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House Concurrent Resolution

A concurrent resolution establishing the Joint Rules of the Florida Legislature for the 2010-2012 term.

Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:

That the following joint rules shall govern the Florida Legislature for the 2010-2012 term:

JOINT RULES

Joint Rule One—Lobbyist Registration and Compensation Reporting

1.1—Those Required to Register; Exemptions; Committee Appearance Records

(1) All lobbyists before the Florida Legislature must register with the Lobbyist Registration Office in the Division of Legislative Information Services of the Office of Legislative Services. Registration is required for each principal represented.

(2) As used in Joint Rule One, unless the context otherwise requires, the term:

(a) "Compensation" means payment, distribution, loan, advance, reimbursement, deposit, salary, fee, retainer, or anything of value provided or owed to a lobbying firm, directly or indirectly, by a principal for any lobbying activity.

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28 (b) "Division" means the Division of Legislative  
29 Information Services within the Office of Legislative Services.

30 (c) "Legislative action" means introduction, sponsorship,  
31 testimony, debate, voting, or any other official action on any  
32 measure, resolution, amendment, nomination, appointment, or  
33 report of, or any matter that may be the subject of action by,  
34 either house of the Legislature or any committee thereof.

35 (d) "Lobby" or "lobbying" means influencing or attempting  
36 to influence legislative action or nonaction through oral or  
37 written communication or an attempt to obtain the goodwill of a  
38 member or employee of the Legislature.

39 (e) "Lobbying firm" means any business entity, including  
40 an individual contract lobbyist, that receives or becomes  
41 entitled to receive any compensation for the purpose of lobbying  
42 and where any partner, owner, officer, or employee of the  
43 business entity is a lobbyist. "Lobbying firm" does not include  
44 an entity that has employees who are lobbyists if the entity  
45 does not derive compensation from principals for lobbying or if  
46 such compensation is received exclusively from a subsidiary or  
47 affiliate corporation of the employer. As used in this  
48 paragraph, an affiliate corporation is a corporation that  
49 directly or indirectly shares the same ultimate parent  
50 corporation as the employer and does not receive compensation  
51 for lobbying from any unaffiliated entity.

52 (f) "Lobbyist" means a person who is employed and receives  
53 payment, or who contracts for economic consideration, for the  
54 purpose of lobbying or a person who is principally employed for  
55 governmental affairs by another person or governmental entity to

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56 lobby on behalf of that other person or governmental entity. An  
57 employee of the principal is not a "lobbyist" unless the  
58 employee is principally employed for governmental affairs.  
59 "Principally employed for governmental affairs" means that one  
60 of the principal or most significant responsibilities of the  
61 employee to the employer is overseeing the employer's various  
62 relationships with government or representing the employer in  
63 its contacts with government. Any person employed by the  
64 Governor, the Executive Office of the Governor, or any executive  
65 or judicial department of the state or any community college of  
66 the state who seeks to encourage the passage, defeat, or  
67 modification of any legislation by personal appearance or  
68 attendance before the House of Representatives or the Senate, or  
69 any member or committee thereof, is a lobbyist.

70 (g) "Payment" or "salary" means wages or any other  
71 consideration provided in exchange for services but does not  
72 include reimbursement for expenses.

73 (h) "Principal" means the person, firm, corporation, or  
74 other entity that has employed or retained a lobbyist. When an  
75 association has employed or retained a lobbyist, the association  
76 is the principal; the individual members of the association are  
77 not principals merely because of their membership in the  
78 association.

79 (i) "Unusual circumstances," with respect to any failure  
80 of a person to satisfy a filing requirement, means uncommon,  
81 rare, or sudden events over which the person has no control and  
82 which directly result in the failure to satisfy the filing  
83 requirement.

84 (3) For purposes of this rule, the terms "lobby" and  
 85 "lobbying" do not include any of the following:

86 (a) Response to an inquiry for information made by any  
 87 member, committee, or staff of the Legislature.

88 (b) An appearance in response to a legislative subpoena.

89 (c) Advice or services that arise out of a contractual  
 90 obligation with the Legislature, a member, a committee, any  
 91 staff, or any legislative entity to render the advice or  
 92 services where such obligation is fulfilled through the use of  
 93 public funds.

94 (d) Representation of a client before the House of  
 95 Representatives or the Senate, or any member or committee  
 96 thereof, when the client is subject to disciplinary action by  
 97 the House of Representatives or the Senate, or any member or  
 98 committee thereof.

99 (4) For purposes of registration and reporting, the term  
 100 "lobbyist" does not include any of the following:

101 (a) A member of the Legislature.

102 (b) A person who is employed by the Legislature.

103 (c) A judge who is acting in that judge's official  
 104 capacity.

105 (d) A person who is a state officer holding elective  
 106 office or an officer of a political subdivision of the state  
 107 holding elective office and who is acting in that officer's  
 108 official capacity.

109 (e) A person who appears as a witness or for the purpose  
 110 of providing information at the written request of the chair of  
 111 a committee, subcommittee, or legislative delegation.

112 (f) A person employed by any executive or judicial  
 113 department of the state or any community college of the state  
 114 who makes a personal appearance or attendance before the House  
 115 of Representatives or the Senate, or any member or committee  
 116 thereof, while that person is on approved leave or outside  
 117 normal working hours and who does not otherwise meet the  
 118 definition of lobbyist.

119 (5) When a person, regardless of whether the person is  
 120 registered as a lobbyist, appears before a committee of the  
 121 Legislature, that person must submit a Committee Appearance  
 122 Record as required by the respective house.

123 (6) The responsibilities of the division and of the  
 124 Lobbyist Registration Office under Joint Rule One may be  
 125 assigned to another entity by agreement of the President of the  
 126 Senate and the Speaker of the House of Representatives for a  
 127 contract period not to extend beyond December 1 following the  
 128 Organization Session of the next biennium, provided that the  
 129 powers and duties of the President, the Speaker, the General  
 130 Counsel of the Office of Legislative Services, and any  
 131 legislative committee referenced in Joint Rule One may not be  
 132 delegated.

