

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.R. 481
Apr 1, 2015
HOUSE PRINCIPAL CLERK

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HOUSE RESOLUTION DRHR40285-MM-42G (02/23)

Sponsors: Representative Lewis.

Referred to:

1 A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE HOUSE OF
2 REPRESENTATIVES FOR THE 2015 GENERAL ASSEMBLY.

3 Be it resolved by the House of Representatives:

4 **SECTION 1.** The permanent rules of the Regular Session of the House of
5 Representatives of the 2015 General Assembly are:

6 **PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES FOR THE**
7 **REGULAR SESSION OF THE 2015 GENERAL ASSEMBLY OF NORTH CAROLINA**

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17 **I. Order of Business**

18 **RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday Legislative**
19 **Sessions.** – The House shall convene each legislative day at the hour fixed by the House. In the
20 event the House adjourns on the preceding legislative day without having fixed an hour for
21 reconvening, the House shall convene on the next legislative day at 2:00 P.M. During January
22 and February of 2015, no sessions may be held on Friday. Without leave of the House, no
23 session shall continue after 10:00 P.M. on Monday nor after 9:00 P.M. on any other days, and
24 the Speaker shall adjourn the House without motion at that point, except that a motion may be
25 made as to the time and day of next convening. No votes shall be held on Sunday, except for
26 votes on motions to approve the journal and to adjourn.

27 **RULE 1.1. Emergencies.** – In the event of a disaster, natural or otherwise, that
28 precludes the General Assembly from meeting in the Legislative Building, the members will be
29 notified by the Speaker where and when the House will convene.

30 **RULE 2. Opening the Session.** – The Sergeant-at-Arms shall clear the House five
31 minutes before the convening hour. At the convening hour on each legislative day, the Speaker
32 shall call the members to order and shall have the session opened with prayer. At the convening
33 hour, the Speaker, or the Speaker's designee, shall lead the members in the Pledge of
34 Allegiance to the American Flag.

35 **RULE 3. Quorum.** – (a) A quorum consists of a majority of the qualified members
36 of the House.



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1 (b) Should the point of a quorum be raised, the doors shall be closed, and the
2 Clerk shall call the roll of the House, after which the names of those not responding shall again
3 be called. In the absence of a quorum, 15 members are authorized to compel the attendance of
4 absent members and may order that absentees for whom no sufficient excuses are made be
5 taken into custody wherever they may be found by special messenger appointed for that
6 purpose.

7 **RULE 4. Approval of Journal.** – (a) The Chair of the Standing Committee on
8 Rules, Calendar, and Operations of the House shall cause the Journal of the House to be
9 examined daily before the hour of convening to determine if the proceedings of the previous
10 day have been correctly recorded.

11 (b) Immediately following the opening prayer and upon appearance of a
12 quorum, the Speaker shall call for the Journal report by the Chair of the Standing Committee on
13 Rules, Calendar, and Operations of the House, or by a Representative designated by the Chair,
14 as to whether the proceedings of the previous day have been correctly recorded. Without
15 objection, the Speaker shall cause the Journal to stand approved.

16 **RULE 5. Order of Business of the Day.** – After the approval of the Journal of the
17 preceding day, except by leave of the House, the House shall proceed to business in the
18 following order:

- 19 (1) The receiving of petitions, memorials, and papers addressed to the General
20 Assembly or to the House;
- 21 (1a) Messages from the Governor;
- 22 (2) Ratification of bills;
- 23 (3) Reports of standing committees;
- 24 (4) Reports of select committees;
- 25 (6) First reading and reference to committee of bills and resolutions;
- 26 (7) Messages from the Senate;
- 27 (8) Concurrence with Senate amendments or Senate committee substitutes;
- 28 (9) The unfinished business of the preceding day;
- 29 (10) Calendar (each category in accordance with Rule 40 – House bills first):
 - 30 a. Resolutions for adoption
 - 31 b. Conference reports for adoption
 - 32 c. Local bills (roll call), third reading
 - 33 d. Local bills (roll call), second reading
 - 34 e. Local bills, third reading
 - 35 f. Local bills, second reading
 - 36 g. Public bills (roll call), third reading
 - 37 h. Public bills (roll call), second reading
 - 38 i. Public bills and resolutions, third reading
 - 39 j. Public bills and resolutions, second reading;
- 40 (11) Reading of notices and announcements.
- 41 (12) Reading of Representative Statements of Personal Privilege.

42 **II. Conduct of Debate**

43 **RULE 6. Duties and Powers of the Speaker.** – The Speaker shall have general
44 direction of the Hall, subject to more specific provisions of these rules. The Speaker may name
45 any member to perform the duties of the chair, but substitution shall not extend beyond one
46 day, except in the case of sickness or by leave of the House. If the Speaker is absent and has not
47 designated a member or the Principal Clerk to perform the duties of the chair, the Speaker Pro
48 Tempore shall preside during such absence. In the case of a vacancy in the office of the
49 Speaker of the House of Representatives, the Principal Clerk shall preside over the House until
50 the House elects a Speaker.

1 **RULE 7. Obtaining Floor.** – (a) When any member desires recognition for any
2 purpose, the member shall rise and respectfully address the Speaker. No member shall proceed
3 until recognized by the Speaker for a purpose.

4 (b) When a member desires to interrupt a member having the floor, the member
5 shall first obtain recognition by the Speaker and permission of the member occupying the floor,
6 and when such recognition and permission have been obtained, he or she may propound a
7 question to the member occupying the floor; but he or she shall not otherwise interrupt the
8 member having the floor, except as provided in subsection (c) of this rule; and the Speaker
9 shall, without the point of order being raised, enforce this rule.

10 (c) A member who has obtained the floor may be interrupted only for the
11 following reasons:

12 (1) A request that the member speaking yield for a question,

13 (2) A point of order,

14 (3) A parliamentary inquiry, or

15 (4) A question of privilege.

16 **RULE 8. Questions of Privilege.** – Upon recognition by the Speaker for that
17 purpose, any member may speak to a question of privilege for a time not to exceed three
18 minutes. Questions of privilege shall be those affecting, first, the rights of the House
19 collectively, its safety, dignity, and the integrity of its proceedings; second, the rights,
20 reputation, and conduct of members, individually, in their representative capacity only; and
21 shall have precedence over all other questions, except motions to adjourn. Privilege may not be
22 used to explain a vote or debate a bill. The Speaker shall determine if the question is one of
23 privilege and shall, without the point of order being raised, enforce this rule.

24 **RULE 8.1. Statements of personal privilege; explanation of vote.** – Upon
25 recognition by the Speaker for that purpose, any member may speak to a question of personal
26 privilege for a time not exceeding three minutes, and may use some or all of that time to
27 explain to the House a "Representative Statement of Personal Privilege". Upon motion
28 supported by a majority present and voting, that statement may be spread upon the Journal.
29 Neither personal privilege nor a Representative Statement of Personal Privilege may be used to
30 explain a vote, debate a bill, or in any way disrupt the regular business of the House, nor shall
31 such opportunities be used to solicit support or sponsors for any bill. The format of
32 Representative Statement of Personal Privilege shall be prescribed by the Chairman of the
33 Committee on Rules, Calendar, and Operations of the House, but in any case shall speak only
34 in the voice of the member submitting it. The Speaker shall determine if the question raised is
35 one of personal privilege and shall, without the point of order being raised, enforce this rule.

36 **RULE 9. Points of Order.** – (a) The Speaker shall decide questions of order and
37 may speak to points of order in preference to other members arising from their seats for that
38 purpose. Any member may appeal from the ruling of the chair on questions of order; on such
39 appeal no member may speak more than once, unless by leave of the House. A three-fifths vote
40 of the members present shall be necessary to sustain any appeal from the ruling of the chair.

41 (b) When the Speaker calls a member to order, the member shall be seated,
42 except that a member called to order may clear a matter of fact, or explain, but shall not
43 proceed in debate so long as the decision stands. If the member appeals from the ruling of the
44 chair and the decision by a three-fifths vote of the members present be in favor of the member
45 called to order, the member may proceed; if otherwise, the member shall not; and if the case, in
46 the judgment of the House requires it, the member shall be liable to censure by the House.

47 **RULE 10. Limitations on Debate.** – (a) No member shall speak on, debate, or
48 solicit cosponsors for a bill or resolution at its first reading.

49 (b) No member shall speak more than twice on the main question nor longer
50 than 15 minutes for the first speech and five minutes for the second speech; nor shall the
51 member speak more than twice upon an amendment or motion to reconsider, re-refer, appeal,

1 or postpone or any motion on concurrence, and then not longer than 10 minutes for the first
2 speech and five minutes for the second speech.

3 (c) A member may speak only once and for not more than 10 minutes on the
4 question of the adoption of a minority report.

5 (d) In computing the time allowed for argument, the time consumed in
6 answering questions should be considered and is taken out of any time allowed that member.

7 (e) The House, by consent of a majority of the members present, may suspend
8 the operation of subsections (b) through (d) of this rule during any debate on any particular
9 question before the House.

10 **RULE 11. Reading of Papers.** – When there is a call for the reading of the text of a
11 paper which has been presented to the House and there is objection to such reading, the
12 question shall be determined by a majority vote of the members of the House present. Except
13 for protests permitted by the Constitution, no member may have material printed in the Journal
14 until said material has been presented to the House and the printing approved by the House, and
15 said material shall not exceed 1,000 words.

