

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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by House Resolution 17, Adopted 1/28/15

Simple
Resolution
Adopted

HOUSE RESOLUTION 1
Adopted 1/14/15

Sponsors: Representative Lewis (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to:

January 14, 2015

1 A HOUSE RESOLUTION ADOPTING THE TEMPORARY RULES OF THE HOUSE OF
2 REPRESENTATIVES FOR THE 2015 REGULAR SESSION.

3 Be it resolved by the House of Representatives:

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

6 **TEMPORARY 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.



1 Speaker of the House of Representatives, the Principal Clerk shall preside over the House until
2 the House elects a Speaker.

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

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

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

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

15 (2) A point of order,

16 (3) A parliamentary inquiry, or

17 (4) A question of privilege.

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

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

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

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

39 (b) No member shall speak more than twice on the main question nor longer
40 than 15 minutes for the first speech and five minutes for the second speech; nor shall the
41 member speak more than twice upon an amendment or motion to reconsider, re-refer, appeal,
42 or postpone or any motion on concurrence, and then not longer than 10 minutes for the first
43 speech and five minutes for the second speech.

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

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

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

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

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

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

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

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

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

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

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

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

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

37 (1) A vote upon a motion to table,

38 (2) A motion to postpone indefinitely,

39 (3) A motion to remove a bill from the unfavorable calendar,

40 (4) A motion that a bill be read twice on the same day, or

41 (5) A motion to remove from the table.

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

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

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

48 (1a) The Vice-Chair of the Committee on Rules, Calendar, and Operations of the
49 House if the Chair is not in the chamber or able to participate in debate;

50 (2) The Majority Leader;

- 1 (3) The member submitting the report on the bill or other matter under
2 consideration;
- 3 (4) The member introducing the bill or other matter under consideration;
- 4 (5) The member in charge of the measure, who shall be designated by the chair
5 of the standing committee or permanent subcommittee reporting the same to
6 the House at the time the bill or other matter under consideration is reported
7 to the House or taken up for consideration.
- 8 (b) The previous question shall be as follows: "Shall the main question now be
9 put?" When the call for the previous question has been decided in the affirmative by a majority
10 vote of the House, the question is on the passage of the bill, resolution, or other matter under
11 consideration.
- 12 (c) The call for the previous question shall preclude all motions, amendments,
13 and debate, except the motion to adjourn, motion to recess, or motion to table.
- 14 (d) If the previous question is decided in the negative, the question remains
15 under debate.
- 16 (e) After the previous question is ordered by the House on the main question of
17 second or third reading, the Majority Leader and the Minority Leader may each allocate three
18 minutes of debate on the question. The Majority Leader and the Minority Leader may each
19 designate another member to act under this subsection.

IV. Voting

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

- 24 (1) The passage as required by Article II, Section 23 of the North Carolina
25 Constitution on second and third readings of any bill:
- 26 a. Raising money on the credit of the State,
27 b. Pledging the faith of the State for the payment of a debt,
28 c. Imposing a State tax, or
29 d. Authorizing a county, municipality, or other local governmental unit
30 to:
- 31 1. Raise money on its credit,
32 2. Pledge its faith for the payment of a debt, or
33 3. Impose a local tax.
- 34 (2) All questions on which a call for the ayes and noes under Rule 24(a) and
35 Article II, Section 19 of the North Carolina Constitution has been sustained.
- 36 (3) Both second and third readings of bills proposing amendment of the North
37 Carolina Constitution or ratifying resolutions amending the United States
38 Constitution.
- 39 (4) The passage of a bill notwithstanding the Governor's veto thereof pursuant to
40 Article II, Section 22 of the North Carolina Constitution.
- 41 (b) Votes on the following questions shall be taken on the electronic voting
42 system:
- 43 (1) Second reading of all public bills, all amendments to public bills offered
44 after second reading, third reading if a public bill was amended after second
45 reading or if the reading occurs on a day or days following the second
46 reading, all conference reports on public bills, all motions to lay public bills
47 on the table, and all motions to postpone public bills indefinitely.
- 48 (2) Upon a call for division.
- 49 (3) Any other question upon direction of the Speaker or upon motion of any
50 member supported by one-fifth of the members present.

