HOUSE DOCKET, NO. 4447 FILED ON: 2/24/2025

HOUSE . . . . . No. 2024

The Commonwealth of Massachusetts

House of Representatives, February 24, 2025.

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

Ordered, That the rules of the House of Representatives for the years 2025-2026 be adopted, as follows:

SPEAKER.

1. The Speaker shall take the Chair at the hour to which the House stands adjourned, call the members to order, and, on the appearance of a quorum, proceed to business. [1.]

1A. The House shall not be called to order before the hour of ten o'clock A.M. nor meet beyond the hour of midnight unless by unanimous consent of the Members present. If there is unanimous consent to continue meeting past midnight then, the House shall return to the business then pending; and if no business was pending, to the next order of business. However, if there is not unanimous consent of the members present to meet beyond the hour of midnight, the

Speaker shall forthwith, and without further debate, adjourn or recess the House to a time not earlier than ten o'clock A.M. on the next succeeding calendar day.

[Adopted Jan. 12, 1983; Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 14, 1997; May 16, 2000.]

2. The Speaker shall preserve decorum and order in the House Chamber. While in the House Chamber, members, staff and guests shall be required to dress in proper and appropriate attire and be courteous and professional when using electronic devices. The committee on Operations, Facilities and Security, in consultation with the Speaker, may establish policies and procedures for the preservation of decorum and order in the galleries of the House Chamber to ensure that the House may conduct its business without undue disruption.

Members, staff and guests shall not take photographs or videos of, or in, the House Chamber during formal or informal sessions unless otherwise permitted by this Rule. Members may take photographs at their assigned seats in the chamber during formal or informal sessions; provided, however, that any photographs or video taken by members during formal or informal sessions shall not include images of any other member, staff or guest without their express written consent.

The Speaker may permit photographs or videos during special occasions, which shall include, but shall not be limited to, swearing-in ceremonies and addresses by constitutional officers or other dignitaries. The use of audio-visual aids including, without limitation, videos, computers, posters, displays or charts shall be permitted only upon approval of the Speaker.

The Speaker also may speak to points of order in preference to other members; and shall decide all questions of order, subject to an appeal to the House. [2.] (2.) [With regard to appeals, see Rule 77.]

[Amended Jan. 11, 1985; Jan. 9, 2003; Jan. 20, 2011; Jan. 29, 2015; Jan. 30, 2019.]

3. The Speaker shall declare all votes, subject to verification as hereinafter provided. [3.] (55.) [See Rules 49 to 53, inclusive.]

[Amended Jan. 11, 1985.]

4. In all cases the Speaker may vote. [4.] (3.)

[Amended Jan. 11, 1985.]

4A. There shall be a Speaker pro Tempore. The Speaker pro Tempore shall assist the Speaker in the coordination of policy development and the ceremonial functions of the House and shall perform such duties assigned to them by the Speaker. Upon a vacancy in the office of Speaker, the office of Speaker pro Tempore shall be considered vacant.

[Adopted Jan. 26, 2005, Amended, Jan. 23, 2007; Jan. 30, 2019.]

4B. (a) As used in this Rule, the following words shall have the following meanings:-

"Earned income", income derived from salaries, wages, tips and commissions for performing services as an employee of an employer.

"Unearned income", all other income that is not earned income.

(b) The Speaker shall not receive earned income for:

(1) affiliating with or being employed by a firm, partnership, association, corporation or other entity that provides professional services involving a fiduciary relationship;

(2) permitting their name to be used by such a firm, partnership, association, corporation or other entity;

(3) receiving compensation for practicing a profession that involves a fiduciary relationship; or

(4) serving as an officer or member of the board of an association, corporation or other entity.

(c) The provisions of this rule shall take effect on August 1, 2017.

[Added Feb. 2, 2017; Amended Jan 30, 2019.]

5. The Speaker may appoint a member to perform the duties of the Chair. In the event the Speaker fails to appoint a member to perform the duties of the Chair, the Speaker pro Tempore shall be the Acting Speaker until the Speaker otherwise provides or until a vacancy in the office of Speaker occurs. In the event that the Speaker pro Tempore is absent or is unable to perform the duties of Acting Speaker, the Majority Leader, the Assistant Majority Leader, the Second Assistant Majority Leader or other designee shall be the Acting Speaker. [7.] (4.)

[Amended April 18, 1979; Jan. 11, 1985; Jan. 14, 1997; Jan. 26, 2005.]

6. In case of a vacancy in the office of Speaker, or in case the Speaker or the member named by said Speaker in accordance with the preceding rule is absent at the hour to which the House stands adjourned, the senior member present shall call the House to order, and shall preside until a Speaker is elected, which shall be the first business in order. [8.] (5.)

[Amended Jan. 11, 1985, Amended, Jan. 23, 2007.]

7. At the beginning of the first year of the two-year General Court, the Speaker may, unless the House otherwise directs, appoint a Chaplain; and the Speaker may fill any vacancy in the office of Chaplain. [7A.] (4.)

[Amended Jan. 11, 1985; Jan. 29, 2015.]

SCHEDULING.

7A. There shall be appointed a standing committee on Steering, Policy and Scheduling consisting of eleven members. The committee shall not be subject to the provisions of Rule 17A, but shall be authorized to meet from time to time at the call of the Chair for the purpose of assisting the members of the House of Representatives in identifying the major matters pending before the General Court, the relative urgency and priority for consideration of such matters, and alternative methods of responding to such matters by the General Court. Said committee shall schedule legislative matters in a manner that will provide for an even distribution and orderly consideration of reports of legislative committees on the daily Calendar.

The committee on Steering, Policy and Scheduling shall not be authorized to recommend changes or amendments to legislation or recommend that a matter ought to pass or ought not to pass, but shall only report asking to be discharged from further consideration of a bill, and recommending that it be referred or recommitted to another committee; provided, however, that it shall not recommend that a matter be referred or recommitted to the committee on Rules or the committees on Rules of the two branches, acting concurrently, or what date a matter shall be scheduled for consideration by the House and placed in the Orders of the Day. All reports by the committee on petitions filed or approved by the voters of a city or town, or by the mayor and city

council, or other legislative body of a city or the town meeting of a town with respect to a law relating to that city or town shall be read and considered by the House at a formal or informal session before being accepted, rejected or otherwise acted upon. Any such petition and any attachment to the petition shall be filed in both paper and electronic format approved by the Clerk.

All matters received from the Senate or reported from standing committees of the House and joint standing committees of the General Court shall, unless subject to provisions of any other House or joint rules, be referred to the committee on Steering, Policy and Scheduling. All matters reported by said committee on Steering, Policy and Scheduling recommending that a matter shall be scheduled for consideration by the House shall be placed in the Orders of the Day for the next sitting. Said committee may report on a legislative matter within thirty days following the day the matter was referred. If the committee fails to report a matter within thirty days following the date of its reference, the Clerk shall place the matter on the Calendar of the House as if it had been scheduled for consideration by said committee on Steering, Policy and Scheduling.

[Adopted Jan. 14, 1997; Amended Jan. 26, 1999; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005.]

7B. The committee on Rules shall be authorized to originate and report special orders for the scheduling and consideration of legislation on the floor of the House. Said committee shall not be subject to the notification provisions contained in Rule 17A but may hold public hearings and shall accept testimony only from the members of the House. A majority of the members appointed to the committee shall constitute a quorum. When reported, such orders may be amended by a two-thirds vote of the members present and voting, and shall be subject to

approval by a majority of the members of the House present and voting. Debate on the question on adoption of such orders shall be limited to one hour. No orders adopted pursuant to this paragraph shall limit the powers of the Speaker as provided in Rules 1 to 6, inclusive. Such orders shall not be subject to reconsideration.

The committee on Rules shall not be subject to the provisions of Rule 17A, but may meet in private to discuss or consider the appointment, discipline or dismissal of any individual the committee is authorized by law or rule to appoint, discipline or dismiss.

[Adopted Jan. 14, 1997; Amended Jan. 24, 2001; Feb. 11, 2009; Jan. 30, 2019; Feb. 1, 2023.]

7C. The committee on Rules may consider and make recommendations designed to improve and expedite the business and procedures of the House and its committees, and to recommend to the House any amendments to the Rules deemed necessary; provided that a majority of the members of the House present and voting shall be required to approve such recommendations.

The committee shall be privileged to report at any time.

[Adopted Jan. 14, 1997.]

7D. The Speaker shall, in consultation with the committee on Rules and the committee on Steering, Policy and Scheduling, establish a committee scheduling system that minimizes to the greatest extent possible scheduling conflicts for members of committees.

The Speaker shall determine a schedule for the House for each week relative to formal and informal sessions and shall make such schedule available to the members in writing or by electronic mail by 5:00 P.M. on Friday of the preceding week; provided, however, that the Speaker may make, notwithstanding the provisions of Rule 7A, changes in the schedules to

facilitate the business of the House in an efficient and timely fashion. The Speaker shall communicate notice of any such scheduling change to the members in writing or by electronic mail as soon as practicable, and whenever possible, the Speaker shall provide such notice not less than twenty-four hours before the event so rescheduled is set to commence.

[Adopted Jan. 14, 1997; January 9, 2003; Jan. 30, 2019.]

MONITORS.

8. Two monitors shall be appointed by the Speaker for each division of the House, whose duty it shall be to see to the due observance of the rules, and, on request of the Speaker, to return the number of votes and members in their respective divisions. [9.]

9. If a member transgresses any of the rules after being notified thereof by a monitor, it shall be the duty of such monitor to report the case to the House.

It shall be the duty of a monitor to report their knowledge of the occurrence of a member voting for another member, in their division of the House, to the Speaker of the House and to the Minority Leader. [10.] [See Rules 16 and 16A.]

[Amended Jan. 9, 1991; May 5, 1993; Feb. 11, 2009; Jan. 30, 2019.]

9A. There shall be established a Floor Division Committee for each of the four divisions of the House. The Speaker shall appoint a Floor Division chairperson for each of the four divisions. Said committee shall consist of the members assigned to the respective divisions.

In order to create a continuous flow of debate, each chairperson shall be responsible for reviewing the daily Calendar and providing advance notice to committee members in the respective divisions of all matters scheduled for consideration in the Orders of the Day. Said

committee chairpersons shall provide information to members of their committees on pending legislation and other matters of business before the House, and shall serve as the primary liaison between their respective committees and the Speaker of the House. The committee chairpersons shall advise the Speaker on operational matters, including session coordination, debate, and remote voting, as necessary, and other critical business before the House. Said chairpersons shall facilitate discussions among committee members and ensure that committee members are fully equipped to engage in informed and productive debate.

[Adopted Jan. 14, 1997.]

CLERK.

10. The Clerk shall keep the Journal of the House. The Clerk shall enter therein a record of each day's proceedings and, whenever practicable, submit it to the Speaker and the Minority Leader before the hour fixed for the next sitting, and shall cause the same to be available daily in a format to be determined by the Clerk; and provided further that a copy of said Journal shall also be made available to each member of the House. Any objection to the Journal shall be made before the House proceeds to the consideration of the Orders of the Day. [11.] (6.)

[Amended Jan. 12, 1981; Jan 11, 1985; Jan. 17, 1995; Jan. 9, 2003.]

10A. The Clerk shall be the official parliamentarian of the House of Representatives.

[Adopted Jan. 9, 1991.]

10B. The Clerk shall be the official keeper of records of the House of Representatives for legislative records that remain in the office of said Clerk at the end of each biennial session, and

until such time as said records are transferred to the State Archives or destroyed in accordance with law.

[Adopted Jan. 29, 2015.]

11. Every question of order with the decision thereof shall be entered at large in the Journal, and shall be noted in an appendix, which shall also contain the rules of the House and of the two branches. [12.] (6.)

12. The Clerk shall prepare and make available on each day of formal session a Calendar of matters in order for consideration and such other memoranda as the House or the Speaker may direct. The Clerk shall prepare a Calendar on which shall appear any question on passage of a bill or resolve notwithstanding the objections of Their Excellency the Governor which may be considered forthwith at the direction of the House or Speaker.

When, in the determination of the Clerk, a volume of matters exists for the next legislative day, the Clerk shall be authorized to prepare and cause to be made available an advance calendar of the matters in order of consideration for the next legislative day and such other memoranda as the House or Speaker may direct. The Clerk may indicate on the advance calendar that the matters contained therein are subject to change.

The Clerk shall be authorized to dispense with preparing and making available a Calendar for designated formal sessions of the House only after two-thirds of the members present and voting consent thereto on a recorded yea and nay vote. Debate on this question shall be limited to fifteen minutes, no member shall speak more than three minutes, and such question shall not be subject to reconsideration.

The Clerk shall dispense with preparing and making available a Calendar for designated Informal Sessions of the House.

As soon as practicable whenever the Clerk prepares a Calendar or advance Calendar under this rule, they shall also cause a true copy thereof to be posted on the website of the General Court that is generally available to all members and their staff, and reasonably promptly thereafter the Clerk shall cause the members and their staff to be notified of the same by way of electronic mail. [13.] (7.)

[Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993; Jan. 17, 1995; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan. 30, 2019; Feb. 1, 2023.]

13. Any objection to the Calendar shall be made and disposed of before the House proceeds to the consideration of the Orders of the Day. [14.]

13A. The Clerk shall make available to all members electronically and, to the public via the website of the General Court, the text of all dockets and bills introduced and admitted for consideration in the House.

[Adopted, Feb. 11, 2009; Jan. 30, 2019; July 7, 2021; Feb. 1, 2023.]

COUNSEL.

13B. (a) The House shall employ a full-time Counsel pursuant to section 51 of chapter 3 of the General Laws. The committee on Rules shall appoint a qualified person to act as Counsel at such compensation as the committee on Rules shall approve.

Counsel shall serve a term of two years from the date of appointment, unless the Counsel sooner resigns, retires or is removed; provided, however, that the Counsel may only be removed:

(i) for misfeasance, malfeasance or nonfeasance, as determined by the Director of Human Resources appointed pursuant to Rule 90 and approved by a majority vote of the committee on Rules; or (ii) by a majority roll call vote of the House.

Counsel may employ such legal and other assistants as may be necessary in the discharge of Counsel's duties, subject to the approval of the committee on Rules, and may expend with like approval such sums as may be necessary for the discharge of their duties.

(b) Counsel shall be the chief legal officer of the House and shall perform all duties generally required of a counsel to an organization and specifically those required pursuant to any general or special law, rule, regulation, or order of the House. Counsel shall provide legal and legislative drafting services to all members regardless of party or seniority.

[Added Jan. 30, 2019.]

HOUSE BUSINESS MANAGER.

13C. (a) The House shall employ a full-time House Business Manager. The committee on Operations, Facilities and Security shall appoint a qualified person to act as House Business Manager at such compensation as the committee on Operations, Facilities and Security shall approve.

Subject to the approval of the committee on Operations, Facilities and Security, the House Business Manager may employ such assistants as may be necessary in the discharge of their duties and may expend with like approval such sums as may be necessary for the discharge of their duties.

(b) The House Business Manager shall be the chief finance manager of the House and shall report to the committee on Operations, Facilities and Security, which shall provide oversight of the House Business Manager generally and approval of any decisions made by the House Business Manager having a substantial impact on the House of Representatives, as determined by the committee. The House Business Manager shall perform all duties generally required of a finance manager to an organization and specifically those required pursuant to House Rules or as directed by the committee on Operations, Facilities and Security. Such duties shall include, without limitation, overseeing the provision of outside, independent audits of House financial accounts pursuant to House Rule 85A; the execution and management of all procurements pursuant to House Rule 87; the maintenance of and adherence to internal control policies and procedures related to the House's finances and administration; and the maintenance of House invoices, receipts, vouchers, contracts, and related documentation.

MEMBERS.

14. No member shall stand up, to the inconvenience of others, while a member is speaking; or be involved in disturbing conversation while another member is speaking in debate; or pass unnecessarily between the Speaker of the House and the member speaking; or stand in the passages, or in the area in front of the Chair; or stand at the Clerk's desk while a roll call is in progress. [16.]

[Amended Jan. 12, 1987; Jan. 9, 1989; Jan. 26, 1999.]

14A. [Adopted Feb. 11, 2009; Omitted Jan. 29, 2015.]

15. When it appears to the Chair that the presence of a quorum is endangered, the Chair shall order the doors closed. If a quorum is doubted the Chair shall order the doors closed and

thereafter no member shall enter or leave the House until an initial determination has been made as to the presence of a quorum or lack thereof; and thereafter, provided that no quorum is present, no member shall leave the House unless by permission of the Chair, but members shall be admitted, at any time.

Upon the doubting of a quorum and after ascertaining that a quorum is not present, the Speaker may order a recorded attendance roll call to be taken by use of the electronic roll call system.

Said roll call, if ordered, shall be taken at a time determined by the Speaker.

Members answering a quorum call shall vote "YES" on the roll call system. [17.] (11.)

[Amended Jan. 12, 1981; Feb. 22, 1982; Jan. 12, 1983; Jan. 12, 1987; Jan. 9, 1991.]

ETHICS.

16. There shall be appointed a committee on Ethics as authorized by Rule 17. The committee shall consist of 11 members, 7 of whom shall be appointed by the Speaker, 4 of whom shall be appointed by the Minority Leader.

A member appointed to the committee shall not be considered to be a member of the committee subsequent to the declaration of candidacy for any other state or federal elective office.

The committee shall investigate and evaluate, (i) at the direction of the Speaker, (ii) by a sworn written complaint filed and delivered by a member, officer or employee to the chair, (iii) or by a majority vote of the members appointed to the Ethics committee, any matters relative to alleged violations of Rule 16A by a member, officer or employee.

