

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003**

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**HOUSE RESOLUTION DRHR30286-LB-30B (1/28)**

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Sponsors: Representative Ellis.

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Referred to:

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1 A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE  
2 REGULAR SESSION OF THE HOUSE OF REPRESENTATIVES FOR THE 2003  
3 REGULAR SESSION.

4 Be it resolved by the House of Representatives:

5 **SECTION 1.** The permanent rules of the Regular Sessions of the House of  
6 Representatives of the 2003 General Assembly are:

7 PERMANENT RULES OF THE REGULAR SESSIONS OF THE HOUSE OF  
8 REPRESENTATIVES OF THE 2003 GENERAL ASSEMBLY OF NORTH  
9 CAROLINA

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**I. Order of Business**

21  
22 **RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday**  
23 **Legislative Sessions.** – The House shall convene each legislative day at the hour fixed  
24 by the House. In the event the House adjourns on the preceding legislative day without  
25 having fixed an hour for reconvening, the House shall convene on the next legislative  
26 day at 2:00 P.M. During January and February of 2003, no sessions may be held on  
27 Friday. No session shall continue after 10:00 P.M. on Monday nor after 9:00 P.M. on  
28 any other days, and the Speaker shall adjourn the House without motion at that point,

1 except that a motion may be made as to the time and day of next convening. No session  
2 shall be held on Sunday.

3 **RULE 2. Opening the Session.** – At the convening hour on each legislative  
4 day, the Speaker shall call the members to order and shall have the session opened with  
5 prayer. At the convening hour on the first day of each legislative week, the Speaker, or  
6 his designee, shall lead the members in the Pledge of Allegiance to the American Flag.

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

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

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

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

25 **RULE 5. Order of Business of the Day.** – After the approval of the Journal  
26 of the preceding day, unless otherwise ordered by the Speaker, the House shall proceed  
27 to business in the following order:

- 28 (1) The receiving of petitions, memorials, and papers addressed to the  
29 General Assembly or to the House;
- 30 (1a) Messages from the Governor;
- 31 (2) Ratification of bills;
- 32 (3) Reports of standing committees and permanent subcommittees;
- 33 (4) Reports of select committees;
- 34 (5) Reports of referral by standing committee Chairs of bills to permanent  
35 subcommittees;
- 36 (6) First reading and reference to committee of bills and resolutions;
- 37 (7) Messages from the Senate;
- 38 (8) Concurrence with Senate amendments or Senate committee  
39 substitutes;
- 40 (9) The unfinished business of the preceding day;
- 41 (10) Calendar (each category in accordance with Rule 40):
- 42 a. Local bills (roll call) third reading
- 43 b. Local bills (roll call) second reading
- 44 c. Local bills third reading

- 1 d. Local bills second reading
- 2 e. Public bills (roll call) third reading
- 3 f. Public bills (roll call) second reading
- 4 g. Public bills and resolutions, third reading
- 5 h. Public bills and resolutions, second reading;
- 6 (11) Reading of notices and announcements.

## 7 II. Conduct of Debate

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10 **RULE 6. Duties and Powers of the Speaker.** – The Speaker shall have  
11 general direction of the Hall to ensure civil discourse and the open exchange of ideas.  
12 With the consent of or in the absence of the Speaker Pro Tempore, the Speaker may  
13 name any member to perform the duties of the chair, but substitution shall not extend  
14 beyond one day, except in the case of sickness or by leave of the House.

15 **RULE 7. Obtaining Floor.** – (a) When any member desires recognition for  
16 any purpose, the member shall rise and respectfully address the Speaker. No member  
17 shall proceed until recognized by the Speaker for a purpose. No member shall be denied  
18 recognition unless that member is out of order as provided in these rules, and the  
19 Speaker shall state the specific rule under which the member is out of order.

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

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

- 29 (1) A request that the member speaking yield for a question,
- 30 (2) A point of order,
- 31 (3) A parliamentary inquiry, or
- 32 (4) A question of privilege.

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

42 **RULE 9. Points of Order.** – (a) The Speaker shall decide questions of  
43 order and may speak to points of order in preference to other members arising from  
44 their seats for that purpose. Any member may appeal from the ruling of the chair on

1 questions of order; on such appeal no member may speak more than once, unless by  
2 leave of the House. A majority vote of the members present shall be necessary to sustain  
3 any appeal from the ruling of the chair.

4 (b) When the Speaker calls a member to order, the member shall be seated  
5 except that a member called to order may clear a matter of fact, or explain, but shall not  
6 proceed in debate so long as the decision stands. If the member appeals from the ruling  
7 of the chair and the decision by a majority vote of the members present be in favor of  
8 the member called to order, the member may proceed; if otherwise, the member shall  
9 not; and if the case, in the judgment of the House, requires it, the member shall be liable  
10 to censure by the House.

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

13 (b) No member shall speak more than twice on the main question, nor  
14 longer than 20 minutes for the first speech and 10 minutes for the second speech; nor  
15 shall the member speak more than twice upon an amendment or motion to reconsider,  
16 re-refer, appeal, or postpone or any motion on concurrence, and then not longer than 10  
17 minutes for the first speech and five minutes for the second speech.

18 (c) A member may speak only once and for not more than 20 minutes on  
19 the question of the adoption of a minority report.

20 (d) The House, by consent of a majority of the members present, may  
21 suspend the operation of subsections (b) and (c) of this rule during any debate on any  
22 particular question before the House.

23 (e) When a member interrupts another member to ask a question, the time  
24 consumed asking the question shall be excluded.

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

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

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

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

38 (d) Food or beverages shall not be permitted on the floor of the House  
39 during the first two hours of the daily session.