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

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

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

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

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

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

- 34 (1) To adjourn.
- 35 (2) To recess.
- 36 (3) To lay on the table.
- 37 (4) Previous question.
- 38 (5) To postpone indefinitely.
- 39 (6) To reconsider.
- 40 (7) To postpone to a day certain.
- 41 (8) To re-refer.
- 42 (9) To amend an amendment.
- 43 (10) To amend.
- 44 (11) To concur or not concur.
- 45 (12) Miscellaneous.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

44 **V. Committees**

45 **RULE 26. Standing Committees and Permanent Subcommittees Generally.** –
46 (a) The Speaker shall appoint a chair, or cochairs, of every standing committee, permanent
47 subcommittee, and select committee, if any. In the construction of these rules, the word "chair"
48 as applied to a committee, extends to and includes a cochair of the committee. The Speaker
49 shall have the exclusive right and authority to establish select committees, but this does not
50 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 standing subcommittee, 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 and subcommittees, 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 or permanent subcommittees 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) Each chair of a permanent subcommittee shall be a vice-chair of the standing committee of which it is a permanent subcommittee. The Speaker may name other members as vice-chairs of the standing committee. The Speaker may name one or more vice-chairs for any standing committee not having permanent subcommittees.

(f) A maximum of two chairs of a standing committee are entitled to vote in a permanent subcommittee of the standing committee.

(g) Either the chair or acting chair, designated by the chair or by the Speaker, and five other members of the standing committee or permanent subcommittee, or a majority of the standing committee or permanent subcommittee, whichever is fewer, shall constitute a quorum of that standing committee or permanent subcommittee. 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 or subcommittees, the House standing committee or permanent subcommittee 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 and Permanent Subcommittees. – The standing committees and permanent subcommittees thereof are:

Committees	Subcommittees
Aging	(None)
Agriculture	(None)
Alcoholic Beverage Control	(None)
Appropriations	-Education -General Government -Health and Human Services -Information Technology -Justice and Public Safety -Agriculture and Natural and Economic Resources -Transportation
Banking	(None)

1	Children, Youth, and Families	(None)
2		
3	Commerce and	
4	Job Development	(None)
5		
6	Education – K-12	(None)
7		
8	Education – Community Colleges	(None)
9		
10	Education – Universities	(None)
11		
12	Elections	(None)
13		
14	Environment	(None)
15		
16	Ethics	(None)
17		
18	Finance	(None)
19		
20	Health	(None)
21		
22	Homeland Security, Military, and	
23	Veterans Affairs	(None)
24		
25	Insurance	(None)
26		
27	Judiciary I	(None)
28		
29	Judiciary II	(None)
30		
31	Judiciary III	(None)
32		
33	Judiciary IV	(None)
34		
35	Local Government	(None)
36		
37	Pensions and Retirement	(None)
38		
39	Public Utilities	(None)
40		
41	Regulatory Reform	(None)
42		
43	Rules, Calendar, and	
44	Operations of the House	(None)
45		
46	State Personnel	(None)
47		
48	Transportation	(None)
49		
50	University Board of Governors	
51	Nominating	(None)

1
2 Wildlife Resources (None)

3 **RULE 28. Standing Committee and Permanent Subcommittee Meetings.** – (a)
4 Standing committees and permanent subcommittees of standing committees shall be furnished
5 with suitable meeting places pursuant to a schedule established by the Chair of the Standing
6 Committee on Rules, Calendar, and Operations of the House. Select committees shall be
7 furnished with suitable meeting places as their needs require by the Chair of the Standing
8 Committee on Rules, Calendar, and Operations of the House.

9 (b) Subject to the provisions of subsection (c) of this rule, standing committees
10 and permanent subcommittees thereof shall permit other members of the General Assembly,
11 the press, and the general public to attend all sessions of said standing committees or permanent
12 subcommittees.

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

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

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

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

31 (f) No standing committee or permanent subcommittee shall meet during any
32 session of the House. Standing committees and permanent subcommittees shall meet at their
33 regularly scheduled hour. No permanent subcommittee shall meet at the same time that its
34 standing committee is meeting. Standing committees and permanent subcommittees may meet
35 at 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 and permanent
38 subcommittee meetings shall 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 or permanent subcommittee 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 or permanent subcommittee
46 meeting between legislative sessions shall be sent by electronic mail to each member of the
47 standing committee or permanent subcommittee at least five days prior to such meeting. If a
48 member of the body so requests in writing to the chair of the standing committee or permanent
49 subcommittee, the member shall also be notified of the meetings by mail at a designated
50 address.