133  
 134 1.2—Method of Registration

135 (1) Each person who is required to register must register  
 136 on forms furnished by the Lobbyist Registration Office, on which  
 137 that person must state, under oath, that person's full legal  
 138 name, business address, and telephone number, the name and  
 139 business address of each principal that person represents, and

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140 the extent of any direct business association or partnership  
141 that person has with any member of the Legislature. In addition,  
142 if the lobbyist is a partner, owner, officer, or employee of a  
143 lobbying firm, the lobbyist must state the name, address, and  
144 telephone number of each lobbying firm to which the lobbyist  
145 belongs. The Lobbyist Registration Office or its designee is  
146 authorized to acknowledge the oath of any person who registers  
147 in person. Any changes to the information provided in the  
148 registration form must be reported to the Lobbyist Registration  
149 Office in writing within 15 days on forms furnished by the  
150 Lobbyist Registration Office.

151 (2) Any person required to register must do so with  
152 respect to each principal prior to commencement of lobbying on  
153 behalf of that principal. At the time of registration, the  
154 registrant shall provide a statement on a form provided by the  
155 Lobbyist Registration Office, signed by the principal or  
156 principal's representative, that the registrant is authorized to  
157 represent the principal. On the authorization statement, the  
158 principal or principal's representative shall also identify and  
159 designate the principal's main business pursuant to a  
160 classification system approved by the Office of Legislative  
161 Services that shall be the North American Industry  
162 Classification System (NAICS) six-digit numerical code that most  
163 accurately describes the principal's main business.

164 (3) Any person required to register must renew the  
165 registration annually for each calendar year.

166 (4) A lobbyist shall promptly send a notice to the  
167 Lobbyist Registration Office, on forms furnished by the Lobbyist

168 Registration Office, canceling the registration for a principal  
 169 upon termination of the lobbyist's representation of that  
 170 principal. A notice of cancellation takes effect the day it is  
 171 received by the Lobbyist Registration Office. Notwithstanding  
 172 this requirement, the Lobbyist Registration Office may remove  
 173 the name of a lobbyist from the list of registered lobbyists if  
 174 the principal notifies the Lobbyist Registration Office that the  
 175 lobbyist is no longer authorized to represent that principal.

176 (5) The Lobbyist Registration Office shall retain all  
 177 original registration documents submitted under this rule.

178 (6) A person who is required to register under Joint Rule  
 179 One, or who chooses to register, shall be considered a lobbyist  
 180 of the Legislature for the purposes of ss. 11.045, 112.3148, and  
 181 112.3149, Florida Statutes.

182  
 183 1.3—Registration Costs; Exemptions

184 (1) To cover the costs incurred in administering Joint  
 185 Rule One, each person who registers under Joint Rule 1.1 must  
 186 pay an annual registration fee to the Lobbyist Registration  
 187 Office. The annual period runs from January 1 to December 31.  
 188 These fees must be paid at the time of registration.

189 (2) The following persons are exempt from paying the fee,  
 190 provided they are designated in writing by the agency head or  
 191 person designated in this subsection:

192 (a) Two employees of each department of the executive  
 193 branch created under chapter 20, Florida Statutes.

194 (b) Two employees of the Fish and Wildlife Conservation  
 195 Commission.

196 (c) Two employees of the Executive Office of the Governor.

197 (d) Two employees of the Commission on Ethics.

198 (e) Two employees of the Florida Public Service  
199 Commission.

200 (f) Two employees of the judicial branch designated in  
201 writing by the Chief Justice of the Florida Supreme Court.

202 (3) The annual fee is up to \$50 per each house for a  
203 person to register to represent one principal and up to an  
204 additional \$10 per house for each additional principal that the  
205 person registers to represent. The amount of each fee shall be  
206 established annually by the President of the Senate and the  
207 Speaker of the House of Representatives. The fees set shall be  
208 adequate to ensure operation of the lobbyist registration and  
209 reporting operations of the Lobbyist Registration Office. The  
210 fees collected by the Lobbyist Registration Office under this  
211 rule shall be deposited in the State Treasury and credited to  
212 the Legislative Lobbyist Registration Trust Fund specifically to  
213 cover the costs incurred in administering Joint Rule One.

214

215 1.4-Reporting of Lobbying Firm Compensation

216 (1) (a) Each lobbying firm shall file a compensation report  
217 with the division for each calendar quarter during any portion  
218 of which one or more of the firm's lobbyists were registered to  
219 represent a principal. The report shall include the:

220 1. Full name, business address, and telephone number of  
221 the lobbying firm;

222 2. Registration name of each of the firm's lobbyists; and



223 3. Total compensation provided or owed to the lobbying  
 224 firm from all principals for the reporting period, reported in  
 225 one of the following categories: \$0; \$1 to \$49,999; \$50,000 to  
 226 \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999; \$500,000 to  
 227 \$999,999; or \$1 million or more.

228 (b) For each principal represented by one or more of the  
 229 firm's lobbyists, the lobbying firm's compensation report shall  
 230 also include the:

231 1. Full name, business address, and telephone number of  
 232 the principal; and

233 2. Total compensation provided or owed to the lobbying  
 234 firm for the reporting period, reported in one of the following  
 235 categories: \$0; \$1 to \$9,999; \$10,000 to \$19,999; \$20,000 to  
 236 \$29,999; \$30,000 to \$39,999; \$40,000 to \$49,999; or \$50,000 or  
 237 more. If the category "\$50,000 or more" is selected, the  
 238 specific dollar amount of compensation must be reported, rounded  
 239 up or down to the nearest \$1,000.

240 (c) If the lobbying firm subcontracts work from another  
 241 lobbying firm and not from the original principal:

242 1. The lobbying firm providing the work to be  
 243 subcontracted shall be treated as the reporting lobbying firm's  
 244 principal for reporting purposes under this paragraph; and

245 2. The reporting lobbying firm shall, for each lobbying  
 246 firm identified as the reporting lobbying firm's principal under  
 247 paragraph (b), identify the name and address of the principal  
 248 originating the lobbying work.