Upon the receipt of a sworn written complaint, at the direction of the Speaker or by a majority vote of the members appointed to the Ethics committee, the committee shall notify any person named of the nature of the alleged violation and a list of prospective witnesses, and also shall notify said person of the final disposition and the recommendations, if any, of the committee.

Any member, officer, or employee of the House named relative to an alleged violation shall be afforded the opportunity to appear before the committee on Ethics with counsel.

All proceedings including the filing of the initial complaint shall be considered confidential information.

If the alleged violation received in the manner described above is deemed to have merit by a majority vote of the members appointed to the committee, the committee shall file a report with the Clerk of the House. Said report shall be a public document. The committee shall not disclose any allegation deemed to be frivolous or without merit.

If a majority appointed finds that any member, officer, or employee of the House has violated any provision of Rule 16A, a majority appointed may, in the case of a member, recommend a reprimand, censure, removal from a committee or position of authority, including leadership, chair or vice chair, or expulsion; and in the case of an officer or employee, a majority appointed may recommend a reprimand, suspension, or removal from employment.

Should such an alleged violation be filed with the committee regarding a member or members of the House Ethics committee, said member or members shall not participate in the committee deliberations on said alleged violation.

Any member, officer, or employee of the House may request in writing from the House committee on Ethics or from the Counsel to the House appointed pursuant to Rule 13B a confidential written advisory opinion on the requirements of chapters 268A and 268B of the General Laws as well as an opinion on any other general or special law, rule or regulation applicable to their official position or concerning any contemplated personal action which may conflict with their official position. The committee on Ethics or the Counsel to the House shall issue confidential written advisory opinions and clarification in response to said written request.

No member, officer or employee of the House shall be penalized in any manner for having acted within the guidelines of a written advisory opinion from the House committee on Ethics or from the Counsel to the House appointed pursuant to Rule 13B, provided that all pertinent facts are stated in the request for an advisory opinion.

A written advisory opinion from the House committee on Ethics or from the Counsel to the House appointed pursuant to Rule 13B shall be a defense in any proceeding arising from said opinion or advice unless material facts were omitted or misstated by the person in the request of the opinion.

The chair of the Ethics committee may convene the committee at any time.

The chair shall also convene the committee at the written request of at least 5 members of the committee.

The committee may, upon the written and signed report of two-thirds of the members of the committee, file a special report containing legislation without said legislation being founded upon petition which shall be referred under the provisions of Rule 24 and consistent with the provisions of Joint Rule 13, to the appropriate joint standing committee. Any special report

containing legislation filed pursuant to this paragraph shall be germane to subject matters regularly considered by the committee. The committee shall not include in any such special report a bill that would have a fiscal impact as described in Rule 33.

Upon convening of the first annual session of the General Court and after the adoption of rules, all members, officers and employees of the House shall be provided with a current copy of the Code of Ethics contained in Rule 16A. [19.] (12A.)

[Amended Jan. 12, 1987; May 5, 1993; Jan. 17, 1995; Mar. 6, 1995; Jan. 14, 1997; Jan. 20, 2011; Feb. 11, 2009; Jan. 29, 2015; Jan. 30, 2019; July 7, 2021.]

CODE OF ETHICS.

16A. (1.) While members, officers and employees should not be denied those opportunities available to all other citizens to acquire and retain private, economic and other interests; members, officers, and employees should exercise prudence in any and all such endeavors and make every reasonable effort to avoid transactions, activities, or obligations, which are in substantial conflict with or will substantially impair their independence of judgment.

(2.) No member, officer or employee shall solicit or accept any compensation or political contribution other than that provided for by law for the performance of official legislative duties.

(3.) No member, officer or employee shall serve as a legislative agent as defined in section 39 of chapter 3 of the General Laws regarding any legislation before the General Court.

(4.) No member, officer or employee shall receive any compensation or permit any compensation to accrue to their beneficial interest by virtue of influence improperly exerted from their official position in the House.

(5.) No member, officer or employee shall accept employment or engage in any business or professional activity, which will require the disclosure of confidential information gained in the course of, and by reason of, their official position.

(6.) No member, officer or employee shall willfully and knowingly disclose or use confidential information gained in the course of their official position to further their own economic interest or that of any other person.

(7.) Except as provided in Rule 49, no member shall cast a vote for any other member, nor shall any officer or employee vote for any member, except that the Clerk or an assistant Clerk may record a vote for a member who votes late under the provisions of Rule 52, or is prohibited from voting from his desk due to a malfunction of the electronic roll call voting system; provided the Clerk's action shall not be construed as voting for said member.

(8.) No member shall use profane, insulting, or abusive language in the course of public debate in the House Chamber or in testimony before any committee of the General Court.

(9.) No member, officer or employee shall employ anyone from public funds who does not perform tasks which contribute substantially to the work of the House and which are commensurate with the compensation received. Unless their personnel record indicates otherwise, no officer or full-time employee of the House shall engage in any outside business activity during regular business hours, whether the House is in session or not, and all employees of the House are assumed to be full-time.

(10.) No member, officer or employee shall accept or solicit compensation for non-legislative services which is in excess of the usual and customary value of such services.

(11.) No member, officer or employee shall accept or solicit an honorarium for a speech, writing for publication, or other activity from any person, organization or enterprise having a direct interest in legislation or matters before any agency, authority, board or commission of the Commonwealth which is in excess of the usual and customary value of such services.

(12.) No member, officer or employee shall knowingly accept any gifts from any legislative or executive agent as prohibited by law. No member, officer or employee shall knowingly accept any gift from any person or entity having a direct interest in legislation before the General Court as prohibited by law. (For the purposes of this paragraph, the terms “gift” and “person” shall be the same as their definitions in section 1 of chapter 268B of the General Laws).

(13.) No member shall convert campaign funds to personal use in excess of reimbursements for legitimate and verifiable campaign expenditures. Members shall consider all proceeds from testimonial dinners and other fundraising activities as campaign funds.

(14.) No member shall serve on any committee or vote on any question in which their private right is immediately concerned, distinct from the public interest. [19.]

(15.) No member, officer or employee shall violate the confidentiality of any proceeding before the Ethics committee. [19A.]

(16.) Members, officers and employees may utilize public resources to support charitable and community service activities consistent with the Conflict of Interest Law, G.L. c. 268A, pursuant to policies established by committee on Human Resources and Employee Engagement pursuant to Rule 90(h)(2).

[Amended Jan. 12, 1981; May 5, 1993; Jan. 24, 2001; Feb. 11, 2009; Jan. 29, 2015; Jan. 30, 2019; Jul. 7, 2021; Feb. 1, 2023.]

16B. The committee on Human Resources and Employee Engagement shall develop and conduct an ethics law training program for every member, officer and employee of the House; provided further, that said training program shall include, without limitation, a review of the requirements and prohibitions of chapter 268A and chapter 268B of the General Laws, and the regulations of the State Ethics Commission, as they apply to legislators and legislative staff; and provided further, that said training program shall be offered virtually or in-person and shall be mandatory for all members, officers and employees.

[Adopted Jan. 9, 2003, Amended Feb. 11, 2009; Jan 20, 2011; Jul. 7, 2021.]

16C. Bills involving lobbyists' reporting laws, and laws pertaining to the ethical conduct of public officials shall, after their first reading, be referred to the committee on Ethics, for report on their relation to the ethics laws of the Commonwealth. No new provisions shall be added to such measures by the committee, unless directly pertaining to ethics. [Adopted Feb. 11, 2009.]

COMMITTEES.

17. At the beginning of the first year of the two-year General Court, standing committees shall be appointed as follows:

A committee on Rules;

(to consist of 15 members).

A committee on Ways and Means;

(to consist of 35 members).

A committee on Bills in the Third Reading;

(to consist of 3 members).

A committee of each Floor Division;

(to consist of the members of each division).

A committee on Ethics;

(to consist of 11 members).

A committee on Human Resources and Employee Engagement;

(to consist of 13 members).

A committee on Post Audit and Oversight;

(to consist of 11 members).

A committee on Steering, Policy and Scheduling;

(to consist of 11 members).

A committee on Climate Action and Sustainability;

(to consist of 11 members).

A committee on Federal Funding, Policy and Accountability;

(to consist of 11 members).

A committee on Operations, Facilities and Security;

(to consist of 11 members).

A committee on Intergovernmental Affairs;

(to consist of 11 members).

Committee meetings, insofar as practicable, shall not be scheduled in conflict with formal sessions of the House of Representatives. [20.] (12, 12A, 12B.)

[Amended March 6, 1979; Sept. 16, 1981; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993; Oct. 6, 1993; May 23, 1996; Jan. 14, 1997; Jul. 17, 2003; Jan. 26, 2005, Feb. 11, 2009; Jan. 29, 2015; Jul. 7, 2021.]

17A. (a) For the purposes of this rule, the following terms shall, unless the context clearly requires otherwise, have the following meanings:

"Deliberation", a verbal exchange between a quorum of members of a committee attempting to arrive at a decision on any public business within its jurisdiction.

"Emergency", a sudden generally unexpected occurrence or set of circumstances demanding immediate action.

"Executive conference", any meeting or part of a meeting of a committee which is closed to certain persons for deliberation on certain matters.

"Executive session", any meeting or part of a meeting of a committee wherein the committee is voting on legislation and where public participation is limited to observance.

"Meeting", any corporal convening and deliberation of a committee for which a quorum is required in order to make a decision at which any public policy matter over which the committee has supervision, control, jurisdiction or advisory power is discussed or considered; provided, however, that "meeting" shall not include an on-site visitation or inspection of any project or program.

"Quorum", a simple majority of a committee unless otherwise defined by constitution, rule or law applicable to such committee; provided further, that a quorum shall be presumed to be present unless otherwise doubted.

(b) All meetings, except executive conferences, of House standing and special committees, shall be open to the public and any person shall be permitted to attend any meeting except as otherwise provided pursuant to this rule or Rule 7A. All meetings of House standing and special committees open to the public shall be conducted in-person with the option of remote participation available to the public; provided, however, that the members of such committees shall be physically present at the hearing location where in-person public testimony is offered. All House standing and special committees, in the conduct of their hearings, shall utilize, to the extent practicable, online platforms or systems that allow for synchronous, audio-visual communication between the members of the committee and individuals offering testimony remotely. All hearings of House standing and special committees shall be publicly livestreamed on the official website of the General Court which shall display and transmit, in real-time, the audio-visual attributes of public testimony offered remotely; provided further, that said livestream shall be archived on the official website of the General Court for the duration of the legislative session. The chair of any House standing or special committee conducting a hearing shall use best efforts to prioritize the testimony of those physically present at the hearing location

and may, in their discretion, allow individuals participating in-person a greater amount of time to testify than those participating remotely. All notices of hearings shall include instructions on how to offer testimony both in-person and remotely. The chair of all House standing and special committees shall record the attendance of members during committee hearings and shall cause the attendance to be published on the official website of the General Court alongside the livestream of the hearing archived on said website.

No quorum of a committee shall meet in private for the purpose of deliberation except as provided pursuant to this rule.

No executive session shall be held until: (i) the committee has first convened in an open session for which notice has been given; (ii) the presiding officer has stated the authorized purpose of the executive session; (iii) a majority of the members of the committee present have voted to go into executive session and the vote of each member has been recorded on a roll call vote and entered into the minutes: and (iv) the presiding officer has stated before the executive session if the committee will reconvene after the executive session.

(c) Executive conferences shall be held only for the following purposes: (i) to discuss the reputation, character, physical condition or mental health rather than the professional competence of a member, officer or employee; (ii) to consider the discipline or dismissal of, or to hear complaints or charges brought against a member, officer or employee; (iii) to discuss strategy with respect to litigation if an executive session or other open meeting may have a detrimental effect on the legal position of the committee; or (iv) to consider the purchase, exchange, lease or value of real property, if such discussions may have a detrimental effect on the negotiating position of the Commonwealth or a person, firm or corporation.

A member, officer or employee subject to an executive conference pursuant to clause (i) or clause (ii) shall be notified in writing no less than 48 hours prior to the proposed executive conference; provided, however, that upon agreement of the parties involved, the notification requirements of clause (i) and clause (ii) may be waived. Upon request of the member, officer or employee subject to an executive conference pursuant to clause (i) or clause (ii) the executive conference shall be open to the public.

A member, officer or employee subject to an executive conference pursuant to clause (i) or clause (ii) shall have the right to: (a) be present at such executive conference during discussions or considerations which involve that member, officer or employee; (b) have counsel or a representative of their own choosing present and attending for the purpose of advising said member, officer or employee; provided, however, that said counsel or representative shall not actively participate in the executive conference; and (c) to speak on their own behalf to the committee assembled in executive conference.

(d) This rule shall not apply to any chance meeting or social meeting at which matters relating to official business are discussed so long as no final agreement is reached. No chance meeting or social meeting shall be used in circumvention of the spirit or requirements of this section to discuss or act upon a matter over which the committee has supervision, control, jurisdiction, or advisory power.

(e) Except pursuant to an emergency, a notice and agenda of every meeting of a committee subject to this rule shall be filed with the Clerk of the House, publicly posted by the Clerk on the bulletin board outside the Clerk’s Office and in such other places as are designated in advance for such purpose by said Clerk, made available to all members electronically and made available

to the public via the website of the General Court at least 72 hours prior to the time of such meeting and a list of the bills, petitions, and resolutions to be considered for a vote or other action by the committee. The notice shall include the date, time and place of such meeting. Such filing and posting shall be the responsibility of the committee scheduling such meeting. If public testimony is being solicited, agendas shall include an electronic mail address and physical mail address for the submission of testimony and instructions on how the public may participate remotely, and the committee shall make reasonable efforts to ensure diversity among those from whom testimony is solicited. The notice and posting requirements shall not apply to executive conferences held pursuant to clause (i) or clause (ii) of subsection (c) of this rule unless the member, officer or employee subject to the executive conference requests that the executive conference be open to the public.

(f) A committee shall maintain accurate records of its meetings and hearings setting forth the date, time and place thereof, and recording any action taken at each meeting, hearing, executive conference or executive session. All votes requested to be taken in executive sessions shall be recorded roll call votes and shall become a part of the record of said executive sessions. The record of each meeting shall be available to the public on the official website of the General Court; provided, however, that the records of any executive conference shall remain confidential as long as publication may defeat the lawful purposes of the executive conference.

(g) Upon prior notification and approval of the chair, a meeting of a committee may be recorded by a person in attendance by means of a recorder or any other means of audio/visual reproduction; provided, however, that said recording shall not interfere with the conduct of the meeting. Executive conferences conducted pursuant to clause (i) or clause (ii) of subsection (c) of this rule shall not be recorded unless upon the request of the member, officer or employee who

is subject to said executive conference, and then only at such member's, officer's or employee's expense. Executive conferences conducted pursuant to clause (iii) or (iv) of subsection (c) of this rule may be recorded at the discretion of the chair.

(h) Copies of all redrafted bills that are to be voted on at an executive session by the House Ways and Means Committee shall be available to all members of the committee electronically in the form they will be considered no less than twenty-four hours prior to their consideration; provided, however, that said committee may vote on a bill that has not been available for said period of time by vote of a majority of the committee members present.

[Adopted Nov. 17, 1983; Amended Jan. 12, 1987; Jan. 9, 1991; May 5, 1993; Jan. 17, 1995; Jan. 14, 1997; Jan. 9, 2003, Jan. 23, 2007, Feb. 11, 2009; Jan. 30, 2019; Jul. 7, 2021; Feb. 1, 2023.]

17B. The vote on any legislation in committee shall be a recorded vote of the full committee. Such votes shall be recorded on appropriate forms that show all votes for and against the particular committee action; provided, that votes may also be recorded in LAWS. The record of all such roll calls shall be posted on the official website of the General Court within 48 hours of the vote.

No report of a House committee on any legislation shall be final until those members of the committee present and voting with the majority have been given the opportunity to sign such appropriate forms before the report is made to the House. No signature shall be valid unless the forms to which the signatures are affixed include the substantially complete text of the legislation being reported.

[Adopted Nov. 17, 1983; Amended Jan. 12, 1987, Amended Jan. 29, 2015; Jul. 7, 2021; Feb. 1, 2023.]

17C. There shall be a committee on Human Resources and Employee Engagement on the part of the House consisting of thirteen members.

Said committee shall discharge its duties pursuant to the Rules, including Rule 16B and Rules 88 through 100, and shall also be responsible for the allocation of office space as equitably as possible among the various members and joint and standing committees. The committee shall allocate space among the various committees on the part of the House taking into account the workload, duties and responsibilities and size of staff of each.

The Speaker may make temporary office assignments in accordance with the foregoing principles.

The committee on Human Resources and Employee Engagement may from time to time make changes in the assignment of office space for committees and the various staffs in accordance with the established standards.

Said committee shall establish the staffing levels and positions for each joint and standing committee of the House together with a classification plan for all employees of the House of Representatives.

The House staff members of each committee shall be appointed solely on the basis of fitness to perform the duties of their respective positions, consistent with section 4 of chapter 151B of the General Laws. The committee staff shall not:

(1) engage in any work other than legislative business during business hours unless pursuant to the pro-bono service policy or charitable and community service activity policy established by the committee on Human Resources and Employee Engagement pursuant to Rule 90(h)(2); and

(2) be assigned any duties other than those pertaining to legislative business.

The committee shall meet on request of the chair or any 3 members of the committee. Any such meeting requested shall be convened on or within the fifth business day following such request. All such requests shall be in writing and forwarded to the chair and each member of the committee.

Funds shall be allocated from the budget to carry out the determination of the committee.

[Adopted Jan. 11, 1985; Amended Jan. 16, 1985; Jan. 12, 1987; Jan. 9, 1991; Feb. 11, 2009; Jan. 29, 2015; Jan. 30, 2019; July 7, 2021; Feb. 1, 2023.]

17D. [Omitted Jan. 26, 2005.]

