members of the California Highway Patrol, and sheriffs or their deputies, and brought to the Assembly Chamber.

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

Division of Question

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

B. Voting

Members Voting

104. Every Member in the Assembly Chamber when a roll call is required shall record the Member's vote openly and without debate, unless the Assembly excuses that Member by a majority vote of the Members present and voting.

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

The name of any Member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal, together with a statement that the Member was present and did so refuse to vote. Any Member who refuses so to vote may, if the Member so desires, and immediately after the announcement of the vote, submit a written explanation of the failure to vote and that explanation shall be printed in the Journal, provided that no explanation may exceed 50 words in length.

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

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

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

Ayes and Noes

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

Voting and Vote Changes

106. When once begun, voting may not be interrupted, except that, before the vote is announced, any Member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of the vote, the presiding officer shall instruct the Chief Clerk to record verbal votes from Members not at their desks. Any Member may move a call of the Assembly after the completion of the roll. A Member, prior to adjournment on the same legislative day, and in the absence of any objection, may instruct the Chief Clerk to change the Member's recorded vote after the vote is announced, so long as the outcome of the vote is not thereby changed. The Chief Clerk may record any vote change only after the Member making the change has announced it to the Assembly.

Tie Vote

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

VII. MEMBERS' DECORUM AND PRIVILEGES

Order in Speaking to Questions

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

A Member may not speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question has the right to open and close the debate thereon. A Member may not be allowed to speak more than five minutes to open and five minutes to close the debate on any question, including amendments, and no Member other than the author or the mover of the question may be allowed to speak more than five minutes thereon. A Member may not yield to any other Member the time for which the Member is entitled to speak on 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 for nonattendance for legislative business unless the Member has filed with the Speaker a statement of the legislative business for which the Member seeks that leave of absence or excuse. That statement shall be printed in the Journal.

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

Personal Privilege

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

Objection to Reading of Any Paper

112. Any Member, upon recognition by the Speaker, may object to the reading of any paper before the Assembly. When that objection is made, the question of reading shall be determined without debate by a majority vote of the Members present and voting, upon a brief statement by the Speaker of the substance of the objection.

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 anytime 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.

Use of Assembly Chamber

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

Use of Assembly Facilities: Smoking

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

Telephones and Electronic Communications

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

(a) Use a cellular telephone to make or receive calls.

(b) Send electronic communications to, or receive electronic communications from, any lobbyist.

Meeting of the Assembly: Firearms

117.7. A person, except a peace officer acting within the scope of the peace officer's employment, may not carry or possess a firearm on the Floor of the Assembly during any session of the Assembly or in a committee hearing room during any meeting of 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 Assembly Chamber while the Assembly is in session.

Floor Attire

118.1. Notwithstanding any other provision of these Rules, Members of the Legislature, officers or employees of the Legislature, accredited members of the press, or any other persons may be restricted from admission to the Floor of the Assembly during any session if they are inappropriately attired. The Committee on Rules may, as necessary, adopt policies to implement this rule.

Qualifications and Elections of Members

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

Compensation and Expenses of Member Convicted of Felony

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

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

The Seal of the Assembly

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

Agency Reports: Electronic Copies

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

CONSIDERATION OF HOUSE RESOLUTION NO. 2

On motion of Assembly Member Reyes, House Resolution No. 2 was taken up.

HOUSE RESOLUTION NO. 2—Relative to the Standing Rules of the Assembly for the 2023–24 Regular Session.

