

2023 -- H 5134

LC000641

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

H O U S E R E S O L U T I O N

**AMENDING THE RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS
2021 AND 2022**

Introduced By: Representatives Newberry, and Place

Date Introduced: January 13, 2023

Referred To: House Rules

1 RESOLVED, That section (12) of the rules for the House of Representatives adopted by
2 the House of Representatives at its January session A.D. 2021 entitled "House Resolution
3 Adopting the Rules of the House of Representatives for the years 2021 and 2022", be and the
4 same is hereby amended to read as follows:

5 (12)(a) Committees shall take into consideration all such petitions, resolves, bills, matters
6 or things as may be referred to them by the House with power to report by bill or otherwise;
7 provided, however, that committees shall, whenever possible, consider all bills of substantially
8 the same or of a similar nature at the same time in a manner that is otherwise in conformity with
9 these rules.

10 (1) Any bill filed before or after the 40th legislative day, but subsequent to the hearing of
11 a group of bills on the same subject matter pursuant to Rule 12(a), may or may not be assigned
12 for hearing if it appears from the subject matter that the issues presented would be substantially
13 similar to those matters already heard, even if a bill hearing request is filed pursuant to Rule
14 12(e). If heard, the chair of the committee may limit the testimony to those issues not addressed
15 in the previous bill hearing.

16 (b) A committee shall not consider any public bill or resolution not previously
17 distributed in print or electronically to its members except by a vote of the majority of the
18 members of the committee.

19 (c) The Chair of every committee shall post, in print and electronically, at least forty-

1 eight (48) hours prior to any committee meeting, a list by number and title of the bills
2 and resolutions to be heard at that meeting. Such postings shall be made electronically and on the
3 Legislative Data Bulletin Board. The electronic posting shall be considered the official date of the
4 posting. In the event that the electronic posting system is inoperable then the official posting shall
5 be posted on the Legislative Data Bulletin Board. The Chair shall limit such listings to the
6 number of bills or resolutions he or she reasonably expects can be taken up by the committee at
7 that meeting. Any bill or resolution so posted which the committee is not able to take up at the
8 stated meeting must be re-posted as stated above. Such postings shall be made electronically, and
9 on the Legislative Data bulletin board. Copies of all posted bills or resolutions shall be provided
10 in print or electronically to all committee members and principal sponsors. A committee shall not
11 hear any said bill or resolution without such notice except by the consent of a majority of its
12 members and with at least one (1) day's notification to the principal House sponsor. The sponsor
13 may, however, waive such one-day notification. The time requirements of this section shall not
14 apply to House bills returned from the Senate with amendment, or, after the 50th legislative day ,
15 to any bill originating in the Senate.

16 (d) Every standing committee shall meet at least once weekly if any requests for hearings
17 on or consideration of bills or resolutions are pending before it. The right to be heard on any such
18 bill or resolution may be granted, upon written or electronic request, to the principal sponsor as
19 provided in these rules. No committee shall hear more than thirty (30) bills (exclusive of city and
20 town bills, corporate charter reinstatement bills, those to be placed on the consent calendar, and
21 duplicate senate bills that have previously passed) at any one (1) meeting.

22 (e) Upon receipt of a written request from the principal House sponsor of a bill or
23 resolution, a copy of which is to be given to the recording clerk of the committee, the committee
24 shall grant to said principal House sponsor a hearing on any said bill or resolution within thirty
25 (30) calendar days of the request, subject to Rule 12(a), and provided further, that said committee
26 shall grant to the principal House sponsor consideration of his or her bill or resolution prior to the
27 deadline for committee action on such bill or resolution, also subject to Rule 12(a). The principal
28 sponsor, with the concurrence of the Chair, may cancel a scheduled hearing with twenty-four (24)
29 hours' notice to the Chair, which notice shall be posted electronically. The Chair may cancel a
30 bill hearing at any time, with the approval of the Speaker if in the Chair's discretion the bill is not
31 ready to be heard in the committee. A hearing postponed twice at the sponsor's request need not
32 be re-scheduled, and shall also be subject to Rule 12(a). For the purpose of the rule, consideration
33 shall mean a majority vote on one (1) of the following:

34 (i) a motion to report the bill or resolution to the House with a recommendation of

1 passage;

2 (ii) a motion to report the bill or resolution as amended, or in substitute form, to the
3 House with a recommendation of passage; or

4 (iii) a motion to report the bill or resolution to the House without recommendation; or

5 (iv) a motion to report the bill or resolution to the House with a recommendation of no
6 passage; or

7 (v) a motion to report the bill or resolution to the House with a recommendation that it be
8 held for further study.

9 In the event of a tie vote on any of the motions specified in (i), (ii), (iii), (iv) or (v)
10 hereof, the bill or resolution shall be lost.

11 The originals of bills or resolutions which have failed in committee shall be transmitted
12 by the committee clerks to the Secretary of State for the State Archives, with an appropriate
13 notation thereon at the time specified in R.I.G.L.

14 (f) Committee Chairs shall bring reports of committee actions to the floor no later than
15 two (2) weeks following the committee votes thereon, provided that this shall not apply to the
16 Committee on Finance, nor shall it apply to bills being held for further study under subdivision
17 (e)(v). A committee member may move reconsideration of any vote taken under Rule 12(e)(i)-(iv)
18 so long as the bill or resolution which was the subject of the vote remains in the possession of the
19 committee and that the motion is made by a member voting in the majority. A motion to
20 reconsider in committee shall not be debated.

21 Bills or resolutions concerning appropriations, revenue or expenditures shall not be
22 subject to the above time limits.