17E. [Omitted Jan. 26, 2005.]

17F. [Omitted Jan. 26, 2005.]

17G. [Omitted Jul. 7, 2021.]

18. The Speaker shall appoint, and may recommend the removal of, the Speaker pro Tempore, the Majority Floor Leader, Assistant Majority Floor Leader and two Second Assistant Majority Floor Leaders. The Minority Leader shall appoint, and may recommend the removal of, the Assistant Minority Floor Leader, Second Assistant Minority Floor Leader, and two Third Assistant Minority Floor Leaders, Ranking minority member of Ways and Means, two Assistant

Ranking minority members of the Ways and Means committee, Ranking minority member of the committee on Rules, Ranking minority member of the committee on Financial Services, Ranking minority member of the committee on Health Care Financing, Ranking minority member of the committee on the Judiciary, Ranking minority member of the committee on Bonding, Capital Expenditures, and State Assets, Ranking minority member of the committee on Public Safety and Homeland Security, Ranking minority member of the committee on Transportation and Ranking minority member of the committee on Economic Development and Emerging Technologies. The Minority Leader shall be that member of the minority party who is selected for that position by the members of their party.

Each of the foregoing appointments or removals shall be ratified by a majority vote of the respective party caucus. In the event that an appointment is rejected by such caucus another appointment shall be made by the person designated to make the initial appointment, which shall also be subject to ratification in the same manner.

The Speaker shall appoint, and may recommend the removal of, the chair of each standing committee. The Speaker shall appoint, and may recommend the removal of, the vice chair and assistant vice chair of the Ways and Means committee, the vice chair of the Post Audit and Oversight committee, the vice chair of the committee on Rules, the vice chair of the committee on Revenue, the vice chair of the committee on Financial Services, the vice chair of the committee on Health Care Financing, the vice chair of the committee on Bonding, Capital Expenditures, and State Assets, the vice chair of the committee on State Administration and Regulatory Oversight, and the vice chair of the committee on Economic Development and Emerging Technologies.

The majority party shall then vote to accept or reject each such appointment or recommendation for removal by a majority vote.

In the event that any such appointment is rejected by the caucus, the procedure of this rule shall be repeated until an appointment for the said position has been approved by the caucus. A vacancy in any position to which the provisions of this section apply shall be filled in the same manner as provided in this section for original appointment.

No member shall receive more than one stipend pursuant to section 9B of chapter 3 of the General Laws.

The Speaker and the Minority Leader may, without a majority vote of their respective parties, remove a member appointed to a leadership position from said position pursuant to this rule if the member has been criminally indicted by a court of competent jurisdiction.

[Amended Jan. 16, 1979; Nov. 17, 1983; Jan. 11, 1985; Jan. 9, 1991; Jan. 14, 1997; Jan. 23, 2007; Feb. 11, 2009; Jan 23, 2013; Jan. 29, 2015; Feb. 19, 2015; Jan. 30, 2019; Feb. 1, 2023.]

18A. There shall be 1 member of the minority party on all committees of conference and 1 on the committee on Bills in the Third Reading. On all other standing and joint committees, the percent of minority party membership shall be at least equal to the percent of minority party membership in the House of Representatives as of the first day of the session; provided, further, that where such percentage results in a fraction of a number, the fraction shall be rounded off to the nearest whole; provided, however, that the minority party shall under no circumstances have fewer than 4 members on the committee on Ethics, 4 on the committee on Human Resources and Employee Engagement , 3 on the committee on Rules and 7 on the committee on Ways and

Means. In no case shall minority party representation be fewer than 2 members on all other standing and joint committees.

The Speaker and the Minority Leader shall appoint the members of their respective party caucuses to be assigned to each standing committee. The Speaker shall appoint the vice chair of each standing committee. The appointments, except those to which Rule 18 applies, shall be voted upon together and shall be subject to ratification by majority vote of the appropriate party caucus.

No member shall be removed from a standing committee except upon the recommendation of the Speaker or Minority Leader, as the case may be, subject to the ratification by their respective caucuses; provided, however, that the Speaker and the Minority Leader may, without a majority vote of their respective parties, remove a member appointed to a standing committee pursuant to this rule if the member has been criminally indicted by a court of competent jurisdiction; and provided further, that if any vacancy occurs in a position to which Rule 18 does not apply, subsequent to the initial ratification, the Speaker or Minority Leader shall fill such vacancy.

The Speaker shall announce committee appointments of majority party members, and the member first named shall be chair, and the second named member shall be vice-chair. The Minority Leader shall announce committee appointments of minority party members. (13.)

[Adopted Jan. 11, 1985; Amended Jan. 12, 1987; Jan. 9, 1991; Jan. 14, 1997; Feb. 11, 2009; Jan. 30, 2019.]

18B. All votes on ratification by the caucus required by these rules shall be by written ballot and shall require a majority of those present and voting; provided, however, that if a motion to

ratify the appointments by acclamation is made and seconded, no written ballot shall be required. [Adopted Jan. 11, 1985.]

18C. [Adopted, Jan. 11, 1985, Omitted Jan. 24, 2001.]

19. A majority and minority party caucus may be called by the Speaker or Minority Leader, respectively, or upon petition of 25 percent of the members of the respective party caucus. A caucus may entertain resolutions, motions, or other means of ascertaining the sense of the respective party members on any subject. (13B.)

[Adopted Nov. 17, 1983; Amended Jan. 11, 1985; Jan. 29, 2015.]

19A. The majority party and minority party shall establish caucus rules that shall dictate the procedures of each caucus.

19B. Any member caucus or group of members organized around a common legislative agenda that utilizes House resources, including staff time, shall register with the House Committee on Rules as a Legislative Member Organization, unless it is a party caucus. The chair of the House Committee on Rules shall notify the Clerk of the House of any Legislative Member Organization registering with the Committee and shall maintain a list of all Legislative Member Organizations.

Registration shall include the name of the Legislative Member Organization, its statement of purpose, identification of its members and officers, and a certification signed by its chair that any state resources used for the purposes of the Legislative Member Organization shall be not be used for any partisan political end.

A Legislative Member Organization may not include a non-legislator. Senators may belong to the Legislative Member Organization, but at least one House member shall be an officer of the Legislative Member Organization in order for the organization to use House resources. A Legislative Member Organization may, without limitation, sponsor informational or educational events, may invite outside speakers and groups to make presentations to the members of the Legislative Member Organization and others, and may distribute any report, analysis, or other research material prepared by others, provided, that the identity of the person or organization authoring the work is fully disclosed.

A member's official stationery may list their membership in a Legislative Member Organization.

[Adopted Nov. 17, 1983; Amended Jan. 14, 1997; Jul. 7, 2021; Feb. 1, 2023.]

20. The committee on Ways and Means shall report in appropriation bills the total amount appropriated. The General Appropriation Bill shall be available to the members at least 7 calendar days prior to consideration thereof by the House. [25.] (27A.)

[Amended Jan. 11, 1985; Mar. 24, 1986; Jan. 14, 1997; Jan. 26, 2005; Jan. 29, 2015.]

20A. (a) Notwithstanding the provisions of Rule 33A, amendments to the General Appropriation Bill shall be properly filed with the Clerk in an electronic format to be determined by the Clerk as directed by the Speaker; provided, that the Clerk shall notify by electronic communication the primary sponsor of each amendment of the receipt of such amendment and the number assigned by said Clerk to the amendment; provided further, that the Clerk shall print each amendment so filed electronically and such printed copy shall be considered to be the official amendment for that bill. Amendments to said General Appropriation Bill shall be filed

with the Clerk by 5 o’clock P.M. on the third business day subsequent to the bill being made available in a format to be determined by the Clerk as directed by the Speaker pursuant to Rule 20B and release of said bill by said Clerk; provided, that if the release of said bill by said Clerk occurs before the hour of 2 o’clock P.M., then the same day in which said bill was released shall be considered the first business day. Otherwise, the day following the release shall be considered the first business day.

(b)(1) The Clerk, with the assistance of the committee on Ways and Means, shall categorize the subject-matter of the amendments and arrange such amendments for consideration sequentially by subject as appearing in the published version of the General Appropriation Bill, or the Clerk, with the assistance of the committee on Ways and Means, shall categorize the subject-matter of the amendments and arrange such subject matters for consideration as determined by the committee on Ways and Means. Debate on the General Appropriation Bill shall not commence until a date and time to be determined by the House which is subsequent to the designated time established for filing of amendments pursuant to subsection (a) of this rule.

(2) Before the main question on the General Appropriation Bill is placed before the House, an amendment may be withdrawn at the request of the primary sponsor of the amendment or postponed by the committee on Ways and Means; provided, that further consideration of any amendment so postponed shall take place immediately subsequent to consideration of the amendments within the particular subject-matter to which the postponed amendment was assigned according to the provisions of this subparagraph; provided, that if more than one amendment is so postponed, subsequent consideration of said amendments shall be in the order determined by the committee on Ways and Means; provided further, an amendment so postponed shall not be subsequently considered outside of its assigned subject-matter; and provided further,

that perfecting or substitute amendments, including, but not limited to an amendment consolidating more than one amendment, may be submitted by the committee on Ways and Means during consideration of the subject category to which the amendment or amendments were assigned. Any amendment may be removed from a consolidated amendment by the primary sponsor of the amendment. Any such amendment so removed from a consolidated amendment shall be offered as an amendment to the General Appropriation Bill, to be acted upon in the first degree before action is taken on the consolidated amendment, except that any amendment so removed from the consolidated amendment may be moved by the committee on Ways and Means from one subject category to another subject category not yet disposed of in the General Appropriation Bill.

(3) A consolidated amendment to the General Appropriation Bill, offered by the committee on Ways and Means, shall contain a fiscal note indicating its total expenditures.

(4) Notwithstanding Rule 74, a consolidated amendment offered by the committee on Ways and Means, may not be divided.

(c) Except for consolidated amendments or perfecting amendments offered by the committee on Ways and Means, no proposition on a subject different from the amendment under consideration shall be admitted under color of a further amendment to the General Appropriation Bill. A consolidated amendment to the General Appropriation Bill, offered by the committee on Ways and Means, shall be a motion offering an amendment in the second degree.

(d) Any amendment to the General Appropriation Bill not complying with this rule shall be considered withdrawn; provided that, any such amendments shall be published as part of the amendment list published by the committee on Ways and Means.

[Adopted Jan. 24, 2001; Amended Jan. 9, 2003; Jan. 26, 2005; Jan. 23, 2007; Jan. 20, 2011; Jan. 29, 2015; Feb. 1, 2023.]

20B. When the General Appropriation Bill is reported by the committee on Ways and Means, it shall be made available to all members electronically and to the public via the website of the General Court in a format to be determined by the Speaker in consultation with the Clerk. The committee on Ways and Means shall provide the membership with an electronic copy of its proposed text of said General Appropriation Bill, and an executive summary which shall include a list of outside sections, and a short summary of each outside section prior to full House consideration of such bill. When the House considers said General Appropriation Bill, it shall be read a second time; provided further that amendments relative to enhancing or reducing revenue shall only be considered prior to the third reading of said bill to be in order, and that all other amendments to the General Appropriations Bill shall only be considered subsequent to the third reading of said bill.

[Adopted Jan. 9, 2003, Amended Jan. 23, 2007; Feb. 11, 2009; Feb. 1, 2023.]

21. Whenever the committee on Ways and Means reports an appropriation bill or capital outlay bill, it shall make available to the members a report which includes an explanation of any increase or decrease of five percent or more which results in an increase or decrease of one million dollars or more for any item for which the Governor has made a recommendation, and an explanation for the deletion of an item recommended by the Governor, and for the addition of an item for which the Governor has made no recommendation. [25A.] (27A.)

22. Bills and resolves when ordered to a third reading shall be referred forthwith to the committee on Bills in the Third Reading, which shall examine and correct them, for the purpose

of avoiding repetitions and unconstitutional provisions, and insuring accuracy in the text and references, and consistency with the language of existing statutes; but any change in the sense or legal effect, or any material change in construction, shall be reported to the House as an amendment.

The committee on Bills in the Third Reading may consolidate into 1 bill any 2 or more related bills referred to it, whenever legislation may be simplified thereby.

Resolutions received from and adopted by the Senate or introduced or reported into the House, after they are read and before they are adopted, shall be referred to the committee on Bills in the Third Reading.

Amendments of bills, resolves and resolutions adopted by the Senate and sent to the House for concurrence, shall, subsequently to the procedure required by Rule 35 in respect to amendments, also be referred, in like manner, to the committee on Bills in the Third Reading.

When a bill, resolve or resolution has been so referred, no further action shall be taken until a report thereon has been made by the committee. Accompanying said report shall be a written explanation prepared by the committee defining any changes made in a bill, resolve or resolution so as to facilitate the proceedings of the House.

If a bill or resolve referred to the committee on Bills in the Third Reading requires a two-thirds vote because it contains an emergency preamble, or if it provides for the borrowing of money by the Commonwealth and comes within the provisions of Section 3 of Article LXII of the Amendments to the Constitution, or provides for the giving, loaning or pledging of the credit of the Commonwealth and comes within the provisions of Section 1 of Article LXII (as amended by Article LXXXIV) of the Amendments to the Constitution, or provides, upon recommendation

of the Governor, for a special law relating to an individual city or town and comes within the provisions of clause (2) of Section 8 of Article LXXXIX of the Amendments to the Constitution or provides for environmental protection within the provisions of Article XLIX as amended by Article XCVII, the committee shall plainly indicate the fact on the outside of the bill or resolve, or on a wrapper or label attached thereto. [26.] (33.)

[Amended Jan. 12, 1983; Jan. 11, 1985; May 5, 1993; Jan. 29, 2015; Feb. 1, 2023.]

23. Bills and resolves prepared for final passage shall be certified by the Clerk of the House, after comparison, to be the same as the bills or resolves passed to be engrossed; and if found to be properly prepared, the Clerk shall so endorse on the envelope thereof; and the question on enactment or final passage or adopting an emergency preamble shall be taken thereon, without further reading, unless specifically ordered.

When a bill prepared for final passage contains an emergency preamble or when it provides for the borrowing of money by the Commonwealth and comes within the provisions of Section 3 of Article LXII of the Amendments to the Constitution, or provides for the giving, loaning or pledging of the credit of the Commonwealth and comes within the provisions of Section 1 of Article LXII (as amended by Article LXXXIV) of the Amendments to the Constitution, or provides, upon recommendation of the Governor, for a special law relating to an individual city or town and comes within the provisions of clause (2) of Section 8 of Article LXXXIX of the Amendments to the Constitution, or provides for environmental protection within the provisions of Article XLIX as amended by Article XCVII, the Clerk shall plainly indicate the fact on the envelope thereof. [27.] (34.) [See Rule 40.]

[Amended Jan. 12, 1983; Jan. 29, 2015.]

23A. No member of the House, except the Speaker, Speaker pro Tempore, Majority Leader, Assistant Majority Leader, Second Assistant Majority Leader, Minority Leader, Assistant Minority Leader, Second Assistant Minority Leader, Third Assistant Minority Leader, Vice-Chairperson of the Committee on Ways and Means, Assistant Vice-Chairperson of the Committee on Ways and Means and committee chairs with respect to committee business, shall receive privileges or compensation for postage which is greater than seventy-five percent of the amount allowed as standard practice during the 186th biennial session of the General Court, as determined by the House Business Manager.

[Adopted Jan. 11, 1985; Amended Jan. 24, 2001; Jan. 26, 2005; Jan. 20, 2011; Feb. 1, 2023.]

24. (a)(1) Petitions, recommendations and reports of state officials, departments, commissions including legislative commissions, and boards, special reports including legislation initiated by the Committee on Ethics pursuant to rule 16, and reports of special committees and commissions including legislative commissions, shall be filed with the Clerk in a format to be determined by said Clerk, who shall, unless they are subject to other provisions of these rules or the rules of the two branches, refer them, with the approval of the Speaker, to the appropriate committees, subject to such change of reference as the House may make. The reading of all such documents may be dispensed with, but they shall be entered in the Journal of the same or the next legislative day after such reference except as provided in Joint Rule 13.

(2) All orders, including motions or orders proposed for joint adoption, resolutions and other papers intended for presentation, except those hereinbefore mentioned, shall be filed with the Clerk in a format to be determined by said Clerk, who shall, prior to the procedure required by

other provisions of these rules or of the rules of the two branches, refer them to the committee on Rules.

(b) Resolutions for adoption by the House only or resolutions for joint adoption shall only be considered for adoption in the House if the resolution meets the criteria set forth in this rule.

(c) Resolutions shall consist of: (i) no more than 5 clauses beginning with the word "WHEREAS", which shall contain statements of facts or opinions; and (ii) no more than 2 clauses beginning with the word "RESOLVED".

(d) Resolutions shall recognize, honor, commend, celebrate or commemorate a momentous achievement, special occasion or significant event or date; provided, however, that the following resolutions shall not be considered for adoption:

(i) resolutions recognizing, honoring, commending, celebrating or commemorating the birthday of a person under the age of 80;

(ii) resolutions recognizing, honoring, commending, celebrating or commemorating a wedding anniversary of a married couple of less than 50 years;

(iii) resolutions recognizing, honoring, commending, celebrating or commemorating an anniversary of an organization of less than 20 years;

(iv) resolutions recognizing, honoring, commending, celebrating or commemorating a class reunion;

(v) resolutions recognizing, honoring, commending, celebrating or commemorating a for-profit organization;

(iv) resolutions proclaiming certain days, weeks or months;

(vii) resolutions that includes a statement of policy or ideology.

(e) Suspension of subsections (b) through (d) of this rule shall require unanimous consent of the members present.