Resolution read, and adopted by the following vote:

AYES—61

Addis	Friedman	McCarty	Santiago
Aguiar-Curry	Gabriel	McKinnor	Schiavo
Alvarez	Garcia	Muratsuchi	Soria
Arambula	Gipson	Nguyen	Ting
Bains	Grayson	Ortega	Valencia
Bauer-Kahan	Haney	Pacheco	Villapudua
Berman	Hart	Papan	Ward
Boerner Horvath	Holden	Pellerin	Weber
Bonta	Irwin	Petrie-Norris	Wicks
Bryan	Jackson	Quirk-Silva	Wilson
Calderon	Jones-Sawyer	Ramos	Wood
Carrillo, J.	Kalra	Reyes	Zbur
Carrillo, W.	Lee	Rivas, L.	Mr. Speaker
Cervantes	Low	Rivas, R.	
Connolly	Lowenthal	Rodriguez	
Fong, M.	Maienschein	Rubio	

NOES—16

Alanis	Dixon	Gallagher	Patterson, Joe
Chen	Essayli	Hoover	Sanchez
Dahle	Flora	Mathis	Ta
Davies	Fong, V.	Patterson, Jim	Waldron

RESOLUTIONS

The following resolution was offered:

House Resolution No. 3

By Assembly Member Rendon.

Relative to the election of officers of the Assembly for the 2023–24 Regular Session

Resolved by the Assembly of the State of California, That the following named persons constitute officers of the Assembly for the 2023–24 Regular Session:

Sue Parker, Chief Clerk
Alisa Buckley, Chief Sergeant at Arms
Imam Mohammad Yasir Khan, Chaplain

CONSIDERATION OF HOUSE RESOLUTION NO. 3

On motion of Assembly Member Reyes, House Resolution No. 3 was taken up.

HOUSE RESOLUTION NO. 3—Relative to the election of officers of the Assembly for the 2023–24 Regular Session.

Resolution read, and adopted by the following substitute vote:

AYES—77

Addis	Essayli	Lowenthal	Rubio
Aguiar-Curry	Flora	Maienschein	Sanchez
Alanis	Fong, M.	Mathis	Santiago
Alvarez	Fong, V.	McCarty	Schiavo
Arambula	Friedman	McKinnor	Soria
Bains	Gabriel	Muratsuchi	Ta
Bauer-Kahan	Gallagher	Nguyen	Ting
Berman	Garcia	Ortega	Valencia
Boerner Horvath	Gipson	Pacheco	Villapudua
Bonta	Grayson	Papan	Waldron
Bryan	Haney	Patterson, Jim	Ward
Calderon	Hart	Patterson, Joe	Weber
Carrillo, J.	Holden	Pellerin	Wicks
Carrillo, W.	Hoover	Petrie-Norris	Wilson
Cervantes	Irwin	Quirk-Silva	Wood
Chen	Jackson	Ramos	Zbur
Connolly	Jones-Sawyer	Reyes	Mr. Speaker
Dahle	Kalra	Rivas, L.	
Davies	Lee	Rivas, R.	
Dixon	Low	Rodriguez	

NOES—None

Whereupon Speaker Rendon declared the following officers elected as the choice of the Assembly for the 2023–24 Regular Session of the California Legislature:

Sue Parker, Chief Clerk; Alisa Buckley, Chief Sergeant at Arms; and Imam Mohammad Yasir Khan, Chaplain.

OATH OF OFFICE ADMINISTERED

Chief Clerk-elect Sue Parker, Chief Sergeant at Arms-elect Alisa Buckley, and Chaplain-elect Imam Mohammad Yasir Khan appeared at the Rostrum and took and subscribed to the following oath of office, administered by the Honorable Patricia Guerrero, Chief Justice-elect of California:

OATH

for the Office of Officer of the Assembly

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Subscribed and sworn to before me,
this 5th day of December, A.D. 2022

THE HONORABLE PATRICIA GUERRERO
Chief Justice-elect of the California Supreme Court

RESOLUTIONS

The following resolution was offered:

House Resolution No. 4

By Assembly Member Rendon.

Relative to the organization of the Assembly for the 2023–24 Regular Session.

