

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2017

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February 16, 2017

1 A HOUSE RESOLUTION ADOPTING THE PERMANENT 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 permanent rules of the Regular Session of the House of  
5 Representatives of the 2017 General Assembly are:

6 **PERMANENT 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 10  
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.



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

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

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

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

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

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

## 43           **II. Conduct of Debate**

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

1 on concurrence, and then not longer than 10 minutes for the first speech and five minutes for the  
2 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, to divide the question, or to make a particular amendment, being decided, shall be again  
10 allowed at the same 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 15.1. Motion to adjourn or stand in recess; standard stipulations.** – A  
17 motion to adjourn or stand in recess subject to the standard stipulations shall constitute a motion to  
18 adjourn or stand in recess subject to the ratification of bills, messages from the Senate, committee  
19 reports, conference reports, referral and re-referral of bills and resolutions, appointment of  
20 conferees, introduction of bills and resolutions, committee appointments, and the reading of  
21 Representative Statements.

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

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

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

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

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

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

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

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

- 51 (1) A vote upon a motion to table,

1 (2) A motion to postpone indefinitely,  
2 (3) A motion to remove a bill from the unfavorable calendar,  
3 (4) A motion that a bill be read twice on the same day, or  
4 (5) A motion to remove from the table.  
5 (c) A motion to reconsider the vote by which a person has been elected as Speaker  
6 or Speaker Pro Tempore shall not be in order. This subsection of this rule cannot be suspended  
7 except by a vote of three-fifths of all the members of the House.

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

- 9 (1) The Chair of the Committee on Rules, Calendar, and Operations of the House;  
10 (1a) The Vice-Chair of the Committee on Rules, Calendar, and Operations of the  
11 House if the Chair is not in the chamber or able to participate in debate;  
12 (2) The Majority Leader;  
13 (3) The member submitting the report on the bill or other matter under  
14 consideration;  
15 (4) The member introducing the bill or other matter under consideration;  
16 (5) The member in charge of the measure, who shall be designated by the chair of  
17 the standing committee reporting the same to the House at the time the bill or  
18 other matter under consideration is reported to the House or taken up for  
19 consideration.  
20 (b) When the call for the previous question has been decided in the affirmative by a  
21 majority vote of the House, the question is on the passage of the bill, resolution, or other matter  
22 under consideration.  
23 (c) The call for the previous question shall preclude all motions, amendments, and  
24 debate, except the motion to adjourn, motion to recess, or motion to table.  
25 (d) If the previous question is decided in the negative, the question remains under  
26 debate.  
27 (e) After the previous question is ordered by the House on the main question of  
28 second or third reading, the Majority Leader and the Minority Leader may each allocate three  
29 minutes of debate on the question. The Majority Leader and the Minority Leader may each  
30 designate another member to act under this subsection.

#### 31 **IV. Voting**

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

- 35 (1) The passage as required by Article II, Section 23 of the North Carolina  
36 Constitution on second and third readings of any bill:  
37 a. Raising money on the credit of the State,  
38 b. Pledging the faith of the State for the payment of a debt,  
39 c. Imposing a State tax, or  
40 d. Authorizing a county, municipality, or other local governmental unit to:  
41 1. Raise money on its credit,  
42 2. Pledge its faith for the payment of a debt, or  
43 3. Impose a local tax.  
44 (2) All questions on which a call for the ayes and noes under Rule 24(a) and Article  
45 II, Section 19 of the North Carolina Constitution has been sustained.  
46 (3) Both second and third readings of bills proposing amendment of the North  
47 Carolina Constitution or ratifying resolutions amending the United States  
48 Constitution.  
49 (4) The passage of a bill notwithstanding the Governor's veto thereof pursuant to  
50 Article II, Section 22 of the North Carolina Constitution.  
51 (b) Votes on the following questions shall be taken on the electronic voting system:

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

1 (11) To concur or not concur.

2 (12) Miscellaneous.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 **RULE 24.1B. Division of Amendments and Questions.** – (a) Any member may call  
46 for an amendment to be divided into two or more amendments to be voted on separately. The  
47 motion shall be in writing, must be submitted to the Principal Clerk at the time the motion is  
48 made, and must clearly state how the question is to be divided. The Speaker shall determine  
49 whether the amendment admits of such a division. Upon a majority vote of the members present  
50 and voting, the motion shall be adopted and the body shall debate and vote each amendment  
51 separately.



