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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE RESOLUTION

No. 104 Session of  
2021

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INTRODUCED BY SAPPEY, SCHMITT, SANCHEZ, KINSEY, HILL-EVANS,  
CIRESI, STAMBAUGH, SHUSTERMAN, FIEDLER, SAMUELSON, HOWARD AND  
WARREN, MAY 25, 2021

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REFERRED TO COMMITTEE ON RULES, MAY 25, 2021

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A RESOLUTION

1 Amending House Rule 45, further providing for powers and duties  
2 of standing committee and subcommittees.

3 RESOLVED, That House Rule 45 be amended to read:

4 RULE 45

5 Powers and Duties of Standing Committees

6 and Subcommittees

7 The chair of each standing committee and subcommittee shall  
8 fix regular weekly, biweekly or monthly meeting days for the  
9 transaction of business before the committee or subcommittee.

10 The chair of the committee or subcommittee shall notify all  
11 members, at least 24 hours in advance of the date, time and  
12 place of regular meetings, and, insofar as possible, the  
13 subjects on the agenda. In addition to regular meetings, special  
14 meetings may be called from time to time by the chair of the  
15 committee or subcommittee as they deem necessary. No recess or  
16 combination of recesses shall exceed 48 hours for any committee  
17 meeting or subcommittee meeting. No committee shall meet during

1 any session of the House without first obtaining permission of  
2 the Speaker. During any such meeting, no vote shall be taken on  
3 the Floor of the House on any amendment, recommittal motion,  
4 final passage of any bill, or any other matter requiring a roll  
5 call vote. Any committee meeting called off the Floor of the  
6 House shall meet in a committee room. In addition to the  
7 specific provisions of this rule, all provisions of 65 Pa.C.S.  
8 Ch. 7 (relating to open meetings) relative to notice of meetings  
9 shall be complied with.

10 At regularly scheduled meetings, or upon the call of the  
11 chair, or subcommittee chair, for special meetings, the  
12 membership of such committees shall meet to consider any bill,  
13 resolution, or other matter on the agenda. The secretary of each  
14 standing committee, or in case of subcommittees a secretary  
15 designated by the subcommittee chair, shall record:

16 (1) the minutes of the meeting,

17 (2) all votes taken,

18 (3) a roll or attendance of members at standing committee or  
19 subcommittee meetings showing the names of those present, absent  
20 or excused from attendance, and the majority and minority chairs  
21 or their designees shall verify by their signatures all votes  
22 taken and the roll or attendance of those members present,  
23 absent or excused before said records are submitted to the Chief  
24 Clerk, and

25 (4) dispatch of bills and resolutions before the committee.

26 Such records shall be open to public inspection. On the first  
27 legislative day of each week the House is in session, the chair  
28 of each standing committee shall submit to the Chief Clerk for  
29 inclusion in the House Journal only, the roll or record of  
30 attendance of members at standing committee or subcommittee

1 meetings held prior thereto and not yet reported, along with the  
2 record of all votes taken at such meetings. All reports from  
3 standing committees shall be prepared in writing by the  
4 secretary of the committee. Members of a standing committee may  
5 prepare in writing and file a minority report, setting forth the  
6 reasons for their dissent. Such committee reports shall be filed  
7 with the Chief Clerk within five days of the meeting. All  
8 meetings at which formal action is taken by a standing committee  
9 or subcommittee shall be open to the public, making such reports  
10 as are required under Rule 44. When any member, except for an  
11 excused absence, fails to attend five consecutive regular  
12 meetings of his or her committee, the chair of that committee or  
13 subcommittee shall notify the member of that fact and, if the  
14 member in question fails to reasonably justify absences to the  
15 satisfaction of a majority of the membership of the standing  
16 committee of which he or she is a member, membership on the  
17 committee or subcommittee shall be deemed vacant and the chair  
18 of the standing committee shall notify the Speaker of the House  
19 to that effect. Such vacancy shall then be filled in the manner  
20 prescribed by these rules.

21 Whenever the chair of any standing committee shall refuse to  
22 call a regular meeting, then a majority of the members of the  
23 standing committee may vote to call a meeting by giving two days  
24 written notice to the Speaker of the House, setting the time and  
25 place for such meeting. Such notice shall be read in the House  
26 and the same posted by the Chief Clerk in the House Chamber.  
27 Thereafter, the meeting shall be held at the time and place  
28 specified in the notice. In addition, all provisions of 65  
29 Pa.C.S. Ch. 7 (relating to open meetings) relative to notice of  
30 meetings shall be complied with.

