

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2017

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Simple  
Resolution  
Adopted

HOUSE RESOLUTION 1

Adopted 1/11/17

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Sponsors: Representative Lewis.

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Referred to: Calendar 1/11/2017

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January 11, 2017

1 A HOUSE RESOLUTION ADOPTING THE TEMPORARY RULES OF THE HOUSE OF  
2 REPRESENTATIVES FOR THE 2017 REGULAR SESSION.

3 Be it resolved by the House of Representatives:

4 **SECTION 1.** The temporary rules of the Regular Session of the House of  
5 Representatives of the 2017 General Assembly are:

6 **TEMPORARY RULES OF THE HOUSE OF REPRESENTATIVES FOR THE REGULAR**  
7 **SESSION OF THE 2017 GENERAL ASSEMBLY OF NORTH CAROLINA**

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17 **I. Order of Business**

18 **RULE 1. Convening Hour, Limitation on Friday, Night, and Sunday Legislative**  
19 **Sessions.** – The House shall convene each legislative day at the hour fixed by the House. In the  
20 event the House adjourns on the preceding legislative day without having fixed an hour for  
21 reconvening, the House shall convene on the next legislative day at 2:00 P.M. During January and  
22 February of 2017, no sessions may be held on Friday. Without leave of the House, no session shall  
23 continue after 10:00 P.M. on Monday nor after 9:00 P.M. on any other days, and the Speaker shall  
24 adjourn the House without motion at that point, except that a motion may be made as to the time  
25 and day of next convening. No votes shall be held on Sunday, except for votes on motions to  
26 approve the journal and to adjourn.

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

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

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



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

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

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

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

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

## 41 **II. Conduct of Debate**

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

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

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

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

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

13           (2) A point of order,

14           (3) A parliamentary inquiry, or

15           (4) A question of privilege.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### 36 **III. Motions**

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

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

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

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

48 To adjourn.

49 To recess.

50 To lay on the table.

51 Previous question.

1 To postpone indefinitely.

2 To reconsider.

3 To postpone to a day certain.

4 To re-refer.

5 To amend an amendment.

6 To amend.

7 To pass the bill.

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

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

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

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

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

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

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

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

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

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

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

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

46 (2) A motion to postpone indefinitely,

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

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

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

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

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

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

6 (1a) The Vice-Chair of the Committee on Rules, Calendar, and Operations of the  
7 House if the Chair is not in the chamber or able to participate in debate;

8 (2) The Majority Leader;

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

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

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

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

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

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

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

#### 28 **IV. Voting**

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

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

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

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

36 c. Imposing a State tax, or

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

38 1. Raise money on its credit,

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

40 3. Impose a local tax.

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

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

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

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

49 (1) Second reading of all public bills except resolutions, all amendments to public  
50 bills offered after second reading, third reading if a public bill was amended  
51 after second reading or if the reading occurs on a day or days following the

