



# The Florida House of Representatives

Office of the Speaker

## MEMORANDUM

**To:** Members of the Florida House of Representatives  
**From:** Chris Sprowls, Speaker-designate  
**Date:** November 9, 2020  
**Re:** Proposed 2020-2022 Rules of the Florida House of Representatives

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Every two years we make changes – some big, some small – to the Rules and procedures of the Florida House of Representatives. In preparation for our service together, I have been thinking about how the 90<sup>th</sup> House of Representatives should differ from our prior incarnations; specifically, how we make our lawmaking process more robust and effective while avoiding the kind of dysfunction and grandstanding that has ruined Washington, D.C. I want to share some of these changes with you.

### **A Greater Emphasis on Member Legislation**

I am proposing that we raise the House Member bill limit from 6 bills to 7 bills. Although the scope and complexity of the issues overseen by the State Legislature has grown, the six-bill limit has not changed since 1998. We are not changing any of the prior rules that govern what bills count and don't count toward the bill limit.

The House will also see a reduction in 7000 sequence bills, commonly referred to as proposed committee bills or PCBs. These committee bills will be reserved for significant policy issues or required legislative housekeeping (i.e., Reviser's Bills, Open Government Sunset Reviews). The House will not be accepting routine agency packages or lobbyist-promoted bills as proposed committee bills.

As you know, the House has an early and final bill submission deadline (the date when a concept or language must be formally submitted to House Bill Drafting in order to have a bill draft completed by the applicable bill filing deadline). We also have an early bill filing deadline when your first two bills must be officially filed on your LEAGIS

dashboard (the remainder of your bills must be filed by noon on the first day of Regular Session). If we followed the traditional schedule, you would be forced to select options for your first two bills before you attended your first committee week for this term. That is an unreasonable timetable for many Members.

I have pushed back the House Bill Drafting submission deadlines to January 19, 2021, for your first two bills, and January 29, 2021, for the remainder of your bills. In addition, the proposed Rules would move back the traditional date for filing your first two bills to January 29, 2021. These changes will give you more time than in any prior term to submit bill drafts and select your first two bills.

However, please recognize that the price of giving you more time is increased pressure on House Bill Drafting. Drafting a bill correctly is a highly complex and specialized skill. Our drafters do extraordinary work, and we are fortunate to have them. In the past, some Members have abused this resource by requesting dozens upon dozens of bill drafts that never get filed. I would ask every Member to recognize the task before House Bill Drafting and to refrain from needlessly taxing their resources.

### **Less Activity, More Accountability**

The Florida House's landmark rules related to appropriations projects ensure that we have greater transparency than any other state. However, in recent years, the packed agendas and marathon meetings to approve appropriations project bills have crowded out any effort at real scrutiny.

We are going to slightly recalibrate the system by allowing subcommittees to place appropriations project bills on a consent agenda so that they can be voted on in the aggregate. We will also have a process whereby a Member can register a "no" vote on any individual project on the consent agenda.

However, in our effort to ensure rigorous scrutiny of these projects, we have added a new requirement. After a project bill has been filed, the organization requesting funds will be required to file an attestation with the Public Integrity & Elections Committee (PIE) that verifies, under penalty of perjury, that the information contained in the online *Appropriations Project Request Form* is wholly accurate, and that the requesting organization has consented to submit to any necessary investigation by the Florida House of Representatives. No appropriations project bill may be placed on an agenda unless a signed attestation has been filed with PIE.

In addition, the Rules will prohibit the funding of an appropriations project in the House General Appropriations Act at less than 50% of the requested amount. Projects are funded by taxpayer dollars, and entities should not be allowed to inflate their funding requests as if they were in a private negotiation. We will also be asking the Appropriations Chair and Subcommittee Chairs to carefully evaluate the existence, sufficiency, and quality of any local match before agreeing to agenda an appropriations project bill.

We are also streamlining the *Appropriations Project Request Form* to make it easier to read and submit.

### **Core Committees**

The essential work of the legislative process should take place at the committee level. Subcommittees and committees allow for a thorough examination of the issues, a heightened focus on the specific subject matter, and an opportunity for Members to interact with advocates and opponents of a bill. Unfortunately, the current House procedures can sometimes result in a mad dash through the committee process that discourages the actual work of legislating. We are proposing several changes to the committee process to encourage a more thoughtful vetting of the issues.

First, we will move the timeline for subcommittee meetings. Traditionally, subcommittees wrap up in Week 3 of Session with a few spilling over into Week 4. It is my intention to allow subcommittees to meet through Week 6 of the Regular Session.

Second, we are proposing to change the amendment standard that applies in subcommittees and committees. It is important that you, as legislators, have an opportunity to explore ideas and suggestions as you move your bills through the process. The current amendment standard – strict germanity – can be difficult to understand and often acts as a box to limit the scope of your bill to what you originally filed. The committee process should not inhibit your ability to explore new – or better – ideas. We will revise the standard for committees so that an amendment must be within the *relating to* clause of the bill. This will give you more flexibility and freedom to consider different options on how to address the problem you are trying to solve.

However, this new standard will not be a license to transform bills into legislative trains. Should an amendment attempt to widen the scope of the bill – for example, by adding a health insurance issue onto “an act relating to automobile insurance” – such an amendment would require a title amendment to broaden the *relating to* clause. Under the proposed rule, if a bill’s *relating to* clause is amended, the bill will be

automatically temporarily postponed with the new amended bill being available for a vote at a future meeting. This will ensure that Members have the freedom to take their legislation in new directions while also placing the public on notice about those changes so that they can weigh in prior to a final vote in committee.

The House will continue to strictly enforce the germanity standard on the Floor.

### **Procedures on the Floor**

Given the amount of work that must be accomplished during the Regular Session, we must ensure that we make the best use of our schedule. The proposed rules would have the Rules Committee recommend time allotments in the Special Order, allowing us to more accurately predict the hours that will be needed for our work on the Floor. This would, in turn, allow us to better allocate time on the House Calendar between Floor Sessions and committee meetings. In addition, we've added language that frivolous amendments – those that do not accomplish a technical or substantive purpose – are out of order.

The House Floor represents the one place that we as a body come together as the representatives of the people of this state. The Floor can be a place for lengthy, vigorous discussion without descending into desultory or self-aggrandizing behavior.

There are also other small changes to the Rules to update language, remove ambiguities, and conform the text of the rules to standard House practices.

House Resolution 1-O containing the Rules for the 2020-2022 term of the Florida House of Representatives has been filed and is available online at [www.myfloridahouse.gov](http://www.myfloridahouse.gov). I have asked Representative Paul Renner, the incoming Rules Chair, to host a training for all of you. He will be reaching out to you shortly. To help you maximize the value of that training, you'll also find attached to this e-mail a *Guidebook on Changes to the House Rules* that provides further details.

I hope you will embrace these changes in the spirit with which they are offered – as a means to make our legislative process more dynamic and more effective. I look forward to seeing you next week.