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

42 (f) Smoking or the consumption of food or beverages shall not be  
43 permitted in the galleries at any time.

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

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

6 (i) The use of wireless telephones shall not be permitted in the House  
7 Chamber.

8 (j) Placards, stickers, or signs not approved by the Speaker are not  
9 permitted in the House Chamber.

### 10 III. Motions

11  
12  
13 **RULE 13. Motions Generally.** – (a) Every motion shall be reduced to  
14 writing if the Speaker or any two members request it. No motion relating to a bill shall  
15 be in order which does not identify the bill by its number and short title.

16 (b) When a motion is made, it shall be accepted by the Speaker when it is  
17 in order under Rules 14 through Rule 19(d), or, if written, it shall be handed to the chair  
18 and read aloud by the Speaker or Clerk before debate.

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

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

26 To adjourn.

27 To lay on the table.

28 Previous question.

29 To postpone indefinitely.

30 To reconsider.

31 To postpone to a day certain.

32 To re-refer.

33 To amend an amendment.

34 To amend.

35 To pass the bill.

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

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

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

1           **RULE 16. Motion to Table.** – (a) A motion to table shall be seconded before  
2 the motion is put to the vote of the House and is in order except when a motion to  
3 adjourn is before the House.

4           (b) A motion to table shall be decided without debate.

5           (c) A motion to table shall not be paired with a motion to reconsider.

6           (d) A motion to table a bill shall constitute a motion to table the bill and  
7 all amendments thereto.

8           (e) When the question before the House is the adoption of an amendment  
9 to a bill or resolution, a motion to table the bill is not in order; and a motion to table an  
10 amendment applies to the amendment only, and the motion may not expressly or by  
11 implication or construction be expanded to include a motion to table the bill also.

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

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

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

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

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

32           (2) A motion to postpone indefinitely,

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

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

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

36           (c) A motion to reconsider the vote by which a person has been elected as  
37 Speaker or Speaker Pro Tempore shall not be in order. This subsection of this rule  
38 cannot be suspended.

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

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

43           (2) The leader of a party caucus;

44           (3) The Speaker Pro Tempore;

1 (4) The member submitting the report on the bill or other matter under  
2 consideration;

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

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

9 (b) The previous question shall be as follows: "Call for the previous  
10 question having been made, is the call sustained?" When the call for the previous  
11 question has been decided in the affirmative by a majority vote of the House, the  
12 question is on the passage of the bill, resolution, or other matter under consideration.

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

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

#### 17 18 IV. Voting

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

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

- 25 a. Raising money on the credit of the State,  
26 b. Pledging the faith of the State for the payment of a debt,  
27 c. Imposing a State tax, or  
28 d. Authorizing a county, municipality, or other local governmental  
29 unit to  
30 1. Raise money on its credit,  
31 2. Pledge its faith for the payment of a debt, or  
32 3. Impose a local tax.

33 (2) All measures affecting a fee imposed by the State or any subdivision  
34 thereof.

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

38 (4) Both second and third readings of bills proposing amendment of the  
39 North Carolina Constitution or ratifying resolutions amending the  
40 United States Constitution.

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

43 (b) Votes on the following questions shall be taken on the electronic  
44 voting system:

- 1           (1) Second reading of all public bills, all amendments to public bills  
2           offered after second reading, third reading if a public bill was amended  
3           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  
6           public bills indefinitely.
- 7           (2) Upon a call for division.
- 8           (3) Any other question upon direction of the Speaker or upon motion of  
9           any member supported by one-fifth of the members present.
- 10          (c) When the electronic voting system is used, 15 seconds shall be  
11          allowed for voting on the question before the House, unless the Chair shall direct  
12          otherwise. The system shall be set to close automatically when that time has expired.  
13          Once the system is locked, the vote shall be recorded and printed.
- 14          (d) The voting station at each member's desk in the Chamber shall be used  
15          only by the member to which the station is assigned. Under no circumstances shall any  
16          other person vote at a member's station. It is a breach of the ethical obligation of a  
17          member either to request that another person vote at the requesting member's station or  
18          to vote at another member's station. The Speaker shall enforce this rule without  
19          exception.
- 20          (e) When the electronic voting system is used, the Speaker shall state the  
21          question and shall then state substantially the following: "All in favor vote 'aye'; all  
22          opposed vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the  
23          member must vote by the electronic voting system within the time allowed for that vote,  
24          unless the voting station assigned to a member is malfunctioning. The Speaker shall  
25          enforce this rule without exception. After the allotted time for voting has elapsed, the  
26          Speaker shall say: "The Clerk will now lock the machine and record the vote." After the  
27          machine is locked and the vote recorded, the Speaker shall announce the vote and  
28          declare the result.
- 29          (f) One copy of the machine printout of the vote record of all votes taken  
30          on the electronic voting system shall be filed in the office of the Principal Clerk, and  
31          two copies shall be filed in the Legislative Library where the copies shall be open to  
32          public inspection. A legible copy of the bill, amendment, or motion on which the vote  
33          was taken shall be filed with the printout of the vote in the Legislative Library.
- 34          (g) When the Speaker ascertains that the electronic voting system is  
35          inoperative before a vote is taken or while a vote is being taken on the electronic voting  
36          system, the Speaker shall announce that fact to the House, and any partial electronic  
37          voting system voting record shall be voided. In such a case, if the North Carolina  
38          Constitution or the Rules of the House require a call of the ayes and noes, the Clerk  
39          shall call the roll of the House, and the ayes and noes shall be taken manually and shall  
40          be recorded on the Journal. All roll call votes shall be taken alphabetically. If, after a  
41          vote is taken on the electronic voting system, it is discovered that a malfunction caused  
42          an error in the electronic voting system printout, the Speaker shall direct the Reading  
43          Clerk and the Principal Clerk to verify and correct the printout record and so advise the  
44          House.