- 1 second reading, all conference reports on public bills, all motions to lay public  
2 bills on the table, and all motions to postpone public bills indefinitely.
- 3 (2) Upon a call for division.
- 4 (3) Any other question upon direction of the Speaker or upon motion of any  
5 member supported by one-fifth of the members present.
- 6 (c) When the electronic voting system is used, 15 seconds shall be allowed for  
7 voting on the question before the House, unless the Chair shall direct otherwise. Once the system  
8 is locked, the vote shall be recorded and printed.
- 9 (d) The voting station at each member's desk in the Chamber shall be used only by  
10 the member to which the station is assigned. Under no circumstances shall any other person vote  
11 at a member's station. It is a breach of the ethical obligation of a member either to request that  
12 another person vote at the requesting member's station or to vote at another member's station. The  
13 Speaker shall enforce this rule without exception.
- 14 (e) When the electronic voting system is used, the Speaker shall state the question  
15 and shall then state substantially the following: "All in favor vote 'aye'; all opposed vote 'no'; the  
16 Clerk will open the vote." In order to have the vote recorded, the member must vote by the  
17 electronic voting system within the time allowed for that vote, unless the voting station assigned to  
18 a member is malfunctioning. The Speaker shall enforce this rule without exception. After the  
19 allotted time for voting has elapsed, the Speaker shall say: "The Clerk will now lock the machine  
20 and record the vote." After the machine is locked and the vote recorded, the Speaker shall  
21 announce the vote and declare the result.
- 22 (f) One copy of the machine printout of the vote record of all votes taken on the  
23 electronic voting system shall be filed in the office of the Principal Clerk, and two copies shall be  
24 filed in the Legislative Library where the copies shall be open to public inspection. A legible copy  
25 of the bill, amendment, or motion on which the vote was taken shall be filed with the printout of  
26 the vote in the Legislative Library.
- 27 (g) When the Speaker ascertains that the electronic voting system is inoperative  
28 before a vote is taken or while a vote is being taken on the electronic voting system, the Speaker  
29 shall announce that fact to the House, and any partial electronic voting system voting record shall  
30 be voided. In such a case, if the North Carolina Constitution or the Rules of the House require a  
31 call of the ayes and noes, the Clerk shall call the roll of the House, and the ayes and noes shall be  
32 taken manually and shall be recorded on the Journal. All roll call votes shall be taken  
33 alphabetically. If, after a vote is taken on the electronic voting system, it is discovered that a  
34 malfunction caused an error in the electronic voting system printout, the Speaker shall direct the  
35 Reading Clerk and the Principal Clerk to verify and correct the printout record and so advise the  
36 House.
- 37 (h) For the purpose of identifying motions on which the vote is taken on the  
38 electronic voting system, the motions are coded as follows:
- 39 (1) To adjourn.
- 40 (2) To recess.
- 41 (3) To lay on the table.
- 42 (4) Previous question.
- 43 (5) To postpone indefinitely.
- 44 (6) To reconsider.
- 45 (7) To postpone to a day certain.
- 46 (8) To re-refer.
- 47 (9) To amend an amendment.
- 48 (10) To amend.
- 49 (11) To concur or not concur.
- 50 (12) Miscellaneous.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### 49           **V. Committees**

50           **RULE 26. Standing Committees Generally.** – (a) The Speaker shall appoint a chair,  
51 or cochairs, of every standing committee and select committee, if any. In the construction of these



1 rules, the word "chair" as applied to a committee, extends to and includes a cochair of the  
2 committee. The Speaker shall have the exclusive right and authority to establish select  
3 committees, but this does not exclude the right of the House by resolution to establish select  
4 committees.

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

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

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

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

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

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

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

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

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

33 Committees

34 Aging

35 Agriculture

36 Alcoholic Beverage Control

37 Appropriations

38 Appropriations, Capital

39 Appropriations, Education

40 Appropriations, General Government

41 Appropriations, Health and Human Services

42 Appropriations, Information Technology

43 Appropriations, Justice and Public Safety

44 Appropriations, Agriculture and Natural and Economic Resources

45 Appropriations, Transportation

46 Banking

1	
2	Homelessness, Foster Care, and Dependency
3	
4	Commerce and
5	Job Development
6	
7	Education – K-12
8	
9	Education – Community Colleges
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11	Education – Universities
12	
13	Elections and Ethics Law
14	
15	Energy and Public Utilities
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17	Environment
18	
19	Ethics
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21	Finance
22	
23	Health
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25	Homeland Security, Military, and
26	Veterans Affairs
27	
28	Insurance
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30	Judiciary I
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32	Judiciary II
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34	Judiciary III
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36	Judiciary IV
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38	Pensions and Retirement
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40	Regulatory Reform
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42	Rules, Calendar, and
43	Operations of the House
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45	State and Local Government I
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47	State and Local Government II
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49	State Personnel
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51	Transportation

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2 Wildlife Resources

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

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

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

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

22 (d1) The committee chair shall set the agenda for each committee meeting. After  
23 April 1, 2017, a committee may, provided there is a written request signed by at least two-thirds of  
24 the members of the committee, place a bill on the committee's agenda for the next regularly  
25 scheduled meeting of the committee.