1 (b) Any member may call for a bill to be divided into two or more propositions to  
2 be voted on separately provided the bill is subject to division into separate parts so that each part  
3 states a separate and distinct proposition capable of standing alone. The motion shall be in writing,  
4 must be submitted to the Principal Clerk at the time the motion is made, and must clearly state  
5 how the question is to be divided. The Speaker shall then determine whether the bill admits of  
6 such a division. Upon a majority vote of the members present and voting, the motion shall be  
7 adopted and there shall be no further amendment or debate as to further division of the distinct  
8 propositions. If the question is divided, the body shall debate and vote each proposition separately.  
9 If any proposition fails, the bill shall be removed from the calendar and re-referred to the  
10 committee from which the bill was reported. If all parts of the divided question pass, the Speaker  
11 shall announce that the entire measure has passed second or third reading.

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

#### 15 **V. Committees**

16 **RULE 26. Standing Committees Generally.** – (a) The Speaker shall appoint a chair,  
17 or cochair, of every standing committee and select committee, if any. In the construction of these  
18 rules, the word "chair" as applied to a committee, extends to and includes a cochair of the  
19 committee. The Speaker shall have the exclusive right and authority to establish select  
20 committees, but this does not exclude the right of the House by resolution to establish select  
21 committees.

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

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

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

29 (e) Up to two Chairs of the Appropriations Committee are entitled to vote in all  
30 other Appropriations Committees (Capital, Education, General Government, Health and Human  
31 Services, Information Technology, Justice and Public Safety, Agriculture and Natural and  
32 Economic Resources, and Transportation).

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

37 (g) In any joint meeting of the Senate and House committees, the House standing  
38 committee reserves the right to vote separately.

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

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

44 Aging

45 Agriculture

46 Alcoholic Beverage Control

47 Appropriations

1	Appropriations, Capital
2	Appropriations, Education
3	Appropriations, General Government
4	Appropriations, Health and Human Services
5	Appropriations, Information Technology
6	Appropriations, Justice and Public Safety
7	Appropriations, Agriculture and Natural and Economic Resources
8	Appropriations, Transportation
9	
10	Banking
11	
12	Homelessness, Foster Care, and Dependency
13	
14	Commerce and
15	Job Development
16	
17	Education – K-12
18	
19	Education – Community Colleges
20	
21	Education – Universities
22	
23	Elections and Ethics Law
24	
25	Energy and Public Utilities
26	
27	Environment
28	
29	Ethics
30	
31	Finance
32	
33	Health
34	
35	Health Care Reform
36	
37	Homeland Security, Military, and
38	Veterans Affairs
39	
40	Insurance
41	
42	Judiciary I
43	
44	Judiciary II
45	
46	Judiciary III
47	
48	Judiciary IV
49	
50	Pensions and Retirement
51	

1 Regulatory Reform

2

3 Rules, Calendar, and  
4 Operations of the House

5

6 State and Local Government I

7

8 State and Local Government II

9

10 State Personnel

11

12 Transportation

13

14 University Board of Governors Nominating

15

16 Wildlife Resources

17

18 **RULE 28. Standing Committee Meetings.** – (a) Standing committees shall be  
19 furnished with suitable meeting places pursuant to a schedule established by the Chair of the  
20 Standing Committee on Rules, Calendar, and Operations of the House. Select committees shall be  
21 furnished with suitable meeting places as their needs require by the Chair of the Standing  
22 Committee on Rules, Calendar, and Operations of the House.

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

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

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

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

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

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

49 (1) 15 minutes preceding a regular session of the House, and

50 (2) 10 minutes preceding the hour of the next regularly scheduled standing  
committee meeting.

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

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

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

11 **RULE 28.1. Ethics Committee Investigations Into Violations of the Open Meetings**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## 28 **VI. Handling of Bills**

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

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

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

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

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

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

49 (g) All memorializing, celebration, commendation, and commemoration  
50 resolutions, except those honoring the memory of deceased persons, shall be excluded from  
51 introduction and consideration in the House. The mention of a deceased person as a pretext to

1 honor an institution or a living person is prohibited. Members should utilize a "Representative  
2 Statement of Personal Privilege," as provided in Rule 8.1, as the preferred alternative to House  
3 simple resolutions that memorialize, celebrate, commend, and commemorate, other than for those  
4 relating to deceased members of the General Assembly.