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

3 (1) To adjourn.

4 (2) To lay on the table.

5 (3) Previous question.

6 (4) To postpone indefinitely.

7 (5) To reconsider.

8 (6) To postpone to a day certain.

9 (7) To re-refer.

10 (8) To amend an amendment.

11 (9) To amend.

12 (10) To concur or not concur.

13 (11) Miscellaneous.

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

16 (b) When a voice vote is taken, the Speaker shall put the question  
17 substantially as follows: "Those in favor (as the question may be) will say 'Aye'", and  
18 after the affirmative voice has been expressed, "Those opposed will say 'No'".

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

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

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

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

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

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

37 **RULE 24.1A. Excuse From Deliberations and Voting on a Bill.** – (a) Any  
38 member shall, upon request to the Principal Clerk, be excused from the deliberations  
39 and voting on a particular bill, but to do so must make that request after the second  
40 reading of the bill and before any motion or vote on the bill or any amendment thereto.  
41 If the reason for the request arises at some point later in the proceedings, the request  
42 may be made at that time.

43 (b) The member may make a brief oral statement of the reasons for  
44 making the request. The member may send forward to the Principal Clerk, on a form

1 provided by the Clerk, a concise written statement of the reason for the request, and the  
2 Clerk shall include this statement in the Journal.

3 (c) The member so excused shall not debate the bill or any amendment to  
4 the bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on  
5 any motion concerning the bill at that reading, any subsequent reading, or any  
6 subsequent consideration of the bill.

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

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

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

16 **RULE 25.1. Voting Analysis.** – The voting system shall be programmed to  
17 generate a report showing a member's voting record compared to a majority of the  
18 House and to the member's caucus.

## 19 20 V. Committees

21  
22 **RULE 26. Standing Committees and Permanent Subcommittees**  
23 **Generally.** – (a) The Speaker shall appoint a chair, or cochairs, of every standing  
24 committee, permanent subcommittee, and select committee, if any. In the construction  
25 of these rules, the word "chair" as applied to a committee extends to and includes a  
26 cochair of the committee. The Speaker shall have the exclusive right and authority to  
27 establish select committees, but this does not exclude the right of the House by  
28 resolution to establish select committees.

29 (b) All permanent subcommittees of each standing committee shall be  
30 appointed by the Speaker, and the members appointed, along with the chair of the  
31 standing committee, shall constitute the standing committee of which the permanent  
32 subcommittee is a part. The Speaker shall appoint all members of permanent  
33 subcommittees at the beginning of the first regular session in a manner to reflect the  
34 partisan membership of the House.

35 (c) The Speaker shall appoint the members of all standing committees  
36 having no permanent subcommittees at the beginning of the first regular session in a  
37 manner to reflect the partisan membership of the House, except that the standing  
38 committees on Congressional Redistricting and Legislative Redistricting shall have an  
39 equal number of members of the two parties having the largest membership in the  
40 House.

41 (d) Each chair of a permanent subcommittee shall be a vice-chair of the  
42 standing committee of which it is a permanent subcommittee. The Speaker may name  
43 other members as vice-chairs of the standing committee. The Speaker may name one or  
44 more vice-chairs for any standing committee not having permanent subcommittees.

1 (e) The chair of the standing committee shall be a voting member of each  
 2 permanent subcommittee of the standing committee.

3 (f) Either the chair or acting chair, designated by the chair or by the  
 4 Speaker, and five other members of the standing committee or permanent  
 5 subcommittee, or a majority of the standing committee or permanent subcommittee,  
 6 whichever is fewer, shall constitute a quorum of that standing committee or permanent  
 7 subcommittee.

8 (g) In any joint meeting of the Senate and House committees or  
 9 subcommittees, the House standing committee or permanent subcommittee reserves the  
 10 right to vote separately.

11 (h) The caucus leader of a party may, if any member of the committee  
 12 from that party is absent from a committee meeting, appoint another member to serve  
 13 on that committee during the regular member's absence.

14 **RULE 26.1. Mentions of Standing Committee Includes Select Committee.**

15 – Any reference in these rules to standing committees shall extend to select committees  
 16 unless the context requires otherwise.

17 **RULE 27. List of Standing Committees and Permanent Subcommittees. –**

18 The standing committees and permanent subcommittees thereof are:

Committees	Subcommittees
Aging	(None)
Agriculture	(None)
Alcoholic Beverage Control	(None)
Appropriations	-Capital -Education -General Government -Health and Human Services -Information Technology -Justice and Public Safety -Natural and Economic Resources -Transportation
Children, Youth and Families	(None)
Congressional Redistricting	(None)
Cultural Resources	(None)
Economic Growth and Community Development	(None)
Education	-Community Colleges

1		-Pre-School, Elementary and Secondary
2		Education
3		-Universities
4		
5	Election Law and	
6	Campaign Finance Reform	(None)
7		
8	Environment and	
9	Natural Resources	(None)
10		
11	Ethics	(None)
12		
13	Finance	(None)
14		
15	Financial Institutions	(None)
16		
17	Health	(None)
18		
19	Highway Safety	(None)
20		
21	Insurance	(None)
22		
23	Judiciary I	(None)
24		
25	Judiciary II	(None)
26		
27	Judiciary III	(None)
28		
29	Judiciary IV	(None)
30		
31	Law Enforcement	(None)
32		
33	Legislative Redistricting	(None)
34		
35	Local Government I	(None)
36		
37	Local Government II	(None)
38		
39	Marine Fisheries	(None)
40		
41	Mental Health	(None)
42		
43	Military, Veterans and	
44	Indian Affairs	(None)