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

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

34 (1) 15 minutes preceding a regular session of the House, and

35 (2) 10 minutes preceding the hour of the next regularly scheduled standing  
36 committee meeting.

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

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

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

47 **RULE 28.1. Ethics Committee Investigations Into Violations of the Open Meetings**  
48 **Law.** – (a) On its own motion, or in response to signed and sworn complaint of any individual  
49 filed with the Standing Committee on Ethics, the Committee shall inquire into any alleged  
50 violation by members of the House of the Open Meetings Law (Article 33C of Chapter 143 of the  
51 General Statutes), as the same may be amended in 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 shall  
3 notify the individual as to the fact of the inquiry and the charges against the individual and shall  
4 schedule one or more hearings on the matter. The individual shall have the right to present  
5 evidence, cross-examine witnesses, and be represented by counsel at any hearings.

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

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

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

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

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

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

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

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

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

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

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

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

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

42 **RULE 29.2. Minutes to Legislative Library.** – The chair of a standing committee  
43 shall ensure that written minutes are compiled for each of the body's meetings. The minutes shall  
44 indicate the members present and the actions taken at the meeting. Not later than 10 days after the  
45 adjournment of each session of the General Assembly, the chair shall deliver the minutes to the  
46 Legislative Library. The Speaker of the House may grant a reasonable extension of time for filing  
47 said minutes upon written application of the chair.

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

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

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

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

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

### 13 VI. Handling of Bills

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

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

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

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

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

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

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

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

43 **RULE 31.1. Deadlines on Introduction and Receipt; No Blank Bills; 15-Bill Limit;  
44 Single Subject Rule.** – (a) All local bills must be submitted to the Bill Drafting Division of the  
45 Legislative Services Office by 4:00 P.M. on Wednesday, March 15, 2017, and must be introduced  
46 not later than 3:00 P.M. on Wednesday, March 29, 2017.

47 (b) All public bills or resolutions recommended by commissions or standing  
48 committees authorized or directed by act or resolution of the General Assembly (i) to report to the  
49 2017 Regular Session of the General Assembly, or to report prior to convening of that session, or  
50 (ii) which are recommended to the 2017 Regular Session of the General Assembly by a  
51 commission or committee established directly by Chapter 120 of the General Statutes, must have

1 been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on  
2 Tuesday, February 21, 2017, and must be introduced not later than 3:00 P.M. on Wednesday,  
3 March 1, 2017.

4 (c) All bills prepared to be introduced for departments, agencies, or institutions of  
5 the State must have been submitted to the Bill Drafting Division of the Legislative Services Office  
6 by 4:00 P.M. on Tuesday, March 7, 2017, and must be introduced not later than 3:00 P.M. on  
7 Wednesday, March 15, 2017. A bill introduced under this subsection shall be identified as an  
8 Agency Bill after its short title or in the drafting code.

9 (d) All public bills that would not be required to be re-referred to the  
10 Appropriations or Finance Committees under Rule 38 and all joint resolutions and House  
11 resolutions must be submitted to the Bill Drafting Division of the Legislative Services Office by  
12 4:00 P.M. on Thursday, March 30, 2017, and must be introduced not later than 3:00 P.M. on  
13 Wednesday April 12, 2017.

14 (e) All public bills which under Rule 38 are required to be re-referred to either or  
15 both of the Appropriations Committee or the Finance Committee must be submitted to the Bill  
16 Drafting Division of the Legislative Services Office by 4:00 P.M. on Thursday, April 6, 2017, and  
17 must be introduced not later than 3:00 P.M. on Wednesday, April 19, 2017. If any bill is subject to  
18 the deadline under this subsection and the bill is amended so that all the provisions requiring  
19 referral to either or both of those committees under Rule 38 do not remain in the bill, it is not  
20 eligible for further consideration.