Resolved by the Assembly of the State of California, That during the organizational recess, no bill shall be placed on the Desk for introduction except by a person designated by the author in writing. The designation shall be filed with the Chief Clerk; and be it further

Resolved, That the Committee on Rules, the Chief Clerk, or the Sergeant at Arms is authorized to receive from the Controller all warrants for the payment of Members, officers, and attachés of the Assembly; and be it further

Resolved, That the Chief Clerk shall provide copies of the Assembly Weekly Histories to the Legislative Counsel, Governor, Attorney General, and accredited newspaper representatives.

CONSIDERATION OF HOUSE RESOLUTION NO. 4

On motion of Assembly Member Reyes, House Resolution No. 4 was taken up.

HOUSE RESOLUTION NO. 4—Relative to the organization of the Assembly for the 2023–24 Regular Session.

Resolution read, and adopted by the following vote:

AYES—77

Addis	Essayli	Lowenthal	Rubio
Aguiar-Curry	Flora	Maienschein	Sanchez
Alanis	Fong, M.	Mathis	Santiago
Alvarez	Fong, V.	McCarty	Schiavo
Arambula	Friedman	McKinnor	Soria
Bains	Gabriel	Muratsuchi	Ta
Bauer-Kahan	Gallagher	Nguyen	Ting
Berman	Garcia	Ortega	Valencia
Boerner Horvath	Gipson	Pacheco	Villapudua
Bonta	Grayson	Papan	Waldron
Bryan	Haney	Patterson, Jim	Ward
Calderon	Hart	Patterson, Joe	Weber
Carrillo, J.	Holden	Pellerin	Wicks
Carrillo, W.	Hoover	Petrie-Norris	Wilson
Cervantes	Irwin	Quirk-Silva	Wood
Chen	Jackson	Ramos	Zbur
Connolly	Jones-Sawyer	Reyes	Mr. Speaker
Dahle	Kalra	Rivas, L.	
Davies	Lee	Rivas, R.	
Dixon	Low	Rodriguez	

NOES—None

LEADERSHIP ANNOUNCEMENT

Speaker pro Tempore Ward announced that there are letters at the Desk naming the Leadership of the Democratic and Republican Caucuses for the 2023–24 Regular Session.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

December 5, 2022

Sue Parker
Chief Clerk of the Assembly
State Capitol, Room 319
Sacramento, California

Dear Ms. Parker: Please be advised that I have appointed the following Democratic Leadership for the 2023–24 Regular Session:

Speaker pro Tempore

Assemblymember Christopher M. Ward

Majority Leader

Assemblymember Eloise Gómez Reyes

Democratic Caucus Chair

Assemblymember Mike A. Gipson

Sincerely,

ANTHONY RENDON
Speaker of the Assembly

RECESS

By unanimous consent, at 1:27 p.m., Speaker pro Tempore Ward declared the Assembly recessed to convene the First Extraordinary Session.

RECONVENED

At 1:30 p.m., the Assembly reconvened.

Speaker pro Tempore of the Assembly, Christopher M. Ward, 78th District, presiding.

APPOINTMENT OF SELECT COMMITTEE

Speaker pro Tempore Ward appointed Assembly Members Low, Garcia, Irwin, and Jones-Sawyer as a Select Committee to proceed to the Chamber of the Senate and to the Office of the Governor, to inform each that the Assembly has organized for the 2023–24 Regular Session of the Legislature and is ready to proceed with regular business.

MESSAGES FROM THE SENATE

Senate Chamber, December 5, 2022

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 2

ERIKA CONTRERAS, Secretary of the Senate
By Bernadette McNulty, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 2—Relative to the selection of the Legislative Counsel of California.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2

On motion of Assembly Member Reyes, and without objection, Senate Concurrent Resolution No. 2 was taken up without reference to file.

SENATE CONCURRENT RESOLUTION NO. 2 (Umberg)—Relative to the selection of the Legislative Counsel of California.

Resolution presented by Assembly Member Reyes.

Resolution read, and adopted.