1		
2	Occupational Safety and Health	(None)
3		
4	Pensions and Retirement	(None)
5		
6	Public Health	(None)
7		
8	Public Utilities	(None)
9		
10	Rules, Calendar, and	
11	Operations of the House	(None)
12		
13	Science and Technology	(None)
14		
15	Small Business	(None)
16		
17	State Government	(None)
18		
19	State Personnel	(None)
20		
21	Transportation	(None)
22		
23	Travel and Tourism	(None)
24		
25	University Board of Governors	
26	Nominating	(None)
27		
28	Ways and Means	(None)
29		
30	Welfare Reform	(None)
31		
32	Wildlife Resources	(None)
33		

34 **RULE 28. Standing Committee and Permanent Subcommittee Meetings.**

35 – (a) Standing committees and permanent subcommittees of standing committees shall  
36 be furnished with suitable meeting places pursuant to a schedule adopted by the  
37 Standing Committee on Rules, Calendar, and Operations of the House. Select  
38 committees shall be furnished with suitable meeting places as their needs require by the  
39 Chair of the Standing Committee on Rules, Calendar, and Operations of the House.

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

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

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

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

16 (f) No standing committee or permanent subcommittee shall meet during  
17 any session of the House. Standing committees and permanent subcommittees shall  
18 meet at their regularly scheduled hour. No permanent subcommittee shall meet at the  
19 same time that its standing committee is meeting. Standing committees and permanent  
20 subcommittees may meet at other times as authorized by the Chair of the Standing  
21 Committee on Rules, Calendar, and Operations of the House in order to assure the  
22 availability of the meeting room and that no conflicts will exist with the meetings of  
23 other bodies. All standing committee and permanent subcommittee meetings shall  
24 adjourn no later than:

25 (1) 15 minutes preceding a regular session of the House, and

26 (2) 10 minutes preceding the hour of the next regularly scheduled standing  
27 committee or permanent subcommittee meeting.

28 (g) Any call or notice of a standing committee or permanent subcommittee  
29 meeting between legislative sessions shall be mailed to each member of the standing  
30 committee or permanent subcommittee at least five days prior to such meeting. If a  
31 member of the body so requests in writing to the chair of the standing committee or  
32 permanent subcommittee, the member shall be notified by certified mail of the  
33 meetings.

34 (h) During standing committee and permanent subcommittee meetings,  
35 the chair may exercise the right to vote, or may reserve this right until there is a tie, in  
36 which event the chair may vote, but in no instance may the chair vote twice on the same  
37 question.

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

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

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

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

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

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

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

18 **RULE 29. Notice of Standing Committee and Permanent Subcommittee**  
19 **Meetings and Hearings.** – Public notice of all standing committee and permanent  
20 subcommittee meetings shall be given in the House. The chair of the standing  
21 committee or permanent subcommittee shall notify or cause to be notified the sponsor  
22 of each bill which is set for hearing or consideration before the standing committee or  
23 permanent subcommittee as to the date, time, and place of that meeting.

24 **RULE 29.1. Public Hearings.** – (a) Requests for a public hearing shall be  
25 made in writing to the chair of the standing committee and, if applicable, the chair of the  
26 permanent subcommittee to which the bill has been referred. The chair of the standing  
27 committee may schedule a public hearing by the standing committee as a whole after  
28 the adjournment of a regular daily House session. The chair of the permanent  
29 subcommittee may schedule a public hearing before the permanent subcommittee at its  
30 regularly scheduled hour. Denial of a request made by a House member may be  
31 appealed to the Speaker.

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

35 (b) Persons desiring to appear and be heard at a public hearing shall  
36 submit their requests to the Chair of the standing committee or permanent  
37 subcommittee. The standing committee or permanent subcommittee Chair may  
38 designate one or more members to arrange the order of appearance of interested parties.  
39 A brief written statement of testimony may be submitted without oral presentation and  
40 shall be incorporated into the minutes of the public hearing.

41 **RULE 29.2. Minutes to Legislative Library.** – The Chair of a standing  
42 committee or a permanent subcommittee shall ensure that written minutes are compiled  
43 for each of the body's meetings. The minutes shall indicate the members present and the  
44 actions taken at the meeting. Not later than 20 days after the adjournment of each

1 session of the General Assembly, the chair shall deliver the minutes to the Legislative  
2 Library. The Speaker of the House may grant a reasonable extension of time for filing  
3 said minutes upon written application of the chair.

4 **RULE 30. Standing Committee of the Whole House.** – (a) A Standing  
5 Committee of the Whole House shall not be formed, except by suspension of the rules,  
6 if there be objection by any member.

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

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

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

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

## 23 **VI. Handling of Bills**

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

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

39 (c) Every bill or resolution shall be read in regular order of business,  
40 except 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 Third reading shall not be had on any bill or resolution on the same day that such  
44 caption is amended.



1 (e) A Substitute Bill shall be covered with the same color jacket as the  
2 original bill and shall be prefaced as follows:

3 "House Committee Substitute for \_\_\_\_\_".

4 (f) House Resolutions need not be read more than twice.

5 (g) All memorializing, celebration, commendation, and commemoration  
6 resolutions, except those principally honoring the memory of deceased persons, shall be  
7 excluded from introduction and consideration in the House.

