

FLORIDA HOUSE OF REPRESENTATIVES

GUIDEBOOK ON CHANGES TO THE HOUSE RULES



2020-2022

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MODIFICATIONS TO EXISTING PROCESSES

LIMITATION ON MEMBER BILLS FILED (RULE 5.3(a))

Increases the number of bills a member may file from six to seven.

EARLY BILL FILING DEADLINES (RULE 5.3)

Sets the early bill filing deadlines for 2021 and 2022 as January 29, 2021, and November 23, 2021.

APPROPRIATIONS PROJECT BILL PROCESS (RULE 5.14)

Changes have been made to the appropriations project bill process to both streamline the existing process and increase accountability when appropriating state dollars to local projects.

Fiscal committees will have the option to consider noticed appropriations project bills on a consent agenda via a single vote. Members wishing to vote “no” on a specific bill or bills may do so by submitting a form to the committee or subcommittee before the vote commences on the consent agenda.

The filing process has also been modified to now require an attestation from the organization or entity for which an appropriations project request form was submitted. The organization/entity must attest under penalty of perjury that:

1. The information they have submitted to the member is true and accurate
2. Any inaccuracies will be promptly corrected
3. They consent to investigation of such information and any matter relevant thereto

The attestation will be filed with the Public Integrity & Elections Committee, the committee typically charged with performing investigations on behalf of the House.

The attestation process is as follows: when an appropriations project bill is filed, the member will receive an email with the attestation form attached. Once completed by the organization requesting the funds, the attestation form will be electronically submitted to the Public Integrity & Elections Committee. An appropriations project bill cannot be placed on a committee or subcommittee’s notice unless the attestation form has been received.

The rule also provides that a House bill is out of order if it funds an appropriations project in an amount less than 50% of the amount of funding proposed in an appropriations project bill as originally filed.

COMMITTEE AMENDMENTS (RULES 7.11 AND 12.8)

Committees are designed to be the space where new ideas and solutions are proposed, vetted, and refined, typically through the committee amendment process.

The modified rule adjusts the content standards applied to amendments offered in committee. Amendments

offered in committee must relate to the same general subject matter of the bill and must include any necessary title amendment. If the “relating to” clause of the bill is changed by an amendment adopted in committee, the bill will be automatically postponed, able to be considered at a later meeting in the form of a proposed committee substitute that reflects the corrected title.

Current germanity requirements will continue to be strictly applied to floor amendments.

LAW ENFORCEMENT OFFICER OF THE DAY (RULES 8.1 AND 8.5)

Similar to the Doctor of the Day and a designated guest to offer prayer, the modified rule allows the Speaker to recognize on the floor a Law Enforcement Officer of the Day.

TIME MANAGEMENT ON THE FLOOR (RULE 10.11(c))

Makes more efficient use of floor time by providing structure and predictability to the time spent in questions and debate.

Requires that the Special Order Calendar submitted by the Rules Committee include procedures to manage questions and debate regarding every bill listed. The procedures shall include allocations of time for questions and debate on bills and amendments. The time allocated for questions shall include the question and the answer. Neither the question nor the answer should be protracted in an attempt to use up the time. The procedures must be reasonable to allow for proper consideration and be implemented upon adoption of the Special Order Calendar by majority vote in session.

CONFORM TO LONGSTANDING PRACTICES OF THE HOUSE

UPDATE TERMINOLOGY TO “DAILY SESSIONS” OF THE HOUSE (RULES 4.2, 8.1, AND 9.1)

Updates the terms “sittings of the House” and “sessions” to “daily sessions of the House” in the three rules where the outdated terminology still exists.

APPROPRIATIONS PROJECT BILLS (RULE 5.2(a))

Clarifies that appropriations project bills are subject to bill filing deadlines.

SPONSORSHIP TRANSACTIONS (RULE 5.4(b))

Codifies prime co-sponsorship (the first-named co-sponsor) and revises the sponsorship rule for clarity.

LEGISLATIVE REAPPORTIONMENT AND CONGRESSIONAL REDISTRICTING BILLS AND AMENDMENTS (RULE 5.18)

Revives the rule from 2010-2012 requiring bills and amendments proposing any reapportionment or redistricting of the state’s legislative or congressional districts to be submitted to the Redistricting Committee in the form prescribed by the Speaker. The committee staff of the Redistricting Committee shall submit such proposals to the House Bill Drafting Service as requested by the sponsor. After final drafting, approval for filing shall be in the ordinary manner.

COMMITTEE STRUCTURE (RULE 7.1)

Establishes the committee and subcommittee structure for the 2020-2022 term.

COMMITTEE AMENDMENTS (RULE 7.11)

Clarifies that committee amendments are to be filed with the committee or subcommittee considering the bill to be amended.

PRIVILEGE OF THE FLOOR (RULE 8.1)

Codifies that the privilege of the floor during a daily floor session is subject to the Speaker’s discretion to maintain safety, order, and decorum.

OPENING PRAYER (RULE 10.3)

Updates to reflect House practice of the Speaker designating someone other than the chaplain, often at the invitation of a Member, to say the daily prayer.

