

2.54—An appeal from a decision of the Chairman on a point of order is debatable even though the question out of which it arose was not debatable.

Appeals;
debatable

Rule Three

BILLS, RESOLUTIONS, AND MEMORIALS

3.1—Except where specifically provided otherwise, where “bill” is used in these Rules, it shall be understood that bill, joint resolution, concurrent resolution, resolution, or memorial may be meant.

“Bill” stands
for all
legislation

3.2—General form. All bills, resolutions and memorials shall, to be acceptable for introduction, be typewritten, duplicated, or printed, all in a type size of pica or larger and all of the color of black, without erasure or interlineation, on a sheet of paper of the common legal size. The lines shall be doubled spaced, the original (or first copy) shall be on stout bond paper, and the remaining copies of typewritten matter shall be on paper of good grade. The copies must be exact duplicates of the original. The top and bottom margins of all pages shall be at least one and one-half (1½) inches, except the first page. The top margin of the first page shall be at least two (2) inches, and aligned on the page substantially according to the following form:

Form of
Measure

A bill to be entitled

An act _____

(TRIPLE SPACE)

Be It Enacted by the Legislature of the State of Florida:

(TRIPLE SPACE)

Section 1 _____

Section 2 _____

The original and five (5) copies of each measure must be backed with jackets prescribed by the Secretary and furnished by the Sergeant at Arms. On these jackets shall be inscribed the full name of the introducer and any co-introducers, and enough of the title for identification.

All general bills and joint resolutions shall be prepared on paper with 31 numbered lines beginning eight (8) spaces from the top of the page. The text shall be completely within vertical guide lines drawn five and one-half (5½) inches apart, with the words "A bill to be entitled" appearing on the third numbered line. Regardless of the typestyle used, there shall be no more than 54 spacing units for any one line.

Bills which propose to amend existing provisions of the Florida Statutes (as described in Section 11.242, F.S.) or the Laws of Florida shall contain the full text of the section, subsection or paragraph to be amended. Joint Resolutions which propose to amend the Florida Constitution shall contain the full text of the section to be amended.

As to general bills and joint resolutions which propose to amend existing provisions of the Florida Statutes or the Florida Constitution, new words shall be inserted in the text underlined, and words to be deleted shall be lined through with hyphens. Printed copies shall show the words to be added in italics, and the words to be deleted in struck through type.

In the event the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it shall not be necessary to use the coded indicators of words added or deleted, but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the affected section of the bill: "Substantial rewording of section. See Section . . . , F.S., for present text." When such a notation is used it shall be underlined or in the case of the printed version of the bill, shown in italics.

The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and shall not be considered to constitute a part of the bill under consideration.

Section catch lines shall not be typed with underlining, nor shall any other portion of a bill covered by this Rule other than new material.

*(Amended January 27, 1971, Pages 7-8;
December 8, 1971, Page 47, Senate Journal)*

3.3—All bills shall be introduced in an original (1) and five (5) exact copies. They shall
Bills, and five (5) exact copies. They shall
forms of bills contain a proper title, as defined in
section 6 of Article III of the Constitu-
tion, and the enacting clause, "Be It Enacted by the
Legislature of the State of Florida:". The title of each
bill shall be prefaced by the words, "A bill to be
entitled An act" wherever the title appears on the text
of the bill. Capitalize only the first letter of a
sentence, name of person, city, state, or county.
Lower case all other words in the title.

A bill shall be typewritten in pica type or larger, using a black typewriter ribbon, or mimeographed or printed in black, according to prescribed form without erasures or interlineations on plain white paper of legal size.

The original (1) and five (5) copies must have clearly stamped on the jacket of each, above the space

provided for the number, "Original, Duplicate, Third Copy, Fourth Copy, Fifth Copy, House Copy."

(Amended December 8, 1971, Page 47, Senate Journal)

3.4—As required by section 10 of Article III of the Constitution, all local bills must either embody provisions for a ratifying referendum (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement. Forms of affidavit shall be obtained from the Sergeant at Arms. All local bills which require publication shall, when introduced, have proof of publication securely attached to the original copy of the bill as the first or front page thereof and the words "Proof of Publication Attached" clearly typed or stamped on the Senate side of the bill jacket or cover, or the same shall be rejected by the Secretary.