SPECIAL RECOGNITION

The Members of the Assembly joined Speaker pro Tempore Ward in extending best wishes and congratulations to Cara Jenkins upon the occasion of her appointment as Legislative Counsel of California.

ANNOUNCEMENTS

Speaker pro Tempore Ward announced that the Assembly Desk will be open for the purpose of bill introductions until 4 p.m. today.

Speaker pro Tempore Ward announced that the Assembly Desk will be open during the Organizational Recess from 9 a.m. to 4 p.m. until Friday, December 16, 2022, for the purpose of bill introductions.

Speaker pro Tempore Ward announced that Organizational Recess will begin upon adjournment of Session today, to reconvene the 2023–24 Regular Session on Wednesday, January 4, 2023, at 1 p.m.

OATH OF OFFICE ADMINISTERED

The following oath of office administered at the 34th Assembly District office in Palmdale, was taken and subscribed to by Tom Lackey, 34th District, who was absent from the 2023–24 Organizational Session in Sacramento on this day:

OATH

for the Office of Member of the Assembly
34th Assembly District

I, Tom Lackey, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

TOM LACKEY

Subscribed and sworn to before me,
this 5th day of December, A.D. 2022

THE HONORABLE LISA M. CHUNG
Judge of the Superior Court of California, County of Los Angeles

ADJOURN IN MEMORY

Assembly Member Calderon was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dorothy M. Comstock, of Palm Desert.

MOTION TO ADJOURN

At 1:35 p.m., Assembly Member Rendon moved that the Assembly do now adjourn.

Assembly Member Gallagher seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:35 p.m., Speaker pro Tempore Ward declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1—McKinnor, Bryan, Haney, Kalra, Lee, McCarty, and Reyes (Principal coauthor: Boerner Horvath) (Principal coauthor: Senator Wiener) (Coauthors: Arambula, Cervantes, Mike Fong, Friedman, Jones-Sawyer, Maienschein, Luz Rivas, Robert Rivas, Santiago, Ting, Ward, and Wood) (Coauthors: Senators Becker, Cortese, Durazo, Gonzalez, Laird, and Newman). An act to add Chapter 12.5 (commencing with Section 3599.50) to Division 4 of Title 1 of the Government Code, relating to the Legislature.

ASSEMBLY BILL NO. 2—Ward. An act relating to recycling.

ASSEMBLY BILL NO. 3—Zbur (Principal coauthors: Addis and Hart). An act relating to energy.

ASSEMBLY BILL NO. 4—Arambula. An act relating to health care.

ASSEMBLY BILL NO. 5—Zbur. An act relating to educational equity.

ASSEMBLY BILL NO. 6—Friedman. An act relating to transportation.

ASSEMBLY BILL NO. 7—Friedman. An act relating to transportation.

ASSEMBLY BILL NO. 8—Friedman (Coauthors: Senators Newman and Wiener). An act to amend Section 22502 of the Business and Professions Code, relating to sales.

ASSEMBLY BILL NO. 9—Muratsuchi. An act to amend Section 38566 of the Health and Safety Code, relating to greenhouse gas emissions.

ASSEMBLY BILL NO. 10—Lowenthal. An act relating to pupil instruction.

ASSEMBLY BILL NO. 11—Jackson. An act to add and repeal Chapter 1.2 (commencing with Section 8020) of Division 1 of Title 2 of the Government Code, relating to state government.

ASSEMBLY BILL NO. 12—Haney. An act to amend Section 1950.5 of the Civil Code, relating to tenancy.

ASSEMBLY BILL NO. 13—Essayli (Coauthors: Megan Dahle, Davies, Dixon, Flora, Joe Patterson, Sanchez, and Waldron). An act to amend Section 7.1 of the Civil Code, to amend Sections 1100, 2170, 3001, 3011, 3015, 3017, 3020, 3102, 3106, 3110, 3111, 3116.5, 12283, and 14212 of, to add Sections 3006 and 3007 to, and to repeal Sections 357.5, 3000.5, 3016, 3016.7, 3025.5, 3025.7, 4005, 4005.5, 4005.7, 4006, and 4007 of, the Elections Code, and to amend Sections 6700, 19853, and 19853.1 of the Government Code, relating to elections.

