

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

**H**

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**HOUSE RESOLUTION DRHR30039-SW-6 (12/8)**

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Sponsors: Representative Culpepper.

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Referred to:

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1 A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE  
2 HOUSE OF REPRESENTATIVES FOR THE 2005 REGULAR SESSIONS.

3 Be it resolved by the House of Representatives:

4 **SECTION 1.** The permanent rules of the Regular Sessions of the House of  
5 Representatives of the 2005 General Assembly are:

6 **PERMANENT RULES OF THE REGULAR SESSIONS OF THE HOUSE OF**  
7 **REPRESENTATIVES OF THE 2005 GENERAL ASSEMBLY OF NORTH**  
8 **CAROLINA**

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18 **I. Order of Business**

19 **RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday**  
20 **Legislative Sessions.** – The House shall convene each legislative day at the hour fixed  
21 by the House. In the event the House adjourns on the preceding legislative day without  
22 having fixed an hour for reconvening, the House shall convene on the next legislative  
23 day at 2:00 P.M. During January and February of 2005, no sessions may be held on  
24 Friday. No session shall continue after 10:00 P.M. on Monday nor after 9:00 P.M. on  
25 any other days, and the Speaker shall adjourn the House without motion at that point,  
26 except that a motion may be made as to the time and day of next convening. No session  
27 shall be held on Sunday.

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

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

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

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

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

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

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

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

## 6 II. Conduct of Debate

7 **RULE 6. Duties and Powers of the Speaker.** – The Speaker shall have  
8 general direction of the Hall. The Speaker may name any member to perform the duties  
9 of the chair, but substitution shall not extend beyond one day, except in the case of  
10 sickness or by leave of the House. If the Speaker is absent and has not designated a  
11 member to perform the duties of the chair, the Principal Clerk shall preside during such  
12 absence. In the case of a vacancy in the office of the Speaker of the House of  
13 Representatives, the Principal Clerk shall preside over the House until the House elects  
14 a Speaker.

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.

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

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

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

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

40 **RULE 9. Points of Order.** – (a) The Speaker shall decide questions of order  
41 and may speak to points of order in preference to other members arising from their seats  
42 for that purpose. Any member may appeal from the ruling of the chair on questions of  
43 order; on such appeal no member may speak more than once, unless by leave of the

1 House. A two-thirds vote of the members present shall be necessary to sustain any  
2 appeal from the ruling of the chair.

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

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

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

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

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

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

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

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

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

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

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

39 (f) Smoking shall not be permitted on the floor of the House or in the  
40 galleries at any time. The consumption of food or beverages shall not be permitted in  
41 the galleries at any time.

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

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

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

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

### 7 **III. Motions**

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

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

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

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

20 To adjourn.

21 To lay on the table.

22 Previous question.

23 To recess.

24 To postpone indefinitely.

25 To reconsider.

26 To postpone to a day certain.

27 To re-refer.

28 To amend an amendment.

29 To amend.

30 To pass the bill.

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

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

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

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

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

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

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

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

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

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

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

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

- 26 (1) A vote upon a motion to table,
- 27 (2) A motion to postpone indefinitely,
- 28 (3) A motion to remove a bill from the unfavorable calendar,
- 29 (4) A motion that a bill be read twice on the same day, or
- 30 (5) A motion to remove from the table.

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

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

- 36 (1) The Chair of the Committee on Rules, Calendar, and Operations of the  
37 House;
- 38 (2) The member submitting the report on the bill or other matter under  
39 consideration;
- 40 (3) The member introducing the bill or other matter under consideration;  
41 or
- 42 (4) The member in charge of the measure, who shall be designated by the  
43 chair of the standing committee or permanent subcommittee reporting

1 the same to the House at the time the bill or other matter under  
2 consideration is reported to the House or taken up for consideration.

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

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

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

#### 11 IV. Voting

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

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

- 17 a. Raising money on the credit of the State,  
18 b. Pledging the faith of the State for the payment of a debt,  
19 c. Imposing a State tax, or  
20 d. Authorizing a county, municipality, or other local governmental  
21 unit to  
22 1. Raise money on its credit,  
23 2. Pledge its faith for the payment of a debt, or  
24 3. Impose a local tax.

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

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

30 (4) Both second and third readings of bills proposing amendment of the  
31 North Carolina Constitution or ratifying resolutions amending the  
32 United States Constitution.