1       Records, bills and other papers in the possession of  
2 committees and subcommittees, upon final adjournment of the  
3 House shall be filed with the Chief Clerk.

4       The chair of each standing committee shall have the power to  
5 administer oaths and affirmations to witnesses appearing before  
6 the committee.

7       No committee report, except a report of the Appropriations  
8 Committee, shall be recognized by the House, unless the same has  
9 been acted upon by a majority vote of the members of a standing  
10 committee present at a committee session actually assembled and  
11 meeting as a committee, provided such majority vote numbers at  
12 least 11 members, and provided further a quorum is present. No  
13 committee report of the Appropriations Committee shall be  
14 recognized by the House, unless the same has been acted upon by  
15 a majority vote of the members of such committee present at a  
16 committee session actually assembled and meeting as a committee,  
17 provided such majority vote numbers at least 17 members, and  
18 provided further a quorum is present.

19       No proxy voting shall be permitted in committee, except as  
20 provided for herein. If a member reports to a scheduled  
21 committee meeting and advises the chair and other members of a  
22 conflicting committee meeting or other legislative meeting which  
23 he or she must attend on the same day, the member is authorized  
24 to give the chair or minority chair his or her proxy in writing  
25 which shall be valid only for that day and which shall include  
26 written instructions for the exercise of such proxy by the chair  
27 or minority chair during the meeting. The member should also  
28 advise the chair where he or she can be reached. In the event  
29 the conflicting committee meeting or other legislative meeting  
30 is scheduled to convene at the same time or prior to the meeting

1 at which a member desires to vote by proxy, such proxy shall be  
2 delivered to both the chair and minority chair prior to, but on  
3 the same day as, the conflicting meetings. In any voting meeting  
4 of a committee held during a nonemergency, nonsession week, a  
5 member of the committee who is not present may designate the  
6 chair or minority chair to cast the member's vote on any  
7 question. The designation shall be accomplished by filing an  
8 attestation with the chair or minority chair which affirms that  
9 the member will not be present at the voting meeting. A member  
10 voting by designation during a meeting of a committee held  
11 during a nonemergency, nonsession week shall be counted in  
12 determining whether a quorum is present.

13 When the majority of the members of a standing committee  
14 believe that a certain bill or resolution in the possession of  
15 the standing committee should be considered and acted upon by  
16 such committee, they may request the chair to include the same  
17 as part of the business of a committee meeting. Upon failure of  
18 the chair to comply with such request, the membership may  
19 require that such bill be considered by written motion made and  
20 approved by a majority vote of the entire membership to which  
21 such committee is entitled.

22 Whenever the phrase "majority of members of a standing  
23 committee or subcommittee" is used in these rules, it shall mean  
24 majority of the entire membership to which a standing committee  
25 or subcommittee is entitled, unless the context thereof  
26 indicates a different intent.

27 To assist the House in appraising the administration of the  
28 laws and in developing such amendments or related legislation as  
29 it may deem necessary, each standing committee or subcommittee  
30 of the House shall exercise continuous watchfulness of the

1 execution by the administrative agencies concerned of any laws,  
2 the subject matter of which is within the jurisdiction of such  
3 committee or subcommittee; and, for that purpose, shall study  
4 all pertinent reports and data submitted to the House by the  
5 agencies in the executive branch of the Government.

6 The Committee on Appropriations shall have the power to issue  
7 subpoenas under the hand and seal of its chair commanding any  
8 person to appear before it and answer questions touching matters  
9 properly being inquired into by the committee, which matters  
10 shall include data from any fund administered by the  
11 Commonwealth, and to produce such books, papers, records,  
12 accounts, reports, documents and data and information produced  
13 and stored by any electronic data processing system as the  
14 committee deems necessary. Such subpoenas may be served upon any  
15 person and shall have the force and effect of subpoenas issued  
16 out of the courts of this Commonwealth. Any person who willfully  
17 neglects or refuses to testify before the committee or to  
18 produce any books, papers, records, accounts, reports, documents  
19 or data and information produced and stored by any electronic  
20 data processing system shall be subject to the penalties  
21 provided by the laws of the Commonwealth in such case. Each  
22 member of the committee shall have power to administer oaths and  
23 affirmations to witnesses appearing before the committee. The  
24 committee may also cause the deposition of witnesses either  
25 residing within or without the State to be taken in the manner  
26 prescribed by law for taking depositions in civil actions.