16 **RULE 12. General Decorum.** – (a) The Speaker shall preserve order and decorum.

17 (b) Decency of speech shall be observed and disrespect to personalities carefully
18 avoided.

19 (c) When the Speaker is putting any question, or addressing the House, no
20 person shall speak, stand up, walk out of, or cross the House nor, when a member is speaking,
21 engage in disruptive discourse or pass between the member and the chair.

22 (d) Food or beverages shall not be permitted on the floor of the House during
23 the first hour of the daily session.

24 (e) The reading of newspapers shall not be permitted on the floor of the House
25 while the House is in session.

26 (f) The consumption of food or beverages shall not be permitted in the galleries
27 at any time.

28 (g) Special recitals and performances by musicians or other groups shall not be
29 permitted on the floor of the House; and special guests of members of the House shall not be
30 permitted on the floor of the House.

31 (h) Members shall observe appropriate attire, coat and tie for male members and
32 dignified dress for female members.

33 (i) The use of a mobile device or cellular phone for the purpose of making or
34 receiving a phone call shall not be permitted in the House Chamber.

35 (j) Placards, stickers, or signs are not permitted in the House Chamber.

36 **III. Motions**

37 **RULE 13. Motions Generally.** – (a) Every motion shall be reduced to writing if the
38 Speaker or any two members request it. No motion relating to a bill shall be in order that does
39 not identify the bill by its number and short title.

40 (b) When a motion is made, it shall be stated by the Speaker or, if written, it
41 shall be handed to the chair and read aloud by the Speaker or Clerk before debate.

42 (c) After a motion has been stated by the Speaker or read by the Speaker or
43 Clerk, it shall be in the possession of the House; but it may be withdrawn before a decision or
44 amendment, except in case of a motion to reconsider, which motion, when made by a member,
45 shall be in possession of the House and shall not be withdrawn without leave of the House.

46 **RULE 14. Motions, Order of Precedence.** – When there are motions before the
47 House, the order of precedence is as follows:

48 To adjourn.

49 To recess.

50 To lay on the table.

51 Previous question.

- 1 To postpone indefinitely.
- 2 To reconsider.
- 3 To postpone to a day certain.
- 4 To re-refer.
- 5 To amend an amendment.
- 6 To amend.
- 7 To pass the bill.

8 No motion to lay on the table, to postpone indefinitely, to postpone to a day certain,
9 to re-refer, or to make a particular amendment, being decided, shall be again allowed at the
10 same stage of the bill or proposition.

11 **RULE 15. Motion to Adjourn.** – (a) A motion to adjourn shall be seconded before
12 the motion is put to the vote of the House.

13 (b) A motion to adjourn shall be decided without debate and shall always be in
14 order, except when the House is voting or some member is speaking; but a motion to adjourn
15 shall not follow a motion to adjourn until debate or some other business of the House has
16 intervened.

17 **RULE 16. Motion to Table.** – (a) A motion to table shall be seconded before the
18 motion is put to the vote of the House and is in order except when a motion to adjourn or to
19 recess is before the House.

20 (b) A motion to table shall be decided without debate; however, the proponent
21 of the matter that is subject of the motion to table shall be given up to two minutes to explain
22 the matter subject to the motion to table if the proponent has not previously explained the
23 matter prior to the motion to table.

24 (c) A motion to table a bill shall constitute a motion to table the bill and all
25 amendments thereto.

26 (d) When the question before the House is the adoption of an amendment to a
27 bill or resolution, a motion to table the bill is not in order; and a motion to table an amendment
28 applies to the amendment only, and the motion may not expressly or by implication or
29 construction be expanded to include a motion to table the bill also.

30 (e) When a question has been tabled, it shall not thereafter be considered, except
31 on motion to reconsider under Rule 18 or to remove from the table approved by a two-thirds
32 vote.

33 **RULE 17. Motion to Postpone Indefinitely.** – A motion to postpone indefinitely is
34 in order except when a motion to adjourn or to lay on the table or for the previous question or
35 to recess is before the House. However, after one motion to postpone indefinitely has been
36 decided, another motion to postpone indefinitely shall not be allowed at the same stage of the
37 bill or proposition. When a question has been postponed indefinitely, it shall not thereafter be
38 considered, except on motion to reconsider under Rule 18 or to place on the favorable calendar
39 approved by a two-thirds vote.

40 **RULE 18. Motion to Reconsider.** – (a) When a question has been decided, it is in
41 order for any member to move for the reconsideration thereof on the same or the succeeding
42 legislative day; provided that if the vote by which the motion was originally decided was taken
43 by a recorded vote, only a member of the prevailing side may move for reconsideration.

44 (b) A motion to reconsider shall be determined by a majority vote, except the
45 following shall require a two-thirds vote: a second or subsequent motion to reconsider and a
46 motion to reconsider:

- 47 (1) A vote upon a motion to table,
- 48 (2) A motion to postpone indefinitely,
- 49 (3) A motion to remove a bill from the unfavorable calendar,
- 50 (4) A motion that a bill be read twice on the same day, or
- 51 (5) A motion to remove from the table.

1 (c) A motion to reconsider the vote by which a person has been elected as
2 Speaker or Speaker Pro Tempore shall not be in order. This subsection of this rule cannot be
3 suspended except by a vote of three-fifths of all the members of the House.

4 **RULE 19. Previous Question.** – (a) The previous question may be called only by:

5 (1) The Chair of the Committee on Rules, Calendar, and Operations of the
6 House;

7 (1a) The Vice-Chair of the Committee on Rules, Calendar, and Operations of the
8 House if the Chair is not in the chamber or able to participate in debate;

9 (2) The Majority Leader;

10 (3) The member submitting the report on the bill or other matter under
11 consideration;

12 (4) The member introducing the bill or other matter under consideration;

13 (5) The member in charge of the measure, who shall be designated by the chair
14 of the standing committee reporting the same to the House at the time the
15 bill or other matter under consideration is reported to the House or taken up
16 for consideration.

17 (b) The previous question shall be as follows: "Shall the main question now be
18 put?" When the call for the previous question has been decided in the affirmative by a majority
19 vote of the House, the question is on the passage of the bill, resolution, or other matter under
20 consideration.

21 (c) The call for the previous question shall preclude all motions, amendments,
22 and debate, except the motion to adjourn, motion to recess, or motion to table.

23 (d) If the previous question is decided in the negative, the question remains
24 under debate.

25 (e) After the previous question is ordered by the House on the main question of
26 second or third reading, the Majority Leader and the Minority Leader may each allocate three
27 minutes of debate on the question. The Majority Leader and the Minority Leader may each
28 designate another member to act under this subsection.

29 **IV. Voting**

30 **RULE 20. Use of Electronic Voting System.** – (a) Votes on the following
31 questions shall be taken on the electronic voting system, and the ayes and noes shall be
32 recorded on the Journal:

33 (1) The passage as required by Article II, Section 23 of the North Carolina
34 Constitution on second and third readings of any bill:

35 a. Raising money on the credit of the State,

36 b. Pledging the faith of the State for the payment of a debt,

37 c. Imposing a State tax, or

38 d. Authorizing a county, municipality, or other local governmental unit
39 to:

40 1. Raise money on its credit,

41 2. Pledge its faith for the payment of a debt, or

42 3. Impose a local tax.

43 (2) All questions on which a call for the ayes and noes under Rule 24(a) and
44 Article II, Section 19 of the North Carolina Constitution has been sustained.

45 (3) Both second and third readings of bills proposing amendment of the North
46 Carolina Constitution or ratifying resolutions amending the United States
47 Constitution.

48 (4) The passage of a bill notwithstanding the Governor's veto thereof pursuant to
49 Article II, Section 22 of the North Carolina Constitution.

50 (b) Votes on the following questions shall be taken on the electronic voting
51 system:

1 (1) Second reading of all public bills except resolutions, all amendments to
2 public bills offered after second reading, third reading if a public bill was
3 amended after second reading or if the reading occurs on a day or days
4 following the second reading, all conference reports on public bills, all
5 motions to lay public bills on the table, and all motions to postpone public
6 bills indefinitely.

7 (2) Upon a call for division.

8 (3) Any other question upon direction of the Speaker or upon motion of any
9 member supported by one-fifth of the members present.

10 (c) When the electronic voting system is used, 15 seconds shall be allowed for
11 voting on the question before the House, unless the Chair shall direct otherwise. Once the
12 system is locked, the vote shall be recorded and printed.

13 (d) The voting station at each member's desk in the Chamber shall be used only
14 by the member to which the station is assigned. Under no circumstances shall any other person
15 vote at a member's station. It is a breach of the ethical obligation of a member either to request
16 that another person vote at the requesting member's station or to vote at another member's
17 station. The Speaker shall enforce this rule without exception.

18 (e) When the electronic voting system is used, the Speaker shall state the
19 question and shall then state substantially the following: "All in favor vote 'aye'; all opposed
20 vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the member must
21 vote by the electronic voting system within the time allowed for that vote, unless the voting
22 station assigned to a member is malfunctioning. The Speaker shall enforce this rule without
23 exception. After the allotted time for voting has elapsed, the Speaker shall say: "The Clerk will
24 now lock the machine and record the vote." After the machine is locked and the vote recorded,
25 the Speaker shall announce the vote and declare the result.