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

7 **RULE 31.1. Deadlines on Introduction and Receipt; No Blank Bills; 15 Bill Limit.**

8 – (a) All local bills must be submitted to the Bill Drafting Division of the Legislative Services  
9 Office by 4:00 P.M. on Wednesday, March 15, 2017, and must be introduced not later than 3:00  
10 P.M. on Wednesday, March 29, 2017.

11 (b) All public bills or resolutions recommended by commissions or standing  
12 committees authorized or directed by act or resolution of the General Assembly (i) to report to the  
13 2017 Regular Session of the General Assembly, or to report prior to convening of that session, or  
14 (ii) which are recommended to the 2017 Regular Session of the General Assembly by a  
15 commission or committee established directly by Chapter 120 of the General Statutes, must have  
16 been submitted to the Bill Drafting Division of the Legislative Services Office by 4:00 P.M. on  
17 Tuesday, February 21, 2017, and must be introduced not later than 3:00 P.M. on Wednesday,  
18 March 1, 2017.

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

24 (d) All public bills that would not be required to be re-referred to the  
25 Appropriations or Finance Committees under Rule 38 and all joint resolutions and House  
26 resolutions must be submitted to the Bill Drafting Division of the Legislative Services Office by  
27 4:00 P.M. on Thursday, March 23, 2017, and must be introduced not later than 3:00 P.M. on  
28 Tuesday, April 11, 2017.

29 (e) All public bills which under Rule 38 are required to be re-referred to either or  
30 both of the Appropriations Committee or the Finance Committee must be submitted to the Bill  
31 Drafting Division of the Legislative Services Office by 4:00 P.M. on Thursday, April 6, 2017, and  
32 must be introduced not later than 3:00 P.M. on Wednesday, April 25, 2017. If any bill is subject to  
33 the deadline under this subsection and the bill is amended so that all the provisions requiring  
34 referral to either or both of those committees under Rule 38 do not remain in the bill, it is not  
35 eligible for further consideration.

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

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

46 (h) In order to be eligible for consideration by the House during the first Regular  
47 Session, all Senate bills other than finance or appropriations bills that would be required to be  
48 re-referred to the Appropriations or Finance Committee under Rule 38 or adjournment resolutions  
49 must be received and read on the floor of the House as a message from the Senate no later than  
50 Thursday, April 27, 2017; provided that a message from the Senate received by the next legislative

1 day stating that a bill has passed its third reading and is being engrossed shall comply with the  
2 requirements of this subsection and provided that the Senate has a similar rule.

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

8 **RULE 32. Reference to Standing Committees; Serial Referrals.** – Each bill not  
9 introduced on the report of a standing committee shall immediately upon its first reading be  
10 referred by the Speaker to such standing committee or committee of the whole as the Speaker  
11 deems appropriate. The Speaker at the same time may order that, if the bill is reported with any  
12 favorable recommendation or without prejudice, it be re-referred automatically upon the  
13 committee report to another committee designated in the order. Each joint resolution or House  
14 resolution not introduced on the report of a standing committee shall immediately upon its first  
15 reading either be referred by the Speaker to a standing committee or be calendared on the date  
16 designated by the Speaker, as the Speaker deems appropriate.

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

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

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

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

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

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

35 **RULE 35.1. Municipal Incorporation Reports.** – Every legislative proposal  
36 introduced in the House or received in the House from the Senate proposing the incorporation of a  
37 municipality shall have attached to the jacket of the original bill at the time of its consideration on  
38 second or third readings by the House or by any committee of the House prior to a favorable  
39 report, a recommendation from the Municipal Incorporations Subcommittee of the Joint  
40 Legislative Committee on Local Government, established by Article 20 of Chapter 120 of the  
41 General Statutes. The recommendation of the Municipal Incorporations Subcommittee of the Joint  
42 Legislative Committee on Local Government shall be made in accordance with the provisions and  
43 criteria set forth in Article 20 of Chapter 120 of the General Statutes and shall include the findings  
44 required to be made by G.S. 120-166 through G.S. 120-170.