ASSEMBLY BILL NO. 14—Davies (Coauthors: Alanis, Chen, Dixon, Essayli, Vince Fong, Mathis, Sanchez, and Ta). An act relating to taxation.

ASSEMBLY BILL NO. 15—Dixon (Coauthors: Davies, Essayli, Mathis, Joe Patterson, and Ta). An act to add Section 7923.611 to the Government Code, relating to public records.

ASSEMBLY BILL NO. 16—Dixon (Coauthors: Essayli, Mathis, Joe Patterson, and Ta). An act to amend Section 7360 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 17—Alanis. An act relating to taxation.

ASSEMBLY BILL NO. 18—Joe Patterson (Coauthors: Alanis and Essayli). An act to add Section 11369 to the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 19—Joe Patterson (Coauthor: Alanis). An act to amend Section 49414.3 of the Education Code, relating to pupil health.

ASSEMBLY BILL NO. 20—Gipson. An act to amend Section 8616.5 of the Family Code, and to amend Sections 294, 366.26, 366.3, and 16002 of, and to add Section 366.30 to, the Welfare and Institutions Code, relating to child welfare.

ASSEMBLY BILL NO. 21—Gipson. An act to amend Section 13515.28 of, and to add Section 13515.285 to, the Penal Code, relating to peace officers.

ASSEMBLY BILL NO. 22—Gipson. An act relating to mobile coaches.

ASSEMBLY BILL NO. 23—Muratsuchi. An act to amend Sections 459.5, 487, and 490.2 of the Penal Code, relating to theft.

ASSEMBLY BILL NO. 24—Haney. An act to add Chapter 15 (commencing with Section 11860) to Part 2 of Division 10.5 of the Health and Safety Code, relating to emergency response.

ASSEMBLY BILL NO. 25—McCarty and Cervantes. An act relating to postsecondary education.

ASSEMBLY BILL NO. 26—Mike Fong. An act to add Section 17132.12 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 27—Ta. An act to amend Section 1385 of the Penal Code, relating to sentencing.

ASSEMBLY BILL NO. 28—Gabriel (Coauthors: Berman, McCarty, Santiago, and Wicks) (Coauthor: Senator Wiener). An act relating to firearms.

ASSEMBLY BILL NO. 29—Gabriel (Coauthors: Berman, Gipson, Petrie-Norris, Quirk-Silva, and Wicks). An act to add Chapter 6 (commencing with Section 30180) to Division 9 of Title 4 of Part 6 of the Penal Code, relating to firearms.

ASSEMBLY BILL NO. 30—Ward. An act to amend the heading of Article 8 (commencing with Section 347) of Chapter 2.5 of Division 1 of, and to repeal and add Section 347 of, the Water Code, relating to atmospheric rivers.

ASSEMBLY BILL NO. 31—Juan Carrillo. An act relating to transportation.

ASSEMBLY BILL NO. 32—Nguyen. An act to amend Section 667.5 of the Penal Code, relating to hate crimes.

ASSEMBLY BILL NO. 33—Bains. An act relating to opioids.

ASSEMBLY BILL NO. 34—Valencia. An act relating to elections.

ASSEMBLY BILL NO. 35—Ting. An act to amend Section 17144.8 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 36—Gabriel (Coauthors: Berman, Gipson, Petrie-Norris, Quirk-Silva, and Wicks). An act relating to firearms.

ASSEMBLY BILL NO. 37—Mia Bonta (Coauthor: Senator Wiener). An act to amend Section 89519 of, and to repeal and add Section 89517.5 of, the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 38—Lee (Coauthor: Senator Becker). An act to add Chapter 12 (commencing with Section 11900) to Part 1 of Division 3 of Title 2 of the Government Code, relating to state government.