26 (f) One copy of the machine printout of the vote record of all votes taken on the
27 electronic voting system shall be filed in the office of the Principal Clerk, and two copies shall
28 be filed in the Legislative Library where the copies shall be open to public inspection. A legible
29 copy of the bill, amendment, or motion on which the vote was taken shall be filed with the
30 printout of the vote in the Legislative Library.

31 (g) When the Speaker ascertains that the electronic voting system is inoperative
32 before a vote is taken or while a vote is being taken on the electronic voting system, the
33 Speaker shall announce that fact to the House, and any partial electronic voting system voting
34 record shall be voided. In such a case, if the North Carolina Constitution or the Rules of the
35 House require a call of the ayes and noes, the Clerk shall call the roll of the House, and the ayes
36 and noes shall be taken manually and shall be recorded on the Journal. All roll call votes shall
37 be taken alphabetically. If, after a vote is taken on the electronic voting system, it is discovered
38 that a malfunction caused an error in the electronic voting system printout, the Speaker shall
39 direct the Reading Clerk and the Principal Clerk to verify and correct the printout record and so
40 advise the House.

41 (h) For the purpose of identifying motions on which the vote is taken on the
42 electronic voting system, the motions are coded as follows:

43 (1) To adjourn.

44 (2) To recess.

45 (3) To lay on the table.

46 (4) Previous question.

47 (5) To postpone indefinitely.

48 (6) To reconsider.

49 (7) To postpone to a day certain.

50 (8) To re-refer.

51 (9) To amend an amendment.

- 1 (10) To amend.
2 (11) To concur or not concur.
3 (12) Miscellaneous.

4 **RULE 21. Voice Votes; Stating Questions.** – (a) All other votes except those
5 required to be taken on the electronic voting system shall be taken by voice vote.

6 (b) When a voice vote is taken, the Speaker shall put the question substantially
7 as follows: "Those in favor (as the question may be) will say 'aye'," and after the affirmative
8 voice has been expressed, "Those opposed will say 'no'."

9 (c) No statement, explanation, debate, motion, parliamentary inquiry, or point of
10 order shall be allowed once the voice vote has begun. Any point of order or parliamentary
11 inquiry may be raised, however, after the completion of the vote.

12 **RULE 22. Determining Questions.** – (a) Unless otherwise provided by the North
13 Carolina Constitution or by these rules, all questions shall be determined by a simple majority
14 of the members present and voting.

15 (b) No member may vote unless the member is in the Chamber when the
16 question is put. This subsection of this rule cannot be suspended.

17 **RULE 23. Voting by Division.** – Any member may call for a division of the
18 members upon the question before the result of the vote has been announced. Upon a call for a
19 division, the Speaker shall cause the number voting in the affirmative and in the negative to be
20 determined. Upon a division and count of the House on any question, no member away from
21 the member's seat shall be counted.

22 **RULE 24. Roll Call Vote.** – (a) Before a question is put, any member may call for
23 the ayes and noes. If the call is sustained by one-fifth of the members present, the question shall
24 be decided by the ayes and noes upon a roll call vote.

25 (b) Every member who is in the Hall of the House when the question is put shall
26 vote upon a call of the ayes and noes, unless excused pursuant to Rule 24.1A.

27 (c) No member may change a vote without leave of the House, but such leave
28 shall not be granted if it affects the result or if the session in which the vote was taken has been
29 adjourned.

30 **RULE 24.1A. Excuse From Deliberations and Voting on a Bill.** – (a) Any
31 member shall, upon request, be excused in advance from the deliberations and voting on a
32 particular bill at any time that the reason for the request arises in the proceedings on the bill.

33 (b) The member may make a brief oral statement of the reasons for making the
34 request. The member shall provide to the Principal Clerk, on a form provided by the Clerk, a
35 concise written statement of the reason for the request, and the Clerk shall include this
36 statement in the Journal.

37 (c) Except as provided in subsection (e) of this section, the member so excused
38 shall not debate the bill or any amendment to the bill, vote on the bill, offer or vote on any
39 amendment to the bill, or offer or vote on any motion concerning the bill, in committee or on
40 the floor of the House at any reading, or any subsequent consideration of the bill.

41 (d) A member may request that his or her excuse from deliberations on a
42 particular bill be withdrawn.

43 (e) By leave of the House, a member who has been excused from deliberations
44 and voting on a bill may participate in deliberations and votes on amendments to which that
45 member does not have any conflict that requires excusal.

46 **RULE 24.1B. Division of Amendments.** – Any member may call for an
47 amendment to be divided into two or more amendments to be voted on separately, and the
48 Speaker shall determine whether the amendment admits of such a division.

49 **RULE 25. Voting by Speaker.** – In all elections the Speaker may vote. In all other
50 instances the Speaker may vote or may reserve this right until there is a tie in which event the
51 Speaker may vote; but in no instance may the Speaker vote twice on the same question.

V. Committees

RULE 26. **Standing Committees Generally.** – (a) The Speaker shall appoint a chair, or cochair, of every standing committee and select committee, if any. In the construction of these rules, the word "chair" as applied to a committee, extends to and includes a cochair of the committee. The Speaker shall have the exclusive right and authority to establish select committees, but this does not exclude the right of the House by resolution to establish select committees.

(b) The Speaker shall establish the number of members of each standing committee and appoint the members in a manner to reflect the partisan membership of the House, except that the Committee on Ethics shall have an equal number of members of the majority and minority.

(c) Before appointing members of committees, the Speaker shall consult with the Minority Leader. The Speaker and Minority Leader shall consider members' committee preferences in making appointments and recommendations.

(d) The Speaker may not appoint new members to committees after April 15 of an odd-numbered year or at any time during an even-numbered year except to fill vacancies caused by the resignation, death, removal, or inability to serve of a member. As to select committees established after March 1 of an odd-numbered year or during an even-numbered year, the Speaker may not appoint new members more than 60 calendar days after the select committee is established, except to fill vacancies caused by the resignation, death, removal, or inability to serve of a member.

(e) The Speaker may name one or more vice-chairs for any standing committee.

(f) The Chairs of the Appropriations Committee are entitled to vote in all other Appropriations Committees (Capital, Education, General Government, Health and Human Services, Information Technology, Justice and Public Safety, Agriculture and Natural and Economic Resources, and Transportation).

(g) Either the chair or acting chair, designated by the chair or by the Speaker, and five other members of the standing committee, or a majority of the standing committee, whichever is fewer, shall constitute a quorum of that standing committee. A quorum of less than a majority of all the members must include at least one member of the minority party.

(h) In any joint meeting of the Senate and House committees, the House standing committee reserves the right to vote separately.

RULE 26.1. Mentions of Standing Committee Includes Select Committee. – Any reference in these rules to standing committees shall extend to select committees unless the context requires otherwise.

RULE 27. List of Standing Committees. – The standing committees thereof are:

Committees

Aging

Agriculture

Alcoholic Beverage Control

Appropriations

Appropriations, Capital

Appropriations, Education

Appropriations, General Government

Appropriations, Health and Human Services

Appropriations, Information Technology

Appropriations, Justice and Public Safety

1	Appropriations, Agriculture and Natural and Economic Resources
2	Appropriations, Transportation
3	
4	Banking
5	
6	Children, Youth, and Families
7	
8	Commerce and
9	Job Development
10	
11	Education – K-12
12	
13	Education – Community Colleges
14	
15	Education – Universities
16	
17	Elections
18	
19	Environment
20	
21	Ethics
22	
23	Finance
24	
25	Health
26	
27	Homeland Security, Military, and
28	Veterans Affairs
29	
30	Insurance
31	
32	Judiciary I
33	
34	Judiciary II
35	
36	Judiciary III
37	
38	Judiciary IV
39	
40	Local Government
41	
42	Pensions and Retirement
43	
44	Public Utilities
45	
46	Regulatory Reform
47	
48	Rules, Calendar, and
49	Operations of the House
50	
51	State Personnel

1
2 Transportation

3
4 University Board of Governors
5 Nominating

6
7 Wildlife Resources

8 **RULE 28. Standing Committee Meetings.** – (a) Standing committees shall be
9 furnished with suitable meeting places pursuant to a schedule established by the Chair of the
10 Standing Committee on Rules, Calendar, and Operations of the House. Select committees shall
11 be furnished with suitable meeting places as their needs require by the Chair of the Standing
12 Committee on Rules, Calendar, and Operations of the House.

13 (b) Subject to the provisions of subsection (c) of this rule, standing committees
14 shall permit other members of the General Assembly, the press, and the general public to attend
15 all sessions of said standing committees.

16 (c) The chair or other presiding officer shall have general direction of the
17 meeting place of the standing committee, and, in case of any disturbance or disorderly conduct
18 therein, or if the peace, good order, and proper conduct of the legislative business is hindered
19 by any person or persons, the Chair or presiding officer shall have power to exclude from the
20 session any individual or individuals so hindering the legislative business.

21 (d) Procedure in the standing committees shall be governed by the rules of the
22 House, so far as the same may be applicable to such procedure. Before a question is put, any
23 member may call for the ayes and noes. If the call is sustained by one-fifth of the members
24 present and standing, the question shall be decided by the ayes and noes upon a roll call vote.
25 All roll call votes shall be taken alphabetically and shall be subject to Rule 21(c).

26 (d1) The committee chair shall set the agenda for each committee meeting. After
27 April 1, 2015, a committee may, provided there is a written request signed by at least
28 two-thirds of the members of the committee, place a bill on the committee's agenda for the next
29 regularly scheduled meeting of the committee.