249 (d) The senior partner, officer, or owner of the lobbying  
 250 firm shall certify to the veracity and completeness of the

251 information submitted pursuant to this rule; certify that no  
 252 compensation has been omitted from this report by deeming such  
 253 compensation as "consulting services," "media services,"  
 254 "professional services," or anything other than compensation;  
 255 and certify that no officer or employee of the firm has made an  
 256 expenditure in violation of s. 11.045, Florida Statutes, as  
 257 amended by chapter 2005-359, Laws of Florida.

258 (2) For each principal represented by more than one  
 259 lobbying firm, the division shall aggregate the reporting-period  
 260 and calendar-year compensation reported as provided or owed by  
 261 the principal. Compensation reported within a category shall be  
 262 aggregated as follows:

Category (dollars)	Dollar amount to use aggregating
0	\$ 0
1-9,999	5,000
10,000-19,999	15,000
20,000-29,999	25,000
30,000-39,999	35,000
40,000-49,999	45,000

\$50,000 or more	Actual amount reported
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271  
 272 (3) The reporting statements shall be filed no later than  
 273 45 days after the end of each reporting period. The four  
 274 reporting periods are from January 1 through March 31, April 1  
 275 through June 30, July 1 through September 30, and October 1  
 276 through December 31, respectively. The statements shall be  
 277 rendered in the identical form provided by the respective houses  
 278 and shall be open to public inspection. Reporting statements  
 279 shall be filed by electronic means through the electronic filing  
 280 system developed by the division, conforming to subsection (4).

281 (4) The electronic filing system for compensation  
 282 reporting shall include the following:

283 (a) As used in this rule, the term "electronic filing  
 284 system" means an Internet system for recording and reporting  
 285 lobbying compensation and other required information by  
 286 reporting period.

287 (b) A report filed pursuant to this rule must be completed  
 288 and filed through the electronic filing system not later than  
 289 11:59 p.m. of the day designated in subsection (3). A report not  
 290 filed by 11:59 p.m. of the day designated is a late-filed report  
 291 and is subject to the penalties under Joint Rule 1.5(1).

292 (c) Each person given secure sign-on credentials to file  
 293 via the electronic filing system is responsible for protecting  
 294 the credentials from disclosure and is responsible for all  
 295 filings made by use of such credentials, unless and until the  
 296 division is notified that the person's credentials have been  
 297 compromised. Each report filed by electronic means pursuant to

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298 | this rule shall be deemed certified in accordance with paragraph  
299 | (1)(d) by the person given the secure sign-on credentials and,  
300 | as such, subjects the person and the lobbying firm to the  
301 | provisions of s. 11.045(8), Florida Statutes, as well as any  
302 | discipline provided under the rules of the Senate or House of  
303 | Representatives.

304 | (d) The electronic filing system shall:

- 305 | 1. Be based on access by means of the Internet.
- 306 | 2. Be accessible by anyone with Internet access using  
307 | standard web-browsing software.
- 308 | 3. Provide for direct entry of compensation-report  
309 | information as well as upload of such information from software  
310 | authorized by the division.
- 311 | 4. Provide a method that prevents unauthorized access to  
312 | electronic filing system functions.
- 313 | 5. Provide for the issuance of an electronic receipt to  
314 | the person submitting the report indicating and verifying the  
315 | date and time that the report was filed.

316 | (5) The division shall provide reasonable public notice of  
317 | the electronic filing procedures and of any significant changes  
318 | in such procedures. If, whenever they deem it necessary, the  
319 | President of the Senate and the Speaker of the House of  
320 | Representatives jointly declare the electronic system not to be  
321 | operable, the reports shall be filed in the manner required  
322 | prior to April 1, 2007, as provided by House Concurrent  
323 | Resolution 7011 (2007), enrolled, unless the President of the  
324 | Senate and the Speaker of the House of Representatives direct  
325 | use of an alternate means of reporting. The division shall

326 develop and maintain such alternative means as may be  
 327 practicable. Public notice of changes in filing procedures and  
 328 any declaration or direction of the President of the Senate and  
 329 the Speaker of the House of Representatives may be provided by  
 330 publication for a continuous period of reasonable time on one or  
 331 more Internet websites maintained by the Senate and the House of  
 332 Representatives.

333  
 334 1.5-Failure to File Timely Compensation Report; Notice and  
 335 Assessment of Fines; Appeals

336 (1) Upon determining that the report is late, the person  
 337 designated to review the timeliness of reports shall immediately  
 338 notify the lobbying firm as to the failure to timely file the  
 339 report and that a fine is being assessed for each late day. The  
 340 fine shall be \$50 per day per report for each late day, not to  
 341 exceed \$5,000 per report.

342 (2) Upon receipt of the report, the person designated to  
 343 review the timeliness of reports shall determine the amount of  
 344 the fine based on when the report is actually received by the  
 345 division or when the electronic receipt issued by the electronic  
 346 filing system is dated, whichever is earlier.

347 (3) Such fine shall be paid within 30 days after the  
 348 notice of payment due is transmitted by the person designated to  
 349 review the timeliness of reports, unless appeal is made to the  
 350 division. The moneys shall be deposited into the Legislative  
 351 Lobbyist Registration Trust Fund.

352 (4) A fine shall not be assessed against a lobbying firm  
 353 the first time the report for which the lobbying firm is

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354 responsible is not timely filed. However, to receive the one-  
355 time fine waiver, the report for which the lobbying firm is  
356 responsible must be filed within 30 days after notice that the  
357 report has not been timely filed is transmitted by the person  
358 designated to review the timeliness of reports. A fine shall be  
359 assessed for any subsequent late-filed reports.

360 (5) Any lobbying firm may appeal or dispute a fine, based  
361 upon unusual circumstances surrounding the failure to file on  
362 the designated due date, and may request and shall be entitled  
363 to a hearing before the General Counsel of the Office of  
364 Legislative Services, who shall recommend to the President of  
365 the Senate and the Speaker of the House of Representatives, or  
366 their respective designees, that the fine be waived in whole or  
367 in part for good cause shown. The President of the Senate and  
368 the Speaker of the House of Representatives, or their respective  
369 designees, may by joint agreement concur in the recommendation  
370 and waive the fine in whole or in part. Any such request shall  
371 be made within 30 days after the notice of payment due is  
372 transmitted by the person designated to review the timeliness of  
373 reports. In such case, the lobbying firm shall, within the 30-  
374 day period, notify the person designated to review the  
375 timeliness of reports in writing of his or her intention to  
376 request a hearing.