ASSEMBLY BILL NO. 39—Grayson. An act to add Division 1.25 (commencing with Section 3101) to the Financial Code, relating to financial regulation.

ASSEMBLY BILL NO. 40—Rodriguez. An act to add Section 53112.5 to the Government Code, and to add Sections 1797.120.5, 1797.120.6, and 1797.260 to the Health and Safety Code, relating to emergency services.

ASSEMBLY BILL NO. 41—Holden. An act to amend Sections 5800, 5810, 5820, 5830, 5840, 5850, 5860, 5890, 5895, and 5900 of, to amend the heading of Division 2.5 (commencing with Section 5800) of, and to add Section 5841 to, the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 42—Ramos. An act to add Section 65852.29 to the Government Code, relating to housing.

ASSEMBLY BILL NO. 43—Holden. An act relating to greenhouse gas emissions.

ASSEMBLY BILL NO. 44—Ramos. An act relating to peace officers.

ASSEMBLY BILL NO. 45—Boerner Horvath. An act to amend Section 30253 of, and to add Sections 30100.3 and 30237 to, the Public Resources Code, relating to coastal resources.

ASSEMBLY BILL NO. 46—Ramos. An act to add and repeal Sections 17132.9 and 17132.10 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 47—Boerner Horvath. An act to add Section 1367.623 to the Health and Safety Code, and to add Section 10119.55 to the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 48—Aguiar-Curry. An act to amend Section 1599.1 of, and to add Section 1599.15 to, the Health and Safety Code, relating to nursing facilities.

ASSEMBLY BILL NO. 49—Soria. An act relating to housing.

ASSEMBLY BILL NO. 50—Wood. An act relating to energy.

ASSEMBLY BILL NO. 51—Mia Bonta. An act relating to universal early care.

ASSEMBLY BILL NO. 52—Grayson. An act relating to taxation.

ASSEMBLY BILL NO. 53—Vince Fong, Alanis, and Hoover (Coauthors: Chen, Megan Dahle, Mathis, Joe Patterson, Sanchez, and Waldron). An act to amend Sections 7360, 7362, 7363, and 7364 of, and to add Section 7374 to, the Revenue and Taxation Code, relating to taxation, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 54—Aguiar-Curry. An act to add and repeal Section 415 of the Food and Agricultural Code, relating to wine.

ASSEMBLY BILL NO. 55—Rodriguez. An act to add Section 1797.168 to the Health and Safety Code, and to amend Sections 14129.2, 14129.3, and 14129.6 of, and to add Section 14129.05 to, the Welfare and Institutions Code, relating to emergency medical services.

ASSEMBLY BILL NO. 56—Lackey. An act to amend Section 1202.4 of the Penal Code, relating to restitution.

The following resolutions were introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 1—Aguiar-Curry, Berman, and Haney (Principal coauthor: Senator Wiener) (Coauthors: Addis, Arambula, Grayson, Robert Rivas, Santiago, Ward, and Wood). A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 1 and 4 of Article XIII A thereof, by amending Section 2 of, and by adding Section 2.5 to, Article XIII C thereof, by amending Section 3 of Article XIII D thereof, and by amending Section 18 of Article XVI thereof, relating to local finance.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 2—Alanis. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 24 to Article XVI thereof, relating to public resources.

ADJOURNMENT

At 4 p.m., pursuant to the motion by Assembly Member Rendon, and the provisions of Joint Rule 51, the Assembly adjourned for the Organizational Recess of the 2023–24 Regular Session, until 1 p.m., Wednesday, January 4, 2023, out of respect to the memory of Dorothy M. Comstock on motion of Assembly Member Calderon.

ANTHONY RENDON, Speaker

AMY LEACH, Minute Clerk

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