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

35 (b) Votes on the following questions shall be taken on the electronic  
36 voting system:

37 (1) Second reading of all public bills, all amendments to public bills  
38 offered after second reading, third reading if a public bill was amended  
39 after second reading or if the reading occurs on a day or days  
40 following the second reading, all conference reports on public bills, all  
41 motions to lay public bills on the table, and all motions to postpone  
42 public bills indefinitely.

43 (2) Upon a call for division.

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

3 (c) When the electronic voting system is used, 15 seconds shall be  
4 allowed for voting on the question before the House, unless the Chair shall direct  
5 otherwise. The system shall be set to close automatically when that time has expired.  
6 Once the system is locked, the vote shall be recorded and printed.

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

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

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

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

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

- 40 (1) To adjourn.
- 41 (2) To lay on the table.
- 42 (3) Previous question.
- 43 (4) To recess.
- 44 (5) To postpone indefinitely.



- 1 (6) To reconsider.
- 2 (7) To postpone to a day certain.
- 3 (8) To re-refer.
- 4 (9) To amend an amendment.
- 5 (10) To amend.
- 6 (11) To concur or not concur.
- 7 (12) Miscellaneous.

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

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

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

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

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

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

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

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

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

37 (b) The member may make a brief oral statement of the reasons for  
38 making the request. The member may send forward to the Principal Clerk, on a form  
39 provided by the Clerk, a concise written statement of the reason for the request, and the  
40 Clerk shall include this statement in the Journal.

41 (c) The member so excused shall not debate the bill or any amendment to  
42 the bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on  
43 any motion concerning the bill at that reading, any subsequent reading, or any  
44 subsequent consideration of the bill.

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

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

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

## 10 V. Committees

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

18 (b) All permanent subcommittees of each standing committee shall be  
19 appointed by the Speaker, and the members appointed, along with the chair of the  
20 standing committee, shall constitute the standing committee of which the permanent  
21 subcommittee is a part. The Speaker shall appoint all members of permanent  
22 subcommittees at the beginning of the first regular session in a manner to reflect the  
23 partisan membership of the House.

24 (c) The Speaker shall appoint the members of all standing committees  
25 having no permanent subcommittees at the beginning of the first regular session in a  
26 manner to reflect the partisan membership of the House.

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

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

33 (f) Either the chair or acting chair, designated by the chair or by the  
34 Speaker, and five other members of the standing committee or permanent  
35 subcommittee, or a majority of the standing committee or permanent subcommittee,  
36 whichever is fewer, shall constitute a quorum of that standing committee or permanent  
37 subcommittee. For purposes of determining a quorum, the persons designated by the  
38 Speaker when serving only as ex officio members under subsection (h) of this rule, shall  
39 be counted among the membership of the committee or subcommittee only when  
40 present.

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

1 (h) Four members designated by the Speaker at the time of appointments  
 2 of chairs of standing committees are ex officio members of every standing committee  
 3 and permanent subcommittee with the right to vote.

4 (i) This rule is subject to the provisions of House Resolution 1 of the  
 5 2005 Regular Session of the General Assembly, as applicable.

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

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

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

10 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 -Justice and Public Safety -Natural and Economic Resources -Transportation
Children, Youth and Families	(None)
Commerce	(None)
Education	-Community Colleges -Pre-School, Elementary and Secondary Education -Universities
Election Law and Campaign Finance Reform	(None)
Environment and Natural Resources	(None)
Ethics	(None)
Federal Relations and Trade Issues	(None)

1		
2	Finance	(None)
3		
4	Financial Institutions	(None)
5		
6	Health	(None)
7		
8	Insurance	(None)
9		
10	Judiciary I	(None)
11		
12	Judiciary II	(None)
13		
14	Judiciary III	(None)
15		
16	Judiciary IV	(None)
17		
18	Local Government I	(None)
19		
20	Local Government II	(None)
21		
22	Military, Veterans and	
23	Indian Affairs	(None)
24		
25	Pensions and Retirement	(None)
26		
27	Public Utilities	(None)
28		
29	Rules, Calendar, and	
30	Operations of the House	(None)
31		
32	Science and Technology	(None)
33		
34	State Government	(None)
35		
36	State Personnel	(None)
37		
38	Transportation	(None)
39		
40	University Board of Governors	
41	Nominating	(None)
42		
43	Ways and Means	(None)
44		

1 Wildlife Resources (None)

2  
3 **RULE 28. Standing Committee and Permanent Subcommittee Meetings.**

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

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

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

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

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

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

38 (1) 15 minutes preceding a regular session of the House, and

39 (2) 10 minutes preceding the hour of the next regularly scheduled standing  
40 committee or permanent subcommittee meeting.