23 (g) In the event a committee fails to afford consideration to any bill or resolution within
24 the prescribed time where such consideration has been properly requested, and where no other
25 exceptions or considerations apply by the rules herein, the principal sponsor may report such
26 failure in writing to the Speaker of the House and the Speaker thereupon may order the immediate
27 discharge of the bill or resolution from a committee to the House floor.

28 (h) All bills or resolutions reported from committee shall be placed on the calendar or,
29 pursuant to the restrictions of these rules, on the consent calendar for the required period of time
30 according to these rules before House consideration. Bills and resolutions reported from
31 committees and received by the Clerk of the House prior to the convening of the session on a
32 given legislative day shall be deemed to have been received, and therefore in order to be placed
33 upon the appropriate calendar, as of that day. Bills and resolutions so received after the convening
34 of the session on a given legislative day shall be deemed to have been received, and therefore in

1 order to be placed upon the appropriate calendar, on the next legislative day and shall be
2 considered a part of that day's business.

3 House Rule 12(e) regarding the necessity to hold a hearing at the sponsor's request
4 through 12(h) pertaining to the timing of placing a bill onto the floor calendar shall not apply to
5 any bill or resolution which shall have originated in the Senate.

6 (i) No public bill or resolution which originated in the House shall be considered by a
7 House committee unless the committee has held a hearing on that bill or resolution by April 13,
8 2021 (for the 2021 session) and on or before April 12, 2022 (for the 2022 session), and thereafter
9 the committees of the House shall not consider public bills or resolutions except those which have
10 been acted upon by the Senate and transmitted by the Senate to the House of Representatives,
11 provided however, that the committee on finance may hear and consider such House bills, acts or
12 resolutions as it deems to have a fiscal impact after April 13, 2021 (for the 2021 session) and after
13 April 12, 2022 (for the 2022 session), except as provided in section (j) hereof, and provided
14 further, that each other House committee may complete consideration of not more than three (3)
15 House bills or resolutions after such date, on which such committee had not been able to
16 complete action, upon approval by the Speaker of a written request from the Chair. All
17 such requests must be filed with the Clerk of the House no later than April 13, 2021 (for the 2021
18 session) and on or before April 12, 2022 (for the 2022 session). The provisions of this paragraph
19 shall not apply to House bills of which Senate duplicates have passed the House.

20 (j) No House bill which relates to an individual's pension or retirement shall be accepted
21 as a committee report from the committee on finance unless it shall have been considered by the
22 committee on or before April 13, 2021 (for the 2021 session) and on or before April 12, 2022 (for
23 the 2022 session), and shall have been heard in the committee no later than one (1) week prior to
24 that date.

25 (k) Transfers –The Speaker or the Speaker's designee may direct the transfer of a bill or
26 resolution from one committee to another at any time. The committee receiving the transferred
27 bill or resolution must comply with the posting and time requirements of this section.

28 (l) Members of a committee shall, if present, cast a vote on legislation before the
29 committee, unless prior to the discussion of the bill and vote, the member recuses himself in
30 accordance with the provisions of the Code of Ethics, RIGL §36-14-6. The member shall sign a
31 recusal form, and the Clerk of the Committee shall note the member's recusal on the bill vote
32 sheet.

33 (m) Any proposed committee amendment to a bill, in a substitute amended bill format,
34 shall be posted in print and electronically by the chair of the committee hearing the bill at least

1 twenty-four (24) hours prior to its committee consideration. Such postings shall be made on the
2 legislative data bulletin board and electronically. The electronic posting shall be considered the
3 official date of the posting. In the event that the electronic posting system is inoperable, then the
4 official posting shall be posted on the legislative data bulletin board. The chair of the committee
5 may waive this twenty-four (24) hours posting requirement, if he or she deems the proposed
6 amendment either technical, grammatical, or not substantive or substantial in nature. This section
7 shall not apply to the budget bill.

8 (n)(i) A bill or resolution introduced in the first-year session of a legislative term of the
9 House is eligible to be carried over as an active bill or resolution into the second-year session of
10 the legislative term at the request of the prime sponsor.

11 (ii) With written notice to the Speaker by December 31 of the first-year session of a
12 legislative term, a member may avail himself or herself of the opportunity afforded by this rule
13 three (3) times in each legislative term. Only bills or resolutions introduced in the first-year
14 session of a legislative term may be carried over pursuant to this rule. A member may request a
15 hearing in the second-year session by filing a request for hearing pursuant to subsection 12(e) of
16 this rule.

17 (3) As used herein, "legislative term" means two (2) consecutive sessions of the House of
18 Representative which corresponds with the two (2) year term of representatives pursuant to
19 Article IV, Section 1 of the Constitution of the State of Rhode Island, the first-year session of
20 which is an odd-numbered year and the second-year session of which is an even-numbered year.

21 (o) Any committee member may move to hold any substitute bill which is moved for
22 consideration for a period of twenty-four (24) hours. Such motion shall take priority of the motion
23 to consider the bill, and the substitute bill shall not be debatable and shall not require a second.
24 The substitute bill shall be held for a period of twenty-four (24) hours before the bill can be
25 considered if the motion to hold the bill received a vote of one-third (1/3) of the committee
26 members present.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
HOUSE RESOLUTION
AMENDING THE RULES OF THE HOUSE OF REPRESENTATIVES FOR THE YEARS
2021 AND 2022

- 1 This resolution would permit any committee member to hold a substitute bill which is
- 2 moved for consideration for a period of twenty-four (24) hours.

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