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2021-22 LEGISLATIVE SESSION COMMITTEE RULES

(Adopted April 7, 2021)

The Committee shall operate under the most recently adopted Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly. The following Committee procedures and guidelines are designed to further expedite the conduct of Committee business.

Committee hearings are generally held on the second and fourth Tuesday of the month at 1:30 p.m. in State Capitol Room 437, subject to the discretion of the Speaker. Bills are heard in sign-in order.

1) FILE NOTICE

Notice of a hearing on a bill by the Committee shall be published in the Daily File at least four calendar days prior to the hearing, unless such notice is waived by a majority vote of the Assembly. If a bill is heard in this Committee as second referral, the file notice requirement is two calendar days.

2) WORKSHEET

When a bill is referred to the Committee, the Committee Secretary shall forward to the author a worksheet ("Background Information Request") to be completed prior to preparation of the Committee analysis. A copy of the Committee worksheet shall be returned to the Committee along with any pertinent attachments, reports, or other background information no later than seven calendar days after it is initially delivered to the author's office. This period may be shortened if the deadline is less than 14 calendar days prior to the day the bill is set to be heard. The Committee Chair may withhold the setting of a bill for hearing until the worksheet is completed and returned to the Committee. The Committee Chair may refuse to hear a bill that has been set if the author fails to return a completed form seven calendar days after it is delivered to the author's office. Such a reset shall be deemed an author's set. The Committee Secretary shall transmit one copy of the worksheet and all attachments to the designated staff of the Vice Chair within 24 hours of receipt from the author.

3) SETTING OF BILLS

- a) Bills referred to the Committee may be scheduled for hearing at the discretion of the Chair.
- b) A bill may be set for hearing in the Committee only three times. A bill is "set" for the purposes of this subsection whenever notice of the hearing has been published in the Daily File for one or more days. If a bill is set for hearing and the Committee, on its own initiation and not the author's, postpones the hearing on the bill or adjourns the hearing while testimony is being taken, such hearing shall not be counted as one of the three times a bill is set. If the hearing notice in the file specifically indicates that "testimony only" will be taken, such hearing shall not be counted as one of the three times a bill may be set.
- c) If a bill has been set for hearing and the author or the Committee decides not to take the bill up at that time, members of the public who have traveled to Sacramento to testify may be permitted to testify on the bill at the discretion of the Committee Chair.

4) AMENDMENTS

- a) An author may amend a bill prior to hearing. However, substantive author's amendments may not be accepted by the Committee Secretary later than seven calendar days prior to the Committee hearing at which the bill has been set, without the Committee Chair's approval. Any such proposed amendments must be presented to the Committee in Legislative Counsel form (signed original plus four copies) along with the "in context" version of the bill, and updated worksheet by 5:00 pm the Tuesday prior to the hearing. A copy of amendments received by the Committee that meets these requirements shall be transmitted to the designated staff of the Vice Chair within 24 hours.
- b) The Committee Chair, in consultation with Legislative Counsel, shall have sole discretion in ruling on whether or not an amendment is "substantive" within the meaning of subsection (a).
- c) Amendments which are not in writing and/or not analyzed may be considered at a hearing on the bill if the Committee Chair determines that the amendments are nonsubstantive and readily understood by all members and the audience present at the hearing.
- d) When submitting amendments to Legislative Counsel for a bill in the possession of the committee, or a bill in the subsequent possession of the Senate or Assembly Floors, the author's office should provide a copy of the request to the Committee as a courtesy.

- e) For a non-substantive bill pending referral which the author anticipates will be referred to this Committee, the author must provide the Committee with author's amendments when they are provided to the Rules Committee. Failure to do so may result in a bill not being set for hearing.

5) COMMITTEE ANALYSES

- a) Committee staff analyses of bills scheduled for hearing shall be made available to the public at least 24 hours prior to the Committee hearing. In the case of special hearings, the analyses need not be made available one working day prior to the hearing but shall be made available to the public at the time of the hearing and prior to any testimony on the bill.
- b) A copy of the analysis shall be sent to the bill's author and to members of the Committee prior to its general distribution to the public.

6) LETTERS OF SUPPORT AND OPPOSITION

Committee staff may indicate in the analysis of a bill the position of any organization, institution, elected official, or other entity or individual if all of the following criteria are met:

- a) The letter of support or opposition is received by 5:00 p.m. on the Wednesday prior to the hearing.
- b) The letter clearly indicates "support" or "opposition." Positions which are conditioned upon suggested amendments or other factors (e.g., "support if amended," "oppose unless amended," "support in concept") may be considered by Committee staff as they analyze the bill, but will not be listed in the analysis.
- c) Position letters must be signed, on organization letterhead where applicable, and include the name and mailing address for the organization or individual expressing the position.
- d) Position letters must reference the version of the bill being heard in Committee. Individuals and organizations wishing to withdraw or update a previously submitted position must communicate that information to the Committee in writing prior to the release of the analysis. Letters in the possession of the Committee which are not addressed to the Committee, or which reference a prior version of a bill and have not been otherwise withdrawn, may be included at the discretion of the Committee if it deems the letter to have continuing relevance.