41 (g) Any call or notice of a standing committee or permanent subcommittee  
42 meeting between legislative sessions shall be mailed to each member of the standing  
43 committee or permanent subcommittee at least five days prior to such meeting. If a  
44 member of the body so requests in writing to the chair of the standing committee or

1 permanent subcommittee, the member shall be notified by certified mail of the  
2 meetings.

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

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

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

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

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

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

25 (3) Issue a public letter of reprimand if the violation of the Open Meetings  
26 Law was intentional or if the legislator has previously received a  
27 private letter of reprimand. The Chair of the Committee on Ethics shall  
28 have the public letter of reprimand spread on the pages of the House  
29 Journal.

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

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

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

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

4 (b) Persons desiring to appear and be heard at a public hearing shall  
5 submit their requests to the chair of the standing committee or permanent subcommittee.  
6 The standing committee or permanent subcommittee chair may designate one or more  
7 members to arrange the order of appearance of interested parties. A brief written  
8 statement of testimony may be submitted without oral presentation and shall be  
9 incorporated into the minutes of the public hearing.

10 **RULE 29.2. Minutes to Legislative Library.** – The chair of a standing  
11 committee or a permanent subcommittee shall ensure that written minutes are compiled  
12 for each of the body's meetings. The minutes shall indicate the members present and the  
13 actions taken at the meeting. Not later than 20 days after the adjournment of each  
14 session of the General Assembly, the chair shall deliver the minutes to the Legislative  
15 Library. The Speaker of the House may grant a reasonable extension of time for filing  
16 said minutes upon written application of the chair.

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

20 (b) After passage of a motion to form a Standing Committee of the Whole  
21 House, the Speaker shall appoint a chair to preside in the standing committee, and the  
22 Speaker shall leave the dais.

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

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

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

#### 36 **VI. Handling of Bills**

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

42 (b) Bills shall not become resolutions provided the Senate has a similar  
43 rule. Resolutions shall not become bills. Resolutions are not law but may be used when  
44 a law is not necessary for the purpose contained therein. Resolutions shall not be used to

1 appropriate funds for any purpose, but may be used to create study commissions or  
2 committees or establish investigative committees, to honor deceased persons, and to  
3 adopt House rules and internal affairs. Resolutions cannot amend, repeal, or modify a  
4 statute; nor do they have life beyond the term of the session during which they are  
5 adopted.

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

8 (d) All bills and resolutions shall show in their captions a brief descriptive  
9 statement of the true substance of same, which captions may thereafter be amended.  
10 Captions of public bills may be amended only by amendment proposed by the standing  
11 committee to which the bill was referred. Third reading shall not be had on any bill or  
12 resolution on the same day that such caption is amended.

13 (e) A Substitute Bill shall be covered with the same color jacket as the  
14 original bill and shall be prefaced as follows: "House Committee Substitute  
15 for \_\_\_\_\_".

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

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

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

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

23 – (a) All public bills or resolutions recommended by commissions or standing  
24 committees authorized or directed by act or resolution of the General Assembly to  
25 report to the 2005 Regular Session of the General Assembly, or to report prior to  
26 convening of that session, must have been submitted to the Bill Drafting Division of the  
27 Legislative Services Office by 4:00 P.M. on March 9, 2005, and must be introduced not  
28 later than 3:00 P.M. on March 16, 2005; and

29 (a1) All bills prepared to be introduced for departments, agencies, or  
30 institutions of the State must have been submitted to the Bill Drafting Division of the  
31 Legislative Services Office by 4:00 P.M. on March 9, 2005, and must be introduced not  
32 later than 3:00 P.M. on March 16, 2005. A bill introduced under this subsection shall be  
33 identified as an Agency Bill after its short title.

34 (a2) All local bills must have been submitted to the Bill Drafting Division  
35 of the Legislative Services Office by 4:00 P.M. on March 22, 2005, and must be  
36 introduced not later than 3:00 P.M. on March 30, 2005.

37 (b) All public bills which would not be required to be re-referred to the  
38 Appropriations or Finance Committees under Rule 38 must have been submitted to the  
39 Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on April 13,  
40 2005, and must be introduced not later than 3:00 P.M. on April 20, 2005.