377 (6) A lobbying firm may request that the filing of a  
378 report be waived upon good cause shown, based on unusual  
379 circumstances. The request must be filed with the General  
380 Counsel of the Office of Legislative Services, who shall make a  
381 recommendation concerning the waiver request to the President of

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382 the Senate and the Speaker of the House of Representatives. The  
383 President of the Senate and the Speaker of the House of  
384 Representatives may, by joint agreement, grant or deny the  
385 request.

386 (7) (a) All lobbyist registrations for lobbyists who are  
387 partners, owners, officers, or employees of a lobbying firm that  
388 fails to timely pay a fine are automatically suspended until the  
389 fine is paid or waived and all late reports have been filed or  
390 waived. The division shall promptly notify all affected  
391 principals, the President of the Senate, and the Speaker of the  
392 House of Representatives of any suspension or reinstatement. All  
393 lobbyists who are partners, owners, officers, or employees of a  
394 lobbying firm are jointly and severally liable for any  
395 outstanding fine owed by a lobbying firm.

396 (b) No such lobbyist may be reinstated in any capacity  
397 representing any principal until the fine is paid and all late  
398 reports have been filed or waived or until the fine is waived as  
399 to that lobbyist and all late reports for that lobbyist have  
400 been filed or waived. A suspended lobbyist may request a waiver  
401 upon good cause shown, based on unusual circumstances. The  
402 request must be filed with the General Counsel of the Office of  
403 Legislative Services who shall, as soon as practicable, make a  
404 recommendation concerning the waiver request to the President of  
405 the Senate and the Speaker of the House of Representatives. The  
406 President of the Senate and the Speaker of the House of  
407 Representatives may, by joint agreement, grant or deny the  
408 request.

409 (8) The person designated to review the timeliness of  
 410 reports shall notify the director of the division of the failure  
 411 of a lobbying firm to file a report after notice or of the  
 412 failure of a lobbying firm to pay the fine imposed.

413  
 414 1.6—Open Records; Internet Publication of Registrations and  
 415 Compensation Reports

416 (1) All of the lobbyist registration forms and  
 417 compensation reports received by the Lobbyist Registration  
 418 Office shall be available for public inspection and for  
 419 duplication at reasonable cost.

420 (2) The division shall make information filed pursuant to  
 421 Joint Rules 1.2 and 1.4 reasonably available on the Internet in  
 422 an easily understandable and accessible format. The Internet  
 423 website shall include, but not be limited to, the names and  
 424 business addresses of lobbyists, lobbying firms, and principals,  
 425 the affiliations between lobbyists and principals, and the  
 426 classification system designated and identified with respect to  
 427 principals pursuant to Joint Rule 1.2.

428  
 429 1.7—Records Retention and Inspection and Complaint Procedure

430 (1) Each lobbying firm and each principal shall preserve  
 431 for a period of 4 years all accounts, bills, receipts, computer  
 432 records, books, papers, and other documents and records  
 433 necessary to substantiate compensation reports.

434 (2) Upon receipt of a complaint based upon the personal  
 435 knowledge of the complainant made pursuant to the Senate Rules  
 436 or Rules of the House of Representatives, any such documents and



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437 records may be inspected when authorized by the President of the  
438 Senate or the Speaker of the House of Representatives, as  
439 applicable. The person authorized to perform the inspection  
440 shall be designated in writing and shall be a member of The  
441 Florida Bar or a certified public accountant licensed in  
442 Florida. Any information obtained by such an inspection may only  
443 be used for purposes authorized by law, this Joint Rule One,  
444 Senate Rules, or Rules of the House of Representatives, which  
445 purposes may include the imposition of sanctions against a  
446 person subject to Joint Rule One, the Senate Rules, or the Rules  
447 of the House of Representatives. Any employee who uses that  
448 information for an unauthorized purpose is subject to  
449 discipline. Any member who uses that information for an  
450 unauthorized purpose is subject to discipline under the  
451 applicable rules of each house.

452 (3) The right of inspection may be enforced by appropriate  
453 writ issued by any court of competent jurisdiction.

454

455 1.8-Questions Regarding Interpretation of this Joint Rule One

456 (1) A person may request in writing an informal opinion  
457 from the General Counsel of the Office of Legislative Services  
458 as to the application of this Joint Rule One to a specific  
459 situation involving that person's conduct. The General Counsel  
460 shall issue the opinion within 10 days after receiving the  
461 request. The informal opinion may be relied upon by the person  
462 who requested the informal opinion. A copy of each informal  
463 opinion that is issued shall be provided to the presiding  
464 officer of each house. A committee of either house designated

465 pursuant to s. 11.045(5), Florida Statutes, may revise any  
 466 informal opinion rendered by the General Counsel through an  
 467 advisory opinion to the person who requested the informal  
 468 opinion. The advisory opinion shall supersede the informal  
 469 opinion as of the date the advisory opinion is issued.

470 (2) A person in doubt about the applicability or  
 471 interpretation of this Joint Rule One with respect to that  
 472 person's conduct may submit in writing the facts for an advisory  
 473 opinion to the committee of either house designated pursuant to  
 474 section 11.045(5), Florida Statutes, and may appear in person  
 475 before the committee in accordance with s. 11.045(5), Florida  
 476 Statutes.

477  
 478 1.9—Effect of Readoption and Revision  
 479 All obligations existing under Joint Rule One as of the last day  
 480 of the previous legislative biennium are hereby ratified,  
 481 preserved, and reimposed pursuant to the terms thereof as of  
 482 that date. The provisions of Joint Rule One are imposed  
 483 retroactively to the first day of the present legislative  
 484 biennium except that provisions new to this revision are  
 485 effective on the date of adoption or as otherwise expressly  
 486 provided herein.