(3) Petitions and other papers so filed which are subject to the provisions of Joint Rule 7A, 7B, or 9 shall be referred by the Clerk to the committee on Rules. Petitions and other papers so filed, which are subject to the provisions of the second paragraph of Joint Rule 12, shall, prior to the procedure required by said rule, be referred by the Clerk to the committee on Rules. The reading of all such papers may be dispensed with, but they shall be entered in the Journal of the same or the next legislative day after such reference.

(4) Matters which have been placed on file during the preceding year may be taken from the files by the Clerk upon request of any member or member-elect; and matters so taken from the files shall be referred or otherwise disposed of as provided above.

(5) Recommendations and special reports of state officials, departments, commissions and boards, reports of special committees and commissions, bills and resolves accompanying petitions, recommendations and reports, and resolutions shall be made available under the direction of the Clerk, who may cause to be made available, with the approval of the Speaker, any other documents filed as herein provided.

(6) All such legislation and reports filed with the Clerk shall be submitted in a format prescribed by said Clerk. Said documents shall contain the name or names of the primary sponsors and a list of the names of all petitioners praying for the legislation. Additional names

may be added to the list of the petitioners; provided, however, that, such additional names shall be submitted in a format to be determined by the Clerk.

(7) Any petition so submitted that is a refile of a measure submitted in a previous session shall include, in the appropriate space provided, the session year for which the measure was filed and the House or Senate bill number or docket number assigned to such measure in such previous session.

(8) Debate upon the suspension of this rule shall be limited to 10 minutes, 3 minutes for each member, and the Speaker shall recognize the member presenting the order, resolution or petition first; provided, however, that suspension of this rule shall require unanimous consent of the members present. Any order, except such order that would amend the Rules of the House, resolution or petition referred to the committee on Rules after the question of suspension of this rule has been negatived, or any order, resolution or petition filed after the beginning of the session and referred to the committee on Rules, shall not be discharged from said committee except by unanimous consent of the House. Motions to discharge the committee on Rules shall be subject to the provisions of paragraph 2 of Rule 28. [28.] (20.) [See Rules 36 and 85.]

[Amended April 27, 1981; Jan. 9, 1989; Jan. 9, 1991; Jan. 26, 2005; Feb. 11, 2009; Jan. 29, 2015; Jan. 30, 2019; Jul. 7, 2021; Feb. 1, 2023.]

25. Every petition for legislation shall be accompanied by a bill or resolve embodying the legislation prayed for. [29.] [See Joint Rule 12.]

26. When the object of an application can be secured without a special act under existing laws, or, without detriment to the public interests, by a general law, the committee to which the matter is referred shall report such general law or ought not to pass, as the case may be. The

committee may report a special law on matters referred to it upon (1) a petition filed or approved by the voters of a city or town, or the mayor and city council, or other legislative body, of a city, or the town meeting of a town, with respect to a law relating to that city or town; (2) a recommendation by the Governor; or (3) matters relating to erecting and constituting metropolitan or regional entities, embracing any two or more cities and towns, or established with other than existing city or town boundaries, for any general or special public purpose or purposes. [30.] (16.) [See Joint Rule 7.]

[Amended Feb. 11, 2009.]

27. With the exception of matters referred to the committee on Rules under the provisions of paragraph (3) of Rule 24, committees shall report on all matters referred to them. The committee on Ways and Means shall report the General Appropriation Bill not later than the second Wednesday of May; and provided further that said committee shall make available to the members all data compiled for justification of budgetary recommendations in all appropriation bills.

The House chair of each joint standing committee shall make final report on all matters referred to and heard by their committee prior to the third Wednesday of December of the first annual session of the General Court by not later than 60 calendar days after the matter is heard; provided, however, that an additional 30 calendar days may be granted on a matter by the House chair who shall notify the Clerk of said extension. After the expiration of such 90-day period, the House shall approve by unanimous consent an extension order submitted by the House members of the joint committee for any additional time for further consideration of the matter by the committee. However, a committee shall not make final report after, and the House shall not

approve of an extension order that extends consideration of a matter beyond, the third Wednesday in March of the second annual session of the General Court. For matters referred to a joint standing committee and heard by said committee after the third Wednesday of December of the first annual session, the committee shall make final report by not later than 60 calendar days after the matter is heard, or by the third Wednesday in March of the second annual session, whichever occurs later. For all matters referred to the committee on Health Care Financing after the third Wednesday in March of the second annual session which were initially referred to another joint standing committee, the committee shall make final report not later than the last Wednesday of May of the second annual session.

When the time within which joint standing committees are required to report has expired, all matters upon which no report has then been made shall forthwith be reported by the House chair with a recommendation to study the matter.

[Amended April 18, 1979; Jan. 14, 1997; Jan. 29, 2015.]

27A. [Omitted Jan. 23, 2007.]

28. (1) Motions directing the committee on Ways and Means to report certain matters to the House, or motions discharging said committees from further consideration of certain matters, shall not be considered until the expiration of seven calendar days and shall require a majority vote of the members present and voting for adoption. Committees so directed to report shall file a report with the Clerk within 4 legislative days. The committee on Ways and Means may not be directed to report or be discharged from further consideration of any appropriation or capital outlay measure.

(2) The committee on Rules, except as provided in Rule 24, and the committee on Bills in the Third Reading shall not be discharged from consideration of any measure or be directed to report on any measure within 10 calendar days of its reference without the unanimous consent of the House, or after such 10 day period except by a vote of a majority of the members present and voting thereon.

(3) Matters discharged under the provisions of this rule shall be placed in the Orders of the Day for the next sitting. Petitions discharged under the provisions of this rule shall be considered as favorably reported and the bill, resolve, resolution or order accompanying such petitions shall be placed in the Orders of the Day for the next sitting.

(4) During the last week of the session, the provisions of paragraphs (1) and (3) of this rule shall be inoperative.

(5) A second motion to discharge a matter from a committee or a second motion to direct a committee to report a matter shall not be entertained until the first such motion has been disposed of.

(6) As an alternative procedure to that provided under the provisions of this rule, the members of the House may, by filing a petition signed by a majority of the members elected to the House, discharge the House committee on Ways and Means, the House committee on Bills in the Third Reading, and the House committee on Rules from further consideration of a legislative matter. Seven days following the filing of the petition with the House Clerk, the committee shall be discharged from further consideration of the legislative matter specified in the petition and the House Clerk shall place the matter in the Orders of the Day for the next calendar day that the House is meeting.

(7) For the purpose of this rule, matters not appearing on the Calendar which are not before any committee shall be deemed to be before the Rules committee. Notwithstanding the previous sentence, a bill which has been engrossed by the House and Senate shall be placed before the House for enactment. Any member may request to the House that a matter engrossed in the House and Senate, returned for final passage by the engrossing division, and reviewed and released by the Committee on Bills in the Third Reading be placed before the House for enactment. The Speaker shall, in response to such a request of a member, put the matter before the House at the conclusion of the matter then pending.

(8) This rule shall not be suspended unless by unanimous consent of the members present. (27C, 32A.)

[Amended Jan. 12, 1981; April 27, 1981; Jan. 12, 1983; Nov. 17, 1983; Jan. 11, 1985; Jan. 9, 1989; Jan. 9, 1991; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan. 29, 2015.]

28A. [Adopted Jan. 11, 1985; Amended Jan. 9, 2003; Jan. 29, 2015; Omitted.]

REGULAR COURSE OF PROCEEDINGS.

Petitions.

29. The member presenting a petition shall endorse their name thereon; and the reading thereof shall be dispensed with, unless specially ordered. [37.] (18.)

[Amended Jan. 11, 1985; Jan. 30, 2019.]

Motions Contemplating Legislation, etc.

30. All motions contemplating legislation shall be founded upon petition, except as follows:

The committee on Ways and Means may originate and report appropriation bills as provided in Rule 20. Messages from the Governor shall, unless otherwise ordered, be referred to the appropriate committee, which may report by bill or otherwise thereon. A similar disposition shall, unless otherwise ordered, be made of reports by state officers and committees authorized to report to the Legislature, and similar action may be had thereon.

Messages from the Governor returning appropriation bills, or parts of appropriation bills, with objections or reductions of sections or items thereof, shall be reconsidered subsequent to a report of the committee on Ways and Means. Messages or recommendations from the Governor shall be filed with the Clerk in a format to be determined by the Clerk. [40.] (19.)

[Amended Jan. 24, 2001.]

Bills and Resolves.

31. Bills shall be drafted in a format approved by the Counsel to the House and submitted in a format to be determined by the Clerk. Bills amending existing laws shall not provide for striking words from, or inserting words in, such laws, unless such course is best calculated to show clearly the subject and nature of the amendment. No repealed law, and no part of any repealed law, shall be re-enacted merely by reference. [42.] (17.)

[Amended Jan. 9, 2003; Jan. 26, 2005; Jan. 29, 2015.]

32. If a committee to which a bill is referred reports that the same ought not to pass, the question shall be “Shall this bill be rejected?”. If the question on rejection is negatived, the bill, if it has been read but once, shall be placed in the Orders of the Day for the next sitting for a second reading without question; otherwise it shall be placed in the Orders of the Day for the

next sitting, pending the question on ordering to a third reading, or to engrossment, as the case may be. [43.] (30.)

[Amended Jan. 30, 2019.]

32A. [Omitted Jan. 26, 2005.]

33. Bills involving an expenditure of public money or grant of public property, or otherwise affecting the state finances, unless the subject matter has been acted upon by the joint committee on Ways and Means, shall, after their first reading, be referred to the committee on Ways and Means, for report on their relation to the finances of the Commonwealth.

New provisions shall not be added to such bills by the committee on Ways and Means, unless directly connected with the financial features thereof.

Orders reported in the House or received from the Senate involving the expenditure of public money for special committees, shall, before the question is taken on the adoption thereof, be referred to the committee on Ways and Means, whose duty it shall be to report on their relation to the finances of the Commonwealth.

Every such bill involving a capital expenditure for new projects, or an appropriation for repairs, or any legislation, the cost of which, in the opinion of the committee, exceeds the sum of one hundred thousand dollars when reported into the House by the committee on Ways and Means, shall be accompanied by a fiscal note indicating the amount of public money which will be required to be expended to carry out the provisions of the proposed legislation, together with an estimate of the cost of operation and maintenance for the first year if a new project is involved. [44.] (27.)

[Amended April 18, 1979; Jan. 12, 1981; Jul. 17, 2003; Jan. 26, 2005.]

33A. Copies of all bills shall be available, in a format to be determined by the Speaker in consultation with the Clerk, to all members of the House and the public electronically via the website of the General Court; provided, however, that any bill or resolve to be considered by the House at a formal session shall be available to all members electronically and to the public via the website of the General Court no later than 12:00 P.M. the day prior to consideration thereof by the House in a formal session; provided further that, to the extent practicable, a summary of any bill containing meaningful policy changes to be considered by the House in a formal session shall be made available by the chair of the joint standing committee which had jurisdiction of the bill, to all members of the House and the public via the website of the General Court prior to the commencement of roll calls for the formal session in which the bill will be considered.

All amendments offered by members to any matter in the House shall be submitted in a format to be determined by the Clerk in consultation with the Speaker; provided, however, that an amendment to any matter to be considered by the House at a formal session shall be filed by 5:00 P.M. on the day the bill or resolve is made available to the members pursuant to the first paragraph of this rule. Amendments shall be considered by the House chronologically as submitted to the Clerk, except for an amendment in the second degree; provided that all amendments shall be drafted in proper form acceptable to the Clerk; and provided further that the Clerk shall print each amendment so filed and such printed copy shall be considered to be the official amendment for that bill and there shall be available to the members a duplicate copy of each amendment. (33A.)

When the House considers any bill or resolve, other than the General Appropriations Bill, it shall be read a second time and, subsequent to the consideration of any amendments recommended by a committee or committees, it shall forthwith be considered by the House, the question being on ordering it to a third reading, without any other amendments. A bill or resolve so ordered to a third reading shall be immediately referred to the committee on Bills in the Third Reading and, upon being released by said committee, it shall be read a third time and shall then be open to amendments, the main question being on passing the bill or resolve to be engrossed.

Except for consolidated amendments or perfecting amendments offered by the committee on Ways and Means, no proposition on a subject different from the amendment under consideration shall be admitted under color of a further amendment to any bill or resolve. A consolidated amendment to any bill or resolve, offered by the committee on Ways and Means, shall be a motion offering an amendment in the second degree.

[Adopted Nov. 17, 1983; Amended Nov. 28, 1984; Jan. 12, 1987; Jan. 9, 1991; Jan. 17, 1995l; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan. 29, 2015; Jul. 7, 2021; Feb. 1, 2023.]

33B. [Omitted Jan. 26, 2005.]

33C. [Omitted Jan. 26, 2005.]

33D. [Omitted Jan. 26, 2005.]

33E. No consolidated amendment offered by the committee on Ways and Means shall be considered by the House until the expiration of at least 30 minutes after the consolidated amendment shall have been first filed with the Clerk and made available to the members. This rule shall not be suspended unless by unanimous consent of the members present.

[Added Feb. 4, 2010; Amended Jan. 29, 2015.]

33F. No consolidated amendment shall be adopted except by a roll call vote.

[Added Feb. 2, 2017.]

34. Bills from the Senate, after their first reading, shall be referred to a committee of the House. [45.] (26.)

[Amended Jan. 26, 1999.]

35. Amendments proposed by the Senate, and sent back to the House for concurrence, shall be referred to the committee on Bills in the Third Reading, provided that the journal shall reflect the referral; and provided further that subsequent to a report from said committee, the amendments shall be considered forthwith. [46.] (36.)

[Amended April 18, 1979; Jan. 12, 1981; Jan. 26, 2005, Jan. 23, 2007; Jan. 23, 2013.]

36. No bill shall be proposed or introduced unless received from the Senate, reported by a committee, or moved as an amendment to the report of a committee. [47.] (36.)

37. Bills, resolves and other papers that have been, or, under the rules or usage of the House, are to be made available in a format to be determined by the Speaker in consultation with the Clerk, shall be read by their titles only, unless the full reading is requested by vote of a majority of those members present and voting.

[Amended Jan. 9, 2003, Amended, Jan. 23, 2007.] [48.] (29.)

38. When a bill, resolve, order, petition or memorial has been finally rejected or disposed of by the House, no measure substantially the same shall be introduced by any committee or

member during the same session. This rule shall not be suspended unless by unanimous consent of the members present. [49.] (54.)

39. No bill shall be passed to be engrossed without having been read on three separate legislative days. [51.] (28.)

[Amended Jan. 11, 1985.]

40. No engrossed bill shall be amended, except by striking out the enacting clause. A motion to strike out the enacting clause of a bill shall be received when the bill is before the House for enactment. If the bill contains an emergency preamble, a motion to suspend this rule may be received before the adoption of the emergency preamble and, if suspended, the amendment may contain a new emergency preamble. This rule shall not apply to a bill or resolve returned by the Governor with a recommendation of amendment in accordance with the provisions of Article LVI of the Amendments to the Constitution; nor shall it apply to amendments of engrossed bills proposed by the Senate and sent to the House for concurrence, which amendments shall be subject to the provisions of Rule 35, provided, however, that an affirmative vote on a motion to suspend this rule shall be required in order to offer an amendment to such an engrossed bill when the question before the House is on adoption of an emergency preamble, re-enactment or enactment, as the case may be. [53.] (49.)

[Amended, Jan. 23, 2007; Jan. 20, 2011; Jan. 23, 2013; Jan. 29, 2015.]

41. Bills received from the Senate and bills reported favorably by committees, when not referred to another standing committee of the House, shall, prior to being placed in the Orders of the Day, be referred to the committee on Steering, Policy and Scheduling. Resolutions received

from and adopted by the Senate, or reported in the House by committees, shall, if proposed for joint adoption, be referred to said committee on Steering, Policy and Scheduling. [56.] (26.)

[Amended Jan. 14, 1997; Jan. 26, 1999.]

42. Reports of committees, not by bill or resolve, including orders if proposed for joint adoption, after they are received from the Senate, or made in the House, as the case may be, shall, unless subject to the provisions of any other House or joint rules, be referred to the committee on Steering, Policy and Scheduling; provided that the report of a committee asking to be discharged from further consideration of a subject, and recommending that it be referred or recommitted to another committee, or a report of a committee recommending that a matter be placed on file, shall be immediately considered. Reports of committees on proposals for amendments to the Constitution shall be dealt with in accordance with the provisions of Joint Rule 23. [57.] (36.)

[Amended Jan. 14, 1997; Jan. 29, 2015.]

42A. The Clerk shall, prior to 3 o'clock P.M., on the day preceding a session, make available by electronic communication or other means, a list of all reports of the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of subjects, and recommending that the subjects be referred to other committees.

[Adopted Jan. 26, 2005; Amended Jan. 29, 2015.]

43. Bills ordered to a third reading shall be placed in the Orders of the Day for the next day for such reading. [58.] (32.)

Special Rules Affecting the Course of Proceedings.

44. The Speaker may designate when an informal session of the House shall be held provided said Speaker gives notice of such informal session at a prior session of the House. The Speaker may, in cases of emergency, cancel a session or declare any session of the House to be an informal session. At an informal session the House shall only consider reports of committees, papers from the Senate, bills for enactment or resolves for final passage, bills containing emergency preambles and the matters in the Orders of the Day. Motions to reconsider moved at such informal session shall be placed in the Orders of the Day for the succeeding day, and no new business shall be entertained, except by unanimous consent.

Formal debate, or the taking of the sense of the House by yeas and nays shall not be conducted during such informal session.

Upon the receipt of a petition signed by at least a majority of the members elected to the House, so requesting, the Speaker shall, when the House is meeting in informal session under the provisions of Joint Rule 12A, designate a formal session, to be held within seven days of said receipt, for the purpose of considering the question of passage of a bill, notwithstanding the objections of the Governor, returned pursuant to Article 2, Section 1, Chapter1, Part 2 of the Massachusetts Constitution. This rule shall not be suspended unless by unanimous consent of the members present. [59.] (5A.)