1 (h) During standing committee and permanent subcommittee meetings, the chair
2 may exercise the right to vote, or may reserve this right until there is a tie, in which event the
3 chair may vote, but in no 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 and Permanent Subcommittee**
25 **Meetings and Hearings.** – (a) Notice of meetings of standing committees and permanent
26 subcommittees that will occur at the regularly scheduled meeting times shall be given by one or
27 both of the following methods:

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

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

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

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

38 **RULE 29.1. Public Hearings.** – (a) Requests for a public hearing shall be made in
39 writing to the chair of the standing committee and, if applicable, the chair of the permanent
40 subcommittee to which the bill has been referred. The chair of the standing committee may
41 schedule a public hearing by the standing committee as a whole after the adjournment of a
42 regular daily House session. The chair of the permanent subcommittee may schedule a public
43 hearing before the permanent subcommittee at its regularly scheduled hour. Denial of a request
44 made by a House member may be appealed to the Speaker.

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

48 (b) Persons desiring to appear and be heard at a public hearing shall submit their
49 requests to the chair of the standing committee or permanent subcommittee. The standing
50 committee or permanent subcommittee chair may designate one or more members to arrange
51 the order of appearance of interested parties. A brief written statement of testimony may be

1 submitted without oral presentation and shall be incorporated into the minutes of the public
2 hearing.

3 **RULE 29.2. Minutes to Legislative Library.** – The chair of a standing committee
4 or a permanent subcommittee shall ensure that written minutes are compiled for each of the
5 body's meetings. The minutes shall indicate the members present and the actions taken at the
6 meeting. Not later than 10 days after the adjournment of each session of the General Assembly,
7 the chair shall deliver the minutes to the Legislative Library. The Speaker of the House may
8 grant a reasonable extension of time for filing said minutes upon written application of the
9 chair.

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

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

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

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

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

26 **VI. Handling of Bills**

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

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

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

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

46 (e) A Substitute Bill shall be covered with the same color jacket as the original
47 bill and shall be prefaced as follows: "House Committee Substitute for _____."

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

49 (g) All memorializing, celebration, commendation, and commemoration
50 resolutions, except those honoring the memory of deceased persons, shall be excluded from

1 introduction and consideration in the House. The mention of a deceased person as a pretext to
2 honor an institution or a living person is prohibited.

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

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

9 (b) All public bills or resolutions recommended by commissions or standing
10 committees authorized or directed by act or resolution of the General Assembly (i) to report to
11 the 2015 Regular Session of the General Assembly, or to report prior to convening of that
12 session, or (ii) which are recommended to the 2015 Regular Session of the General Assembly
13 by a commission or committee established directly by Chapter 120 of the General Statutes,
14 must have been submitted to the Bill Drafting Division of the Legislative Services Office by
15 4:00 P.M. on Tuesday, February 17, 2015, and must be introduced not later than 3:00 P.M. on
16 Wednesday, February 25, 2015.

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

22 (d) All public bills that would not be required to be re-referred to the
23 Appropriations or Finance Committees under Rule 38 and all joint resolutions and House
24 resolutions must be submitted to the Bill Drafting Division of the Legislative Services Office
25 by 4:00 P.M. on Thursday, March 26, 2015, and must be introduced not later than 3:00 P.M. on
26 Wednesday, April 8, 2015.

27 (e) All public bills which under Rule 38 are required to be re-referred to either
28 or both of the Appropriations Committee or the Finance Committee must be submitted to the
29 Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on Thursday, April 2,
30 2015, and must be introduced not later than 3:00 P.M. on Wednesday, April 15, 2015. If any
31 bill is subject to the deadline under this subsection and the bill is amended so that all the
32 provisions requiring referral to either or both of those committees under Rule 38 do not remain
33 in the bill, it is not eligible for further consideration.

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

36 (g) No member may introduce more than 10 public bills. For the purpose of this
37 subsection, the introducer is the member who is listed as the first sponsor. A member may
38 assign a portion of this limit to another member electronically using the procedures established
39 and published by the Principal Clerk. This subsection does not apply to bills or resolutions
40 recommended by commissions or committees authorized or directed by act or resolution of the
41 General Assembly (i) to report to the 2015 Regular Session of the General Assembly, or to
42 report prior to convening of that session, or (ii) that are recommended to the Regular Session of
43 the General Assembly by a commission or committee established directly by Chapter 120 of
44 the General Statutes. This subsection does not apply to joint resolutions or House resolutions.