487  
 488 Joint Rule Two—General Appropriations Review Period  
 489

490 2.1—General Appropriations and Related Bills; Review Periods

491 (1) A general appropriations bill shall be subject to a  
 492 72-hour public review period before a vote is taken on final

493 | passage of the bill in the form that will be presented to the  
 494 | Governor.

495 |       (2) If a bill is returned to the house in which the bill  
 496 | originated and the originating house does not concur in all the  
 497 | amendments or adds additional amendments, no further action  
 498 | shall be taken on the bill by the nonoriginating house, and a  
 499 | conference committee shall be established by operation of this  
 500 | rule to consider the bill.

501 |       (3) If a bill is referred to a conference committee by  
 502 | operation of this rule, a 72-hour public review period shall be  
 503 | provided prior to a vote being taken on the conference committee  
 504 | report by either house.

505 |       (4) A copy of the bill, a copy of the bill with amendments  
 506 | adopted by the nonoriginating house, or the conference committee  
 507 | report shall be furnished to each member of the Legislature, the  
 508 | Governor, the Chief Justice of the Supreme Court, and each  
 509 | member of the Cabinet. Copies for the Governor, Chief Justice,  
 510 | and members of the Cabinet shall be furnished to the official's  
 511 | office in the Capitol or Supreme Court Building.

512 |       (5) (a) Copies required to be furnished under subsection  
 513 | (4) shall be furnished to members of the Legislature as follows:

514 |       1. A printed copy may be placed on each member's desk in  
 515 | the appropriate chamber; or

516 |       2. An electronic copy may be furnished to each member. The  
 517 | Legislature hereby deems and determines that a copy shall have  
 518 | been furnished to the members of the Legislature when an  
 519 | electronic copy is made available to every member of the  
 520 | Legislature. An electronic copy is deemed to have been made

521 available when it is accessible via the Internet or other  
 522 information network consisting of systems ordinarily serving the  
 523 members of the Senate or the House of Representatives.

524 (b) An official other than a member of the Legislature who  
 525 is to be furnished a copy of a general appropriations bill under  
 526 subsection (4) may officially request that an electronic copy of  
 527 the bill be furnished in lieu of a printed copy, and, if  
 528 practicable, the copy may be furnished to the official in the  
 529 manner requested.

530 (6) The Secretary of the Senate shall be responsible for  
 531 furnishing copies under this rule for Senate bills, House bills  
 532 as amended by the Senate, and conference committee reports on  
 533 Senate bills. The Clerk of the House shall be responsible for  
 534 furnishing copies under this rule for House bills, Senate bills  
 535 as amended by the House, and conference committee reports on  
 536 House bills.

537 (7) The 72-hour public review period shall begin to run  
 538 upon completion of the furnishing of copies required to be  
 539 furnished under subsection (4). The Speaker of the House of  
 540 Representatives and the President of the Senate, as appropriate,  
 541 shall be informed of the completion time, and such time shall be  
 542 announced on the floor prior to vote on final passage in each  
 543 house and shall be entered in the journal of each house.  
 544 Saturdays, Sundays, and holidays shall be included in the  
 545 computation under this rule.

546 (8) An implementing or conforming bill recommended by a  
 547 conference committee shall be subject to a 24-hour public review  
 548 period before a vote is taken on the conference committee report

549 | by either house, if the conference committee submits its report  
 550 | after the furnishing of a general appropriations bill to which  
 551 | the 72-hour public review period applies.

552 |         (9) With respect to each bill that may be affected, a  
 553 | member of the Senate or the House of Representatives may not  
 554 | raise a point of order under this rule after a vote is taken on  
 555 | the bill. Except as may be required by the Florida Constitution,  
 556 | noncompliance with any requirement of this rule may be waived by  
 557 | a two-thirds vote of those members present and voting in each  
 558 | house.

559 |

560 | 2.2-General Appropriations and Related Bills; Definitions

561 | As used in Joint Rule Two, the term:

562 |         (1) "Conforming bill" means a bill that amends the Florida  
 563 | Statutes to conform to a general appropriations bill.

564 |         (2) "General appropriations bill" means a bill that  
 565 | provides for the salaries of public officers and other current  
 566 | expenses of the state and contains no subject other than  
 567 | appropriations. A bill that contains appropriations that are  
 568 | incidental and necessary solely to implement a substantive law  
 569 | is not included within this term. For the purposes of Joint Rule  
 570 | Two and Section 19(d) of Article III of the Florida  
 571 | Constitution, the Legislature hereby determines that, after a  
 572 | general appropriations bill has been enacted and establishes  
 573 | governing law for a particular fiscal year, a bill considered in  
 574 | any subsequent session that makes net reductions in such enacted  
 575 | appropriations or that makes supplemental appropriations shall  
 576 | not be deemed to be a general appropriations bill unless such

577 bill provides for the salaries of public officers and other  
 578 current expenses of the state for a subsequent fiscal year.

579 (3) "Implementing bill" means a bill, effective for one  
 580 fiscal year, implementing a general appropriations bill.

581

582 Joint Rule Three—Joint Offices and Policies

583

584 3.1—Joint Legislative Offices

585 (1) The following offices of the Legislature are  
 586 established:

587 (a) Office of Economic and Demographic Research.

588 (b) Office of Legislative Information Technology Services.

589 (c) Office of Legislative Services.

590 (d) Office of Program Policy Analysis and Government  
 591 Accountability.

592 (2) Offices established under this rule shall provide  
 593 support services to the Legislature that are determined by the  
 594 President of the Senate and the Speaker of the House of  
 595 Representatives to be necessary and that can be effectively  
 596 provided jointly to both houses and other units of the  
 597 Legislature. Each office shall be directed by a coordinator  
 598 selected by and serving at the pleasure of the President of the  
 599 Senate and the Speaker of the House of Representatives. Upon the  
 600 initial adoption of these joint rules in a biennium, each  
 601 coordinator position shall be deemed vacant until an appointment  
 602 is made.

603 (3) Within the monetary limitations of the approved  
 604 operating budget, the salaries and expenses of the coordinator

605 and the staff of each office shall be governed by joint  
 606 policies.