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

10 **RULE 31.1. Deadlines on Introduction and Receipt; Single Subject Rule.**

11 – (a) All public bills or resolutions recommended by commissions or standing  
12 committees authorized or directed by act or resolution of the General Assembly to  
13 report to the 2003 Regular Session of the General Assembly, or to report prior to  
14 convening of that session, must have been submitted to the Bill Drafting Division of the  
15 Legislative Services Office by 4:00 P.M. on the third Wednesday in February (February  
16 19) and must be introduced not later than 3:00 P.M. on the next Wednesday (February  
17 26) of the first year of the biennial session; and

18 (a1) All bills prepared to be introduced for departments, agencies, or  
19 institutions of the State must have been submitted to the Bill Drafting Division of the  
20 Legislative Services Office by 4:00 P.M. on the third Wednesday in February (February  
21 19) and must be introduced not later than 3:00 P.M. on the next Wednesday (February  
22 26). A bill introduced under this subsection shall be identified as an Agency Bill after its  
23 short title.

24 (a2) All local bills must have been submitted to the Bill Drafting Division  
25 of the Legislative Services Office by 4:00 P.M. on the third Wednesday in March  
26 (March 19) and must be introduced not later than 3:00 P.M. on the next Wednesday  
27 (March 26) of the first year of the biennial session.

28 (b) All public bills which would not be required to be re-referred to the  
29 Appropriations or Finance Committees under Rule 38 must have been submitted to the  
30 Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on the first  
31 Wednesday in April (April 2) and must be introduced not later than 3:00 P.M. on the  
32 next Wednesday (April 9) of the first year of the biennial session.

33 (c) All public bills which under Rule 38 would be required to be  
34 re-referred to the Appropriations Committee, or to both the Appropriations and Finance  
35 Committees, must have been submitted to the Bill Drafting Division of the Legislative  
36 Services Office by 4:00 P.M. on the third Wednesday in April (April 16) and must be  
37 introduced not later than 3:00 P.M. on the next Wednesday (April 23) of the first year of  
38 the biennial session. All public bills which under Rule 38 would be required to be  
39 re-referred to the Finance Committee but not the Appropriations Committee must have  
40 been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00  
41 P.M. on the first Wednesday in May (May 7) and must be introduced not later than 3:00  
42 P.M. on the next Wednesday (May 14) of the first year of the biennial session. If any  
43 bill is eligible for introduction on account of the date only under this subsection, and the  
44 bill is amended so that qualifying appropriation or tax law change does not remain in

1 the bill, it shall not be eligible for further consideration. For the purpose of this section,  
2 a "tax law change" includes any provision that would require a bill under Rule 38(b) to  
3 be referred to the Standing Committee on Finance.

4 (d) In order to be eligible for consideration by the House during the first  
5 Regular Session, all Senate bills other than finance or appropriations bills which would  
6 be required to be re-referred to the Appropriations or Finance Committees under Rule  
7 38 or adjournment resolutions, must be received and read on the floor of the House as a  
8 message from the Senate no later than April 24; provided that a message from the  
9 Senate received by the next legislative day stating that a bill has passed its third reading  
10 and is being engrossed shall comply with the requirements of this subsection and  
11 provided that the Senate has a similar rule.

12 (d1) Except by motion approved by a majority of members of the House  
13 present and voting, no public House bill other than the Current Operations  
14 Appropriations Act or the Capital Improvement Appropriations Act may contain more  
15 than one subject.

16 (e) This rule, other than subsection (d1), does not apply to bills  
17 establishing districts for Congress or State or local entities. This rule, other than  
18 subsection (d1), does not apply to measures ratifying an amendment or amendments to  
19 the Constitution of the United States.

20 **RULE 32. Reference to Standing Committee and to Permanent**  
21 **Subcommittees; Serial Referrals.** – (a) Each bill, joint resolution, or House resolution  
22 not introduced on the report of a standing committee shall immediately upon its first  
23 reading be referred by the Speaker to such standing committee or permanent  
24 subcommittee as the Speaker deems appropriate. The Speaker at the same time may  
25 order that, if the bill is reported with any favorable recommendation or without  
26 prejudice, it be re-referred automatically upon the committee report to another  
27 committee or permanent subcommittee designated in the order.

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

- 35 (1) Favorable, without prejudice, or unfavorable as to the original bill with  
36 the recommendation that the report be made to the standing  
37 committee;
- 38 (2) Favorable, without prejudice, or unfavorable as to the original bill, as  
39 amended, with the recommendation that the report be made to the  
40 standing committee;
- 41 (3) Favorable or without prejudice to the proposed committee substitute,  
42 and unfavorable to the original bill, with the recommendation that the  
43 report be made to the standing committee;

- 1 (4) Favorable as to the original bill with the recommendation that the  
2 report be made directly to the floor of the House, if approved by the  
3 standing committee chair;
- 4 (5) Favorable to the original bill, as amended, with the recommendation  
5 that the report be made directly to the floor of the House, if approved  
6 by the standing committee chair; or
- 7 (6) Favorable to the proposed committee substitute with the  
8 recommendation that the report be made directly to the floor of the  
9 House, if approved by the standing committee chair, and unfavorable  
10 to the original bill.

11 Any recommendation of favorable or without prejudice may include a  
12 recommendation of re-referral to another standing committee. After a bill is reported to  
13 a standing committee by a permanent subcommittee of that standing committee, the  
14 standing committee chair may re-refer the bill to another permanent subcommittee of  
15 that standing committee.

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

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

24 **RULE 34. Introduction of Resolutions and Bills, Copies Required.** – (a)  
25 Whenever any resolution or bill is introduced, a duplicate copy thereof shall be attached  
26 thereto, and the Principal Clerk shall cause said duplicate copy to be numbered as the  
27 original resolution or bill is numbered and shall cause the same to be available at all  
28 times to the member introducing the same.

29 (b) Numbering of House Bills shall be designated as "H.B. \_\_\_\_." (No.  
30 following). A Joint Resolution shall be designated as "H.J.R. \_\_\_\_." (No. following). A  
31 House Resolution shall be designated as "H.R. \_\_\_\_." (No. following).