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

48 (b) **Favorable Report.** – When a standing committee reports a bill with the  
49 recommendation that it be passed, the bill shall be placed on the favorable calendar on the day  
50 designated by the Chair of the Standing Committee on Rules, Calendar, and Operations of the  
51 House, but not on the same day that it is reported except by leave of the House, and no later than

1 the fourth legislative day after submission of the report or Senate message under Rule 43.2 or Rule  
2 43.3(a), unless:

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

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

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

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

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

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

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

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

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

48 (c) The fiscal note shall be prepared by the Fiscal Research Division on a form  
49 approved by the Chair of the Standing Committee on Rules, Calendar, and Operations of the  
50 House as to content and form and signed by the staff member or members preparing it. If no  
51 estimate in dollars is possible, the fiscal note shall indicate the reasons that no estimate is



1 provided. The fiscal note shall not comment on the merit but may identify technical problems. The  
2 Fiscal Research Division shall make the fiscal note available to the membership of the House.

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

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

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

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

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

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

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

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

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

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

49 (e) When any permanent committee reports a measure to which an actuarial note is  
50 attached at the time of permanent committee consideration, with any amendment of such nature as  
51 would substantially affect the cost to or the revenues of any retirement or pension system, or

1 program of hospital, medical, disability, or related benefits for teachers or State employees, the  
2 chair of the standing committee reporting the measure shall obtain from the Fiscal Research  
3 Division an actuarial note of the fiscal and actuarial effect of the proposed amendment. The  
4 actuarial note shall be attached to the jacket of the measure. An amendment to any bill or  
5 resolution shall not be in order if the amendment affects the costs to or the revenues of a  
6 State-administered retirement or pension system, or program of hospital, medical, disability, or  
7 related benefits for teachers or State employees, unless the amendment is accompanied by an  
8 actuarial note, prepared by the Fiscal Research Division, as to the actuarial effect of the  
9 amendment.

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

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

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

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

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

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

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

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 39.1. 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. No amendment  
45 that is clearly unconstitutional shall be in order.

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

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

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

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

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

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

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

14 (5) Amendments cannot spend reversions.

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

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

19 **RULE 43.1. Engrossment.** – Bills and resolutions which originate in the House and  
20 which are amended, shall be engrossed before being sent to the Senate.

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

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

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

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

38 If the committee substitute was referred to standing committee, the standing committee  
39 shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

36           (d) Should any member wish to remove the member's sponsorship of a bill that is  
37 substantially changed by a Senate amendment or a Senate committee substitute, the member shall  
38 notify the House Principal Clerk before the bill is considered for concurrence. If no sponsors  
39 remain on the bill, the House Principal Clerk shall notify the Chairman of the Committee on  
40 Rules, Calendar, and Operations of the House who may request that other members sponsor the  
41 bill. Removal of the first primary sponsor's name from a bill does not reduce the total number of  
42 bills introduced by the member under Rule 31.1(g), and sponsorship of a bill after removal of all  
43 sponsors is subject to Rule 31.1(g).

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

50           **RULE 61. Assignment of Seats.** – After initial assignment of seats, a member shall  
51 continue to occupy the seat to which initially assigned until assigned a permanent seat; once

1 assigned a permanent seat, the member shall occupy it for the entire biennial session. In event of  
2 vacancy, the Speaker or the Chair of the Standing Committee on Rules, Calendar, and Operations  
3 of the House may assign such permanent seats as are necessary to maintain seating.

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

9 **RULE 61.2. Convening and Assigning Seats in the New House.** – (a) The Principal  
10 Clerk of the previous House of Representatives shall convene the House of Representatives at  
11 12:00 P.M. on the date established by law for the convening of each regular session and preside  
12 over the body until the members elect a Speaker. In the case of a vacancy, inability, or refusal to  
13 so serve, the duty shall devolve upon the Sergeant-at-Arms of the prior House, and in the case of a  
14 vacancy in that office, or inability or refusal to so serve, the duty shall devolve upon the Reading  
15 Clerk of the prior House.

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

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

33 **SECTION 2.** This resolution is effective upon adoption.  
34