

2.53—Appeals debatable

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.

RULE THREE

BILLS, RESOLUTIONS, AND MEMORIALS

3.1—Form of measure

(a) General Form. All bills shall be typewritten, double spaced, in a type size of pica or larger, and of the color of black, without erasure or interlineation, on plain white paper of a common legal size. The copies must be exact duplicates of the original. 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:

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 _____

(b) Bill Backing. The original must be backed in a folder-jacket signed by the sponsor(s), with six (6) exact copies which are backed with jackets prescribed by the Secretary and furnished by the Sergeant at Arms. On these jackets shall be inscribed the name and district number of the introducer and any co-introducers, or the introducing committee and its chairman, and enough of the title for identification. The six (6) copies must have clearly stamped on the jacket, one of each at the space provided for the number, "Duplicate", "Third Copy", "Fourth Copy", "Fifth Copy", "Sixth Copy", "House Copy".

Form of bills

(c) Bill Paper. All bills shall be on paper with thirty-one (31) numbered spaces, the first beginning not less than eight (8) nor more than ten (10) spaces from the top of the page, and vertical guidelines as prescribed by the Secretary of the Senate, with the words "A bill to be entitled" appearing on the third numbered space of the first page. These requirements may be waived by the Secretary of the Senate as to the general appropriations bill, but in such event shall be in a form approved by the Secretary.

(d) New and Deleted Matter. 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 of the Florida Constitution, new words shall be inserted in the text underlined, and words to be deleted shall be lined through with hyphens.

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 text of the provision being amended: "Substantial rewording of section. See Section . . . , F.S., for present text." When such notation is used it shall be underlined.

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.

No portion of a bill shall be typed with underlining, except as provided by this rule.

3.2—Form of bills

All bills (as distinguished from resolutions and memorials) shall be introduced in an original (1) and six (6) exact copies. They shall contain a proper title, as defined in article III, section 6 of the Constitution, 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". Standard rules of capitalization shall apply.

3.3—Form of local bills

As required by article III, section 10 of the Constitution, all local bills must either embody provision for ratifying referenda (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 may 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.

3.4—Form of joint resolutions

All joint resolutions shall be introduced in an original (1) and six (6) exact copies. They shall contain a proper title, as defined in article III, section 6 of the Constitution. Standard rules of capitalization shall apply. 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 . . ."

3.5—Form of memorials

All memorials shall be introduced in an original (1) and six (6) exact copies. They shall contain a proper title, as defined in article III, section 6 of the Constitution. Standard rules of capitalization shall apply. They shall contain the resolving clause, "Be It Resolved by the Legislature of the State of Florida:".

3.6—Form of resolutions, Senate and concurrent

All Senate resolutions and all concurrent resolutions shall be introduced in an original (1) and six (6) exact copies. They shall contain a proper title, as defined in article III, section 6 of the Constitution. Standard rules of capitalization shall apply. Senate resolutions shall read, "Be It Resolved by the Senate of the State of Florida:". Concurrent resolutions shall read, "Be It Resolved by the Senate of the State of Florida, the House of Representatives Concurring:". 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.

3.7—Introduction during session

To facilitate the process of committee reference all bills for introduction prepared by the Senate Legislative Services shall be delivered to the Secretary no later than 12:00 o'clock noon of the second day preceding the day of introduction. To facilitate the summarizing of legislative measures, all bills not so prepared 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.

Between regular sessions of the legislature, bills may be prefiled by delivery to the Secretary of the Senate.

3.8—Prefiled bills

A prefiled bill complying with these rules shall, anticipatory of the next regular session, 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.

Printing, identification of bills

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 provided 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 prior to 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.

3.9—Printing of bills

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 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.

3.10—Identification of bills

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 is prohibited.

Companion measures; introducers, fiscal notes, Order of Business and Calendar

3.11—Companion measures

Whenever any Senate bill 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 measure. 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 substantially the same and identical as to specific intent and purpose 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 measure then on the Calendar.

3.12—Introducers of bills

Bills 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. A bill introduced by a committee may be co-sponsored by any Senator whose signature is affixed to the original thereof. The general appropriations bill shall always be introduced by the Committee on Ways and Means.

3.13—Fiscal notes

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 Committee on Ways and Means. 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 measure, but may identify technical or mechanical defects.

The staff of the Committee on Ways and Means 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 Committee on Ways and Means without a fiscal note, 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 Committee on Ways and Means. A fiscal note prepared for a Senate bill or joint resolution shall be presumed as prepared also for its House companion.

RULE FOUR

ORDER OF BUSINESS AND CALENDAR

4.1—Sessions of the Senate

The Senate shall meet pursuant to a schedule adopted from time to time by