

## Senate Resolution 3

By: Senators Miller of the 49th, Dugan of the 30th, Gooch of the 51st, Kennedy of the 18th and Walker III of the 20th

**ADOPTED SENATE**

## A RESOLUTION

1 Adopting the Rules of the Senate; and for other purposes.

2 BE IT RESOLVED BY THE SENATE that the Rules of the Senate in effect at the  
3 adjournment of the 2020 Regular Session of the General Assembly are hereby adopted as the  
4 Rules of the Senate for the 2021-2022 biennium of the General Assembly unless and until  
5 otherwise provided by resolution of the Senate, with the following amendments:

6 **SECTION 1.**

7 The Rules of the Senate are amended by revising Rule 2-1.10 as follows:

8 **"2-1.10 Rules Committee; Calendar; Special Rules**

9 (a) The Committee on Rules shall arrange and fix the calendar for each day's business for  
10 ~~the last 35 days~~ after the fifth (5th) legislative day of each regular session of the General  
11 Assembly. The committee shall post the calendar as soon as practicable following the  
12 setting of the calendar.

13 (b) The Committee on Rules may refer any bill or resolution on the General Calendar back  
14 to the committee which has reported out such bill or resolution or to any other committee  
15 selected by the Committee on Rules.

16 (c) ~~During the last five (5) legislative days~~ After the thirty-fifth (35th) legislative day, the  
17 Committee on Rules may recommend that any bill or resolution on the General Calendar

18 be amended or substituted prior to placing the bill on the Rules Calendar. Any such  
19 substitute shall be considered and agreed to or rejected prior to the consideration of a  
20 substitute reported by any other committee."

21

## SECTION 2.

22 Said rules are further amended by revising Rule 2-8.4 as follows:

### 23 **"2-8.4 Time Limit; Discharge; Appointment of New Members**

24 After a Committee of Conference has been in existence for five (5) days and has failed to  
25 make a report to the Senate on the question under consideration, the Senate, on motion and  
26 by a majority vote of all members elected to the Senate, may discharge the Senate  
27 conferees and new conferees shall be appointed as provided in Rule 2-8.1, instruct said  
28 Senate conferees, or make any other motion not contrary to the Rules of the Senate;  
29 provided that, ~~during the last five (5) days of the session~~ after the thirty-fifth (35th)  
30 legislative day, the above motions may be made and passed at any time, but not more often  
31 than every twenty-four hours."

32

## SECTION 3.

33 Said rules are further amended by revising subsection (c) of Rule 3-1.2 as follows:

34 "(c) No general House bill or resolution, having the effect of law shall be accepted by the  
35 Secretary of the Senate for first reading and referral to committee after a day agreed upon  
36 by the Senate and the House of Representatives which shall not be ~~earlier~~ later than the  
37 ~~twenty-fifth (25th)~~ twenty-seventh (27th) day of any regular session, which shall be known  
38 as the crossover day. If no agreement can be reached by the Senate and the House of  
39 Representatives by the twenty-fifth (25th) legislative day, the crossover day shall be the  
40 twenty-seventh (27th) legislative day. Referral of House legislation received on the  
41 crossover day may be made during the Order of Business of First Reading and Reference  
42 of House Bills and Resolutions on the next legislative day following such crossover day.

43 The provisions of this paragraph shall in no case be suspended except by a two-thirds (2/3)  
44 vote of the members to which the Senate is entitled; provided that this rule may be  
45 suspended by a majority vote on general and supplemental appropriations bills."

46 **SECTION 4.**

47 Said rules are further amended by revising subsection (b) of Rule 3-3.1 as follows:

48 "(b) Rule 3-3.1 may be suspended by a majority vote of the Senate ~~during the last ten (10)~~  
49 ~~days of the session~~ after the thirty-fifth (35th) legislative day."