7) CONSENT CALENDAR

The Committee Chair may establish a consent calendar for non-controversial or uncontested bills in advance of a hearing to be considered without testimony, in consultation with the Vice Chair. If a Committee member objects to a bill being placed on the consent calendar prior to a motion and vote on it, that bill shall be removed from the consent calendar.

8) QUORUM

- a) A majority of the Committee membership shall constitute a quorum.
- b) A committee meeting shall be convened only when a quorum is present. However, in the absence of a quorum, the Committee Chair, with any members present, may operate as a subcommittee, receive testimony, and recommend action on a bill to the majority of the Committee.

9) ORDER OF AGENDA

- a) Bills set for hearing shall be heard in the order authors sign-in unless otherwise determined by the Committee Chair. Senate bills shall follow Assembly bills. Except to expedite the business of the Committee, and at the discretion of the Chair, bills authored by members of the Committee will be taken up after all other measures are considered. The Committee Chair shall have the final determination of the order bills are heard.
- b) Constitutional amendments shall be heard in sign-in order following the corresponding Assembly or Senate Bills. Resolutions without a companion bill shall be heard in sign-in order following constitutional amendments.

10) BILL PRESENTATION AND TESTIMONY

- a) If an author is not present when their bill is to be considered, that bill shall be passed temporarily. Another member or staff may present a bill if a letter from the author authorizes that individual to do so or unless otherwise approved by the Chair. Staff-presented bills may be taken up only after all other measures with authors present have been heard, at the discretion of the Chair.
- b) When the Committee Chair finds another order of business would be more expedient, the Committee Chair may establish a special order of business. Measures may also be taken up out of order by unanimous consent.
- c) The Committee Chair shall direct the order of presentation of the arguments for and against matters for consideration by the Committee, and shall permit questions to be asked by the members of the Committee in an orderly fashion

and in keeping with proper decorum.

- d) When it is necessary, due to the number or complexity of the bills on the agenda at a hearing, to limit testimony on one or more of the bills in order to ensure that all of the bills on the agenda have a fair and reasonable opportunity to be presented by the author and heard and discussed by the Committee, the Committee Chair, at their discretion, may:

- (1) Limit duplicative testimony;
- (2) Limit the number of witnesses appearing in support of or opposition to a bill; or,
- (3) Limit the time allotted to the presentation of testimony on a bill provided that both support and opposition receive equitable time for their presentation.

11) VOTING

- a) A majority of the Committee membership is required to pass a bill from Committee. A simple majority of those present and voting is sufficient to recommend adoption of Committee amendments, provided that a quorum has been established.
- b) A recorded roll call vote shall be taken on all of the following actions of the Committee:
- (1) Actions which constitute the Committee's final action on a bill, constitutional amendment, or resolution;
 - (2) Committee amendments taken up in Committee;
 - (3) Motions to reconsider Committee actions; and,
 - (4) Recommendations to the Assembly Floor relating to Executive Reorganization Plans.
- c) A roll call vote on a previous bill may be substituted by unanimous consent, provided that the members whose votes are substituted are present at the time of the substitution.
- d) Upon the request of any member of the Committee prior to announcement of the vote, the Committee Chair may announce that the roll will be held open until adjournment of the Committee meeting to permit absent Committee members to vote.

- e) A recorded roll call vote is not required on the following actions by the Committee:
 - (1) Author's amendments;
 - (2) An author's request to remove a bill from the Committee calendar; and,
 - (3) Procedural motions which do not have the effect of disposing of a bill.

12) RECONSIDERATION

- a) A motion to reconsider a vote by which a bill is voted out shall be in order and shall be voted upon at the same meeting. If such a motion is carried by a vote of a majority of the Committee, the bill may be considered again at that meeting, provided the author is present, or at a subsequent meeting.
- b) The Committee Chair, at their discretion, as a courtesy to any author, may offer reconsideration by unanimous consent for any bill that is defeated in Committee, unless there is objection by a Committee member.
- c) A motion to reconsider a bill which has been defeated shall be in order at a future regularly scheduled Committee hearing, provided that the author notifies the Committee Chair in writing of their request for reconsideration, and reconsideration is granted within 15 legislative days of its defeat. Upon failure to receive reconsideration, the bill shall be returned to the Chief Clerk of the Assembly and may not be considered further during the Session.
- d) Notice of reconsideration of a bill by the Committee shall be published in the Daily File at least four business days prior to the hearing unless such notice is waived by a majority vote of the Assembly or if reconsideration is requested in the second committee of reference, which requires notice to be published at least two days prior to the hearing.
- e) Reconsideration of a bill may be granted only one time.