607 (4) The Office of Legislative Services shall provide  
 608 legislative support services other than those prescribed in  
 609 subsections (5)-(7). The Division of Statutory Revision and the  
 610 Division of Legislative Information shall be two of the  
 611 divisions within the Office of Legislative Services.

612 (5) The Office of Legislative Information Technology  
 613 Services shall provide support services to assist the  
 614 Legislature in achieving its objectives through the application  
 615 of cost-effective information technology.

616 (6) The Office of Economic and Demographic Research shall  
 617 provide research support services, principally regarding  
 618 forecasting economic and social trends that affect policymaking,  
 619 revenues, and appropriations.

620 (7) The Office of Program Policy Analysis and Government  
 621 Accountability shall:

622 (a) Perform independent examinations, program reviews, and  
 623 other projects as provided by general law, as provided by  
 624 concurrent resolution, as directed by the Legislative Auditing  
 625 Committee, or as directed by the President of the Senate or the  
 626 Speaker of the House and shall provide recommendations,  
 627 training, or other services to assist the Legislature.

628 (b) Transmit to the President of the Senate and the  
 629 Speaker of the House of Representatives, by December 1 of each  
 630 year, a list of statutory and fiscal changes recommended by  
 631 office reports. The recommendations shall be presented in two  
 632 categories: one addressing substantive law and policy issues and

633 | the other addressing budget issues.

634

635 | 3.2—Joint Policies

636 |       (1) The President of the Senate and the Speaker of the  
 637 | House of Representatives shall jointly adopt policies they  
 638 | consider advisable to carry out the functions of the  
 639 | Legislature. Such policies shall be binding on all employees of  
 640 | joint offices and joint committees.

641 |       (2) The employees of all joint committees and joint  
 642 | legislative offices shall be under the exclusive control of the  
 643 | Legislature. No officer or agency in the executive or judicial  
 644 | branch shall exercise any manner of control over legislative  
 645 | employees with respect to the exercise of their duties or the  
 646 | terms and conditions of their employment.

647

648 |                               Joint Rule Four—Joint Committees

649

650 | 4.1—Standing Joint Committees

651 |       (1) The following standing joint committees are  
 652 | established:

653 |       (a) Administrative Procedures Committee.

654 |       (b) Committee on Public Counsel Oversight.

655 |       (c) Legislative Auditing Committee.

656 |       (2) No other joint committee shall exist except as agreed  
 657 | to by the presiding officers or by concurrent resolution  
 658 | approved by the Senate and the House of Representatives.

659 |       (3) Appointments to each standing joint committee shall be  
 660 | made or altered and vacancies shall be filled by the Senate and



661 the House of Representatives in accordance with their respective  
 662 rules. There shall be appointed to each standing joint committee  
 663 no fewer than five and no more than seven members from each  
 664 house.

665 (4) (a) The President of the Senate shall appoint a member  
 666 of the Senate to serve as the chair, and the Speaker of the  
 667 House of Representatives shall appoint a member of the House of  
 668 Representatives to serve as the vice chair for:

669 1. The Legislative Auditing Committee and the Committee on  
 670 Public Counsel Oversight, for the period from the Organization  
 671 Session until noon on December 1 of the calendar year following  
 672 the general election.

673 2. The Administrative Procedures Committee for the period  
 674 from noon on December 1 of the calendar year following the  
 675 general election until the next general election.

676 (b) The Speaker of the House of Representatives shall  
 677 appoint a member of the House of Representatives to serve as the  
 678 chair, and the President of the Senate shall appoint a member of  
 679 the Senate to serve as the vice chair for:

680 1. The Legislative Auditing Committee and the Committee on  
 681 Public Counsel Oversight, for the period from noon on December 1  
 682 of the calendar year following the general election until the  
 683 next general election.

684 2. The Administrative Procedures Committee for the period  
 685 from the Organization Session until noon on December 1 of the  
 686 calendar year following the general election.

687 (c) A vacancy in an appointed chair or vice chair shall be  
 688 filled in the same manner as the original appointment.

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4.2—Procedures in Joint Committees

The following rules shall govern procedures in joint committees other than conference committees:

(1) A quorum for a joint committee shall be a majority of the appointees of each house. No business of any type may be conducted in the absence of a quorum.

(2) (a) Joint committees shall meet only within the dates, times, and locations authorized by both the President of the Senate and the Speaker of the House of Representatives.

(b) Joint committee meetings shall meet at the call of the chair. In the absence of the chair, the vice chair shall assume the duty to convene and preside over meetings and such other duties as provided by law or joint rule. During a meeting properly convened, the presiding chair may temporarily assign the duty to preside at that meeting to another joint committee member until the assignment is relinquished or revoked.

(c) Before any joint committee may hold a meeting, a notice of such meeting shall be provided to the Secretary of the Senate and the Clerk of the House of Representatives no later than 4:30 p.m. of the 7th day before the meeting. For purposes of effecting notice to members of the house to which the chair does not belong, notice to the Secretary of the Senate shall be deemed notice to members of the Senate and notice to the Clerk of the House shall be deemed notice to members of the House of Representatives. Noticed meetings may be canceled by the chair with the approval of at least one presiding officer.

(d) If a majority of its members from each house agree, a

717 joint committee may continue a properly noticed meeting after  
 718 the expiration of the time called for the meeting. However, a  
 719 joint committee may not meet beyond the time authorized by the  
 720 presiding officers without special leave granted by both  
 721 presiding officers.

722 (3) The presiding officers shall interpret, apply, and  
 723 enforce rules governing joint committees by agreement when the  
 724 rule at issue is a joint rule. Unless otherwise determined or  
 725 overruled by an agreement of the presiding officers, the chair  
 726 shall determine all questions of order arising in joint  
 727 committee meetings, but such determinations may be appealed to  
 728 the committee during the meeting.

729 (4) Each question, including any appeal of a ruling of the  
 730 chair, shall be decided by a majority vote of the members of the  
 731 joint committee of each house present and voting.

732  
 733 4.3—Powers of Joint Committees

734 (1) A joint committee may exercise the subpoena powers  
 735 vested by law in a standing committee of the Legislature. A  
 736 subpoena issued under this rule must be approved and signed by  
 737 the President of the Senate and the Speaker of the House of  
 738 Representatives and attested by the Secretary of the Senate and  
 739 the Clerk of the House.