32 (c) Whenever any resolution or bill is filed for introduction, it shall be in a  
33 House bill jacket containing 30 copies and in the form designated by the Speaker. Any  
34 resolution or bill not accompanied by the required number of copies shall be returned  
35 immediately to the introducer. The Clerk shall stamp the copies with the number  
36 stamped upon the original bill.

37 **RULE 35. Duplicating and Availability of Copies of Bills.** – (a) The  
38 Legislative Services Officer shall cause such bills as are introduced to be duplicated in  
39 such numbers as may be specified by the Speaker. The Legislative Services Officer  
40 shall cause one copy of each resolution and public bill for each member to be delivered  
41 to the member's committee assistant or legislative assistant who shall place it in the  
42 appropriate notebook on the member's desk. If a member so requests, a second copy  
43 shall be delivered to the member's committee assistant or legislative assistant who shall  
44 place it in the member's office. The remaining copies shall be placed in the Printed Bills

1 Room and made available to the committees to which the bill is referred, to individual  
2 members on request, and to the general public.

3 (b) A public bill is a bill affecting 15 or more counties. A local bill is one  
4 affecting fewer than 15 counties. No public bill and, upon objection by a member, no  
5 local bill may be considered unless copies of the bill have been made available to the  
6 entire membership of the House.

7 **RULE 35.1. Assessment Reports.** – (a) Every bill or resolution proposing the  
8 establishment of an occupational or professional licensing board, as defined in Article  
9 18A of Chapter 120 of the General Statutes, or a study for the need to establish such a  
10 board shall have attached to the jacket of the original bill or resolution at the time of its  
11 consideration on second and third readings by the House or by any standing committee  
12 or permanent subcommittee of the House, an assessment report from the Legislative  
13 Committee on New Licensing Boards pursuant to Article 18A of Chapter 120 of the  
14 General Statutes. The assessment report shall not constitute any part of the expression of  
15 legislative intent proposed by the formation of a licensing board. Upon receipt of the  
16 request, the Legislative Committee on New Licensing Boards shall prepare and return  
17 the assessment report as soon as possible but not later than 60 days following receipt of  
18 the request, reserving the right to extend this time to 90 days.

19 (b) Every legislative proposal introduced in the House of Representatives,  
20 or received in the House of Representatives from the Senate, proposing the  
21 incorporation of a municipality shall have attached to the jacket of the original bill at the  
22 time of its consideration on second or third readings by the House of Representatives or  
23 by any committee of the House of Representatives prior to a favorable report, a  
24 recommendation from the Joint Legislative Commission on Municipal Incorporations,  
25 established by Article 20 of Chapter 120 of the General Statutes. The recommendation  
26 of the Joint Legislative Commission on Municipal Incorporations shall be made in  
27 accordance with the provisions and criteria set forth in Article 20 of Chapter 120 of the  
28 General Statutes and shall include the findings required to be made by G.S. 120-166  
29 through G.S. 120-170.

30 **RULE 36. Report by Standing Committee or Permanent Subcommittee.** –  
31 (a) When Reports Required. – All House bills and resolutions shall be reported from the  
32 standing committee or permanent subcommittee to which referred with such  
33 recommendations as the standing committee or permanent subcommittee may desire to  
34 make except in the case where the principal introducer requests in writing to the chair of  
35 the standing committee or permanent subcommittee that the bill not be considered.

36 With the written approval of the chair of the standing committee and with the  
37 recommendation of the subcommittee pursuant to Rule 32(b)(4) through (6), the chair of  
38 the permanent subcommittee may report the bill directly to the floor with that  
39 recommendation. If a permanent subcommittee recommends reporting a bill to the floor  
40 and the chair of the standing committee fails to give approval, the bill shall be deemed  
41 to have been reported to the standing committee with the same recommendation as the  
42 subcommittee would have made to the House.

43 (b) Favorable Report. – When a standing committee or permanent  
44 subcommittee reports a bill with the recommendation that it be passed, the bill shall be

1 placed on the favorable calendar on the day and in the order designated by the Chair of  
2 the Committee on Rules, Calendar, and Operations of the House, but no earlier than the  
3 next legislative day nor later than the fourth legislative day after submission of the  
4 report or Senate message under Rule 43.2 or Rule 43.3(a), unless:

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

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

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

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

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

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

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

35 **RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations  
36 Committee, of the Finance Committee, or of the Rules, Calendar, and Operations of the  
37 House Committee, upon the floor of the House, may request that a fiscal analysis be  
38 made of a bill, resolution, or an amendment to a bill or resolution which is in the  
39 possession of the House and that a fiscal note be attached to the measure, when in the  
40 opinion of that Chair the fiscal effects of that measure are not apparent from the  
41 language of the measure.

42 (b) The fiscal note shall be filed and attached to the bill or amendment  
43 within two legislative days of the request. If it is impossible to prepare a fiscal note  
44 within two legislative days, the Director of Fiscal Research shall, in writing, so advise

1 the Speaker, the Principal Clerk, and the member introducing or proposing the measure  
2 and shall indicate the time when the fiscal note will be ready.

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

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

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

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

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

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

25 (2) Program of hospital, medical, disability or related benefits provided for  
26 teachers and State employees, funded in whole or in part by State  
27 funds shall have attached to it at the time of its consideration by any  
28 standing committee or permanent subcommittee a brief explanatory  
29 statement or note which shall include a reliable estimate of the  
30 financial and actuarial effect of the proposed change to that retirement  
31 or pension system. The actuarial note shall be attached to the jacket of  
32 each proposed bill or resolution which is reported favorably by any  
33 standing committee or any permanent subcommittee, shall be separate  
34 there from, and shall be clearly designated as an actuarial note. A bill  
35 described in subdivision (a)(1) of this rule shall be referred to the  
36 Committee on Pensions and Retirement upon its introduction.