The House may meet in a formal session notwithstanding the provisions of Joint Rule 12A upon the adoption of an order filed by the committee on Rules pursuant to Rule 7C.

[Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 17, 1995; Jan. 14, 1997; Jan. 24, 2001; Jan. 9, 2003; Feb. 11, 2009.]

45. After entering upon the consideration of the Orders of the Day, the House shall proceed with them in regular course as follows: Matters not giving rise to a motion or debate shall first be disposed of in the order in which they stand in the Calendar; after which the matters that were passed over shall be considered in like order and disposed. The provisions of this paragraph shall not be suspended unless by unanimous consent of the members present.

Notwithstanding the provisions of this rule, during consideration of the Orders of the Day, the committee on Ways and Means and the committee on Bills in the Third Reading may present matters for consideration of the House after approval of two-thirds of the members present and voting, without debate. [59.] (37.) [See Rule 47.]

[Amended Jan. 12, 1981; Jan. 12, 1983; Feb. 11, 2009.]

46. When the House does not finish the consideration of the Orders of the Day, those which had not been acted upon shall be the Orders of the Day for the next and each succeeding day until disposed of, and shall be entered in the Calendar, without change in their order, to precede matters added under Rule 7A; provided, however, that all other matters shall be listed in numerical order by Calendar item.

The unfinished business in which the House was engaged at the time of adjournment shall have the preference in the Orders of the Day for the next day. [60.] (35.)

[Amended Jan. 12, 1987; Jan. 26, 1999.]

47. No matter which has been duly placed in the Orders of the Day shall be discharged therefrom, or considered out of the regular course. [61.] (38.) [See Rule 45.]

Voting.

48. Members desiring to be excused from voting shall make application to that effect before the division of the House or the taking of the yeas and nays is begun. Such application may be accompanied by a brief statement of reasons by the member. The Clerk shall, prior to the first roll call of the sitting, announce the name of any member who has informed the Clerk to not call their name or lock their voting station. The Clerk shall also announce prior to any subsequent roll call of the sitting the name of any member who had informed said Clerk not to call their name or lock their voting station since the taking of the immediately preceding roll call.

A member absent from the House for a formal session period of a day or longer shall notify the Clerk in writing of the intended absence. A member absent during a formal session for an extended period or for the remainder of the session shall notify the Clerk in person. The Clerk shall provide a written notice to any such absent member.

The Clerk shall disable the voting station of any such member notifying the Clerk of an absence pursuant to this Rule. The Clerk shall also disable the voting station of any member failing to answer the first non-quorum roll call of a legislative sitting; provided, however, that the Clerk shall reactivate the voting station upon receiving notification of the member's return to the House Chamber. ([64.] (57.)

[Amended Feb. 11, 2009; Jan. 30, 2019.]

49. (a) If the presence of a quorum is doubted, a count of the House shall be made. When a yea and nay vote is taken, the members, with the exception of the Speaker, shall vote only from their seats. A member who has been appointed by the Speaker to perform the duties of the Chair, or a person who has been elected Speaker pro Tempore, may designate some member or a court officer to cast a vote for said member on any vote taken on the electronic voting system while

such member is presiding. Said designated member performing the duties of the Chair, or Speaker pro Tempore, may, if the Speaker is in the State House, cast a vote for the Speaker. The Speaker shall state the pending question before opening the system for voting.

The Speaker may direct the Clerk to cast a vote for a member who is in the House Chamber, but who is unable to vote due to a malfunction of their voting station or inability to open their voting station.

(b) Except in the case of a vote to ascertain the presence of a quorum, if a member is prevented from voting personally using the electronic voting system because of physical disability, said member shall, if present in the State House, be excused from so voting and the Speaker shall assign a court officer to cast said member's vote so long as said physical disability continues; provided that the Speaker shall announce the action of the Chair to the membership prior to assigning a court officer to cast the member's vote and provided further that the Speaker shall announce the action to the membership the first time a vote is cast for that member on each successive day.

(c) A member serving on active reserve military duty may participate remotely in a formal session, subject to the requirements and limitations of federal law and regulation, including, but not limited to, United States Department of Defense Directive 1344.10. A member serving on active reserve military shall notify the Clerk of such service as soon as practicable.

(d) A member with a serious health condition may submit to Counsel appointed pursuant to Rule 13B a request for an accommodation to participate remotely in a formal session. Said request shall be accompanied by documentation from said member’s health care provider that an

accommodation to participate remotely is necessary. For purposes of this rule, a serious health condition shall include:

(1) the member's own serious health condition, which includes illness, injury, impairment, or physical or mental conditions requiring inpatient care or continuing treatment by a health care provider, involving more than three days of incapacity; or

(2) care for the member's parent, child or spouse with a serious health condition.

For purposes of this rule, a serious health condition shall not include routine, health-related visits or examinations or temporary conditions or other short-term illnesses involving less than three days of incapacity.

(e) A member shall be entitled to participate remotely in a formal session in connection with any condition or limitation related to a member's pregnancy, including pregnancy loss, and may participate remotely in formal session for 20 weeks after the birth or adoption of a child by a member or the member's partner, or placement of a child in foster care with a member or the member's partner. A member who intends to participate remotely pursuant to this subsection shall notify Counsel of the need for an accommodation as well as the expected length of the accommodation.

(f) Counsel shall not approve, without the prior written approval of the Chair of the committee on Rules, any request for an accommodation to participate remotely in a formal session that does not satisfy the requirements of this subsection.

(g) Upon approval of a request for accommodation to participate remotely received pursuant to subsection (d) or subsection (f), Counsel shall notify the Clerk that the member filing the

request has been authorized to participate remotely. Other than the notification provided to the Clerk or to the Chair of the committee on Rules, as required, Counsel shall maintain any request for accommodation pursuant to this rule as confidential.

(h)(1) A member authorized to participate remotely in a formal session pursuant to subsection (d) through subsection (f), inclusive, shall have the same privileges, rights and responsibilities as if the member were physically present in the House Chamber, including without limitation, the right, privilege and responsibility to cast votes on all questions or other matters brought to a vote and the ability to take the oath required pursuant to Part the Second, Chapter VI, Article I of the Constitution of the Commonwealth.

(i) The Journal of the House for any formal session of the House where a member is participating remotely in a formal session pursuant to this rule shall not specify which members participated remotely. [Amended April 18, 1979; Jan. 12, 1987; Jan. 9, 1991; Jan. 9, 2003; Jan. 20, 2011; Feb. 11, 2009; Jan. 30, 2019; Feb. 1, 2023.]

50. When a question is put, the sense of the House shall be taken by the voices of the members, and the Speaker shall first announce the vote as it appears to the Speaker by the sound. If the Speaker is unable to decide by the sound of the voices, or if the announcement made thereupon is doubted by a member rising in their place for that purpose, the Speaker shall order a division of the number voting in the affirmative and in the negative, without further debate upon the question. [66.] (55.)

[Amended Jan. 11, 1985; Feb. 11, 2009; Jan. 30, 2019.]

51. When a return by division of the members voting in the affirmative and in the negative is ordered, the members for or against the question, when called on by the Speaker, shall rise in

their places, and stand until they are counted. If, upon the taking of such a vote, the presence of a quorum is doubted, a count of the House shall be had, and if a quorum is present the vote shall stand. [67.]

52. The sense of the House shall be taken by yeas and nays whenever required by ten percent of the members elected. The Speaker shall, after waiting up to an interval of twelve minutes, state the pending question and, after opening the electronic voting system, instruct the members to vote for not less than two minutes and no more than twenty-two minutes, the Speaker shall close said system and cause totals to be displayed and a record made of how each member present voted; provided, that if at any time during said voting period any standing, joint or conference committee is meeting in public or executive sessions, the Speaker shall leave the electronic voting machine open for not less than 5 minutes.

Any member desiring to be recorded as being "present" when a yea and nay vote is taken on the electronic roll call system shall so notify the Clerk in person after said vote is ordered and before the vote is announced.

In the event the electronic voting system is not in operating order, the roll of the House shall be called in alphabetical order; provided, however, that no member shall be allowed to vote or to answer "present" who was not on the floor before the vote is declared; provided, however, that a member, who was in the State House on a previous roll call, may be recorded by reporting to the Clerk within five minutes after such vote is closed, unless objection is made thereto and it is seconded; and provided further that the presiding officer shall not, for said purpose, interrupt the member who is speaking on the floor; provided, however, that such request may be announced to the House subsequent to the five minutes. The Speaker shall not entertain any requests beyond

said five-minute period. Once the voting has begun it shall not be interrupted except for the purpose of questioning the validity of a member's vote before the result is announced. Except as heretofore provided, any member who shall vote or attempt to vote for another member or any person not a member who votes or attempts to vote for a member, or any member or other person who willfully tampers with or attempts to impair or destroy in any manner whatsoever the voting equipment used by the House, or change the records thereon shall be punished in such manner as the House determines; and provided further, that such a violation shall be reported to the Ethics Committee. [68.] (56, 57.)

Upon completion of the tally by the Clerk and the announcement of the vote by the Speaker, the results of all roll calls conducted shall be conspicuously posted on the website of the General Court.

[Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; Jan. 9, 1991; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005; Feb. 11, 2009; Jan 20, 2011; Jul. 7, 2021; Feb. 1, 2023.]

53. The call for yeas and nays shall be decided without debate. If the yeas and nays have been ordered before the question is put, the proceedings under Rules 50 and 51 relative to verification of the vote by the voices of the members or by a return of divisions shall be omitted; if not, they may be called for in lieu of a return by divisions when the Speaker's announcement is doubted by a member rising in their place, and, if then ordered, the proceedings under Rules 50 and 51 shall be omitted. [69.] (52.)

[Amended Jan. 26, 1999; Jan. 30, 2019.]

Reconsideration.

54. No motion to reconsider a vote shall be entertained unless it is made on the same day on which the vote was taken, or before the Orders of the Day have been taken up on the next day thereafter on which a quorum is present. If reconsideration is moved on the same day, the motion shall be placed first in the Orders of the Day for the succeeding day; but, if it is moved on the succeeding day, the motion shall be considered forthwith except that if said motion is moved on a day on which an informal session has been designated, it shall be placed in the Orders of the Day for the succeeding day. If reconsideration is moved after July first of the second annual session and thereafter, on any main question, it shall be considered forthwith. This rule shall not prevent the reconsideration of a vote on a subsidiary, incidental or dependent question at any time when the main question to which it relates is under consideration; and provided, further, that a motion to reconsider a vote on any subsidiary, incidental or dependent question shall not remove the main subject under consideration from before the House, but shall be considered at the time when it is made. This rule shall not be suspended unless by unanimous consent of the members present. [70.] (53.)

[Amended Jan. 12, 1981, Jan. 23, 2007.]

55. When a motion for reconsideration is decided, that decision shall not be reconsidered, and no question shall be twice reconsidered; nor shall any vote be reconsidered upon any of the following motions:

to recess,

to adjourn,

on sustaining a ruling of the Chair,

to close debate at a specified time,

to postpone if voted in the negative,

to discharge or direct a committee to report,

to commit or recommit,

for second or subsequent legislative days,

for the previous question, or

for suspension of rules.

This rule shall not be suspended unless by unanimous consent of the members present. [71.] (53.)

[Amended Jan. 12, 1981; Jan. 12, 1983; Jan. 9, 1991.]

56. Debate on motions to reconsider shall be limited to fifteen minutes, and no member shall occupy more than three minutes, but on a motion to reconsider a vote upon any subsidiary or incidental question, debate shall be limited to ten minutes, and no member shall occupy more than three minutes.

If the House has voted to close debate on any question, a motion to reconsider said question shall be decided without debate. [72.] (52.)

[Amended Jan. 12, 1981; Jan. 12, 1987.]

RULES OF DEBATE.

57. Every member, when about to speak, shall rise and respectfully address the Speaker and shall confine themselves to the question under debate. [73.] (39.)

[Amended Jan. 11, 1985; Feb. 1, 2023.]

58. Every member while speaking shall avoid personalities; and shall sit down when finished. No member shall speak out of their place without leave of the Speaker. [73.] (39.)

When two or more members rise at the same time, the Speaker shall name the member entitled to the floor, preferring one who rises in their place to one who does not. [74.] (40.)

[Amended Jan. 11, 1985; Jan. 30, 2019.]

59. If a member repeatedly violates any of the rules of the House, or disrupts the orderly procedure of the House, the Speaker, after warning the member of such violations, shall call the member to order, and order that member to take their seat. A member so called to order shall lose the right to speak on the pending subject-matter but shall not be debarred from voting. A member so called to order shall remain seated until the House begins consideration of another subject-matter or unless the Speaker earlier returns to the member their rights to the floor.

If a member so called to order refuses to immediately take their seat, the Speaker shall immediately name that member, who shall be escorted from the Chamber under escort of the Sergeant-at-Arms. The matter shall thereupon, on motion, be referred to a special committee of three to be appointed by the Speaker. Said special committee shall make a report to the House of its recommendations, which report shall be read and accepted.

Having been named, a member shall not be allowed to resume their seat until said member has complied with the recommendations of the committee as accepted by the House.

If, after a member is seated or named, the action of the Speaker is appealed, the House shall decide the case by a majority vote of the members present and voting, but if there is no immediate appeal, the decision of the Speaker shall be conclusive.

[Amended Jan. 12, 1981; Jan. 11, 1985; Feb. 11, 2009; Jan. 30, 2019.]

60. No member shall interrupt another while speaking except by rising to a point of order, to a question of personal privilege, to doubt the presence of a quorum, or to ask the person speaking to yield.

Members may rise to explain matters personal to them by leave of the presiding officer, but shall not discuss pending questions in such explanations.

Questions of personal privilege shall be limited to questions affecting the rights, reputation, and conduct of the member in their representative capacities.

Members may rise to ask questions of parliamentary inquiry concerning the pending matter by leave of the presiding officer, but shall not debate the pending questions. [75.] (42.)

[Amended Jan. 12, 1981; Feb. 11, 2009; Jan. 30, 2019.]

61. No member shall speak more than once to the prevention of those who have not spoken and desire to speak on the same question.

This prohibition shall not apply to those members designated by the committee or committees reporting the bill.

No member shall occupy more than thirty minutes at a time while speaking on any question where debate is unlimited.

Unless the operation of another rule provides to the contrary (such as previous question, limitation of debate, etc.), no member shall be prohibited from speaking more than once on any question when no other member who has not spoken is seeking recognition by the Chair. [76.] (41.)

Motions.

62. Every motion shall be reduced to writing, if the Speaker so directs. [77.] (44.)

63. A motion need not be seconded, except an appeal from the decision of the Chair, and may be withdrawn by the mover if no objection is made. [78.] (44.)

[Amended Jan. 12, 1981.]

Limit of Debate.

64. A motion to recess or adjourn shall always be first in order, and shall be decided without debate; and on the motions to close debate at a specified time, to postpone to a time certain, to commit or recommit, not exceeding ten minutes shall be allowed for debate, and no member shall speak more than three minutes. On the motion to discharge any committee, or on a motion directing any committee to report matters before it, not exceeding fifteen minutes shall be allowed for debate, and no member shall speak more than three minutes.

If the main motion is undebatable, any subsidiary or incidental motion made relating to it shall also be decided without debate. [79.] (52.) [See Rules 56 and 83.]

[Amended Jan. 12, 1981.]

64A. Debate on the question on adoption of orders for second and subsequent legislative days shall be limited to ten minutes, and no member shall speak more than three minutes. After entering into a second or subsequent legislative day, the House shall immediately proceed to consideration of engrossed bills, reports of committees, papers from the Senate or the Orders of the Day. This rule shall not be suspended unless by unanimous consent of the members present.

[Adopted Jan. 12, 1983.]

65. When a question is before the House, until it is disposed of, the Speaker shall receive no motion that does not relate to the same, except the motion to recess or adjourn or some other motion that has precedence either by express rule of the House, or because it is privileged in its nature; and the Speaker shall receive no motion relating to the same, except,—

for the previous question, ...

to close debate at a specified time, ...

to postpone to a time certain, ...

to commit (or recommit), ...

to amend, ... See Rules 66, 67 and 68

See Rules 64, 69 and 70

See Rules 64 and 70

See Rules 64 and 71

See Rules 72, 73, 74 and 75

— which several motions shall have precedence in the order in which they are arranged in this rule. [80.] (46.)

[Amended Jan. 11, 1985.]

Previous Question.

66. Any member may call for the previous question on the main question.

The previous question shall be put in the following form: “Shall the main question be now put?” and all debate on the main question shall be suspended until the previous question is decided.

The adoption of the previous question shall require the affirmative vote of two-thirds of the members present and voting and shall put an end to all debate, and bring the House to direct vote upon pending amendments, if any, in their regular order, and then upon the main question.

A motion to reconsider the vote on any of the pending amendments shall be decided without debate. [81.]

[Amended Jan. 12, 1981.]

67. Any member may call for the previous question on any pending amendment.

The previous question shall be put in the following form: “Shall the question on adoption of the amendment be now put?” and all debate shall be suspended until the previous question is decided.

The adoption of the previous question on a pending amendment shall require the affirmative vote of two-thirds of the members present and voting and shall put an end to all debate and bring the House to a direct vote upon the pending amendment.

A motion to reconsider the vote on the pending amendment shall be decided without debate.

[Amended Jan. 12, 1981.]

68. The previous question shall be decided without debate.

Motion to Close Debate at a Specified Time.

69. Debate may be closed at any time not less than thirty minutes from the adoption of a motion to that effect. This rule shall not be suspended unless by unanimous consent of the members present. [85.] (47.)

Motion to Postpone to a Time Certain.

