



SENATE COMMITTEE PROCEDURES

COMMITTEE QUORUM: A quorum is not required to hold a committee meeting. [Senate Rule ("SR") 46(a)]

APPLICATION OF SENATE RULES: "So far as may be applicable," the conduct of a committee must follow the Senate Rules. [SR 48]

SETTING COMMITTEE AGENDA: The prime sponsor of Senate legislation or the Senate floor manager of House legislation may place legislation on a committee's agenda. [SR 26(b), as applied by SR 48]

CHAIR CONTROLS ORDER & DECORUM: The Chair presides and has general direction over the meeting; responsible to preserve order and decorum; appeal to committee possible. [SR 44; SR 9 & 10, as applied by SR 48]

MEETING SCHEDULING; LOCATION: The Pro Tem assigns regular meeting time for committee, Chair may cancel regular meetings or schedule special or additional meetings. Meetings must be held in a space large enough to accommodate those likely to attend; must move meeting if more people than anticipated attend and a space is available. [SR 43]

MEETING NOTICE/AGENDA: Notice of a meeting must be released at least 5 calendar days before a meeting. Notice must include "all matters to be considered by the committee at its next meeting." [SR 45(a)]

SUBPOENA POWER: The Chair of a standing or special committee of the Senate or a task force created by the Senate or action of the General Assembly may issue a subpoena. The subpoena must have the Pro Tem's consent to be valid. [SR 58(a)(2)]

MEETINGS OPEN; EXECUTIVE SESSION: SR 57 requires compliance with FOIA and so, generally, committee meetings must be open to the public. A Chair may call for an executive session closed to the public as authorized under FOIA.

12 LEGISLATIVE DAYS TO ACT: Legislation must be "acted upon" by the assigned committee within 12 legislative days after assignment. [SR 42(c)] After 12 legislative days, a majority of members of the Senate may petition legislation to floor. [SR 47]

DELIBERATIVE PROCESS REQUIRED: Except for legislation referred to the Finance Committee or drafted by certain joint committees [SR 29], Legislation must pass through a deliberative process, which includes a pre-announced meeting at which the following occurs: (1) the sponsor allowed to explain legislation and answer questions, (2) committee considers an analysis of the legislation, (3) committee receives testimony from the public. [SR 42(a) & (b)]

MINUTES REQUIRED; DRAFT MINUTES: Minutes must be recorded for each standing committee meeting. They must include the results of any committee votes. A Senator who dissents from a committee decision may have their dissent and reasoning included in the minutes. [SR 45(b)] The Chair may post draft minutes on the website. [SR 45(c)]

REPORTING OF LEGISLATION: Legislation is reported out of a committee when a majority of the committee's members sign the legislation's backer, whether a member signs it and notes favorable (F), on its merits (M), or unfavorable (U). [SR 46(b)]

ABILITY FOR MEMBER ABSENT FROM MEETING TO SIGN BACKER: If a committee member could not attend the meeting at which the legislation was discussed, the member may sign the backer after the meeting. [SR 46(c)]

CHAIR REQUIRED TO RELEASE & RETURN LEGISLATION: A committee chair must release legislation from the committee when a majority of the members of the committee sign the backer. The chair must return the legislation to the Secretary within 1 legislative day after a majority of the members of the committee sign the backer. [SR 46(d) & (e)]

SUBSTITUTE BILL: If a substitute bill is introduced after the bill has been reported out of committee, the substitute does not have to pass through the committee process. [SR 30(b)]

NOTES RELATED TO VOTING IN COMMITTEE:

VOTING TO RELEASE LEGISLATION FROM COMMITTEE: Senate committees do not typically vote to release legislation from committee. Instead, committee members who support release of the legislation sign the backer after the hearing.

VOTE REQUIRED: If a motion is made in a Senate Committee, a majority of all of the members of the committee must vote in favor of the motion. [SR 46(f)] The majority vote required for each Senate committee is as follows:

• Agriculture	4
• Banking, Business, Insurance & Technology	4
• Capital Improvement	4
• Corrections & Public Safety	4
• Education	4
• Elections & Government Affairs	4
• Environment & Energy	4
• Executive	4
• Finance	4
• Health & Social Services	4
• Housing	4
• Judiciary	4
• Labor	4
• Legislative Oversight & Sunset	4
• Rules & Ethics	3
• Transportation	4
• Veterans	8

CONSEQUENCE OF FAILED MOTION TO RELEASE; HOW TO PRESERVE LEGISLATION: If a motion to release is made and fails, the failed motion likely must be reconsidered within 3 legislative days as required by Senate Rule 39(a) or the legislation is not able to be reconsidered by the committee. This is because Senate Rule 48 provides that “so far as may be applicable,” the conduct of a committee must follow the Senate Rules and Senate Rule 39 provides that a motion for reconsideration is not in order unless it is made on the same legislative day or one of the 3 next succeeding legislative days.

MOTION TO TABLE; REASON TO USE MOTION: If a motion to release fails, or a motion to release is anticipated to fail, a member should make a motion to table the legislation. A motion to table the legislation preserves the member’s ability to reconsider the legislation at a future meeting.

NOTES ON PETITIONING LEGISLATION OUT OF COMMITTEE:

WHEN LEGISLATION IS “ACTED ON”: Legislation is “acted on” for purposes of Senate Rule 42(c) (related to petitioning legislation out of committee) when the standing committee hears the legislation.

WHAT DOES “ACTED ON” MEAN: A failed or passed motion to release or motion to table counts as acting on the legislation, as does scheduling the legislation for a hearing and holding the hearing.

WHAT IS THE EFFECT OF ACTING ON LEGISLATION: Once acted on, Senate Rule 47 is not a mechanism that can be used to force the legislation to the floor for consideration by the entire Senate.