PRECEDENCE OF MOTIONS (RULE 11.2)

Updates the archaic use of the word “debate” as synonymous with “consideration,” reflecting House practice that the listed motions are available while a bill is being considered.

MOTION TO DIVIDE QUESTION (RULE 11.4)

Reflects modern parliamentary terminology that proposals to the body are submitted by motion, in this case a motion that questions be divided so that each part may be voted on separately.

DILATORY MOTIONS (RULE 11.13)

Clarifies that the prohibition on dilatory (or delaying) motions applies to both the floor and committees.

FILING DEADLINE FOR FLOOR AMENDMENTS (RULE 12.2)

Clarifies the longstanding practice of the House that the adhering amendment deadline applies to amendments to substitute amendments.

REVISER’S BILLS (RULE 12.3(e))

Reviser’s bills are recommended annually by the Division of Law Revision (the legislative body that publishes the Florida Statutes) to make non-substantive revisions, corrections, and cleanups to the statutes. Because reviser’s bills are so broad in scope and intentionally non-substantive, they can only be amended by making deletions.

Clarifies that the amendment limitation to reviser’s bills applies to proposed committee bills designated as reviser’s bills.

IMPROPER INFLUENCE; SOLICITATION OF CAMPAIGN CONTRIBUTIONS (RULE 15.3(c))

Rule 15.3(c) prohibits members from soliciting or accepting any campaign contributions during regular, extended, or special sessions.

Clarifies longstanding legal opinion that the prohibition only applies to state, district, local, and municipal (non-federal) offices.

ISSUANCE OF SUBPOENAS; ADMINISTRATION OF OATHS (RULE 16.1(a))

Rule 16.1(a) allows standing or select committees to issue subpoenas or take depositions as part of an investigation. It has been House practice to take sworn testimony rather than (or before) taking a full deposition.

Replaces the word “deposition” with “sworn testimony,” which encompasses both practices.

CONTEMPT PROCEEDINGS (RULE 16.2(d))

Rule 16.2 allows the House to punish a person guilty of contempt by a fine of not more than \$500, or imprisonment for not more than 90 days or both, or such other punishment that the House may, in its exercise of its inherent powers impose prior to and in lieu of the imposition of the aforementioned penalty. The enumerated punishments follow Article 3, section 5 of the Florida Constitution, except that the constitution allows a fine of not more than \$1000.

Updates the rule to allow for any constitutional penalty.

REMOVE AMBIGUITIES

ATTENDANCE OBLIGATION (RULE 3.3(a))

Rule 3.3(a) requires members to attend all meetings of every committee and subcommittee to which appointed, unless excused. Currently, a member who fails to attend two consecutive committee meetings without being excused is subject to automatic removal from the committee.

Subjects a member to automatic removal upon failure to attend two committee meetings without being excused, whether or not the meetings were consecutive.

AMENDMENTS TO REPEALER BILLS (RULE 5.3(b)(8))

Repealer bills, which only repeal or delete provisions of the statutes without making substantive replacement, do not count against a member's bill limit.

Allows only technical amendments to repealer bills in order to keep amended repealer bills from being used as a workaround for a member's bill limit.

FRIVOLOUS AMENDMENTS (NEW RULE 12.3(f))

Reflects the established parliamentary practice that amendments that are frivolous in their content are not in order.

FLOOR AMENDMENTS OUT OF ORDER (RULE 12.9)

Rule 12.9 prohibits floor amendments that are the principal substance of a bill that was never reported favorably by a committee or subcommittee.

Updates the rule to prevent multiple prohibited bills from being considered on the floor as a combined single amendment.

OBLIGATIONS OF A LOBBYIST (RULE 17.1(g))

Rule 17.1(g) prohibits lobbyists who were members of the Legislature at any time after the original rule was adopted on November 8, 2016, from lobbying the House for 6 years following vacation of office. The rule was not intended to hinder former legislative members serving in public office, which is also reflected in the exemption for public officers included in the expanded lobbying ban recently added to the Florida Constitution.

Exempts a public officer who is carrying out the duties of his or her public office from the 6-year House lobbying ban.

INVESTIGATIONS (RULE 18.2(b))

Rule 18.2(b) requires the Speaker to refer a complaint that states facts supporting a finding of probable cause to a special master or to a select subcommittee of the Public Integrity & Elections Committee (PIE), as recommended by the Chair.

Allows referral to any select committee, rather than exclusively to a select subcommittee of the Public Integrity & Elections Committee, in the event that the facts or circumstances require review by members outside of those members already appointed to PIE.

JOINT RULES

The House and the Senate agree to be governed by joint rules approved by both chambers during the term that address lobbyist registration and compensation reporting, the review period for the General Appropriations Act and budget conference committee rules, policies regarding the four joint legislative offices (the Office of Economic and Demographic Research, the Office of Legislative Information and Technology Services, the Office of Legislative Services, and the Office of Program Policy Analysis and Government Accountability), rules governing the three joint committees (Joint Administrative Procedures Committee, Joint Committee on Public Counsel Oversight, and the Joint Legislative Auditing Committee), the Auditor General, the Joint Legislative Budget Commission, residency qualifications for members of the legislature, and agreement regarding adjourning and reconvening each house and adjournment *sine die*.

The Joint Rules remain unchanged since the last biennium.