Local bills, form
of local bills

3.5—All joint resolutions shall be introduced in an original (1) and seven (7) exact copies. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:". Each joint resolution shall be prefaced by the words: "A Joint Resolution proposing an Amendment to the constitution of the State of Florida". Jackets shall be attached to the original (1) and five (5) copies of each resolution. The two (2) remaining unbacked copies shall be attached to the inside of the original copy of the resolution by paper clip for introduction.

Joint resolutions,
form of joint
resolutions

(Amended December 8, 1971, Page 47, Senate Journal)

3.6—All memorials—these express the opinion of the Legislature to the Congress of the United States—shall be introduced in an original (1) and seven (7) exact copies. They shall contain the resolving clause "Be It Resolved by the Legislature of the State of Florida:". Jackets shall be attached to the original (1) and five (5) copies of each memorial. The two (2) remaining unbacked copies shall be attached to the inside of the original copy of the memorial by paper clip for introduction.

Memorials, forms
of memorials

(Amended December 8, 1971, Page 48, Senate Journal)

3.7--All Senate resolutions and all concurrent resolutions shall be introduced in an original (1) and seven (7) exact copies. They shall contain a proper title, and a resolving clause. In the case of Senate resolutions, this shall be "Be It Resolved by the Senate of the State of Florida:". Concurrent resolutions embody this clause, "Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:". Jackets shall be attached to the original (1) and five (5) copies of each resolution. The two (2) remaining unbacked copies shall be attached to the inside of the original resolution by paper clip for introduction. Where copies of Senate resolutions are directed in the resolution to be furnished any person after adoption, these shall be prepared only by the Secretary of the Senate.

3.8--To facilitate the process of committee reference, all bills and other measures for introduction prepared by the Senate Legislative Service Division shall be delivered to the Secretary no later than 12:00 o'clock noon of the second day preceding introduction. To facilitate the summarizing of legislative measures, all bills and other measures not prepared by the Senate Legislative Service Division shall be delivered to the Secretary not later than 12:00 o'clock noon of the fourth day preceding introduction, unless said bill or measure shall be earlier returned to the Secretary with a summary attached. In which event, the Secretary shall schedule said bill or measure for introduction on the next succeeding day. This rule may be waived only upon unanimous consent, the motion for which shall not be entertained unless the movant thereof shall have first notified the Senate orally, not less than thirty (30) minutes preceding the motion, of his intention to move for the waiver of this rule so as to have introduced a specific bill or bills sponsored by him. The adoption of such motion shall be construed as reverting the Senate to the Order of Introduction and Reference of Bills solely for the reception of said bill or bills for formal introduction and reference. During the last seven (7) days of the legislative session, this rule may be suspended or altered by resolution originating in the Rules, Calendar, Privileged Business and Ethics Committee.

Between regular sessions of the legislature, bills, joint resolutions, resolutions, and memorials may be prefiled by delivery to the Secretary of the Senate. The Rules, Calendar, Privileged Business and Ethics Committee shall develop rules and procedures concerning the interim referral, consideration, disposition, and reporting of bills thus prefiled.

(Amended December 8, 1971, Page 48, Senate Journal)

3.9—A prefiled bill complying with these rules shall be anticipatory to the next regular session and shall be serially numbered in accordance with the permanent system required by these rules. A bill received by the Secretary within three (3) weeks next preceding the convening of a regular session shall be numbered but otherwise withheld from the operation of this rule. Such a bill shall be treated as if it had been delivered for introduction on the first day of the succeeding regular session.

The Secretary shall deliver each such numbered bill to the President for reference to a committee or committees pursuant to these rules.

The Secretary shall promptly forward each referenced bill to the chairman of the first or only committee of reference. A copy of each prefiled bill, shall be mailed to each Senator. The Secretary shall regularly mail to each Senator a calendar of all prefiled bills, including the referencing data for each bill, and of all committee hearings, including the bills noticed for hearing by each.

Each bill, having been considered by a committee, the report of which has been received by the Secretary at least seven (7) days preceding a regular session, shall be introduced and read on the first (1st) day thereof, pursuant to the Constitution, Laws of Florida, and these rules. The Reading Clerk shall recite the committee reference and the Journal shall reflect the report of the Committee. All requirements for the referencing of bills to and the consideration of bills by Senate Committees shall be deemed to have been met and discharged, if the jurisdictional requirements of this rule have been complied with as to each of such bills.