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

22 (g) No member may introduce more than 15 public bills. For the purpose of this  
23 subsection, the introducer is the member who is listed as the first sponsor. A member may assign a  
24 portion of this limit to another member electronically using the procedures established and  
25 published by the Principal Clerk. This subsection does not apply to bills or resolutions  
26 recommended by commissions or committees authorized or directed by act or resolution of the  
27 General Assembly (i) to report to the 2017 Regular Session of the General Assembly, or to report  
28 prior to convening of that session, or (ii) that are recommended to the Regular Session of the  
29 General Assembly by a commission or committee established directly by Chapter 120 of the  
30 General Statutes. This subsection does not apply to joint resolutions or House resolutions.

31 (h) In order to be eligible for consideration by the House during the first Regular  
32 Session, all Senate bills other than finance or appropriations bills that would be required to be  
33 re-referred to the Appropriations or Finance Committee under Rule 38 or adjournment resolutions  
34 must be received and read on the floor of the House as a message from the Senate no later than  
35 Thursday, April 27, 2017; provided that a message from the Senate received by the next legislative  
36 day stating that a bill has passed its third reading and is being engrossed shall comply with the  
37 requirements of this subsection and provided that the Senate has a similar rule.

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

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

46 **RULE 32. Reference to Standing Committees; Serial Referrals.** – Each bill not  
47 introduced on the report of a standing committee shall immediately upon its first reading be  
48 referred by the Speaker to such standing committee or committee of the whole as the Speaker  
49 deems appropriate. The Speaker at the same time may order that, if the bill is reported with any  
50 favorable recommendation or without prejudice, it be re-referred automatically upon the  
51 committee report to another committee designated in the order. Each joint resolution or House

1 resolution not introduced on the report of a standing committee shall immediately upon its first  
2 reading either be referred by the Speaker to a standing committee or be calendared on the date  
3 designated by the Speaker, as the Speaker deems appropriate.

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

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

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

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

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

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

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

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

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

42 (b) **Favorable Report.** – When a standing committee reports a bill with the  
43 recommendation that it be passed, the bill shall be placed on the favorable calendar on the day  
44 designated by the Chair of the Standing Committee on Rules, Calendar, and Operations of the  
45 House, but not on the same day that it is reported except by leave of the House, and no later than  
46 the fourth legislative day after submission of the report or Senate message under Rule 43.2 or Rule  
47 43.3(a), unless:

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

44 (e) When any permanent committee reports a measure to which an actuarial note is  
45 attached at the time of permanent committee consideration, with any amendment of such nature as  
46 would substantially affect the cost to or the revenues of any retirement or pension system, or  
47 program of hospital, medical, disability, or related benefits for teachers or State employees, the  
48 chair of the standing committee reporting the measure shall obtain from the Fiscal Research  
49 Division an actuarial note of the fiscal and actuarial effect of the proposed amendment. The  
50 actuarial note shall be attached to the jacket of the measure. An amendment to any bill or  
51 resolution shall not be in order if the amendment affects the costs to or the revenues of a

1 State-administered retirement or pension system, or program of hospital, medical, disability, or  
2 related benefits for teachers or State employees, unless the amendment is accompanied by an  
3 actuarial note, prepared by the Fiscal Research Division, as to the actuarial effect of the  
4 amendment.