30 (e) No standing committee shall meet on any day when the House shall not
31 convene except by permission of the Speaker or by approval of the House by resolution
32 adopted by a majority vote of the House.

33 (f) No standing committee shall meet during any session of the House. Standing
34 committees shall meet at their regularly scheduled hour. Standing committees may meet at
35 other times as authorized by the Chair of the Standing Committee on Rules, Calendar, and
36 Operations of the House in order to assure the availability of the meeting room and that no
37 conflicts will exist with the meetings of other bodies. All standing committee meetings shall
38 adjourn no later than:

39 (1) 15 minutes preceding a regular session of the House, and

40 (2) 10 minutes preceding the hour of the next regularly scheduled standing
41 committee meeting.

42 Action taken by a committee in violation of this rule is voidable unless taken by
43 unanimous consent at a meeting at which a majority of all the members of the committee are
44 present, and at least one member present is of the minority party.

45 (g) Any call or notice of a standing committee meeting between legislative
46 sessions shall be sent by electronic mail to each member of the standing committee at least five
47 days prior to such meeting. If a member of the body so requests in writing to the chair of the
48 standing committee, the member shall also be notified of the meetings by mail at a designated
49 address.

1 (h) During standing committee meetings, the chair may exercise the right to
2 vote, or may reserve this right until there is a tie, in which event the chair may vote, but in no
3 instance may the chair vote twice on the same question.

4 **RULE 28.1. Ethics Committee Investigations Into Violations of the Open**
5 **Meetings Law.** – (a) On its own motion, or in response to signed and sworn complaint of any
6 individual filed with the Standing Committee on Ethics, the Committee shall inquire into any
7 alleged violation by members of the House of the Open Meetings Law (Article 33C of Chapter
8 143 of the General Statutes), as the same may be amended in the future.

9 (b) If, after such preliminary investigation as it may make, the Committee
10 determines to proceed with an inquiry into the conduct of any individual, the Committee shall
11 notify the individual as to the fact of the inquiry and the charges against the individual and shall
12 schedule one or more hearings on the matter. The individual shall have the right to present
13 evidence, cross-examine witnesses, and be represented by counsel at any hearings.

14 (c) After the Committee has concluded its inquiries into the alleged violations,
15 the Committee shall dispose of the matter by taking one of the following actions:

16 (1) Dismiss the complaint and take no further action.

17 (2) Issue a private letter of reprimand to the legislator, if the legislator
18 unintentionally violated the provisions of the Open Meetings Law.

19 (3) Issue a public letter of reprimand if the violation of the Open Meetings Law
20 was intentional or if the legislator has previously received a private letter of
21 reprimand. The Chair of the Committee on Ethics shall have the public letter
22 of reprimand spread on the pages of the House Journal.

23 (4) Refer the matter to the House for appropriate action.

24 **RULE 29. Notice of Standing Committee Meetings and Hearings.** – (a) Notice of
25 meetings of standing committees that will occur at the regularly scheduled meeting times shall
26 be given by one or both of the following methods:

27 (1) Notice given openly at a session of the House; or

28 (2) Notice mailed or sent by electronic mail to those who have requested notice,
29 and to the Legislative Services Office, which shall post the notice on the
30 General Assembly Web site.

31 (b) Notice of all other meetings shall be given in the House. If the meeting is
32 scheduled to occur after adjournment, notice shall also be given by electronic mail and posting
33 on the General Assembly Web site.

34 (c) The chair of the standing committee shall notify or cause to be notified the
35 sponsor of each bill that is set for hearing or consideration before the standing committee as to
36 the date, time, and place of that meeting.

37 **RULE 29.1. Public Hearings.** – (a) Requests for a public hearing shall be made in
38 writing to the chair of the standing committee to which the bill has been referred. The chair of
39 the standing committee may schedule a public hearing by the standing committee as a whole
40 after the adjournment of a regular daily House session. Denial of a request made by a House
41 member may be appealed to the Speaker.

42 Notice shall be given not less than five calendar days prior to public hearings. These
43 notices shall be issued as information for the press and shall be posted in the places designated
44 by the Principal Clerk.

45 (b) Persons desiring to appear and be heard at a public hearing shall submit their
46 requests to the chair of the standing committee. The standing committee chair may designate
47 one or more members to arrange the order of appearance of interested parties. A brief written
48 statement of testimony may be submitted without oral presentation and shall be incorporated
49 into the minutes of the public hearing.

50 **RULE 29.2. Minutes to Legislative Library.** – The chair of a standing committee
51 shall ensure that written minutes are compiled for each of the body's meetings. The minutes

1 shall indicate the members present and the actions taken at the meeting. Not later than 10 days
2 after the adjournment of each session of the General Assembly, the chair shall deliver the
3 minutes to the Legislative Library. The Speaker of the House may grant a reasonable extension
4 of time for filing said minutes upon written application of the chair.

5 **RULE 30. Committee of the Whole House.** – (a) A Committee of the Whole
6 House shall not be formed, except by leave of the House.

7 (b) After passage of a motion to form a Committee of the Whole House, the
8 Speaker shall appoint a chair to preside in the committee, and the Speaker shall leave the dais.

9 (c) The rules of procedure in the House shall be observed in the Committee of
10 the Whole House, so far as they may be applicable, except the rule limiting the time of
11 speaking and the previous question.

12 (d) In the Committee of the Whole House, a motion that the standing committee
13 rise shall always be in order, except when a member is speaking, and shall be decided without
14 debate.

15 (e) When a bill is submitted to the Committee of the Whole House, it shall be
16 read and debated by sections, leaving the preamble to be last considered. The body of the bill
17 shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly
18 entered by the Principal Clerk on a separate paper as the same shall be agreed to by the
19 standing committee and be so reported to the House. After report, the bill shall again be subject
20 to be debated and amended by sections before a question on its passage be taken.

21 **VI. Handling of Bills**

22 **RULE 31. Introduction of Bills and Resolutions.** – (a) All bills and resolutions
23 shall be introduced by submitting same to the Principal Clerk's office on the legislative day
24 prior to the first reading and reference thereof according to the following schedule: by 30
25 minutes after adjournment each Monday; and by 3:00 P.M. each Tuesday, Wednesday,
26 Thursday, and Friday.

27 (b) Bills shall not become resolutions provided the Senate has a similar rule.
28 Resolutions shall not become bills. Resolutions are not law but may be used when a law is not
29 necessary for the purpose contained therein. Resolutions shall not be used to appropriate funds
30 for any purpose, but may be used to create study commissions or committees or establish
31 investigative committees, to honor deceased persons, and to adopt House rules and internal
32 affairs. Resolutions cannot amend, repeal, or modify a statute; nor do they have life beyond the
33 term of the session during which they are adopted.

34 (c) Every bill or resolution shall be read in regular order of business, except
35 upon permission of the Speaker or on the report of a standing committee.

36 (d) All bills and resolutions shall show in their captions a brief descriptive
37 statement of the true substance of same, which captions may thereafter be amended.
38 Amendments to captions of bills are in order only if the amendment is germane to the bill.
39 Third reading shall not be had on any bill or resolution on the same day that such caption is
40 amended.

41 (e) A Substitute Bill shall be covered with the same color jacket as the original
42 bill and shall be prefaced as follows: "House Committee Substitute for_____."

43 (f) House resolutions need not be read more than twice.

44 (g) All memorializing, celebration, commendation, and commemoration
45 resolutions, except those honoring the memory of deceased persons, shall be excluded from
46 introduction and consideration in the House. The mention of a deceased person as a pretext to
47 honor an institution or a living person is prohibited. Members should utilize a "Representative
48 Statement of Personal Privilege" as provided in Rule 8.1, as the preferred alternative to House
49 simple resolutions that memorialize, celebrate, commend, and commemorate, other than for
50 those relating to deceased members of the General Assembly.

1 (h) Any reference in these rules to bills shall extend to resolutions unless the
2 context requires otherwise.

3 **RULE 31.1. Deadlines on Introduction and Receipt; No Blank Bills; Ten Bill**
4 **Limit; Single Subject Rule.** – (a) All local bills must be submitted to the Bill Drafting
5 Division of the Legislative Services Office by 4:00 P.M. on Wednesday, March 18, 2015, and
6 must be introduced not later than 3:00 P.M. on Wednesday, April 1, 2015.

7 (b) All public bills or resolutions recommended by commissions or standing
8 committees authorized or directed by act or resolution of the General Assembly (i) to report to
9 the 2015 Regular Session of the General Assembly, or to report prior to convening of that
10 session, or (ii) which are recommended to the 2015 Regular Session of the General Assembly
11 by a commission or committee established directly by Chapter 120 of the General Statutes,
12 must have been submitted to the Bill Drafting Division of the Legislative Services Office by
13 4:00 P.M. on Tuesday, February 17, 2015, and must be introduced not later than 3:00 P.M. on
14 Wednesday, February 25, 2015.

15 (c) All bills prepared to be introduced for departments, agencies, or institutions
16 of the State must have been submitted to the Bill Drafting Division of the Legislative Services
17 Office by 4:00 P.M. on Tuesday, March 10, 2015, and must be introduced not later than 3:00
18 P.M. on Wednesday, March 18, 2015. A bill introduced under this subsection shall be
19 identified as an Agency Bill after its short title or in the drafting code.