740 (2) A joint committee may adopt rules of procedure that do  
 741 not conflict with the Florida Constitution or any law or joint  
 742 rule, subject to the joint approval of the President of the  
 743 Senate and the Speaker of the House of Representatives.

744 (3) A joint committee may not create subcommittees or

745 workgroups unless authorized by both presiding officers.

746

747 4.4—Administration of Joint Committees

748 (1) Within the monetary limitations of the approved  
 749 operating budget, the expenses of the members and the salaries  
 750 and expenses of the staff of each joint committee shall be  
 751 governed by joint policies adopted under Joint Rule 3.2. Within  
 752 such operating budget, the chair of each joint committee shall  
 753 approve all authorized member expenses.

754 (2) Subject to joint policies adopted under Joint Rule  
 755 3.2, the presiding officers shall appoint and remove the staff  
 756 director and, if needed, a general counsel and any other staff  
 757 necessary to assist each joint committee. All joint committee  
 758 staff shall serve at the pleasure of the presiding officers.  
 759 Upon the initial adoption of these joint rules in a biennium,  
 760 each joint committee staff director position shall be deemed  
 761 vacant until an appointment is made.

762

763 4.5—Special Powers and Duties of the Legislative Auditing  
 764 Committee

765 (1) The Legislative Auditing Committee may direct the  
 766 Auditor General or the Office of Program Policy Analysis and  
 767 Government Accountability to conduct an audit, review, or  
 768 examination of any entity or record described in s. 11.45(2) or  
 769 (3), Florida Statutes.

770 (2) The Legislative Auditing Committee may receive  
 771 requests for audits and reviews from legislators and any audit  
 772 request, petition for audit, or other matter for investigation

773 | directed or referred to it pursuant to general law. The  
 774 | committee may make any appropriate disposition of such requests  
 775 | or referrals and shall, within a reasonable time, report to the  
 776 | requesting party the disposition of any audit request.

777 |         (3) The Legislative Auditing Committee may review the  
 778 | performance of the Auditor General and report thereon to the  
 779 | Senate and the House of Representatives.

780 |

781 | 4.6—Special Powers and Duties of the Administrative Procedures  
 782 | Committee

783 | The Administrative Procedures Committee shall:

784 |         (1) Maintain a continuous review of the statutory  
 785 | authority on which each administrative rule is based and,  
 786 | whenever such authority is eliminated or significantly changed  
 787 | by repeal, amendment, holding by a court of last resort, or  
 788 | other factor, advise the agency concerned of the fact.

789 |         (2) Maintain a continuous review of administrative rules  
 790 | and identify and request an agency to repeal any rule or any  
 791 | provision of any rule that reiterates or paraphrases any statute  
 792 | or for which the statutory authority has been repealed.

793 |         (3) Review administrative rules and advise the agencies  
 794 | concerned of its findings.

795 |         (4) Exercise the duties prescribed by chapter 120, Florida  
 796 | Statutes, concerning the adoption and promulgation of rules.

797 |         (5) Generally review agency action pursuant to the  
 798 | operation of chapter 120, Florida Statutes, the Administrative  
 799 | Procedure Act.

800 |         (6) Report to the President of the Senate and the Speaker

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801 of the House of Representatives at least annually, no later than  
802 the first week of the regular session, and recommend needed  
803 legislation or other appropriate action. Such report shall  
804 include the number of objections voted by the committee, the  
805 number of suspensions recommended by the committee, the number  
806 of administrative determinations filed on the invalidity of a  
807 proposed or existing rule, the number of petitions for judicial  
808 review filed on the invalidity of a proposed or existing rule,  
809 and the outcomes of such actions. Such report shall also include  
810 any recommendations provided to the standing committees during  
811 the preceding year under subsection (11).

812 (7) Consult regularly with legislative standing committees  
813 that have jurisdiction over the subject areas addressed in  
814 agency proposed rules regarding legislative authority for the  
815 proposed rules and other matters relating to legislative  
816 authority for agency action.

817 (8) Subject to the approval of the President of the Senate  
818 and the Speaker of the House of Representatives, have standing  
819 to seek judicial review, on behalf of the Legislature or the  
820 citizens of this state, of the validity or invalidity of any  
821 administrative rule to which the committee has voted an  
822 objection and that has not been withdrawn, modified, repealed,  
823 or amended to meet the objection. Judicial review under this  
824 subsection may not be initiated until the Governor and the head  
825 of the agency making the rule to which the committee has  
826 objected have been notified of the committee's proposed action  
827 and have been given a reasonable opportunity, not to exceed 60  
828 days, for consultation with the committee. The committee may

829 | expend public funds from its appropriation for the purpose of  
 830 | seeking judicial review.

831 |         (9) Maintain a continuous review of the administrative  
 832 | rulemaking process, including a review of agency procedure and  
 833 | of complaints based on such agency procedure.

834 |         (10) Establish measurement criteria to evaluate whether  
 835 | agencies are complying with the delegation of legislative  
 836 | authority in adopting and implementing rules.

837 |         (11) Maintain a continuous review of statutes that  
 838 | authorize agencies to adopt rules and shall make recommendations  
 839 | to the appropriate standing committees of the Senate and the  
 840 | House of Representatives as to the advisability of considering  
 841 | changes to the delegated legislative authority to adopt rules in  
 842 | specific circumstances.

843 |  
 844 | 4.7—Special Powers and Duties of the Committee on Public Counsel  
 845 | Oversight

846 |         (1) The Committee on Public Counsel Oversight shall  
 847 | appoint a Public Counsel.

848 |         (2) The Committee on Public Counsel Oversight may file a  
 849 | complaint with the Commission on Ethics alleging a violation of  
 850 | chapter 350, Florida Statutes, by a current or former public  
 851 | service commissioner, an employee of the Public Service  
 852 | Commission, or a member of the Public Service Commission  
 853 | Nominating Council.