50 **SECTION 5.**

51 Said rules are further amended by revising subsection (a) of Rule 4-2.8 as follows:

52 "(a) All local bills on the Local Consent Calendar, which must be placed on each Senator's  
53 desk no less than one hour before the time of convening, shall be put to the Senate for a  
54 vote on the electronic roll call system as a group at the time provided in the order of  
55 business, and the question shall be whether all bills on the Local Consent Calendar shall  
56 pass. The "one hour before convening" provision of this Rule shall not apply to a  
57 Supplemental Local Calendar ~~during the last three days of a regular session~~ after the  
58 thirty-seventh (37th) legislative day."

59 **SECTION 6.**

60 Said rules are further amended by revising subsections (a) and (b) of Rule 4-2.9 as follows:

61 "(a) All bills and resolutions shall be called in the order in which they appear on the Rules  
62 Calendar. On the days on which there is no Rules Calendar, bills shall be called in  
63 numerical order. No general Senate bill or resolution having the effect of law shall be read  
64 the third time and put upon its passage or adoption after the crossover day of any regular  
65 session. No general House bill or resolution having the effect of law shall be read the third  
66 time and put upon its passage or adoption after the thirty-ninth (39th) legislative day of any

67 regular session except that this prohibition shall not apply to a bill or resolution which was  
 68 laid on the table on the thirty-ninth (39th) legislative day. The provisions of this paragraph  
 69 shall in no case be suspended except by a two-thirds (2/3) vote of the members to which  
 70 the Senate is entitled.

71 (b) The Committee on Rules shall arrange and fix the calendar for each day's business ~~for~~  
 72 ~~the last thirty-five (35) days~~ after the fifth (5th) legislative day of each regular session of  
 73 the General Assembly. Such calendar shall be a standing and continuing special order  
 74 during said period. No matter shall be taken up or acted on otherwise than in the order and  
 75 manner fixed by such calendar, except by a three-fourths vote of those voting, provided  
 76 such three-fourths constitutes a majority of the members elected to the Senate. This Rule  
 77 may not be suspended by a two-thirds vote of the Senate."

78

#### SECTION 7.

79 Said rules are further amended by revising Rule 4-2.13 as follows:

#### 80 "4-2.13 Transmittal to the House

81 No bill or resolution shall be transmitted to the House on the day of passage thereof unless  
 82 two-thirds of the Senators voting, provided the total vote constitutes a quorum, shall so  
 83 order; ~~Provided, during the last three legislative days~~ provided, however, that, after the  
 84 thirty-seventh (37th) legislative day of any regular session, any bill, resolution, or other  
 85 matter which requires action by the House shall be immediately transmitted to the House  
 86 by the Secretary of the Senate. The Secretary shall also immediately transmit Senate bills  
 87 and resolutions requiring House action on the ~~twenty-eighth (28th) legislative crossover~~ day  
 88 after any notice to reconsider is disposed of."

89

#### SECTION 8.

90 Said rules are further amended by revising subsection (c) of Rule 6-7.1, relating to timing  
 91 and notice of reconsideration, as follows:

92 "(c) A notice of motion to reconsider a bill or resolution shall take precedence over a  
93 motion to transmit and shall have the effect of defeating the motion to transmit; except on  
94 the crossover day and ~~during the last three (3) days~~ on legislative days thirty-eight (38)  
95 through forty (40) of any regular session, a Senator must give notice immediately of his or  
96 her intention to move to reconsider, and the President or the designee of the President shall  
97 set a time during the day when the motion will be entertained, so stating the time to the  
98 Senate; the time shall be at the discretion of the President or the designee of the President,  
99 but not less than ten minutes. If the Senate is considering any other business at the time  
100 the motion to reconsider has been set to be entertained, the motion will be taken up upon  
101 conclusion of that business."

102

### SECTION 9.

103 Said rules are further amended by revising Rule 6-7.5 as follows:

104 "**6-7.5 Effect of Motion; Return to General Calendar**

105 All bills and resolutions reconsidered shall take their place at the foot of the calendar of  
106 bills then in order for a third reading; however, ~~during the last thirty-five (35) legislative~~  
107 ~~days~~ after the fifth (5th) legislative day of each session, a reconsidered bill or resolution  
108 which was passed or adopted shall take its place at the foot of the Rules Calendar, and a  
109 reconsidered bill or resolution which was defeated shall be placed on the General  
110 Calendar."