20 (d) All public bills that would not be required to be re-referred to the
21 Appropriations or Finance Committees under Rule 38 and all joint resolutions and House
22 resolutions must be submitted to the Bill Drafting Division of the Legislative Services Office
23 by 4:00 P.M. on Thursday, April 2, 2015, and must be introduced not later than 4:00 P.M. on
24 Tuesday, April 14, 2015.

25 (e) All public bills which under Rule 38 are required to be re-referred to either
26 or both of the Appropriations Committee or the Finance Committee must be submitted to the
27 Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Thursday, April 2,
28 2015, and must be introduced not later than 3:00 P.M. on Thursday, April 16, 2015. If any bill
29 is subject to the deadline under this subsection and the bill is amended so that all the provisions
30 requiring referral to either or both of those committees under Rule 38 do not remain in the bill,
31 it is not eligible for further consideration.

32 (f) A bill containing no substantive provisions may not be introduced in the
33 House.

34 (g) No member may introduce more than 15 public bills. For the purpose of this
35 subsection, the introducer is the member who is listed as the first sponsor. A member may
36 assign a portion of this limit to another member electronically using the procedures established
37 and published by the Principal Clerk. This subsection does not apply to bills or resolutions
38 recommended by commissions or committees authorized or directed by act or resolution of the
39 General Assembly (i) to report to the 2015 Regular Session of the General Assembly, or to
40 report prior to convening of that session, or (ii) that are recommended to the Regular Session of
41 the General Assembly by a commission or committee established directly by Chapter 120 of
42 the General Statutes. This subsection does not apply to joint resolutions or House resolutions.

43 (h) In order to be eligible for consideration by the House during the first Regular
44 Session, all Senate bills other than finance or appropriations bills that would be required to be
45 re-referred to the Appropriations or Finance Committee under Rule 38 or adjournment
46 resolutions must be received and read on the floor of the House as a message from the Senate
47 no later than Thursday, April 30, 2015; provided that a message from the Senate received by
48 the next legislative day stating that a bill has passed its third reading and is being engrossed
49 shall comply with the requirements of this subsection and provided that the Senate has a similar
50 rule.

1 (i) Except by motion approved by a majority of members of the House present
2 and voting, no public House bill other than the Current Operations Appropriations Act or the
3 Capital Improvement Appropriations Act may contain more than one subject.

4 (j) This rule, other than subsections (f), (g), and (i), does not apply to bills (i)
5 establishing districts for Congress or State or local entities, (ii) introduced on the report of the
6 Committees on Appropriations, Finance, or Rules, Calendar, and Operations of the House, or
7 (iii) ratifying an amendment or amendments to the Constitution of the United States. This rule
8 does not apply to resolutions adjourning the General Assembly sine die or to a day certain.

9 **RULE 32. Reference to Standing Committees; Serial Referrals.** – Each bill not
10 introduced on the report of a standing committee shall immediately upon its first reading be
11 referred by the Speaker to such standing committee or committee of the whole as the Speaker
12 deems appropriate. The Speaker at the same time may order that, if the bill is reported with any
13 favorable recommendation or without prejudice, it be re-referred automatically upon the
14 committee report to another committee designated in the order. Each joint resolution or House
15 resolution not introduced on the report of a standing committee shall immediately upon its first
16 reading either be referred by the Speaker to a standing committee or be calendared on the date
17 designated by the Speaker, as the Speaker deems appropriate.

18 **RULE 33. Papers Addressed to the House.** – Petitions, memorials, and other
19 papers addressed to the House shall be presented by the Speaker. A brief statement of the
20 contents thereof may be made orally by the introducer before reference to a committee, but
21 such papers shall not be debated or decided on the day of their first being read unless the House
22 shall direct otherwise.

23 **RULE 34. Introduction of Resolutions and Bills.** – (a) House Bills shall be
24 designated as "H.B.____." (No. following). A Joint Resolution shall be designated as "H.J.R.
25 ____." (No. following). A House resolution shall be designated as "H.R.____." (No. following).

26 Whenever any resolution or bill is filed for introduction, it shall comply with
27 the procedures established and published by the Principal Clerk.

28 (b) No bill may be filed for introduction if the draft contains names preprinted
29 on the bill jacket and body of the bill (either as primary sponsors or cosponsors) unless each
30 such member has signed the jacket.

31 **RULE 35. Public and Local Bills.** – (a) The Legislative Services Officer shall
32 cause such bills as are introduced to be duplicated in such numbers as may be specified by the
33 Speaker. Copies shall be placed in the Printed Bills Room and made available to the
34 committees to which the bill is referred, to individual members on request, and to the general
35 public.

36 (b) A public bill is a bill affecting 15 or more counties. A local bill is one
37 affecting fewer than 15 counties.

38 **RULE 35.1. Assessment Reports; Municipal Incorporation Reports.** – (a) Every
39 bill or resolution proposing the establishment of an occupational or professional licensing board
40 or a study for the need to establish such a board shall have attached to the jacket of the original
41 bill or resolution at the time of its consideration on second and third readings by the House or
42 by any standing committee of the House an assessment report from the Joint Legislative
43 Commission on Governmental Operations. The assessment report shall not constitute any part
44 of the expression of legislative intent proposed by the formation of a licensing board.

45 (b) Every legislative proposal introduced in the House or received in the House
46 from the Senate, proposing the incorporation of a municipality shall have attached to the jacket
47 of the original bill at the time of its consideration on second or third readings by the House or
48 by any committee of the House prior to a favorable report, a recommendation from the
49 Municipal Incorporations Subcommittee of the Joint Legislative Committee on Local
50 Government, established by Article 20 of Chapter 120 of the General Statutes. The
51 recommendation of the Municipal Incorporations Subcommittee of the Joint Legislative

1 Committee on Local Government shall be made in accordance with the provisions and criteria
2 set forth in Article 20 of Chapter 120 of the General Statutes and shall include the findings
3 required to be made by G.S. 120-166 through G.S. 120-170.

4 **RULE 36. Report by Standing Committee.** – (a) **Reports.** – Bills and resolutions
5 may be reported from the standing committee to which referred with such recommendations as
6 the standing committee may desire to make.

7 (b) **Favorable Report.** – When a standing committee reports a bill with the
8 recommendation that it be passed, the bill shall be placed on the favorable calendar on the day
9 designated by the Chair of the Standing Committee on Rules, Calendar, and Operations of the
10 House, but not on the same day that it is reported except by leave of the House, and no later
11 than the fourth legislative day after submission of the report or Senate message under Rule 43.2
12 or Rule 43.3(a), unless:

13 (1) The bill is re-referred to the Committee on Appropriations or Committee on
14 Finance under Rule 38 or was serially referred under Rule 32; or

15 (2) The bill has not yet been placed on the calendar, and the Speaker refers the
16 bill to another committee.

17 In order to place a bill on the calendar for a legislative day, notice shall be given by the Chair
18 of the Standing Committee on Rules, Calendar, and Operations of the House orally in the
19 House or in writing to the Principal Clerk. When a committee substitute is adopted and receives
20 a favorable report by the committee, the standing committee chair shall submit to the standing
21 committee the question of an unfavorable report on the original bill. The standing committee's
22 action, if any, on the original bill shall be reported at the same time the committee substitute is
23 reported.

24 (b1) **Distribution of Proposed Committee Substitutes.** – Except by leave of a
25 committee, before a proposed committee substitute may be considered by the committee, the
26 proposed committee substitute shall have been distributed electronically and no later than 9:00
27 P.M. of the preceding calendar day to the members of the committee and to the member who is
28 listed as the first sponsor.

29 (c) **Report Without Prejudice.** – When a standing committee reports a bill
30 without prejudice, the bill shall be placed on the favorable calendar in the same manner as
31 provided in subsection (b) of this rule.

32 (d) **Postponed Indefinitely.** – When a standing committee reports a bill with the
33 recommendation that it be postponed indefinitely and no minority report accompanies it, the
34 bill shall be placed on the unfavorable calendar.

35 (e) **Unfavorable Report.** – When a standing committee reports a bill with the
36 recommendation that it not be passed and no minority report accompanies it, the bill shall be
37 placed on the unfavorable calendar.

38 (f) **Minority Report.** – When a bill is reported by a standing committee with a
39 recommendation that it not be passed or that it be postponed indefinitely but it is accompanied
40 by a minority report signed by at least one-fourth of the members of the standing committee
41 who were present and voting when the bill was considered in standing committee, the question
42 before the House shall be: "The adoption of the minority report." If the minority report is
43 adopted by majority vote, the bill shall be placed on the favorable calendar for consideration. If
44 the minority report fails of adoption by a majority vote, the bill shall be placed on the
45 unfavorable calendar.

46 **RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations
47 Committee, of the Finance Committee, or of the Standing Committee on Rules, Calendar, and
48 Operations of the House, upon the floor of the House, may request that a fiscal analysis be
49 made of a bill, resolution, or an amendment to a bill or resolution which is in the possession of
50 the House and that a fiscal note be attached to the measure, which request shall be allowed
51 when, in the opinion of the Speaker, the fiscal effects of that measure are not apparent from the

1 language of the measure. When a request is properly made under this subsection, the bill is
2 removed from the calendar until such time that the fiscal note is attached to the measure.