45 (h) In order to be eligible for consideration by the House during the first Regular
46 Session, all Senate bills other than finance or appropriations bills that would be required to be
47 re-referred to the Appropriations or Finance Committee under Rule 38 or adjournment
48 resolutions must be received and read on the floor of the House as a message from the Senate
49 no later than Thursday, May 7, 2015; provided that a message from the Senate received by the
50 next legislative day stating that a bill has passed its third reading and is being engrossed shall
51 comply with the requirements of this subsection and provided that the Senate has a similar 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 Committee and to Permanent Subcommittee;**
10 **Serial Referrals.** – (a) Each bill not introduced on the report of a standing committee shall
11 immediately upon its first reading be referred by the Speaker to such standing committee,
12 committee of the whole, or permanent subcommittee as the Speaker deems appropriate. The
13 Speaker at the same time may order that, if the bill is reported with any favorable
14 recommendation or without prejudice, it be re-referred automatically upon the committee report
15 to another committee or permanent subcommittee designated in the order. Each joint resolution
16 or House resolution not introduced on the report of a standing committee shall immediately
17 upon its first reading either be referred by the Speaker to a standing committee or permanent
18 subcommittee or be calendared on the date designated by the Speaker, as the Speaker deems
19 appropriate.

20 (b) The standing committee chair may refer each bill referred to the standing
21 committee to the permanent subcommittee specifically charged with the subject matter of the
22 bill. A report of that referral shall be made in writing and submitted to the body pursuant to
23 Rule 5(5). Except as provided in Rule 36, the permanent subcommittee to which the bill is
24 referred shall report the bill back to the full standing committee. That subcommittee report shall
25 include one of the following recommendations:

- 26 (1) Favorable, without prejudice, or unfavorable as to the original bill with the
27 recommendation that the report be made to the standing committee;
- 28 (2) Favorable, without prejudice, or unfavorable as to the original bill, as
29 amended, with the recommendation that the report be made to the standing
30 committee;
- 31 (3) Favorable or without prejudice to the proposed committee substitute, and
32 unfavorable to the original bill, with the recommendation that the report be
33 made to the standing committee;
- 34 (4) Favorable as to the original bill with the recommendation that the report be
35 made directly to the floor of the House, if approved by the standing
36 committee chair;
- 37 (5) Favorable to the original bill, as amended, with the recommendation that the
38 report be made directly to the floor of the House, if approved by the standing
39 committee chair; or
- 40 (6) Favorable to the proposed committee substitute with the recommendation
41 that the report be made directly to the floor of the House, if approved by the
42 standing committee chair, and unfavorable to the original bill.

43 Any recommendation of favorable or without prejudice may include a
44 recommendation of re-referral to another standing committee. After a bill is reported to a
45 standing committee by a permanent subcommittee of that standing committee, the standing
46 committee chair may re-refer the bill to another permanent subcommittee of that standing
47 committee.

48 Upon recommendation to the standing committee, the bill shall be before that body
49 for further action unless the permanent subcommittee chair reports the bill directly pursuant to
50 Rule 36.

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

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

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

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

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

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

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

29 (b) Every legislative proposal introduced in the House or received in the House
30 from the Senate, proposing the incorporation of a municipality shall have attached to the jacket
31 of the original bill at the time of its consideration on second or third readings by the House or
32 by any committee of the House prior to a favorable report, a recommendation from the
33 Municipal Incorporations Subcommittee of the Joint Legislative Committee on Local
34 Government, established by Article 20 of Chapter 120 of the General Statutes. The
35 recommendation of the Municipal Incorporations Subcommittee of the Joint Legislative
36 Committee on Local Government shall be made in accordance with the provisions and criteria
37 set forth in Article 20 of Chapter 120 of the General Statutes and shall include the findings
38 required to be made by G.S. 120-166 through G.S. 120-170.

39 **RULE 36. Report by Standing Committee or Permanent Subcommittee.** – (a)
40 **Reports.** – Bills and resolutions may be reported from the standing committee or permanent
41 subcommittee to which referred with such recommendations as the standing committee or
42 permanent subcommittee may desire to make. With the written approval of the chair of the
43 standing committee and with the recommendation of the subcommittee pursuant to Rule
44 32(b)(4) through (6), the chair of the permanent subcommittee may report the bill directly to
45 the floor with that recommendation. If a permanent subcommittee recommends reporting a bill
46 to the floor and the chair of the standing committee fails to give approval, the bill shall be
47 deemed to have been reported to the standing committee with the same recommendation as the
48 subcommittee would have made to the House.