70. When a motion is made to postpone to a time certain, and different times are proposed, the question shall first be taken on the most remote time; and the time shall be determined before the question is put on postponement, which may then be rejected if the House sees fit. [87.] (51.)

Motion to Commit.

71. When a motion is made to commit, and different committees are proposed, the question shall be taken in the following order:

a standing committee of the House,

a select committee of the House,

a joint standing committee,

a joint selected committee;

and a subject may be recommitted to the same committee or to another committee at the pleasure of the House. [88.] (48.)

Motion to Amend.

72. A motion to amend an amendment is a motion offering an amendment in the second degree and may be received; a motion to amend an amendment in the second degree is a motion offering an amendment in the third degree and shall not be allowed. This rule shall not be suspended unless by unanimous consent of the members present. [89.]

[Amended Jan. 12, 1983; Feb. 1, 2023.]

73. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. This rule shall not be suspended unless by unanimous consent of the members present. [90.] (50.)

[Amended Jan. 12, 1987.]

73A. No motion to amend a report from the committee on Ways and Means or a report from the committee on Bills in the Third Reading, when such an amendment contains an expenditure of public money or an increase or decrease in taxes, shall be considered unless a brief explanation of the amendment is stated.

[Adopted Jan. 17, 1995; Amended Jan. 26, 1999.]

74. A question containing two or more propositions capable of division shall be divided whenever desired by any member, if the question includes points so distinct and separate that, one of them being taken away, the other will stand as a complete proposition. The motion to strike out and insert shall be considered as one proposition and therefore indivisible. The question on ordering a bill or resolve to a third reading, or to be engrossed, or to be enacted, or similar main motions shall be considered as indivisible under this rule. This rule shall not be suspended unless by unanimous consent of the members present. [91.] (45.)

[Amended Jan. 12, 1983.]

75. In filling blanks, the largest sum and longest time shall be put first. [92.] (51.) [See Rule 70.]

Declaration of Recess.

76. The Speaker may declare a recess of 15 minutes duration, or less.

[Amended Jan. 9, 1991; Jan. 29, 2015.]

Appeal.

77. No appeal from the decision of the Speaker shall be entertained unless it is seconded; and no other business shall be in order until the question on the appeal has been disposed of. Debate shall be limited to 15 minutes on the question of sustaining a ruling by the Chair, and no member shall occupy more than three minutes. [94.] (43A.) [See Rule 2.]

[Amended Jan. 9, 1989; Jan. 29, 2015.]

Resolves.

78. Such of these rules as are applicable to bills, whether of the House or of the Senate, shall apply likewise to such resolves as require the concurrence of the Senate and approval by the Governor in order to become law and have force as such. [95.]

Seats.

79. (1) The desk on the right of the Speaker shall be assigned to the use of the Clerk and such persons as they may employ to assist said Clerk, and that on the left to the use of the chair and vice-chair of the committee on Bills in the Third Reading.

(2) The Speaker shall assign members to vacant seats. The seat assigned to any member, other than seats assigned under paragraph (1) of this rule, shall be their seat for the year and for such additional years as said member may elect so long as service in the House remains continuous. An exchange of seats may be made with the approval of the Speaker. [98.]

[Amended Jan. 11, 1985; May 5, 1993; Jan. 30, 2019.]

Privilege of the Floor.

80. The following persons shall be entitled to admission to the House of Representatives, during the session thereof, to stand in an area designated by the Speaker in the rear of the Chamber, unless otherwise invited by said Speaker to occupy seats not numbered:

(1) The Governor and the Lieutenant-Governor, members of the Executive Council, Secretary of the Commonwealth, Treasurer and Receiver-General, Auditor of the Commonwealth, Attorney-General, Librarian and Assistant Librarian;

(2) The members of the Senate;

(3) Authorized employees of the House and persons in the exercise of an official duty directly connected with the business of the House; or

(4) Contestants for seats in the House, whose papers are in the hands of a special committee of the House, may be admitted, while their cases are pending, to seats to be assigned by the Speaker.

No other person shall be admitted to the floor during the session, except upon the permission of the Speaker.

No legislative agent or counsel may be admitted to the floor of the House Chamber during a session unless that part of the session is ceremonial in nature in which no other legislative business is conducted.

The legislative reporters shall be entitled to the privileges of the reporters' galleries.

This rule shall not be suspended unless by unanimous consent of the members present. [99.] (60, 61.)

[Amended Jan. 9, 1991, Jan. 23, 2007; Jan. 30, 2019.]

Representatives' Chamber and Adjoining Rooms.

81. (a) Use of the Representatives' Chamber members' corridor or adjoining rooms shall be for official business or educational purposes only and shall be subject to the approval of the Speaker or the committee on Rules. The provisions of this paragraph shall not apply if the purpose of admittance is to attend a meeting in an adjoining room to which members of the general public are allowed to attend.

(b) No legislative agent or counsel shall be admitted to the members' corridor or adjoining rooms. No other person shall be admitted to the members' corridor or adjoining rooms, except persons entitled to the privileges of the floor of the House unless upon written invitation of a member bearing the name of the member and the person the member invites. Upon entering, the invitation shall be given to the court officer assigned to the area. The provisions of this paragraph shall not apply if the purpose of admittance is to attend a meeting in an adjoining room to which members of the general public are allowed to attend.

(c) No person shall be admitted to the north gallery of the House except upon a card of the Speaker.

(d) Subject to the approval and direction of the committee on Rules during the session and of the Speaker after prorogation, the use of the reporters' galleries of the House Chamber shall be under the control of the organization of legislative reporters known as the Massachusetts State House Press Association and the State House Broadcasters Association.

(e) Every legislative reporter desiring admission to the reporters' galleries shall state in writing that they are not the agent or representative of any person or corporation interested in legislation before the General Court, and will not act as representative of any such person or corporation while retaining a place in the galleries; but nothing herein contained shall prevent such legislative reporter from engaging in other employment, provided such other employment is specifically approved by the committee on Rules and reported to the House.

(f) All formal and informal sessions of the House of Representatives shall be open to both commercial and public radio and television, except designated times during such sessions, as determined by the House, reserved for the consideration of non-controversial business which

does not give rise to debate. The manner and conditions of such broadcasts shall be established by the Speaker. Television, radio or web-broadcasts may be prohibited on any given day by the Speaker.

All formal and informal sessions shall be broadcast live on House television and livestreamed on the General Court website. Audio or video recordings of prior formal and informal sessions for the current biennial session shall be made available to the public on the official website of the General Court.

The Speaker may arrange for a limited number of remote connections at a location outside of the House Chamber for commercial and public radio and television to obtain audio and visual feeds of formal sessions being recorded or streamed by the House. Video or audio obtained from such feed shall be used only for reporting purposes. Access to the connections provided shall be on a first-come-first serve basis; provided, however, that commercial and public radio and television acquiring access shall be required to share the audio or video feeds with other any other commercial and public radio and television station seeking access. The manner and conditions of access shall be established by the Speaker with the approval of the House. Access may be prohibited by the Speaker with the approval of the House.

Clauses (a) through (e) of this rule shall not be suspended unless by unanimous consent of the members present. [100.] (59.)

[Amended April 18, 1979; Jan. 12, 1983; Jan. 12, 1987; Jan. 9, 1991; Jan. 26, 1999, Jan. 23, 2007; Jan. 30, 2019; Jul. 7, 2021.]

Quorum.

82. Eighty-one members present shall constitute a quorum for the organization of the House and the transaction of business. [See amendments to the Constitution, Art. XXXIII.]

In the event that a quorum is not present, the presiding officer shall compel the attendance of a quorum. During the absence of a quorum, no other business may be transacted or motions entertained except a declaration of adjournment or a recess by the Speaker. [105.]

[Amended Jan. 12, 1981; Jan. 14, 1997.]

Debate on Motions for Suspension of Rules.

83. The question of suspension of House Rules 45, 47, 56, 61, 64, 66, 67, 68, 69, 77 and 83 shall be decided without debate. Debate upon the motion for the suspension of any other House rule, unless otherwise indicated, or any joint rule shall be limited to fifteen minutes and no member shall occupy more than three minutes. This rule shall not be suspended unless by unanimous consent of the members present. [102.] (52.)

[Amended Jan. 12, 1981; Jan. 9, 1989.]

84. Unless otherwise indicated, nothing in the House rules or joint rules shall be suspended, altered or repealed unless two-thirds of the members present and voting consent thereto. This rule shall not be suspended unless by unanimous consent of the members present. [103.] (63.)

[Amended Jan. 12, 1981.]

84A. The Clerk may, due to technical limitations or upon exigent circumstances, elect to waive any requirement relative to the electronic availability and posting on the website of the General Court of any bills, resolves, summaries or other documents contained herein; provided, however, that if the Clerk so waives any such requirement he shall make paper copies of the

documents available to all members and the public within the limitation established for the electronic availability and posting on the website of the General Court of any bills, resolves, summaries or other documents contained herein.

[Adopted Feb. 11, 2009.]

Reference to Committee on Rules.

85. All motions or orders authorizing committees of the House to travel or to employ stenographers, all propositions involving special investigations by committees of the House, all resolutions presented for adoption by the House only, and all motions and orders except those which relate to the procedure of the House or are privileged in their nature or are authorized by Rule 65, shall be referred without debate to the committee on Rules, which shall report thereon, recommending what action should be taken. The committee shall not recommend suspension of Joint Rule 9, unless evidence satisfactory to the committee is produced that the petitioners have previously given notice, by public advertisement or otherwise, equivalent to that required by Chapter 3 of the General Laws. [104.] (13A.)

[Amended Jan. 29, 2015; Feb. 1, 2023.]

85A. (a) The committee on Operations, Facilities and Security, upon receipt of the recommendation of the state auditor pursuant to subsection (b), shall provide that an outside, independent financial audit of House financial accounts be conducted for each fiscal year upon receipt of the fiscal year end appropriation activity with balance report from the comptroller of the Commonwealth. The outside, independent financial audit shall be conducted in accordance with the standards for audits of governmental organizations, programs, activities and functions, commonly referred to as the “Generally Accepted Government Auditing Standards (GAGAS)”

or “Yellow Book,” published by the Comptroller General of the United States. The committee on Operations, Facilities and Security, with the assistance of the House Business Manager, shall provide the independent auditor with requested financial documents for such financial audit. A copy of the completed outside, independent financial audit shall be filed with the Clerk of the House and the state auditor and shall be posted on the website of the General Court.

(b) The committee on Operations, Facilities and Security shall annually request that the state auditor recommend a private, independent auditing firm to conduct the independent financial audit of House financial accounts required by subsection (a). The state auditor shall, within 30 days of the committee’s request, recommend to the committee a private, independent auditing firm from the list of private, independent auditing firms on the appropriate statewide procurement contract established by the operational services division. The committee shall direct the House Business Manager to execute a contract with the private, independent auditing firm recommended by the state auditor pursuant to a statewide procurement contract established by the operational services division. If the state auditor fails to recommend a private, independent auditing firm to serve as the independent auditor of House financial accounts within 30 days of receiving a request from the committee, then the committee shall direct the House Business Manager to retain a private, independent auditing firm from the appropriate statewide procurement contract established by the operational services division.

(c) The provisions of this rule shall apply to fiscal years beginning on July 1, 2025.

[Adopted Jan. 11, 1985, Amended Jan. 20, 2011; Jan. 30, 2019.]

Parliamentary Practice.

86. The rules of parliamentary practice shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with these rules or the joint rules of the two branches. (62.)

Procurement.

87. (a) All procurements for goods or services shall be completed by the House Business Manager under the oversight of the committee on Operations, Facilities and Security, subject to the provisions of this rule. The committee shall provide the House Business Manager with such guidelines, policies and procedures as the committee deems necessary and appropriate to ensure the effective and efficient procurement of goods and services under this rule.

(b) (1) All procurements for goods or services shall, to the extent practicable, be made pursuant to a statewide procurement contract established by the operational services division.

(2) Before procuring goods or services pursuant to a statewide procurement contract under this subsection in an amount of $10,000 or more, and before completing any joint procurement under Joint Rule 36 on behalf of the House in an amount of $10,000 or more, including a joint procurement not made pursuant to a statewide procurement contract, the House Business Manager shall transmit to all the members of the committee on Operations, Facilities and Security the House Business Manager's recommendation for awarding the procurement and a written summary identifying all steps taken by the House Business Manager for compliance with this rule, or with Joint Rule 36 as applicable, and any other information the House Business Manager deems necessary. The committee on Operations, Facilities and Security shall review the recommendation and summary to ensure compliance with this rule or Joint Rule 36, as applicable. Upon completion of the review by the committee on Operations, Facilities and

Security, if a majority of the committee agrees with the House Business Manager's recommendation, the committee shall approve the recommendation in writing and the House Business Manager shall procure the goods or services.

(c) (1) Upon written certification submitted to the chair of the committee on Operations, Facilities and Security by the House Business Manager that a necessary procurement under this rule cannot be made using a statewide procurement contract established by the operational services division, the House Business Manager may procure the required goods or services, subject to the provisions of this subsection.

(2) For a procurement of goods or services in an amount of less than $10,000, the House Business Manager shall use sound business practices.

(3) For a procurement of goods or services in an amount of $10,000 or more, but less than $100,000, the House Business Manager shall seek written or oral quotations from no fewer than 3 persons customarily providing such goods or services. The House Business Manager shall record the names and addresses of all persons from whom quotations were sought, the names and addresses of all persons submitting quotations and the date and amount of each quotation. The House Business Manager shall transmit all quotations received to the committee on Operations, Facilities and Security, along with the House Business Manager's recommendation as to what quotation offers the needed quality of goods or services at the best value for the House and a written summary identifying all steps taken by the House Business Manager for compliance with this rule and any other information the House Business Manager deems necessary. The committee on Operations, Facilities and Security shall review the quotations, the recommendation and the written summary to ensure compliance with this rule. Upon completion

of the review by the committee on Operations, Facilities and Security, if the committee agrees with House Business Manager's recommendation, the committee shall approve the recommendation in writing and the House Business Manager shall award the contract to the responsible person whose quotation offers the needed quality of goods or services and which represents the best value for the House.

(4) For a procurement of goods or services in an amount exceeding $100,000, the House Business Manager shall seek proposals or quotations through a competitive bid process wherein the House Business Manager shall:

(i) identify bidders capable and willing to provide the House with the best value of goods or services by: (A) posting public notice on the Commonwealth's electronic procurement system (COMMBUYS) of the House's request for proposals or quotations, which shall be approved by House Counsel and the committee on Operations, Facilities and Security prior to posting; and (B) whatever other means the House Business Manager deems appropriate;

(ii) record the names of the responding bidders, the date of the response, a description of goods or services and the amount of each quotation;

(iii) have the right, for any reason, and at any time prior to the execution of a contract, and without penalty, to notify bidders of a cancellation of procurement and the rejection of all bids and shall include such right of cancellation on the public posting;

(iv) review each bid to confirm that it satisfies the requirements of the House's request;

(v) determine, in consultation with the House office requesting the goods or services, which bid satisfying the requirements of the House's request also offers the needed quality of goods or services and represents the best value to the House;

(vi) transmit to each member of the committee on Operations, Facilities and Security: (A) all bids submitted in response to the House's request; (B) the House Business Manager's determination pursuant to clause (v) as to which bid satisfying the requirements of the House's request also offers the needed quality of goods or services and represents the best value to the House; and (C) a written summary identifying all steps taken by the House Business Manager for compliance with this rule and any other information the House Business Manager deems necessary; and

(vii) obtain the written approval of the committee on Operations, Facilities and Security before any bid is selected and any procurement is made pursuant to this paragraph.

(d) Notwithstanding subsections (a) through (c), all procurements for legal services and legal resources shall be handled exclusively by Counsel in compliance with the provisions of this rule to the extent practicable.

(e) The House Business Manager shall maintain a separate file on each procurement made under this rule and Joint Rule 36 and shall include in such file a copy of all documents constituting the agreement for goods and services and all documents evidencing compliance with this rule, including but not limited to any written approvals by the committee on Operations, Facilities and Security required under this rule.

(f) For each contract not executed using a statewide procurement contract established by the operational services division and in excess of $10,000, the House Business Manager shall make

the file maintained pursuant to subsection (e) available for inspection within said office by members of the House for at least 3 years from the date of final payment under the contract; provided, however, that the House Business Manager, in consultation with Counsel, shall redact from said file any information which (i) is legally privileged; (ii) is proprietary; (iii) is related to individual members or House personnel; or (iv) is otherwise protected by state or federal law.

(g) No member, officer or employee of the House shall execute a contract for the procurement of goods or services under this rule without the prior written approval of House Counsel.

(h) On or before the 15th calendar day of each month, the House Business Manager shall transmit to the committee on Operations, Facilities and Security and House Counsel a written report identifying all procurements of goods or services, including procurements made pursuant to Joint Rule 36, made during the previous calendar month, regardless of the amount and whether the procurement was made pursuant to a statewide procurement contract.

(i) Whenever the time required to comply with a requirement of this rule would endanger the health, safety or convenience of the members, staff or visitors to the House of Representatives, the House Business Manager, or House Counsel in the case of a procurement for legal consulting services and legal resources, may make an emergency procurement without satisfying the requirements of subsections (b), (c) and (d); provided, however, that both the House Business Manager, or House Counsel in the case of a procurement for legal consulting services and legal resources, and the chair of the committee on Operations, Facilities and Security certify in writing: (i) that an emergency exists and explain the nature thereof; (ii) that said emergency procurement is limited to only supplies or services necessary to meet the emergency; (iii) that said emergency procurement conforms to the requirements of this rule to the extent practicable

under the circumstances; and (iv) each contractor's name, the amount and the type of each contract, the supplies or services provided under each contract, and (vii) the basis for determining the need for an emergency procurement. Such certification shall be filed with the Clerk of the House prior to an emergency procurement.