3 (b) The fiscal note shall be filed and attached to the bill or amendment within
4 two legislative days of the request, and a copy shall be sent by electronic mail to each member.
5 If it is impossible to prepare a fiscal note within two legislative days, the Director of Fiscal
6 Research shall, in writing, so advise the Speaker, the Principal Clerk, the Majority Leader, the
7 Minority Leader, and the member introducing or proposing the measure and shall indicate the
8 time when the fiscal note will be ready.

9 (c) The fiscal note shall be prepared by the Fiscal Research Division on a form
10 approved by the Chair of the Standing Committee on Rules, Calendar, and Operations of the
11 House as to content and form and signed by the staff member or members preparing it. If no
12 estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate is
13 provided. The fiscal note shall not comment on the merit but may identify technical problems.
14 The Fiscal Research Division shall make the fiscal note available to the membership of the
15 House.

16 (d) A sponsor of a bill or amendment may deliver a copy of the bill or
17 amendment to the Fiscal Research Division for the preparation of a fiscal note. The sponsor
18 shall attach the fiscal note to the bill when filed or to the amendment when its adoption is
19 moved.

20 (e) The sponsor of a bill or amendment to which a fiscal note is attached who
21 objects to the estimates and information provided may reduce to writing the objections. These
22 objections shall be appended to the fiscal note attached to the bill or amendment and to the
23 copies of the fiscal note available to the membership.

24 (f) Subsection (a) of this rule shall not apply to the Current Operations
25 Appropriations Bill or the Capital Improvement Appropriations Bill. This rule shall not apply
26 to a bill or amendment requiring an actuarial note under these rules.

27 **RULE 36.2. Actuarial Notes.** – (a) Every bill or resolution proposing any change in
28 the law relative to any:

29 (1) State, municipal, or other retirement system funded in whole or in part out of
30 public funds; or

31 (2) Program of hospital, medical, disability, or related benefits provided for
32 teachers and State employees, funded in whole or in part by State funds;

33 shall have attached to it at the time of its consideration by any standing committee a brief
34 explanatory statement or note which shall include a reliable estimate of the financial and
35 actuarial effect of the proposed change to that retirement or pension system. The actuarial note
36 shall be attached to the jacket of each proposed bill or resolution which is reported favorably by
37 any standing committee, shall be separate therefrom, and shall be clearly designated as an
38 actuarial note. A bill described in subdivision (a)(1) of this rule shall be referred to the
39 Committee on State Personnel upon its introduction in accordance with G.S. 120-111.3.

40 (b) The sponsor of the bill or resolution shall present a copy of the measure,
41 with a request for an actuarial note, to the Fiscal Research Division, which shall prepare the
42 actuarial note as promptly as possible but not later than two weeks after the request is made,
43 unless an extension of time is agreed to by the sponsor as being necessary in the preparation of
44 the note. Actuarial notes shall be prepared in the order of receipt of request and shall be
45 transmitted to the sponsor of the measure. The actuarial note of the Fiscal Research Division
46 shall be prepared and signed by an actuary.

47 (c) The sponsor of the bill or resolution shall also present a copy of the measure
48 to the actuary employed by the system or program affected by the measure. Actuarial notes
49 shall be prepared and transmitted to the sponsor of the measure not later than two weeks after
50 the request is received, unless an extension of time is agreed to by the sponsor as being
51 necessary in the preparation of the note. The actuarial note shall be attached to the jacket of the

1 measure. The provisions of this subsection may be waived by the measure's sponsor for a
2 measure affecting local government retirement or pension plans not administered by the State
3 or any local government program of hospital, medical, disability, or related benefits for local
4 government employees not administered by the State.

5 (d) The note shall be factual and shall, if possible, provide a reliable estimate of
6 both the immediate effect and, if determinable, the long-range fiscal and actuarial effect of the
7 measure. If, after careful investigation, it is determined that no dollar estimate is possible, the
8 note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can
9 be given. No comment or opinion shall be included in the actuarial note with regard to the
10 merits of the measure for which the note is prepared. Technical and mechanical defects in the
11 measure may be noted.

12 (e) When any permanent committee reports a measure to which an actuarial
13 note is attached at the time of permanent committee consideration, with any amendment of
14 such nature as would substantially affect the cost to or the revenues of any retirement or
15 pension system, or program of hospital, medical, disability, or related benefits for teachers or
16 State employees, the chair of the standing committee reporting the measure shall obtain from
17 the Fiscal Research Division an actuarial note of the fiscal and actuarial effect of the proposed
18 amendment. The actuarial note shall be attached to the jacket of the measure. An amendment to
19 any bill or resolution shall not be in order if the amendment affects the costs to or the revenues
20 of a State-administered retirement or pension system, or program of hospital, medical,
21 disability, or related benefits for teachers or State employees, unless the amendment is
22 accompanied by an actuarial note, prepared by the Fiscal Research Division, as to the actuarial
23 effect of the amendment.

24 (f) The Fiscal Research Division shall make all relevant actuarial notes
25 available to the membership of the House.

26 **RULE 36.3. Local Legislation Affecting State Highway System.** – A local bill
27 affecting the State Highway System shall be referred to the Committee on Transportation.

28 **RULE 36.4. Content of Appropriations Bills.** – No provision shall be contained in
29 any of the following bills unless it pertains to the appropriation of money or the raising or
30 reducing of revenue: (i) the Current Operations Appropriations Bill; (ii) the Capital
31 Improvement Appropriations Bill; (iii) any bill generally revising appropriations for the second
32 fiscal year of a biennium. If a point of order is made against such a provision and is sustained,
33 the presiding officer shall refer the bill to the committee from which it came, with instructions
34 for the chair of the committee to immediately report out a substitute or amendment removing
35 the offending provision.

36 **RULE 37. Removing Bill From Unfavorable Calendar.** – A bill may be removed
37 from the unfavorable calendar upon motion carried by a two-thirds vote. A motion to remove a
38 bill from the unfavorable calendar is debatable.

39 **RULE 38. Reports on Appropriation and Revenue Bills.** – (a) All standing
40 committees, other than the Standing Committees on Appropriations, when favorably reporting
41 any bill or resolution that:

- 42 (1) Carries an appropriation from the State; or
- 43 (2) Requires or will require in the future substantial additional State monies
44 from the General Fund or Highway Fund to implement its provisions shall
45 indicate same in the report, and said bill or resolution shall be referred to the
46 Standing Committees on Appropriations for a further report before being
47 acted upon by the House.

48 (b) All standing committees, other than the Standing Committee on Finance,
49 when favorably reporting any bill that in any way or manner raises revenue, reduces revenue,
50 levies a tax, authorizes the levying of a tax, an assessment, or a fee, or authorizes the issue of
51 bonds or notes, whether public or local, shall indicate same in the report, and said bill shall be

1 referred to the Standing Committee on Finance for a further report before being acted upon by
2 the House. This subsection shall not apply to bills only imposing fines, forfeitures, or penalties.

3 (c) Action on Amendment Before Re-Referral. – If any standing committee
4 recommends adoption of an amendment or committee substitute of a bill which, under the rules
5 of the House, must be referred to the Standing Committees on Appropriations or the Standing
6 Committee on Finance, the amendment or committee substitute shall be considered and, if
7 adopted, the amendment or substitute engrossed before the bill is re-referred.

8 **RULE 39. Discharge Petition.** – (a) A motion to discharge a committee from
9 consideration of a bill may be filed with the Principal Clerk by a primary sponsor of that
10 measure if accompanied by a petition asking that the committee be discharged from further
11 consideration of the bill. No motion may be filed until 10 legislative days after the bill has been
12 referred to the committee. No petition may be filed until notice has been given on the floor of
13 the House that the petition is to be filed and the primary sponsor giving notice has obtained a
14 fiscal note from the Fiscal Research Division on the bill, which note shall be attached to the
15 petition. Members may sign the petition only in the office of the Principal Clerk, and when the
16 signatures of 61 members appear on the petition, the Principal Clerk shall place that motion on
17 the calendar for the next legislative day as a special order of business. Members may withdraw
18 their names at any time until 61 names appear. If the motion is adopted by the House, then the
19 committee to which the bill or resolution has been referred is discharged from further
20 consideration of the bill, and that bill is placed on the calendar for the next legislative day as a
21 special order of business. The Principal Clerk shall provide a form for discharge petitions.

22 (b) This rule shall not be temporarily suspended without one day's notice on the
23 motion given in the House and delivered in writing to the chair of the standing committee, and
24 to sustain that motion two-thirds of the members shall be required.

25 **RULE 39.2. Re-Referral of Bills From One Standing Committee to Another**
26 **Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker, the chair of the
27 standing committee from whom the bill is to be re-referred, and the chair of the standing
28 committee to whom the bill is to be re-referred, the chair of the standing committee from whom
29 the bill is to be re-referred, or the Chair of the Standing Committee on Rules, Calendar, and
30 Operations of the House may move for a re-referral to another standing committee, and the bill
31 shall be re-referred upon vote of the majority present during a regular session of the House.

32 **RULE 40. Calendars and Schedules of Business.** – The Clerk of the House shall
33 prepare a daily schedule of business, including the Calendar of Bills and Resolutions for
34 consideration and debate that day, in accordance with the Order of Business of the Day (Rule
35 5). The Clerk shall number all bills and resolutions in the order in which they are introduced.
36 All bills and resolutions shall be taken up as they appear in each category (Rule 5(10)). Except
37 by leave of the House, the Speaker shall not vary from the order.