49 (b) **Favorable Report.** – When a standing committee or permanent
50 subcommittee reports a bill with the recommendation that it be passed, the bill shall be placed
51 on the favorable calendar on the day designated by the Chair of the Standing Committee on

1 Rules, Calendar, and Operations of the House, but not on the same day that it is reported except
2 by leave of the House, and no later than the fourth legislative day after submission of the report
3 or Senate message under Rule 43.2 or Rule 43.3(a), unless:

- 4 (1) The bill is re-referred to the Committee on Appropriations or Committee on
5 Finance under Rule 38 or was serially referred under Rule 32; or
- 6 (2) The bill has not yet been placed on the calendar, and the Speaker refers the
7 bill to another committee.

8 In order to place a bill on the calendar for a legislative day, notice shall be given by the Chair
9 of the Standing Committee on Rules, Calendar, and Operations of the House orally in the
10 House or in writing to the Principal Clerk. When a committee substitute is adopted and receives
11 a favorable report by the committee or permanent subcommittee, the standing committee or
12 permanent subcommittee chair shall submit to the standing committee or permanent
13 subcommittee the question of an unfavorable report on the original bill. The standing
14 committee's or permanent subcommittee's action, if any, on the original bill shall be reported at
15 the same time the committee substitute is reported.

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

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

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

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

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

38 **RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations
39 Committee, of the Finance Committee, or of the Standing Committee on Rules, Calendar, and
40 Operations of the House, upon the floor of the House, may request that a fiscal analysis be
41 made of a bill, resolution, or an amendment to a bill or resolution which is in the possession of
42 the House and that a fiscal note be attached to the measure, which request shall be allowed
43 when, in the opinion of the Speaker, the fiscal effects of that measure are not apparent from the
44 language of the measure. When a request is properly made under this subsection, the bill is
45 removed from the calendar until such time that the fiscal note is attached to the measure.

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

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

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

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

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

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

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

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

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

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

40 (c) The sponsor of the bill or resolution shall also present a copy of the measure
41 to the actuary employed by the system or program affected by the measure. Actuarial notes
42 shall be prepared and transmitted to the sponsor of the measure not later than two weeks after
43 the request is received, unless an extension of time is agreed to by the sponsor as being
44 necessary in the preparation of the note. The actuarial note shall be attached to the jacket of the
45 measure. The provisions of this subsection may be waived by the measure's sponsor for a
46 measure affecting local government retirement or pension plans not administered by the State
47 or any local government program of hospital, medical, disability, or related benefits for local
48 government employees not administered by the State.

49 (d) The note shall be factual and shall, if possible, provide a reliable estimate of
50 both the immediate effect and, if determinable, the long-range fiscal and actuarial effect of the
51 measure. If, after careful investigation, it is determined that no dollar estimate is possible, the

1 note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can
2 be given. No comment or opinion shall be included in the actuarial note with regard to the
3 merits of the measure for which the note is prepared. Technical and mechanical defects in the
4 measure may be noted.

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

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

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

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

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

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

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

42 (b) All standing committees, other than the Standing Committee on Finance,
43 when favorably reporting any bill that in any way or manner raises revenue, reduces revenue,
44 levies a tax, authorizes the levying of a tax, an assessment, or a fee, or authorizes the issue of
45 bonds or notes, whether public or local, shall indicate same in the report, and said bill shall be
46 referred to the Standing Committee on Finance for a further report before being acted upon by
47 the House. This subsection shall not apply to bills only imposing fines, forfeitures, or penalties.

48 (c) Action on Amendment Before Re-Referral. – If any standing committee
49 recommends adoption of an amendment or committee substitute of a bill which, under the rules
50 of the House, must be referred to the Standing Committees on Appropriations or the Standing

1 Committee on Finance, the amendment or committee substitute shall be considered and, if
2 adopted, the amendment or substitute engrossed before the bill is re-referred.

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

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

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

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

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

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

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

- 45 (1) Been tabled,
- 46 (2) Been postponed indefinitely,
- 47 (3) Failed to pass on any of its readings, or
- 48 (4) Been placed on the unfavorable calendar,

49 the contents of that bill or the principal provisions of its subject matter shall not be considered
50 in any other measure originating in the Senate or originating thereafter in the House. Upon the
51 point of order being raised and sustained by the chair, that measure shall be laid upon the table,

1 and shall not be taken therefrom except by a two-thirds vote of the members present and
2 voting.