[Adopted Jan. 20, 2011, Amended Jan. 23, 2013; Jan. 29, 2015; Feb. 19, 2015; Jan. 30, 2019; Jul. 7, 2021; Feb. 1, 2023.]

Professional Standards and Conduct.

88. (a) As used in Rules 88 to 100, inclusive, the following terms shall, unless the context clearly requires otherwise, have the following meanings:-

"Authorized party", a party authorized to receive a complaint of harassment or retaliation pursuant to Rule 93.

"Counsel", Legal Counsel to the House appointed pursuant to Rule 13B.

"Director", the Director of Human Resources appointed pursuant to Rule 90.

"Discriminatory harassment", verbal or physical conduct that:

(1) demeans, stereotypes, or shows hostility or aversion toward an individual or group because of the individual's race, color, religion, national origin, sex, ancestry, sexual orientation, age, disability status, genetic information, gender identity, active military personnel status, transgender status or membership in any other protected class and;

(2) (i) has the purpose or effect of creating an intimidating, hostile, humiliating or offensive working environment;

(ii) has the purpose or effect of unreasonably interfering with a member, officer, intern or employee's work performance or official duties; or

(iii) otherwise adversely affects a member, officer, intern or employee's employment opportunities or ability to fulfill their official duties or conduct business before the House.

"EEO Officer", the outside, independent Equal Employment Opportunity Officer contracted by the House pursuant to Rule 89.

"Harassment", discriminatory harassment or sexual harassment engaged in by a member, officer, intern or employee of the House or by a third party.

"Sexual harassment", sexual advances, requests for sexual favors and verbal or physical conduct of a sexual nature when:

(1) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions, or as a term, condition or basis for the support of certain policy objectives, political aspirations or business before the House; or

(2) such advances, requests or conduct have the purpose or effect of unreasonably interfering with a member, officer, intern or employee's work performance or official duties by creating an intimidating, hostile, humiliating or sexually offensive work environment.

Under this definition, direct or implied requests for sexual favors in exchange for actual or promised (i) employment benefits such as favorable reviews, salary increases, promotions, increased benefits or continued employment or (ii) support for certain policy objectives, political aspirations or business before the House, shall constitute sexual harassment.

The definition of sexual harassment is broad and may include other sexually oriented conduct, whether or not it is intended to violate this Rule, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating or humiliating to a member, officer, intern or employee of the same or different gender, or those who do not identify as gender binary.

"Supervisor", a member, officer or employee having direct authority or oversight over one or more employees.

"Third party", any person visiting the House of Representatives, or conducting official business or work with any member, officer or employee of the House.

(b) The House is committed to providing fair and equal opportunity for employment and advancement to all employees and applicants.

It is the House's policy and practice to assign, promote and compensate employees on the basis of qualifications, merit, and competence. Employment practices shall not be influenced nor affected by virtue of an applicant's or employee's race, color, religion, national origin, sex, ancestry, sexual orientation, age, disability status, genetic information, gender identity, active military personnel status, transgender status or membership in any other protected class.

This policy governs all aspects of recruiting, hiring, training, on-the-job treatment, promotion, transfer, discharge and all other terms and conditions of employment.

Without limiting the applicability of the foregoing, the House is committed to creating and maintaining a work environment in which all members, officers, interns and employees of the House, and all third parties, are treated with respect and free from any form of harassment,

including harassment based on an individual's membership in any protected class. To that end, the House will not tolerate harassment of any kind by any member, officer, intern, employee or third party in the workplace or otherwise in connection with the official duties or employment responsibilities of a member, officer, third party, intern or employee. Any individual who believes that they may have been the object of harassment, or any individual who witnesses something they think may be harassment, is strongly encouraged to report that information to an authorized party.

The House shall promote the safety and respectful treatment of all members, officers, interns and employees of the House, and all third parties, by establishing uniform procedures for making and receiving complaints of harassment and, in coordination with the EEO Officer, initiating, conducting and concluding investigations into complaints of harassment.

A violation of this policy will subject the member, officer, employee or intern to discipline pursuant to Rule 95 and Rule 96.

(c)(1) Discriminatory harassment may include, but is not limited to, the following conduct:

(i) epithets, slurs, insults or negative stereotyping related to the protected classes;

(ii) acts or jokes that are hostile or demeaning with regard to the protected classes;

(iii) threatening, intimidating or hostile acts that relate to the protected classes;

(iv) displays of written or graphic material that demean, ridicule or show hostility toward an individual or group because of membership in a protected class, including material circulated or displayed in the workplace, including District Offices, such as on an employee's desk or

workspace, or on House equipment or bulletin boards, including but not limited to House-issued computers, laptops and personal device assistants;

(v) verbal or non-verbal innuendo, and micro-aggressions; and

(vi) other conduct that falls within the definition of discriminatory harassment set forth above.

(2) Sexual harassment includes, but is not limited to, the following conduct:

(i) gender-based bullying, including bullying based on transgender or non-gender binary status;

(ii) attempts to coerce an unwilling person into a sexual relationship;

(iii) repeatedly subjecting a person to unwelcome sexual or romantic attention;

(iv) punishing a person's refusal to comply with a request for sexual conduct; and

(v) conditioning a benefit on submitting to sexual advances.

(3) Conduct that, if unwelcome, and depending upon the totality of the circumstances, including the severity of the conduct and its pervasiveness, may constitute sexual harassment includes, but is not limited to, the following:

(i) unwelcome sexual advances, flirtations or propositions, whether they involve physical touching or not;

(ii) sexual “kidding,” epithets, jokes, written or oral references to sexual conduct;

(iii) gossip regarding one's sex life;

(iv) comment on a person’s body or an individual's sexual activity, deficiencies, or prowess;

(v) displaying sexually suggestive objects, pictures, posters or cartoons;

(vi) unwelcome leering or staring at a person;

(vii) sexual gestures and suggestive or insulting sounds, such as whistling or comments with sexual content or meaning;

(viii) uninvited physical contact, such as touching, hugging, purposely brushing against the body, patting or pinching;

(ix) indecent exposure;

(x) inquiries into one's sexual experiences;

(xi) discussion of one's sexual activities;

(xii) sexual emails; and

(xiii) sexting, or sexual messages or images posted on social media, for example, texts, instant messages, Facebook posts, tweets, Snapchat, Instagram or blog entries.

(d) No member, officer or employee of the House shall retaliate, including against a member, officer, intern, or employee of the House who has complained about harassment or participated in an investigation into an allegation of harassment or retaliation. Any person who believes that they may have been the subject of retaliation for having complained of harassment or retaliation, or for having participated in an investigation related to an allegation of harassment or retaliation, is strongly encouraged to report that information to an authorized party.

[Added Mar. 15, 2018; Jan. 30, 2019; Feb. 1, 2023.]

89. (a) The House shall contract with an EEO Officer, who shall not be an employee of the General Court or any other Commonwealth entity or instrumentality. The committee on Human Resources and Employee Engagement shall contract with a qualified person or entity with expertise in conducting investigations to act as the EEO Officer pursuant to the procurement procedures in Rule 87. The contract shall contain such terms as are, in the judgment of the committee, necessary and appropriate to effectuate the goals of this Rule and related provisions of Rules 93 to 100, inclusive.

(b) The EEO Officer shall review and investigate complaints deemed plausible pursuant to Rule 94 alleging a violation of Rule 88, the House Anti-Harassment Policy, or the House Equal Employment Policy, including, but not limited to complaints alleging harassment or retaliation. Complaints shall be received, reviewed and investigated pursuant to Rules 93 to 97, inclusive.

[Adopted Mar. 15, 2018; Amended Jul. 7, 2021.]

90. (a) The House shall employ a full-time Director of Human Resources. The committee on Human Resources and Employee Engagement shall appoint a qualified person to act as the Director at such compensation as the committee on Rules shall approve.

The Director shall serve a term of two years from the date of appointment, unless the Director sooner resigns, retires or is removed; provided, however, that the Director may only be removed: (i) for misfeasance, malfeasance or nonfeasance, as determined by Counsel and approved by a majority vote of the committee on Human Resources and Employee Engagement ; or (ii) by a majority roll call vote of the House.

(b) The Director may employ such assistants as may be necessary in the discharge of the Director’s duties, subject to the approval of the committee on Human Resources and Employee

Engagement, and may expend with like approval such sums as may be necessary for the discharge of their duties.

(c) The Director shall develop and oversee standardized practices and procedures, which shall apply to all applications for employment. The practices and procedures shall include, but shall not be limited to: (i) a standard application for employment; (ii) mandatory background and reference checks, the results of which shall be reported by the Director to the applicant's prospective appointing authority; and (iii) a standard offer letter for each position within the House.

(d) The Director shall develop and oversee standardized practices and procedures, which shall apply to all employees and appointed officers of the House. These practices and procedures shall include or address, without limitation: (i) regular meetings between the Director and employees who are supervisors, including an initial meeting within 14 days of the employee assuming such a role; (ii) guidelines for conducting employee performance reviews; (iii) a program of progressive discipline; and (iv) separations from employment including exit interviews for terminated employees.

(e) The Director and the Director of Employee Engagement, in consultation with Counsel, shall develop employee classifications, which shall include written job descriptions, salary ranges and schedules. The classifications shall be published in the employee and supervisor handbooks. The Director may develop a seniority system on which employee salaries may be based. A seniority system shall be published in the employee handbook.

(f) The Director, in consultation with the Director of Employee Engagement and Counsel, shall develop practices and procedures for receiving, investigating and resolving personnel

complaints unrelated to Rule 88, the House Anti-Harassment Policy, or the House Equal Employment Policy.

(g) The Director, in consultation with the Director of Employee Engagement and subject to the approval of Counsel, shall develop and implement written policies and procedures for receiving and maintaining records of complaints against members, officers, interns or employees of the House, or against third parties, made in accordance with Rules 93 to 98, inclusive.

(h) The Director shall annually publish: (i) an Employee Handbook; and (ii) an Intern Handbook. Each handbook shall be developed with the advice and approval of Counsel, and shall be submitted to the committee on Human Resources and Employee Engagement for review and approval at least 14 days prior to publication.

The handbooks shall be available as follows:

(i) the Director shall post both handbooks on the human resources web portal;

(ii) the Director shall email an electronic copy of the Employee Handbook to each employee within 10 days of its publication and require that each employee sign a written acknowledgement of receipt and return such acknowledgement to the Director within 5 days;

(iii) the Director shall email an electronic copy of the Employee Handbook to each new employee within 5 days of the employee's start date and require that the employee sign a written acknowledgement of receipt and return such acknowledgement to the Director within 5 days;

(iv) the committee on Human Resources and Employee Engagement shall provide an Intern Handbook to each intern on the first day of their internship. Upon receipt of the Intern Handbook

the intern shall sign a written acknowledgement of receipt that day, which shall be maintained by the committee, with a copy sent to the Director;

(vi) hard copies of each handbook shall be available in the offices of the Director, the Director of Employee Engagement, Counsel and the Clerk;

(vi) the Director shall cause electronic copies of each handbook to be downloaded onto the desktop of each House computer; and

(vii) in formats accessible to all members, officers and employees.

(i)(1) The committee on Human Resources and Employee Engagement, in consultation with the Director, shall develop policies to address individuals who provide services to the House in a volunteer capacity or otherwise without receiving compensation

(2) The committee on Human Resources and Employee Engagement, in consultation with the Director and subject to the approval of Counsel, shall develop policies to address pro-bono service and charitable and community service activities by members, officers and employees of the House.

[Added Mar. 15. 2018; Amended Jan. 30, 2019; Jul. 7, 2021.]

91. The Director shall, in consultation with the Director of Employee Engagement, create and maintain an internal web portal for members, officers and employees. The web portal shall provide relevant information on human resource policies and procedures, including, without limitation, the Rules of the House, each handbook published by the Director, explanations of complaint and investigation procedures, contact information for the Director, the Director of

Employee Engagement, and Counsel, training opportunities and schedules and the directory of committee staff required pursuant to Rule 92.

[Added Mar. 15, 2018; Amended Jul. 7, 2021; Feb. 1, 2023.]

92. (a) The House shall employ a full-time Director of Employee Engagement. The committee on Human Resources and Employee Engagement shall appoint a qualified person to act as the Director of Employee Engagement at such compensation as the committee on Human Resources and Employee Engagement shall approve.

(b) The Director of Employee Engagement shall, in consultation with the Director of Human Resources: (i) develop methods for enhancing the skills and professional development of employees including skills for providing constituent services and engaging with, and ensuring the privacy of, members of the public who visit the State House; (ii) explore and develop partnerships with national trade organizations to maximize the opportunities for professional development available to employees; and (iv) engage employees in roundtable discussions on issues of importance or concern.

(c) The Director of Employee Engagement shall assist the committee on Human Resources and Employee Engagement with duties as may be assigned by the committee or the Director of Human Resources.

(d) The Director of Employee Engagement shall prepare and publish on the house intranet a directory of committee staff.

(e)(1) The Director of Employee Engagement, in conjunction with the committee on Human Resources and Employee Engagement and Counsel, shall provide for training of members.

Training shall include, without limitation, instruction on: (i) House equal employment policies, including the complaint and investigation process; (ii) workplace harassment specifically, including techniques for bystander intervention and other best practices; (iii) prohibition on retaliation; (iv) best management practices; (v) professionalism and respect; and (vi) practices for monitoring the workplace for issues and identifying risk factors. Each member shall make a signed, written acknowledgement of the member's completion of the training, which shall be maintained in the Director's records.

(2) The Director of Employee Engagement, in conjunction with the committee on Human Resources and Employee Engagement and Counsel, shall provide for annual training for all appointed officers and employees. Training shall include, without limitation, instruction on (i) House equal employment policies, including the complaint and investigation process; (ii) workplace harassment specifically, including techniques for bystander intervention and other best practices; (iii) prohibition on retaliation; and (iv) professionalism and respect.

Separate trainings shall be held for those appointed officers and employees who are supervisors and those appointed officers and employees who are not supervisors. The content of the training shall be tailored appropriately to the recipients. Supervisors shall be specifically trained on best management practices.

Each appointed officer and employee shall make a signed, written acknowledgement of their completion of the training, who shall provide a copy to the Director to be maintained in their personnel file.

(3) The Director of Employee Engagement shall provide for appropriate additional training to members, officers or employees at any time that the Director of Employee Engagement deems necessary or appropriate, including upon the request of a member, officer or employee.

(4) The Director of Employee Engagement shall provide for training for interns during the intern orientation process. The training shall include without limitation, instruction on: (i) House equal employment policies, including the complaint and investigation process; (ii) workplace harassment specifically, including techniques for bystander intervention and other best practices; (iii) prohibition on retaliation; and (iv) professionalism and respect. Each intern shall make a signed, written acknowledgement of the intern's completion of the training, which shall be retained by the Director to be maintained in the Director's records.

[Added Mar. 15, 2018; Amended Jul. 7, 2021.]

93.(a)(1) A member who believes that they have been the object of harassment or retaliation, who witnesses harassment or retaliation, or who becomes aware of harassment or retaliation may make a complaint, either orally or in writing with the Director, the Director of Employee Engagement or Counsel. Upon receipt of a complaint pursuant to this subsection, a recipient other than the Director shall forthwith provide a detailed account of the complaint to the Director for assessment pursuant to Rule 94.

(2) An appointed officer, employee or intern of the House who believes that they have been the object of harassment or retaliation, who witnesses harassment or retaliation, or who becomes aware of harassment or retaliation may make a complaint, either orally or in writing, to any of the officer's, employee's or intern's supervisors, the Director, the Director of Employee Engagement or Counsel. Upon receipt of a complaint pursuant to this subsection, a recipient

other than the Director shall forthwith provide a detailed account of the complaint to the Director for assessment pursuant to Rule 94.

(3) A third party who believes that they have been the object of harassment, or who witnesses harassment or retaliation may make a complaint, either orally or in writing, with the Director. Upon receipt of a complaint pursuant to this subsection, the Director shall assess the complaint pursuant to Rule 94.

(b) The Director, in consultation with the Director of Employee Engagement and subject to the approval of Counsel, shall provide guidance for authorized parties who may receive complaints under subsection (a), both in the form of the training referenced in Rule 92 and otherwise. The guidance shall instruct authorized parties on the proper way to receive complaints and to advise complainants on issues including, but not limited to, confidentiality, prohibition on retaliation and the availability of additional resources and avenues for action for the complainant, including possible criminal action where appropriate.

(c) If a complaint made pursuant to subsection (a) is against the Director or EEO Officer, the recipient of the complaint shall notify Counsel, rather than the Director, and Counsel shall then: (i) refer the matter to the EEO Officer for investigation if the complaint is against the Director; or (2) investigate the complaint pursuant to Rules 94 to 96, inclusive, if the complaint is against the EEO Officer.

(d) If, based on the nature and circumstances of the complaint, the EEO Officer believes that they cannot objectively assess or investigate a complaint referred to them pursuant to Rule 94, the EEO Officer shall immediately notify Counsel, who shall refer the complaint to outside

counsel for investigation. Counsel shall provide the EEO Officer with guidelines used to identify matters that should be referred to Counsel or outside counsel pursuant to this subsection.

[Added Mar. 15, 2018; Amended Jan. 30, 2019.]

94. (a)(1) All complaints alleging harassment or retaliation by or against a member, officer, intern or employee of the House, or by or against a third party, received by any member, officer or employee of the House, shall be immediately referred to the Director for initial assessment.

(2) Upon receiving a complaint alleging harassment or retaliation by or against a member, officer, intern or employee of the House, or by or against a third party, the Director shall promptly undertake an initial assessment to determine whether the complaint is plausible and requires investigation. Such assessment shall be completed within two weeks from the date of receiving a complaint.