41 (c) All public bills which under Rule 38 would be required to be  
42 re-referred to the Appropriations Committee, or to both the Appropriations and Finance  
43 Committees, or to the Finance Committee, must have been submitted to the Bill  
44 Drafting Division of the Legislative Services Office by 4:00 P.M. on May 4, 2005, and



1 must be introduced not later than 3:00 P.M. on May 11, 2005. If any bill is eligible for  
2 introduction on account of the date only under this subsection, and the bill is amended  
3 so that qualifying appropriation or tax law change does not remain in the bill, it shall not  
4 be eligible for further consideration. For the purpose of this section, a "tax law change"  
5 includes any provision that would require a bill under Rule 38(b) to be referred to the  
6 Standing Committee on Finance.

7 (d) In order to be eligible for consideration by the House during the first  
8 Regular Session, all Senate bills other than finance or appropriations bills which would  
9 be required to be re-referred to the Appropriations or Finance Committees under Rule  
10 38 or adjournment resolutions must be received and read on the floor of the House as a  
11 message from the Senate no later than May 19, 2005; provided that a message from the  
12 Senate received by the next legislative day stating that a bill has passed its third reading  
13 and is being engrossed shall comply with the requirements of this subsection and  
14 provided that the Senate has a similar rule.

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

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

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

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

- 41 (1) Favorable, without prejudice, or unfavorable as to the original bill with  
42 the recommendation that the report be made to the standing  
43 committee;

- 1 (2) Favorable, without prejudice, or unfavorable as to the original bill, as  
2 amended, with the recommendation that the report be made to the  
3 standing committee;
- 4 (3) Favorable or without prejudice to the proposed committee substitute,  
5 and unfavorable to the original bill, with the recommendation that the  
6 report be made to the standing committee;
- 7 (4) Favorable as to the original bill with the recommendation that the  
8 report be made directly to the floor of the House, if approved by the  
9 standing committee chair;
- 10 (5) Favorable to the original bill, as amended, with the recommendation  
11 that the report be made directly to the floor of the House, if approved  
12 by the standing committee chair; or
- 13 (6) Favorable to the proposed committee substitute with the  
14 recommendation that the report be made directly to the floor of the  
15 House, if approved by the standing committee chair, and unfavorable  
16 to the original bill.

17 Any recommendation of favorable or without prejudice may include a  
18 recommendation of re-referral to another standing committee. After a bill is reported to  
19 a standing committee by a permanent subcommittee of that standing committee, the  
20 standing committee chair may re-refer the bill to another permanent subcommittee of  
21 that standing committee.

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

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

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

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

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

43 **RULE 35. Duplicating and Availability of Copies of Bills.** – (a) The  
44 Legislative Services Officer shall cause such bills as are introduced to be duplicated in

1 such numbers as may be specified by the Speaker. The Legislative Services Officer  
2 shall cause one copy of each resolution and public bill for each member to be delivered  
3 to the member's committee assistant or legislative assistant who shall place it in the  
4 appropriate notebook on the member's desk. If a member so requests, a second copy  
5 shall be delivered to the member's committee assistant or legislative assistant who shall  
6 place it in the member's office. The remaining copies shall be placed in the Printed Bills  
7 Room and made available to the committees to which the bill is referred, to individual  
8 members on request, and to the general public.

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

13 **RULE 35.1. Assessment Reports.** – (a) Every bill or resolution proposing  
14 the establishment of an occupational or professional licensing board, as defined in  
15 Article 18A of Chapter 120 of the General Statutes, or a study for the need to establish  
16 such a board shall have attached to the jacket of the original bill or resolution at the time  
17 of its consideration on second and third readings by the House or by any standing  
18 committee or permanent subcommittee of the House an assessment report from the  
19 Legislative Committee on New Licensing Boards pursuant to Article 18A of Chapter  
20 120 of the General Statutes. The assessment report shall not constitute any part of the  
21 expression of legislative intent proposed by the formation of a licensing board. Upon  
22 receipt of the request, the Legislative Committee on New Licensing Boards shall  
23 prepare and return the assessment report as soon as possible but not later than 60 days,  
24 reserving the right to extend this time to 90 days.

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

35 **RULE 36. Report by Standing Committee or Permanent Subcommittee.** –

36 (a) **When Reports Required.** – All House bills and resolutions shall be reported from  
37 the standing committee or permanent subcommittee to which referred with such  
38 recommendations as the standing committee or permanent subcommittee may desire to  
39 make except in the case where the principal introducer requests in writing to the chair of  
40 the standing committee or permanent subcommittee that the bill not be considered.