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

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

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

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

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

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

36 **RULE 37. Removing Bill From Unfavorable Calendar.** – A bill may be  
37 removed from the unfavorable calendar upon motion carried by a two-thirds vote. A  
38 motion to remove a 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 Committee on Appropriations, when favorably  
41 reporting any bill or resolution which:

- 42 (1) Carries an appropriation from the State; or
- 43 (2) Requires or will require in the future substantial additional State  
44 monies from the General Fund or Highway Fund to implement its

1 provisions, shall indicate same in the report, and said bill or resolution  
2 shall be referred to the Standing Committee on Appropriations for a  
3 further report before being acted upon by the House.

4 (b) All standing committees, other than the Standing Committee on  
5 Finance, when favorably reporting any bill which in any way or manner raises revenue,  
6 reduces revenue, levies a tax, authorizes the levying of a tax, an assessment, or a fee, or  
7 authorizes the issue of bonds or notes, whether public, public-local, or private, shall  
8 indicate same in the report, and said bill shall be referred to the Standing Committee on  
9 Finance for a further report before being acted upon by the House.

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

16 **RULE 39. Recall of Bill From Standing Committee.** – (a) When a House  
17 bill has been introduced and referred to a standing committee, or when a Senate bill has  
18 been referred to a standing committee, if after 10 legislative days the standing  
19 committee has failed to act thereon, then the introducer of the House bill or some  
20 member designated by him, or some House member designated by the introducer of the  
21 Senate bill, may, after three legislative days' public notice given in the House and  
22 delivered in writing to the chair of the standing committee, on motion supported by a  
23 vote of three-fifths of the members of the House, recall the same from the standing  
24 committee to the floor of the House for consideration and such action thereon as a  
25 majority of the members present may direct.

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

30 **RULE 39.1. Recall of Bill From Permanent Subcommittee.** – When a  
31 House bill has been referred to a permanent subcommittee, if after 10 legislative days  
32 the subcommittee has failed to act thereon, or at any time, with the agreement of the  
33 subcommittee chair, the standing committee chair may re-refer the bill from that  
34 permanent subcommittee to another permanent subcommittee of the same standing  
35 committee provided the report of the re-referral shall be made pursuant to Rule 32.

36 **RULE 39.2. Re-Referral of Bills From One Standing Committee to**  
37 **Another Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker,  
38 the chair of the standing committee from whom the bill is to be re-referred, and the  
39 chair of the standing committee to whom the bill is to be re-referred, the chair of the  
40 standing committee from whom the bill is to be re-referred or the chair of the  
41 Committee on Rules, Calendar, and Operations of the House may move for a re-referral  
42 to another standing committee, and the bill shall be re-referred upon vote of the majority  
43 present during a regular session of the House.



1           **RULE 40. Calendars and Schedules of Business.** – The Clerk of the House  
2 shall prepare a daily schedule of business, including the Calendar of Bills and  
3 Resolutions for consideration and debate that day, in accordance with the Order of  
4 Business of the Day (Rule 5). The Clerk shall number all bills and resolutions in the  
5 order in which they are introduced. All bills and resolutions shall be taken up as they  
6 appear in each category (Rule 5(10)) in the order they were placed on the Calendar  
7 under Rule 36(b).

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

14           (b) No bill shall be read more than once on the same day without the  
15 concurrence of two-thirds of the members present and voting; provided, no bill  
16 governed by Article II, Section 23 of the North Carolina Constitution or described in  
17 Rule 20(a)(2) herein shall be read twice on one day under any circumstance.

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

- 20           (1) Been tabled,
- 21           (2) Been postponed indefinitely,
- 22           (3) Failed to pass on any of its readings, or
- 23           (4) Been placed on the unfavorable calendar,

24 the contents of that bill or the principal provisions of its subject matter shall not be  
25 considered in any other measure originating in the Senate or originating thereafter in the  
26 House. Upon the point of order being raised and sustained by the Chair, that measure  
27 shall be laid upon the table, and shall not be taken there from except by a two-thirds  
28 vote of the members present and voting.

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

33           **RULE 43. Amendments.** – No amendment to a measure before the House  
34 shall be in order unless the amendment is germane to the measure under consideration.  
35 A House amendment deleting a previously adopted House amendment shall not be in  
36 order, except that this sentence does not apply to amendments adopted under Rule  
37 38(c).

38           If the Senate adopts an amendment or committee substitute to a House bill,  
39 the House may refuse to receive the bill on account of lack of germaneness if the Senate  
40 has a similar rule.

41           Only one principal (first degree) amendment shall be pending at any one  
42 time. If a subsequent principal amendment shall be offered, the Speaker shall rule it out  
43 of order. However, any member desiring to offer a subsequent principal amendment in  
44 opposition to the pending amendment may inform the House by way of argument

1 against the pending amendment that if it is defeated the member proposes to offer  
2 another principal amendment, and the member may then read and explain such  
3 proposed amendment.

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

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

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

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

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

20 **"Revenue bills.** – No law shall be enacted to raise money on the credit of the  
21 State, or to pledge the faith of the State directly or indirectly for the payment of any  
22 debt, or to impose any tax upon the people of the State, or to allow the counties, cities,  
23 or towns to do so, unless the bill for the purpose shall have been read three several times  
24 in each House of the General Assembly and passed three several readings, which  
25 readings shall have been on three different days, and shall have been agreed to by each  
26 House respectively, and unless the yeas and nays on the second and third readings of the  
27 bill shall have been entered on the journal."