854 |         (3) Notwithstanding Joint Rule 4.4(2), the Committee on  
 855 | Public Counsel Oversight shall not have any permanent staff but  
 856 | shall be served as needed by other legislative staff selected by

857 | the President of the Senate and the Speaker of the House of  
 858 | Representatives.

859 |

860 | Joint Rule Five—Auditor General

861 |

862 | 5.1—Rulemaking Authority

863 | The Auditor General shall make and enforce reasonable rules and  
 864 | regulations necessary to facilitate audits that he or she is  
 865 | authorized to perform.

866 |

867 | 5.2—Budget and Accounting

868 | (1) The Auditor General shall prepare and submit annually  
 869 | to the President of the Senate and the Speaker of the House of  
 870 | Representatives for their joint approval a proposed budget for  
 871 | the ensuing fiscal year.

872 | (2) Within the limitations of the approved operating  
 873 | budget, the salaries and expenses of the Auditor General and the  
 874 | staff of the Auditor General shall be paid from the  
 875 | appropriation for legislative expenses or any other moneys  
 876 | appropriated by the Legislature for that purpose. The Auditor  
 877 | General shall approve all bills for salaries and expenses for  
 878 | his or her staff before the same shall be paid.

879 |

880 | 5.3—Audit Report Distribution

881 | (1) A copy of each audit report shall be submitted to the  
 882 | Governor, to the Chief Financial Officer, and to the officer or  
 883 | person in charge of the state agency or political subdivision  
 884 | audited. One copy shall be filed as a permanent public record in



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885 the office of the Auditor General. In the case of county  
886 reports, one copy of the report of each county office, school  
887 district, or other district audited shall be submitted to the  
888 board of county commissioners of the county in which the audit  
889 was made and shall be filed in the office of the clerk of the  
890 circuit court of that county as a public record. When an audit  
891 is made of the records of the district school board, a copy of  
892 the audit report shall also be filed with the district school  
893 board, and thereupon such report shall become a part of the  
894 public records of such board.

895 (2) A copy of each audit report shall be made available to  
896 each member of the Legislative Auditing Committee.

897 (3) The Auditor General shall transmit a copy of each  
898 audit report to the appropriate substantive and fiscal  
899 committees of the Senate and House of Representatives.

900 (4) Other copies may be furnished to other persons who, in  
901 the opinion of the Auditor General, are directly interested in  
902 the audit or who have a duty to perform in connection therewith.

903 (5) The Auditor General shall transmit to the President of  
904 the Senate and the Speaker of the House of Representatives, by  
905 December 1 of each year, a list of statutory and fiscal changes  
906 recommended by audit reports. The recommendations shall be  
907 presented in two categories: one addressing substantive law and  
908 policy issues and the other addressing budget issues. The  
909 Auditor General may also transmit recommendations at other times  
910 of the year when the information would be timely and useful for  
911 the Legislature.

912 (6) A copy required to be provided under this rule may be  
 913 provided in an electronic or other digital format if the Auditor  
 914 General determines that the intended recipient has appropriate  
 915 resources to review the copy. Copies to members, committees, and  
 916 offices of the Legislature shall be provided in electronic  
 917 format as may be provided in joint policies adopted under Joint  
 918 Rule 3.2.

919  
 920 Joint Rule Six—Joint Legislative Budget Commission

921  
 922 6.1—General Responsibilities

923 (1) The commission, as provided in chapter 216, Florida  
 924 Statutes, shall receive and review notices of budget and  
 925 personnel actions taken or proposed to be taken by the executive  
 926 and judicial branches and shall approve or disapprove such  
 927 actions.

928 (2) Through its chair, the commission shall advise the  
 929 Governor and the Chief Justice of actions or proposed actions  
 930 that exceed delegated authority or that are contrary to  
 931 legislative policy and intent.

932 (3) To the extent possible, the commission shall inform  
 933 members of the Legislature of budget amendments requested by the  
 934 executive or judicial branches.

935 (4) The commission shall consult with the Chief Financial  
 936 Officer and the Executive Office of the Governor on matters as  
 937 required by chapter 216, Florida Statutes.

938 (5) The President of the Senate and the Speaker of the  
 939 House of Representatives may jointly assign other

940 | responsibilities to the commission in addition to those assigned  
 941 | by law.

942 |         (6) The commission shall develop policies and procedures  
 943 | necessary to carry out its assigned responsibilities, subject to  
 944 | the joint approval of the President of the Senate and the  
 945 | Speaker of the House of Representatives.

946 |         (7) The commission, with the approval of the President of  
 947 | the Senate and the Speaker of the House of Representatives, may  
 948 | appoint subcommittees as necessary to facilitate its work.

949 |

950 | 6.2—Organizational Structure

951 |         (1) The commission is not subject to Joint Rule Four. The  
 952 | commission shall be composed of seven members of the Senate  
 953 | appointed by the President of the Senate and seven members of  
 954 | the House of Representatives appointed by the Speaker of the  
 955 | House of Representatives.

956 |         (2) The commission shall be jointly staffed by the  
 957 | appropriations committees of both houses. The Senate shall  
 958 | provide the lead staff when the chair of the commission is a  
 959 | member of the Senate. The House of Representatives shall provide  
 960 | the lead staff when the chair of the commission is a member of  
 961 | the House of Representatives.

962 |

963 | 6.3—Notice of Commission Meetings

964 | Not less than 7 days prior to a meeting of the commission, a  
 965 | notice of the meeting, stating the items to be considered, date,  
 966 | time, and place, shall be filed with the Secretary of the Senate  
 967 | when the chair of the commission is a member of the Senate or

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968 | with the Clerk of the House when the chair of the commission is  
969 | a member of the House of Representatives. The Secretary of the  
970 | Senate or the Clerk of the House shall distribute notice to the  
971 | Legislature and the public, consistent with the rules and  
972 | policies of their respective houses.

973

974 | 6.4—Effect of Adoption; Intent

975 | This Joint Rule Six replaces all prior joint rules governing the  
976 | Joint Legislative Budget Commission and is intended to implement  
977 | constitutional provisions relating to the Joint Legislative  
978 | Budget Commission existing as of the date of the rule's  
979 | adoption.