In the event a committee fails to deliver its report of a prefiled bill within seven (7) days next preceding the convening of a regular session or, in the event a prefiled bill had received a reference to more than one (1) committee and less than all considered such bill, the committee or committees failing to so report and the committee or committees having failed to discharge their jurisdiction of a bill shall conduct hearings and file reports during the regular session as if such bill had not been prefiled.

Notwithstanding these rules, any Senator may, during the day of introduction of prefiled bills, but no later than under the Order of Business of "Motions Relating to Committee Reference" on the second legislative day on which the Senate meets, move for reference to a different committee or for removal from any committee which motion may be adopted by a two-thirds (2/3) vote.

(Amended December 8, 1971, Page 48, Senate Journal)

3.10—Upon introduction, all bills not local in application and all joint resolutions (including committee bills and committee substitute bills) shall be printed for the information of the Senate and the public. The number of copies of each such measure shall be determined each year by the contract for printing. The Secretary shall furnish the copy for all such printing. This printing of bills shall be independent of the legislative process, and the absence of a printed copy shall not delay the progress of any measure at any stage of the legislative process.

3.11—Bills and other measures requiring legislative action shall be introduced in the order they are received at the desk of the Secretary. They shall be serially numbered as introduced, without differentiation in number as to type. The Secretary shall so mark the original copy of each measure as to insure its identification, and each page thereof, as the item introduced in order to prevent unauthorized or improper substitutions therefor. This identification may be by the use of machines as used in banks for validating or cancelling checks or other documents, or by the use of any other device to accomplish the purpose of this rule. Any such device so used shall be used by and at all times shall be in

the custody of the Secretary, and its use by any person not authorized by this rule shall be prohibited.

3.12—Whenever any bill, memorial, concurrent resolution, or joint resolution of the Senate shall be reached on the calendar of the Senate for consideration, either on second or third reading, and there shall be also pending on the calendar of the Senate a companion measure already passed by the House, it shall be in order to move that the House companion measure be substituted and considered in lieu of the Senate bill, memorial, concurrent resolution, or joint resolution. Such motion may be adopted by a majority vote, provided the House measure is on the same reading; otherwise, the motion shall be to waive the rules by two-thirds (2/3) vote and take up and read such House measure. A companion measure shall be in the identical words as the measure for which it is being substituted. At the moment the Senate passes the House companion measure, then the original Senate measure shall be regarded as automatically tabled. Recommitment of a Senate bill shall automatically carry with it any House companion bill then on the Calendar.

3.13—Bills, joint resolutions, concurrent resolutions, memorials, or resolutions shall be introduced by a Senator or group of Senators whose signature or signatures are affixed to the original thereof, or by any committee with the name of the committee and the signature of the chairman of the committee affixed to the original thereof, provided that the general appropriations bill shall always be introduced by the Committee on Ways and Means.

3.14—A member may introduce a short form bill suggesting statutory changes in general or idea form notwithstanding the requirements elsewhere expressed in this rule. Short form bills shall be typed on forms provided by the Secretary of the Senate. An original and five copies shall be numbered, introduced and referenced as any other bill. A short form bill

shall not be printed and need not be considered by the committee of reference. If, upon hearing, noticed and conducted as upon any other bill, the committee shall vote favorably upon the bill, it shall be formally drafted in compliance with Rule three and any substantive directions of the committee. In such form, the bill shall be forthwith noticed and heard as a committee bill.

(Adopted February 1, 1971, Page 27, Senate Journal)

3.15—All general bills or joint resolutions affecting revenues, expenditures or fiscal liability shall be accompanied by a fiscal note upon being favorably reported by the Ways and Means Committee. Fiscal notes shall reflect the estimated increase or decrease in revenues or expenditures and the present and future fiscal implications of the bill or joint resolution. The fiscal note shall not express opinion relative to the merits of the legislation proposed, but may identify technical or mechanical defects.

The staff of the Ways and Means Committee shall be responsible for preparing fiscal notes and shall solicit the cooperation of appropriate state agencies for necessary data.

Fiscal notes shall be regarded as memoranda of factual information and shall be made available to members of the Senate in the same manner as printed bills.

In the event that any bill or joint resolution affecting revenues, expenditures or fiscal liability is reported favorably by the Ways and Means Committee without a fiscal note having been prepared, it shall be the right of any Senator to raise a point of order on second reading and the President shall order return of the bill or joint resolution to the Ways and Means Committee. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion.

(Adopted December 8, 1971, Page 48, Senate Journal)