28 If the committee substitute was referred to standing committee, the standing  
29 committee shall:

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

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

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

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

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

43 **RULE 44. Conference Standing Committees.** – (a) Whenever the House  
44 shall decline or refuse to concur in amendments put by the Senate to a bill originating in

1 the House, or shall refuse to concur in a substitute adopted by the Senate for a bill  
2 originating in the House or whenever the Senate shall decline or refuse to concur in  
3 amendments put by the House to a bill originating in the Senate, or shall refuse to  
4 concur in a substitute adopted by the House for a bill originating in the Senate, a  
5 conference committee may be appointed by the Speaker upon the Speaker's own motion  
6 and shall be appointed upon request by the principal sponsor of the original bill, the  
7 chair of the House standing committee which reported the bill, or by the sponsor of the  
8 amendment in which the Senate refused to concur; and the bill under consideration shall  
9 thereupon go to and be considered by the joint conferees on the part of the House and  
10 Senate. In appointing members to conference committees, the Speaker shall appoint no  
11 less than a majority of members who generally supported the House position as  
12 determined by the Speaker.

13 (b) Only such matters as are in difference between the two houses shall be  
14 considered by the conferees, and the conference report shall deal only with such  
15 matters. The conference report may be made by a majority of the House members of  
16 such conference committee and shall not be amended.

17 (c) If the conferees fail to agree or if either House fails to adopt the report  
18 of its conferees, new conferees may be appointed.

19 (d) No vote shall be taken on adoption of a conference report until the next  
20 legislative day following the report.

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

## 24 **VII. Legislative Officers and Employees**

25 **RULE 45. Elected Officers.** – (a) The House shall elect one of its members  
26 Speaker.

27 (b) The House may elect one of its members Speaker Pro Tempore who  
28 shall perform such duties as the Speaker may assign and shall preside over the House in  
29 the absence or incapacity of the Speaker and shall perform all of the duties of the  
30 Speaker until such time the Speaker may assume the chair.

31 (c) The House shall elect a Principal Clerk, who shall continue in office  
32 until another is elected. The House shall appoint a Sergeant-at-Arms, who shall serve at  
33 the pleasure of the House. The Principal Clerk and Sergeant-at-Arms shall have and  
34 perform duties and responsibilities, not inconsistent with these rules, as the House may  
35 assign. Unless directed otherwise by the Speaker on behalf of the House, the Principal  
36 Clerk or an employee designated by the Principal Clerk shall receive House bills not  
37 approved by the Governor.

38 **RULE 46. Assistants to Principal Clerk and Sergeant-at-Arms.** – The  
39 Principal Clerk and the Sergeant-at-Arms may appoint, with the approval of the  
40 Speaker, such assistants as may be necessary to the efficient discharge of the duties of  
41 their respective offices.  
42  
43



1 Reporters admitted to the floor of the House shall observe the same requirements of  
2 attire for members contained in Rule 12(h).

3 **RULE 52. Extending Courtesies.** – Courtesies of the floor, galleries, or  
4 lobby shall be extended at the discretion of the Speaker and only by the Speaker.  
5 Requests by members to extend these courtesies shall be typewritten and delivered to  
6 the Speaker. No member shall orally ask the Speaker to extend these courtesies during  
7 the daily session.

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

### 12 13 **IX. General Rules**

14  
15 **RULE 54. Attendance of Members.** – No member or officer of the House  
16 shall absent himself from the service of the House without leave, unless from sickness  
17 or disability.

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

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

24 **RULE 57. Placement or Circulation of Materials.** – Persons other than  
25 members of the House shall not place or cause to be placed any materials on members'  
26 desks in the House Chamber without obtaining approval of the Speaker. Any material  
27 placed on members' desks in the House Chamber, or circulated to House members  
28 anywhere in the Legislative Building or the Legislative Office Building, shall bear the  
29 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  
32 two-thirds vote of the members present and voting. The introducer of the resolution  
33 must on the floor of the House give notice of intent to introduce the resolution on the  
34 legislative day preceding its introduction.

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

37 **RULE 59. Cosponsorship of Bills and Resolutions.** – (a) Any member  
38 wishing to cosponsor a bill or resolution which has been introduced may do so by  
39 appearing in the office of the Principal Clerk for such purpose within one-half hour  
40 following the adjournment of the session during which such bill or resolution was first  
41 read and referred.

42 (b) Members wishing to jointly sponsor legislation should indicate such to  
43 the drafter at the time the bill is requested or upon filing the bill with the Principal  
44 Clerk's office. The names of the members who are the primary sponsors shall be listed

1 in the order requested by them, followed by the words (Primary Sponsors); and the  
2 remaining names of members cosponsoring shall follow. No more than four members  
3 may be listed as primary sponsors.

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

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

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

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

24 **RULE 61.2. Convening and Assigning Seats in the New House.** – (a) The  
25 Principal Clerk of the previous House of Representatives shall convene the House of  
26 Representatives at 12:00 noon on the date established by law for the convening of each  
27 regular session, and preside over the body until the members elect a Speaker. In the case  
28 of a vacancy, inability, or refusal to so serve, the duty shall devolve upon the  
29 Sergeant-at-Arms of the prior House, and in the case of a vacancy in that office, or  
30 inability or refusal to so serve, the duty shall devolve upon the reading clerk of the prior  
31 House.

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

1 prior House shall instead be the joint duty of one person chosen each by the caucuses of  
2 the two parties having the greatest numbers of members.

3           **RULE 62. Matters Not Covered in These Rules.** – Except as herein set out,  
4 the rules of Mason's Manual of Legislative Procedure shall govern the operation of the  
5 House. Custom and usage of the House shall not have precedence over either these rules  
6 or the rules in Mason's Manual of Legislative Procedure.

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