38 **RULE 41. Reading of Bills.** – (a) Every bill shall receive three readings in the
39 House prior to its passage. The first reading and reference to standing committee of a House
40 bill shall occur on the next legislative day following its introduction. The first reading and
41 reference to standing committee of a Senate bill shall occur on the next legislative day
42 following its receipt on messages from the Senate. The Speaker shall give notice at each
43 subsequent reading whether it is the second or third reading.

44 (b) No bill shall be read more than once on the same day without the
45 concurrence of two-thirds of the members present and voting; provided, no bill governed by
46 Article II, Section 23 of the North Carolina Constitution herein shall be read twice on one day
47 under any circumstance.

48 **RULE 42. Effect of a Defeated Bill.** – (a) Subject to the provisions of subsection
49 (b) of this rule, after a bill has:

- 50 (1) Been tabled,
51 (2) Been postponed indefinitely,

1 (3) Failed to pass on any of its readings, or
2 (4) Been placed on the unfavorable calendar,
3 the contents of that bill or the principal provisions of its subject matter shall not be considered
4 in any other measure originating in the Senate or originating thereafter in the House. Upon the
5 point of order being raised and sustained by the chair, that measure shall be laid upon the table,
6 and shall not be taken therefrom except by a two-thirds vote of the members present and
7 voting.

8 (b) No local bill shall be held by the chair to embody the contents of or the
9 principal provisions of the subject matter of any statewide measure which has been laid on the
10 table, has failed to pass on any of its readings, or has been placed on the unfavorable calendar.

11 **RULE 43. Amendments.** – (a) No amendment to a measure before the House shall
12 be in order unless the amendment is germane to the measure under consideration. A House
13 amendment deleting a previously adopted House amendment shall not be in order, except that
14 this sentence does not apply to amendments adopted under Rule 38(c). No amendment that is
15 clearly unconstitutional shall be in order.

16 Only one principal (first degree) amendment shall be pending at any one time. If a
17 subsequent or substitute principal amendment shall be offered, the Speaker shall rule it out of
18 order. However, any member desiring to offer a subsequent or substitute principal amendment
19 in opposition to the pending amendment may inform the House by way of argument against the
20 pending amendment that if it is defeated the member proposes to offer another principal
21 amendment, and the member may then read and explain such proposed amendment.

22 Perfecting (or second degree) amendments may be offered and considered without
23 limitation as to number, and in the event of multiple perfecting amendments, they shall be
24 voted upon in inverse order.

25 (b) The following rules apply when considering: (i) the Current Operations
26 Appropriations Bill; (ii) the Capital Improvement Appropriations Bill; (iii) any bill generally
27 revising appropriations for the second fiscal year of a biennium:

28 (1) Amendments cannot increase total spending within a committee area beyond
29 the total for that committee as shown in the committee report.

30 (2) Amendments can only affect appropriations within the departments,
31 agencies, or programs within the jurisdiction of the committee.

32 (3) Amendments cannot increase total spending, from any source, beyond the
33 total amount shown in the committee report.

34 (4) Amendments that cause the budget to be unbalanced are not in order.

35 (5) Amendments cannot spend reversions.

36 (6) Amendments cannot make nonrecurring reductions to fund recurring items.

37 (c) When offering an amendment, the member shall deliver the signed original
38 amendment to the Principal Clerk and a copy to the Chair of the Committee on Rules,
39 Calendar, and Operations of the House.

40 **RULE 43.1. Engrossment.** – Bills and resolutions, except those making
41 appropriations, which originate in the House and which are amended, shall be engrossed before
42 being sent to the Senate.

43 **RULE 43.2. House Concurrence in Senate Amendments to House Bills.** – When
44 the House receives a Senate amendment to a bill originating in the House, it shall be placed on
45 the calendar in accordance with Rule 36(b).

46 **RULE 43.3. Committee Substitutes Adopted by the Senate to Bills Originating**
47 **in the House; Procedure for Treatment of Material Amendments Thereto.** – (a) Whenever
48 the Senate has adopted a committee substitute for a bill originating in the House and has
49 returned the bill to the House for concurrence in that committee substitute, it shall be placed on
50 the calendar in accordance with Rule 36(b).

1 (b) The Speaker shall rule whether the committee substitute is a material
2 amendment under Article II, Section 23 of the North Carolina Constitution which reads:

3 **"Revenue bills.** – No law shall be enacted to raise money on the credit of the State, or to
4 pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any
5 tax upon the people of the State, or to allow the counties, cities, or towns to do so, unless the
6 bill for the purpose shall have been read three several times in each house of the General
7 Assembly and passed three several readings, which readings shall have been on three different
8 days, and shall have been agreed to by each house respectively, and unless the yeas and nays on
9 the second and third readings of the bill shall have been entered on the journal."

10 If the committee substitute was referred to standing committee, the standing
11 committee shall:

12 (1) Report the bill with the recommendation either that the House do concur or
13 that the House do not concur; and

14 (2) Advise the Speaker as to whether or not that committee substitute is a
15 material amendment under Article II, Section 23 of the North Carolina
16 Constitution.

17 (c) If the committee substitute for a bill is not a material amendment, the
18 question before the House shall be concurrence.

19 (d) If the committee substitute for a bill is a material amendment, the receiving
20 of that bill on messages shall constitute first reading, and the question before the House shall be
21 concurrence on second reading. If the motion is passed, the question then shall be concurrence
22 on third reading on the next legislative day.

23 (e) No committee substitute adopted by the Senate for a bill originating in the
24 House may be amended by the House.

25 **RULE 44. Conference Standing Committees.** – (a) Whenever the House shall
26 decline or refuse to concur in amendments put by the Senate to a bill originating in the House,
27 or shall refuse to concur in a substitute adopted by the Senate for a bill originating in the
28 House, or whenever the Senate shall decline or refuse to concur in amendments put by the
29 House to a bill originating in the Senate, or shall refuse to concur in a substitute adopted by the
30 House for a bill originating in the Senate, a conference committee may be appointed by the
31 Speaker upon the Speaker's own motion and shall be appointed upon request by the principal
32 sponsor of the original bill, the chair of the House standing committee that reported the bill, or
33 the sponsor of the amendment in which the Senate refused to concur; and the bill under
34 consideration shall thereupon go to and be considered by the joint conferees on the part of the
35 House and Senate. In appointing members to conference committees, the Speaker shall appoint
36 no less than a majority of members who generally supported the House position as determined
37 by the Speaker.

38 (b) The conference report may be made by a majority of the House members of
39 such conference committee and shall not be amended. If the Senate has a similar rule, only such
40 matters as are in difference between the two houses shall be considered by the conferees, and
41 the conference report shall deal only with such matters. If the Senate does not have a similar
42 rule, a conference committee report which includes significant matters that were not in
43 difference between the houses, shall be referred to a standing committee for its
44 recommendation before further action by the House.

45 (c) If the conferees fail to agree or if either house fails to adopt the report of its
46 conferees, new conferees may be appointed.

47 (d) No vote shall be taken on adoption of a conference report until the next
48 legislative day following the report, except that no vote shall be taken on adoption of a
49 conference report on either the Current Operations Appropriations Bill or a bill generally
50 revising the Current Operations Appropriations Act until the third legislative day following the
51 report.

1 RULE 44.1. **Transmittal of Bills to Senate.** – Unless ordered by the Speaker or
2 two-thirds vote of the members present and voting, no bill shall be sent from the House on the
3 day of its passage, except on the last day of the session.

4 RULE 44.2. **Veto Override.** – (a) Other than in a reconvened session, no vote shall
5 be taken on overriding a gubernatorial veto on a House bill until the second legislative day
6 following notice of its placement on the calendar.

7 (b) Other than in a reconvened session, no vote shall be taken on overriding a
8 gubernatorial veto on a Senate bill until the legislative day following notice of its placement on
9 the calendar.

10 **VII. Legislative Officers and Employees**

11 RULE 45. **Elected Officers.** – (a) The House shall elect its Speaker from among its
12 membership.

13 (b) The House shall elect its Speaker Pro Tempore from among its membership
14 who shall perform such duties as the Speaker may assign.

15 (c) The House shall elect a Principal Clerk, who shall continue in office until
16 another is elected. The Speaker may appoint a Reading Clerk and shall appoint a
17 Sergeant-at-Arms, both of whom shall serve at the Speaker's pleasure. The Principal Clerk,
18 Reading Clerk, and Sergeant-at-Arms shall have and perform duties and responsibilities, not
19 inconsistent with these rules, as the Speaker may assign. Unless directed otherwise by the
20 Speaker on behalf of the House, the Principal Clerk or an employee designated by the Principal
21 Clerk shall receive House bills not approved by the Governor.

22 RULE 46. **Assistants to Principal Clerk and Sergeant-at-Arms.** – The Principal
23 Clerk and the Sergeant-at-Arms may appoint, with the approval of the Speaker, such assistants
24 as may be necessary to the efficient discharge of the duties of their respective offices.

25 RULE 47. **Speaker's Staff; Chaplain; and Pages.** – (a) The Speaker may appoint
26 one or more staff members to the Speaker, a Chaplain of the House, and pages to wait upon the
27 sessions of the House.

28 (b) When the House is not in session, the pages shall be under the supervision of
29 the Supervisor of Pages.

30 (c) The Speaker, at the request of a member, may appoint honorary pages.