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

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

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

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

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

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

25 (2) Amendments can only affect appropriations within the departments,
26 agencies, or programs within the jurisdiction of the subcommittee.

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

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

30 (5) Amendments cannot spend reversions.

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

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

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

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

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

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

1 If the committee substitute was referred to standing committee, the standing
2 committee shall:

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

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

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

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

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

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

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

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

38 (d) No vote shall be taken on adoption of a conference report until the next
39 legislative day following the report, except that no vote shall be taken on adoption of a
40 conference report on either the Current Operations Appropriations Bill or a bill generally
41 revising the Current Operations Appropriations Act until the third legislative day following the
42 report.

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

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

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

VII. Legislative Officers and Employees

1
2 **RULE 45. Elected Officers.** – (a) The House shall elect its Speaker from among its
3 membership.

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

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

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

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

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

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

22 **RULE 48. Member's Staff.** – (a) Each standing committee and permanent
23 subcommittee shall have a committee assistant. The committee assistant to a standing
24 committee or permanent subcommittee shall serve as staff to the chair of the standing
25 committee or permanent subcommittee.

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

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

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

VIII. Privileges of the Hall

47
48 **RULE 50. Admittance to Floor.** – No person except members, officers, and
49 designated employees of the General Assembly who have been issued identification tags as
50 provided by this rule, and former members of the General Assembly who are not registered
51 under the provisions of Article 2 of Chapter 120C of the General Statutes, shall be allowed on

1 the floor of the House during its session, unless permitted by the Speaker or otherwise provided
2 by law. Employees of the General Assembly shall wear identification tags, approved by the
3 Legislative Services Officer, when on the floor of the House.

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

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

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

17 **IX. General Rules**

18 **RULE 54. Attendance of Members.** – No member or officer of the House shall be
19 absent from the service of the House without leave, unless from sickness or disability.

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

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

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

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

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

37 **RULE 59. Cosponsorship of Bills and Resolutions.** – (a) Except by leave of the
38 primary sponsor, no member may be listed as an additional primary sponsor on a bill after the
39 bill has been filed. Any member not listed as a preprinted cosponsor on the computer-generated
40 draft edition who wishes to cosponsor a bill or resolution which has been introduced may do so
41 by 5:00 P.M. of the calendar day following the adjournment of the session during which such
42 bill or resolution was first read and referred, but only electronically under procedures approved
43 by the Principal Clerk.

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

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

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

10 **RULE 61. Assignment of Seats.** – After initial assignment of seats, a member shall
11 continue to occupy the seat to which initially assigned until assigned a permanent seat; once
12 assigned a permanent seat, the member shall occupy it for the entire biennial session. In event
13 of vacancy, that member's successor will occupy the seat of the member replaced for the
14 remainder of the biennial session.

15 **RULE 61.1. Office Assignments.** – The Chair of the Standing Committee on Rules,
16 Calendar, and Operations of the House shall assign to each member an office space. When
17 available, chairs of standing committees and permanent subcommittees shall be assigned an
18 office adjacent to the room in which the standing committee or permanent subcommittee
19 generally meets if the Chair so desires. The Speaker shall be assigned an office of his or her
20 choice.

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

28 (b) It shall be the duty of the Chair of the Standing Committee on Rules,
29 Calendar, and Operations of the House of the prior House to assign temporary seats to the
30 members of the House of Representatives in its Chamber. In the case of the inability or refusal
31 to serve of the Chair of the Standing Committee on Rules, Calendar, and Operations of the
32 House, the Speaker of the prior House of Representatives shall appoint a person to assign seats
33 to members of the House of Representatives in its Chamber. In the event that the party that had
34 a majority of members in the prior House will no longer have a majority of members in the new
35 House, then the duty assigned in this subsection to the Chair of the Committee of the prior
36 House shall instead be the duty of the person nominated as Speaker by the majority party
37 caucus for the new House, or some member-elect designated by the Speaker-nominee. In the
38 event no party will have a majority, then the duty assigned in this subsection to the Chair of the
39 Committee of the prior House shall instead be the joint duty of one person chosen each by the
40 caucuses of the two parties having the greatest numbers of members.

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

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