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

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

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

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

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

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

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

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

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

40 **RULE 39. Discharge Petition.** – (a) A motion to discharge a committee from  
41 consideration of a bill may be filed with the Principal Clerk by a primary sponsor of that measure  
42 if accompanied by a petition asking that the committee be discharged from further consideration of  
43 the bill. No motion may be filed until 10 legislative days after the bill has been referred to the  
44 committee. No petition may be filed until notice has been given on the floor of the House that the  
45 petition is to be filed and the primary sponsor giving notice has obtained a fiscal note from the  
46 Fiscal Research Division on the bill, which note shall be attached to the petition. Members may  
47 sign the petition only in the office of the Principal Clerk, and when the signatures of 61 members  
48 appear on the petition, the Principal Clerk shall place that motion on the calendar for the next  
49 legislative day as a special order of business. Members may withdraw their names at any time  
50 until 61 names appear. If the motion is adopted by the House, then the committee to which the bill  
51 or resolution has been referred is discharged from further consideration of the bill, and that bill is

1 placed on the calendar for the next legislative day as a special order of business. The Principal  
2 Clerk shall provide a form for discharge petitions.

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

6 **RULE 39.2. Re-Referral of Bills From One Standing Committee to Another**  
7 **Standing Committee.** – Upon consent of the sponsor of the bill, the Speaker, the chair of the  
8 standing committee from whom the bill is to be re-referred, and the chair of the standing  
9 committee to whom the bill is to be re-referred, the chair of the standing committee from whom  
10 the bill is to be re-referred, or the Chair of the Standing Committee on Rules, Calendar, and  
11 Operations of the House may move for a re-referral to another standing committee, and the bill  
12 shall be re-referred upon vote of the majority present during a regular session of the House.

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

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

25 (b) No bill shall be read more than once on the same day without the concurrence  
26 of two-thirds of the members present and voting; provided, no bill governed by Article II, Section  
27 23 of the North Carolina Constitution herein shall be read twice on one day under any  
28 circumstance.

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

- 31 (1) Been tabled,
- 32 (2) Been postponed indefinitely,
- 33 (3) Failed to pass on any of its readings, or
- 34 (4) Been placed on the unfavorable calendar,

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

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

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

47 Only one principal (first degree) amendment shall be pending at any one time. If a  
48 subsequent or substitute principal amendment shall be offered, the Speaker shall rule it out of  
49 order. However, any member desiring to offer a subsequent or substitute principal amendment in  
50 opposition to the pending amendment may inform the House by way of argument against the

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

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

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

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

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

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

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

16 (5) Amendments cannot spend reversions.

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

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

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

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

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

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

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

41 If the committee substitute was referred to standing committee, the standing committee  
42 shall:

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

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

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

49 (d) If the committee substitute for a bill is a material amendment, the receiving of  
50 that bill on messages shall constitute first reading, and the question before the House shall be

1 concurrence on second reading. If the motion is passed, the question then shall be concurrence on  
2 third reading on the next legislative day.

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

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

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

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

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

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

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

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

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

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

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

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



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

#### 4 IX. General Rules

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

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

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

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

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

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

24 RULE 59. **Cosponsorship of Bills and Resolutions, Removal of Sponsorship.** – (a)  
25 Except by leave of the primary sponsor, or as provided in subsection (d) of this rule, no member  
26 may be listed as an additional primary sponsor on a bill after the bill has been filed. Except as  
27 provided in subsection (d) of this rule, any member not listed as a preprinted cosponsor on the  
28 computer-generated draft edition who wishes to cosponsor a bill or resolution which has been  
29 introduced may do so by 5:00 P.M. of the calendar day following the adjournment of the session  
30 during which such bill or resolution was first read and referred, but only electronically under  
31 procedures approved by the Principal Clerk.

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

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

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

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

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

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

17           **RULE 61.2. Convening and Assigning Seats in the New House.** – (a) The Principal  
18 Clerk of the previous House of Representatives shall convene the House of Representatives at  
19 9:00 A.M. on the date established by law for the convening of each regular session and preside  
20 over the body until the members elect a Speaker. In the case of a vacancy, inability, or refusal to  
21 so serve, the duty shall devolve upon the Sergeant-at-Arms of the prior House, and in the case of a  
22 vacancy in that office, or inability or refusal to so serve, the duty shall devolve upon the Reading  
23 Clerk of the prior House.

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

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

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