41 With the written approval of the chair of the standing committee and with the  
42 recommendation of the subcommittee pursuant to Rule 32(b)(4) through (6), the chair of  
43 the permanent subcommittee may report the bill directly to the floor with that  
44 recommendation. If a permanent subcommittee recommends reporting a bill to the floor

1 and the chair of the standing committee fails to give approval, the bill shall be deemed  
2 to have been reported to the standing committee with the same recommendation as the  
3 subcommittee would have made to the House.

4 (b) **Favorable Report.** – When a standing committee or permanent  
5 subcommittee reports a bill with the recommendation that it be passed, the bill shall be  
6 placed on the favorable calendar on the day and in the order designated by the Chair of  
7 the Standing Committee on Rules, Calendar, and Operations of the House, but no later  
8 than the fourth legislative day after submission of the report or Senate message under  
9 Rule 43.2 or Rule 43.3(a), unless:

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

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

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

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

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

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

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

40 **RULE 36.1. Fiscal Notes.** – (a) The Chair or Cochair of the Appropriations  
41 Committee, of the Finance Committee, or of the Standing Committee on Rules,  
42 Calendar, and Operations of the House, upon the floor of the House, may request that a  
43 fiscal analysis be made of a bill, resolution, or an amendment to a bill or resolution  
44 which is in the possession of the House and that a fiscal note be attached to the measure,

1 which request shall be allowed when, in the opinion of the Speaker, the fiscal effects of  
2 that measure are not apparent from the language of the measure.

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

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

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

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

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

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

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

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

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

42 (b) The sponsor of the bill or resolution shall present a copy of the  
43 measure, with a request for an actuarial note, to the Fiscal Research Division, which  
44 shall prepare the actuarial note as promptly as possible but not later than two weeks

1 after the request is made unless an extension of time is agreed to by the sponsor as being  
2 necessary in the preparation of the note. Actuarial notes shall be prepared in the order of  
3 receipt of request and shall be transmitted to the sponsor of the measure. The actuarial  
4 note of the Fiscal Research Division shall be prepared and signed by an actuary.

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

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

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

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

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

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

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

4           (1) Carries an appropriation from the State; or

5           (2) Requires or will require in the future substantial additional State  
6 monies from the General Fund or Highway Fund to implement its  
7 provisions shall indicate same in the report, and said bill or resolution  
8 shall be referred to the Standing Committees on Appropriations for a  
9 further report before being acted upon by the House.

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

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

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

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

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

43           **RULE 39.2. Re-Referral of Bills From One Standing Committee to**  
44 **Another Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker,

1 the chair of the standing committee from whom the bill is to be re-referred, and the  
2 chair of the standing committee to whom the bill is to be re-referred, the chair of the  
3 standing committee from whom the bill is to be re-referred or the Chair of the Standing  
4 Committee on Rules, Calendar, and Operations of the House may move for a re-referral  
5 to another standing committee, and the bill shall be re-referred upon vote of the majority  
6 present during a regular session of the House.

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

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

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

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

- 26 (1) Been tabled,
- 27 (2) Been postponed indefinitely,
- 28 (3) Failed to pass on any of its readings, or
- 29 (4) Been placed on the unfavorable calendar,

30 the contents of that bill or the principal provisions of its subject matter shall not be  
31 considered in any other measure originating in the Senate or originating thereafter in the  
32 House. Upon the point of order being raised and sustained by the Chair, that measure  
33 shall be laid upon the table, and shall not be taken therefrom except by a two-thirds vote  
34 of the members present and voting.

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

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



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

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

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

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

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

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

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

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

35 If the committee substitute was referred to standing committee, the standing  
36 committee shall:

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

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

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

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

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

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

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

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

27 (d) Unless otherwise ordered by the Speaker, no vote shall be taken on  
28 adoption of a conference report until the next legislative day following the report.

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

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

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

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

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



1 identification tags, approved by the Legislative Services Officer, when on the floor of  
2 the House.

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

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

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

### 17 **IX. General Rules**

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

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

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

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

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

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

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

1 (b) Members wishing to jointly sponsor legislation should indicate such to  
2 the drafter at the time the bill is requested or upon filing the bill with the Principal  
3 Clerk's office. The names of the members who are the primary sponsors shall be listed  
4 in the order requested by them, followed by the words (Primary Sponsors); and the  
5 remaining names of members cosponsoring shall follow. No more than four members  
6 may be listed as primary sponsors.

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

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

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

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

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

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

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

5           **RULE 62. Matters Not Covered in These Rules.** – Except as herein set out,  
6 the rules of Mason's Manual of Legislative Procedure shall govern the operation of the  
7 House.

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