31 RULE 48. **Member's Staff.** – (a) Each standing committee shall have a committee
32 assistant. The committee assistant to a standing committee shall serve as staff to the chair of the
33 standing committee.

34 (b) Each member shall be assigned a legislative assistant, unless the member has
35 a committee assistant to serve as legislative assistant.

36 (c) The selection and retention of committee assistants, legislative assistants,
37 and office assistants shall be the sole prerogative of the individual member or members. Such
38 staff shall file initial applications for employment with the Principal Clerk and shall receive
39 compensation as prescribed by the Legislative Services Commission. The employment period
40 of such staff shall commence not earlier than the convening date of the General Assembly and
41 shall terminate not later than the final adjournment or recess of the General Assembly unless
42 employment for an extended period is approved by the Speaker. The committee assistants,
43 legislative assistants, and office assistants shall adhere to such uniform rules and regulations
44 not inconsistent with these rules regarding hours and other conditions of employment as the
45 Legislative Services Commission shall fix by appropriate regulations.

46 RULE 49. **Compensation of Legislative Assistants.** – No clerk, committee
47 assistant, legislative assistant, office assistant, or other person employed or appointed under
48 Rules 46, 47, and 48 hereof shall receive during such employment, appointment, or service any
49 compensation from any department of the State government, and there shall not be voted, paid,
50 or awarded any additional pay, bonus, or gratuity to any of them; but they shall receive only the
51 pay now provided by law for such duties and services. This rule shall not apply to employment,

1 appointment, or service, or to the receipt of compensation or additional pay, bonus, or gratuity
2 from another department of State government between regular sessions of the General
3 Assembly.

4 **VIII. Privileges of the Hall**

5 **RULE 50. Admittance to Floor.** – No person except members, officers, and
6 designated employees of the General Assembly who have been issued identification tags as
7 provided by this rule, and former members of the General Assembly who are not registered
8 under the provisions of Article 2 of Chapter 120C of the General Statutes, shall be allowed on
9 the floor of the House during its session, unless permitted by the Speaker or otherwise provided
10 by law. Employees of the General Assembly shall wear identification tags, approved by the
11 Legislative Services Officer, when on the floor of the House.

12 **RULE 51. Admittance of Press.** – Reporters wishing to take down debates may be
13 admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to
14 effect this object, as shall not interfere with the convenience of the House. Reporters admitted
15 to the floor of the House shall observe the same requirements of attire for members contained
16 in Rule 12(h).

17 **RULE 52. Extending Courtesies.** – Courtesies of the floor, galleries, or lobby shall
18 be extended at the discretion of the Speaker and only by the Speaker. Requests by members to
19 extend these courtesies shall be delivered to the Speaker. No member shall orally ask the
20 Speaker to extend these courtesies during the daily session.

21 **RULE 53. Order in House Chamber, Galleries, and Lobby.** – In case of any
22 disturbance or disorderly conduct in the House Chamber, galleries, or lobby, the Speaker or
23 other presiding officer is empowered to order the same to be cleared to the extent they deem
24 necessary.

25 **IX. General Rules**

26 **RULE 54. Attendance of Members.** – No member or officer of the House shall be
27 absent from the service of the House without leave, unless from sickness, pregnancy, military
28 service, or disability.

29 **RULE 55. Documents to Be Signed by the Speaker.** – All acts, addresses, and
30 resolutions and all warrants and subpoenas issued by order of the House shall be signed by the
31 Speaker or other presiding officer.

32 **RULE 56. Printing or Reproducing Materials.** – There shall be no printing or
33 reproducing of paper(s) that are not legislative in essence except upon approval of the Speaker.

34 **RULE 57. Placement or Circulation of Materials.** – Persons other than members
35 of the House shall not place or cause to be placed any materials on members' desks in the
36 House Chamber without obtaining approval of the Speaker. Any material placed on members'
37 desks in the House Chamber, or circulated to House members anywhere in the Legislative
38 Building or the Legislative Office Building, shall bear the name of the originator.

39 **RULE 58. Rules, Rescission, and Alteration.** – (a) These rules shall not be
40 permanently rescinded or altered except by House simple resolution passed by a two-thirds
41 vote of the members present and voting. The introducer of the resolution must on the floor of
42 the House give notice of intent to introduce the resolution on the legislative day preceding its
43 introduction.

44 (b) Except as otherwise provided herein, the House upon two-thirds vote of the
45 members present and voting may temporarily suspend any rule.

46 **RULE 59. Cosponsorship of Bills and Resolutions, Removal of Sponsorship.** –
47 (a) Except by leave of the primary sponsor, or as provided in subsection (d) of this section, no
48 member may be listed as an additional primary sponsor on a bill after the bill has been filed.
49 Except as provided in subsection (d) of this section, any member not listed as a preprinted
50 cosponsor on the computer-generated draft edition who wishes to cosponsor a bill or resolution
51 which has been introduced may do so by 5:00 P.M. of the calendar day following the

1 adjournment of the session during which such bill or resolution was first read and referred, but
2 only electronically under procedures approved by the Principal Clerk.

3 (b) Members wishing to cosponsor legislation prior to preparation of the draft
4 should indicate such to the drafter at the time the bill is requested and before filing the bill with
5 the Principal Clerk's office. The names of the members who are the primary sponsors shall be
6 listed in the order requested by them, followed by the words (Primary Sponsors); and the
7 remaining names of such members cosponsoring shall follow on the draft edition and first
8 edition. No more than four members may be listed as primary sponsors. Names of persons
9 cosponsoring bills thereafter under subsection (a) of this Rule do not appear on subsequent
10 editions but shall be listed in the bill status system as cosponsors.

11 (c) No member shall permit anyone, other than that member's committee
12 assistant, legislative assistant, office assistant, or another member, to have possession of and
13 solicit for bill or resolution sponsorship, the jacket of a bill or resolution.

14 (d) Should any member wish to remove the member's sponsorship of a bill that
15 is substantially changed by a Senate amendment or a Senate committee substitute, the member
16 shall notify the House Principal Clerk before the bill is considered for concurrence. If no
17 sponsors remain on the bill, the House Principal Clerk shall notify the Chairman of the
18 Committee on Rules, Calendar, and Operations of the House who may request that other
19 members sponsor the bill. Removal of the first primary sponsor's name from a bill does not
20 reduce the total number of bills introduced by the member under Rule 38(g), and sponsorship
21 of a bill after removal of all sponsors is subject to Rule 38(g).

22 **RULE 60. Correcting of Typographical Errors.** – The Legislative Services
23 Officer may correct typographical errors appearing in House bills or resolutions or House
24 amendments to Senate bills provided that such corrections are made before ratification and do
25 not conflict with any actions or rules of the Senate and provided further that such correction be
26 approved by the Chair of the Standing Committee on Rules, Calendar, and Operations of the
27 House, the Speaker, or other presiding officer.

28 **RULE 61. Assignment of Seats.** – After initial assignment of seats, a member shall
29 continue to occupy the seat to which initially assigned until assigned a permanent seat; once
30 assigned a permanent seat, the member shall occupy it for the entire biennial session. In event
31 of vacancy, the Speaker or the Chair of the Standing Committee on Rules, Calendar, and
32 Operations of the House may assign such permanent seats as are necessary to maintain seating.

33 **RULE 61.1. Office Assignments.** – The Chair of the Standing Committee on Rules,
34 Calendar, and Operations of the House shall assign to each member an office space. When
35 available, chairs of standing committees shall be assigned an office adjacent to the room in
36 which the standing committee generally meets if the Chair so desires. The Speaker shall be
37 assigned an office of his or her choice.

38 **RULE 61.2. Convening and Assigning Seats in the New House.** – (a) The
39 Principal Clerk of the previous House of Representatives shall convene the House of
40 Representatives at 9:00 A.M. on the date established by law for the convening of each regular
41 session and preside over the body until the members elect a Speaker. In the case of a vacancy,
42 inability, or refusal to so serve, the duty shall devolve upon the Sergeant-at-Arms of the prior
43 House, and in the case of a vacancy in that office, or inability or refusal to so serve, the duty
44 shall devolve upon the Reading Clerk of the prior House.

45 (b) It shall be the duty of the Chair of the Standing Committee on Rules,
46 Calendar, and Operations of the House of the prior House to assign temporary seats to the
47 members of the House of Representatives in its Chamber. In the case of the inability or refusal
48 to serve of the Chair of the Standing Committee on Rules, Calendar, and Operations of the
49 House, the Speaker of the prior House of Representatives shall appoint a person to assign seats
50 to members of the House of Representatives in its Chamber. In the event that the party that had
51 a majority of members in the prior House will no longer have a majority of members in the new

1 House, then the duty assigned in this subsection to the Chair of the Committee of the prior
2 House shall instead be the duty of the person nominated as Speaker by the majority party
3 caucus for the new House, or some member-elect designated by the Speaker-nominee. In the
4 event no party will have a majority, then the duty assigned in this subsection to the Chair of the
5 Committee of the prior House shall instead be the joint duty of one person chosen each by the
6 caucuses of the two parties having the greatest numbers of members.

7 **RULE 62. Matters Not Covered in These Rules.** – Except as herein set out, the
8 rules of Mason's Manual of Legislative Procedure, 2010 Edition, shall govern the operation of
9 the House. Custom and usage may supplement these rules or Mason's Manual, but may not
10 supercede them.

11 **SECTION 2.** This resolution is effective upon adoption.