Upon a determination by the Director that a complaint is plausible and requires investigation, the Director shall notify Counsel that a complaint is being referred to the EEO Officer and shall then submit the complaint along with the Director's initial assessment to the EEO Officer so that the EEO Officer may commence an investigation of the complaint.

(3) Upon a determination by the Director that a complaint is not plausible and does not require investigation, the Director shall submit a report to Counsel describing the complaint and the Director's basis for determining that the complaint lacked plausibility and did not require investigation. If Counsel objects to the Director's determination, the Director shall then submit the complaint to the EEO Officer so that the EEO Officer may commence an investigation of the complaint.

(4) Upon receiving a complaint submitted pursuant to (2), the EEO Officer shall confirm the Director's assessment that the Complaint is plausible. If the EEO Officer confirms that the complaint is plausible, the EEO Officer will then commence an investigation. If the EEO Officer assesses that the Complaint is not plausible, notwithstanding the Director's initial assessment, then the EEO Officer shall so notify Counsel. Counsel shall then review the complaint and the basis for both the Director's initial assessment and the EEO Officer's contrary assessment and shall determine whether or not the EEO Officer shall proceed with an investigation.

(b) The EEO Officer shall conduct investigations pursuant to written policies and procedures, which shall be established by the EEO Officer pursuant to Rule 98, as well as established best practices. The policies and procedures shall ensure that all investigations and reports are confidential to the fullest extent practicable under the circumstances and shall reflect well-established industry best practices for EEO-related investigations.

(c) The EEO Officer shall complete investigations within 90 days; provided, that the EEO Officer may extend the investigation in extraordinary circumstances. The EEO Officer shall regularly, but no less frequently than every 2 weeks, update the complainant on the status of the investigation. If the EEO Officer believes that interim measures are warranted to protect complainants during the investigation, then the EEO shall recommend such measures to Counsel, who shall work with the appropriate supervisory individual or body to implement such interim measures as necessary and appropriate.

(d) Upon the conclusion of an investigation, the EEO Officer shall prepare a report summarizing the complaint, the EEO Officer's investigation, findings and recommendations, if any, for disciplinary, remedial or preventative action, or any combination thereof. The EEO

Officer shall submit this report to Counsel, who shall share the conclusions of the report with the appropriate supervisory individual or body as necessary and appropriate, and in such a manner to maintain confidentiality regarding the information in the report to the greatest extent practicable.

[Added Mar. 15, 2018.]

95. (a) (1) If after completion of an investigation pursuant to Rule 94, the EEO Officer determines that a member has violated Rule 88, the EEO Officer shall recommend disciplinary, remedial or preventative action, or any combination thereof, as is appropriate and proportional under the circumstances, subject to the limitations set forth in paragraphs (2) and (3).

(2) Where the EEO Officer's action recommended pursuant to paragraph (1) does not include reprimand, censure, removal from position as a chair or other position of authority, or expulsion, the EEO Officer shall notify Counsel and the member of the recommended action and provide the member with a copy of the EEO Officer's report. The member may, within 10 days of receiving notice, request in writing that the Speaker and Minority Leader appoint a special committee pursuant to Rule 96 to review the findings and recommendations of the EEO Officer.

Upon receipt of said request, the Speaker and Minority Leader shall convene a special committee pursuant to Rule 96.

If the member fails to request the appointment of a special committee pursuant to Rule 96 within 10 days, then Counsel shall determine the parties who must be informed to implement the recommended action, including but not limited to the Speaker and/or the Minority Leader, and those parties shall implement the recommended action.

(3) If the action recommended pursuant to subsection (a) includes reprimand, censure, removal from position as a chair or other position of authority, or expulsion, the EEO Officer shall submit, through Counsel, a request that the Speaker and Minority Leader convene a special committee pursuant to Rule 96 to review the findings and recommendations of the EEO Officer. Upon receipt of said request from the EEO Officer, the Speaker and Minority Leader shall appoint a special committee pursuant to Rule 96.

(4) Upon the request for a special committee made by the EEO Officer or a member pursuant to this subsection, the EEO Officer shall provide the Speaker and Minority Leader with a copy of the EEO Officer's report.

(b) (1) If after completion of an investigation pursuant to Rule 94 the EEO Officer concludes that an appointed officer, intern or employee has violated Rule 88, the EEO Officer shall notify Counsel, who shall then notify the appointing authority for the appointed officer, intern or employee and recommend the implementation of remedial, preventative or disciplinary action, or any combination thereof, as is appropriate and proportional under the circumstances, subject to the limitations set forth in paragraph (2). Notwithstanding Rule 97, the appointing authority may inform any other supervisors of the appointed officer, intern or employee of the remedial, preventative or disciplinary action if the appointing authority believes that sharing such information is necessary for maintaining proper supervision of the appointed officer, intern or employee.

(2) If after completion of an investigation pursuant to Rule 94 the EEO Officer concludes that an appointed officer, intern or employee has violated Rule 88 and the EEO Officer's action recommended pursuant to paragraph (1) includes termination of employment or internship, the

EEO Officer shall forward the recommendation along with the report, with all supporting documentation, to Counsel for review and approval. Counsel shall have two business days to review the EEO Officer's recommendation. If Counsel approves the recommendation, Counsel shall forward the recommendation and report to the chair of the committee on Human Resources and Employee Engagement for approval. If the chair approves, Counsel shall then notify the Speaker, the appointing authority, and the Director, and the Director shall immediately terminate the individual's employment or internship. If Counsel rejects the EEO Officer's recommendation, or if the chair does not approve the recommendation after Counsel has approved, then Counsel shall notify the Speaker and the Speaker shall determine the action to be implemented.

[Added Mar. 15, 2018.]

96. (a) Upon receipt of a request pursuant to Rule 95, the Speaker and Minority Leader shall confidentially convene a Special Committee on Professional Conduct, which shall consist of 7 members, 5 of whom shall be appointed by the Speaker and 2 of whom shall be appointed by the Minority Leader. To the extent practicable, membership on the special committee shall be apportioned in a way that takes into account the nature of the complaint and the commitment of the House to providing fair and equal opportunity in employment. The Speaker shall appoint a member to serve as chair. No member who has declared their candidacy for any other local, state or federal office shall be appointed to a special committee. Upon appointment of members to the committee, the Speaker and Minority Leader shall notify Counsel, the EEO Officer, and the member who is the subject of the complaint of the identity of the members appointed. The existence of the committee and the identity of the members appointed to the committee shall otherwise remain confidential.

(b) The EEO Officer shall provide the members of the special committee with all records relevant to the investigation. The special committee shall review all records provided to them and may further investigate, to the extent that it is necessary to resolve the complaint. The special committee may summon witnesses, administer oaths, take testimony and compel the production of books, papers, documents and other evidence in connection with its review.

(c) In the case of a special committee convened under this section upon the request for a review by a member pursuant to paragraph (2) of subsection (a) of Rule 95, the committee shall determine whether the EEO Officer's intended action is proportional and appropriate under the circumstances. If a majority of the committee so finds, it shall order that the action recommended by the EEO Officer be implemented, along with any additional disciplinary, remedial or preventative action, or any combination thereof, the committee determines to be proportional and appropriate under the circumstances, subject to the limitations set forth in subsection (d). If a majority of the committee finds that the intended action was not proportional or appropriate under the circumstances, it may make a new recommendation for disciplinary, remedial or preventative action, or any combination thereof, subject to the limitations set forth in said subsection (d). All determinations of the committee pursuant to this subsection shall be final.

(d) (1) If a majority of the committee finds that a member has violated Rule 88, it may take any disciplinary, remedial or preventative action, or any combination thereof, as it determines to be proportional and appropriate under the circumstances; provided, however, that if the committee determines that reprimand, censure, removal from position as a chair or other position of authority, or expulsion is proportional and appropriate under the circumstances, it shall file a report with the Clerk recommending that the House vote to implement the disciplinary action.

(2) Upon the filing of a report pursuant to paragraph (1), the Clerk shall promptly: (i) make the report available to all members electronically; (ii) cause the report to be posted on the website of the General Court; and (iii) place the matter in first position in the Orders of the Day for the next calendar day that the House is meeting; provided, however, that no business shall be conducted on that calendar day or any day thereafter until the question of acceptance or rejection of the special committee's recommendation for discipline is decided by a majority of the members present and voting by a recorded roll call vote. If a majority of the members vote to accept the recommendation for discipline, the member shall be disciplined in the manner so recommended. Unless a majority of the members vote to accept the report, the member shall not be disciplined.

(3) All findings and determinations of the committee, including instances where the special committee does not file a report with the Clerk pursuant to paragraph (1), shall be reported to Counsel and the EEO Officer and shall be final. The EEO Officer shall maintain confidential records of such findings and determinations, except that a report filed pursuant to paragraph (1) shall be public.

(e) The committee may consult with Counsel, the EEO Officer or the Director in discharging its duties pursuant to Rules 88 to 97, inclusive.

[Added Mar. 15, 2018; Amended Jan. 30, 2019.]

97. (a) Any information obtained by a member or employee in their official capacity and relating to a complaint or investigation of harassment pursuant to Rules 93 to 96, inclusive, and any records of such information shall be confidential to the fullest extent possible. Confidentiality shall be specifically subject to subsections (b), (c), (d) and (e); provided that

nothing in this Rule shall prevent the EEO Officer or Counsel from sharing information regarding a complaint or investigation, including but not limited to the report prepared by the EEO Officer, to effectuate the requirements of Rules 88 through 97, inclusive.

(b) The EEO Officer, in reviewing a complaint and conducting an investigation, shall keep the complaint confidential and shall not disclose the identity of the complainant or the person against whom the complaint is made or any other details of the complaint with any member or employee; provided, however, that the EEO Officer may share information to the extent necessary to interview witnesses or parties to the investigation, or to consult with Counsel if the EEO Officer determines that such consultation is necessary or appropriate in connection with the investigation.

(c) (1) The establishment of a special committee pursuant to Rule 96 shall be completely confidential, except as set forth in Rule 96.

(2) All proceedings of a special committee convened pursuant to Rule 96 shall be confidential and members of the committee shall not share any information about the complaint and investigation for which the committee was convened with any other member or employee, including their own appointed staff; provided, however, that the committee may consult with Counsel or the EEO Officer if the chair of the committee determines that such consultation is required in connection with the investigation.

(3) A special committee convened pursuant to Rule 96 shall implement all actions short of reprimand, censure, removal from position as a chair or other position of authority, or expulsion of a member confidentially, except that the special committee shall submit a final report to the and may consult with Counsel if the chair of the committee determines that such consultation is

required in connection with their recommended action. The committee's recommendation, if any, for reprimand, censure, removal from position as a chair or other position of authority, or expulsion of a member, shall be a public document; provided, however, that the committee may use pseudonyms to conceal the identity of the complainant if the circumstances of the complaint so warrant.

(d) All authorized parties shall keep complaints confidential, except to share the complaint with the Director, Counsel and EEO Officer as set forth in these Rules.

(e) Nothing in this Rule shall limit the ability of the EEO Officer to share information with a complainant, to the extent appropriate, in order to properly conclude the complaint or investigation process.

[Added Mar. 15, 2018; Amended Jan. 30, 2019.]

98. The EEO Officer and the Director shall establish all policies, procedures and guidelines required by Rules 88 to 97, inclusive, and may develop supplemental policies, procedures and guidelines necessary to implement or enforce Rules 88 to 97, inclusive; provided, that no policy, procedure or guideline shall take effect without the prior review and written approval of Counsel and the committee on Human Resources and Employee Engagement. Where appropriate, these policies, procedures and guidelines shall be included in the handbooks.

The EEO Officer and the Director may consult with each other, Counsel, and the committee on Human Resources and Employee Engagement to carry out the requirements of Rules 88 to 97, inclusive.

[Added Mar. 15, 2018; Amended Jul. 7, 2021.]

99. [Added March 15, 2018; Amended Jul. 7, 2021; Omitted.]

100. (a) No member, officer, intern or employee shall execute any agreement to settle any legal claim or potential legal claim by any current or former member, officer, intern or employee unless said agreement is executed pursuant to this rule.

(b) No member, officer, intern or employee shall execute any agreement to settle any legal claim or potential legal claim brought by any current or former member, officer, intern or employee without the approval of Counsel. Counsel shall independently review the claim or potential legal claim brought by any current or former member, officer, intern or employee and confirm that the claim or potential claim does not relate to sexual harassment or retaliation based on a claim of sexual harassment. Counsel shall not approve any settlement of a legal claim or potential legal claim brought by any current or former member, officer, intern or employee pursuant to this subsection if Counsel reasonably believes such legal claim or potential legal claim relates to sexual harassment or retaliation based on a claim of sexual harassment.

(c) No member, officer, intern or employee shall execute any agreement to settle any legal claim or potential legal claim of sexual harassment, or retaliation based on a legal claim or potential legal claim of sexual harassment, by any current or former member, officer, intern or employee unless said agreement is executed pursuant to this subsection.

No member, officer, intern or employee shall execute any agreement to settle a legal claim or potential legal claim of sexual harassment, or retaliation based on a legal claim or potential legal claim of sexual harassment, by any current or former member, officer, intern or employee unless:

1. the request to negotiate said agreement was initiated, in writing, by the person filing or eligible to file the legal claim or potential legal claim or a person legally authorized to represent that person;

2. the person filing the legal claim or eligible to file the legal claim is given 15 days to review and consider the agreement;

3. the duration of any non-disclosure or non-disparagement provision of the agreement to settle the legal claim or potential legal claim is for a finite period of time as agreed to by the parties;

4. the agreement to settle the legal claim or potential legal claim specifically provides that no provision of the agreement, including any non-disclosure or non-disparagement provision of the agreement, shall preclude any party from participating in an investigation by Counsel, the Director, the EEO Officer, a Special Committee on Professional Conduct or any law enforcement agency; and

5. the agreement is approved in writing by Counsel.

(d) In the case of an agreement to settle any legal claim or potential legal claim of sexual harassment pursuant to this Rule by a member, the Speaker and Minority Leader shall appoint a Special Committee on Professional Conduct pursuant to Rule 96 to determine if the member shall be required to personally reimburse the House for all or part of the settlement amount. Upon a determination by the Special Committee that the member shall be required to personally reimburse the House for all or part of the settlement amount, it shall determine the amount to be reimbursed and immediately notify the member of that amount.

(e) Upon request of the party described in paragraph numbered 1 above or the complainant, Counsel shall waive any non-disclosure or non-disparagement provision of any agreement executed prior to the effective date of this Rule by the House and any current or former member, officer, intern or employee, to allow said current or former member, officer, intern or employee to report or discuss a claim of sexual harassment or retaliation based on sexual harassment.

[Added Mar. 15, 2018; Amended Jan. 30, 2019; Jul. 7, 2021.]

101. Notwithstanding Rule 7C, the Speaker may, upon recommendation of a majority of the committee on Rules, activate remote rules for the operation of the House of Representatives as provided within this rule:

Remote Rules for the Operation of the House of Representatives

Remote Rule 1. As used in Remote Rules 1 through 16, inclusive, the following terms shall have the following meanings:-

"Clerk", the Clerk of the House of Representatives.

"Formal session", a formal session of the House.

"House", the House of Representatives.

"House Chamber", the House Chamber within the Massachusetts State House in Boston or the location to which the House at its previous formal or informal session adjourned to meet.

"Member", a member of the House of Representatives.

"Monitor", one of the members appointed by the Speaker pursuant to Standing Rule 8.

"Participating remotely" or "remotely present", participating by telephone, teleconference, video conference or other means.

"Present", a member either physically present in the House Chamber for a formal session or remotely present, and participating in a formal session.

"Quorum", eighty-one members present for a formal session.

"Speaker", the Speaker of the House or the member presiding at the formal session of the House after being appointed by the Speaker to perform the duties of the Chair pursuant to Standing Rule 5.

"Standing rules", House Rules 1 through 100, inclusive.

Remote Rule 2. (a)(1) The House may assemble in a formal session with members participating remotely. Members participating remotely in a formal session may vote on any question or other matter before the House. Members participating remotely in a formal session shall be considered present and in attendance at the formal session for all purposes, including for purposes of determining a quorum pursuant to Article XXXIII of the Amendments to the Constitution of the Commonwealth or any standing rules and for purposes of appearing before the Governor and council pursuant to Part the Second, Chapter VI, Article I of the Constitution of the Commonwealth.

(2) A member participating remotely in a formal session shall have the same privileges, rights and responsibilities as if the member were physically present in the House Chamber, including without limitation, the right, privilege and responsibility to cast votes on all questions or other

matters brought to a vote and the ability to the take the oath required pursuant to Part the Second, Chapter VI, Article I of the Constitution of the Commonwealth.

(3) At the commencement of a formal session, the Speaker shall take the Chair at the hour to which the House stands adjourned, call the House to order and immediately order a quorum roll call.

(4)(i) The House shall not be called to order before the hour of 10:00 A.M. nor meet beyond the hour of midnight unless by unanimous consent of the members present.

(ii) All votes taken on the enactment of any bill or resolve during any formal session where members are participating remotely shall be by roll call vote.

(5) The Clerk shall prepare a Journal for the House for any formal session of the House held remotely. The Journal for the House may reflect that the formal session was convened pursuant to remote rules, but shall not deviate in any substantive manner from the Journal of the House required to be prepared by the Clerk pursuant to Standing Rule 10. The Journal of the House for any formal session of the House held during the state of emergency within the House shall not specify which members participated remotely.

(b)(1) The Speaker shall preside from within the House Chamber over any formal session of the House where any member is participating remotely. The Minority Leader, Chair of the committee on Ways and Means, Ranking Minority Member of the committee on Ways and Means, the House Chair and Ranking Minority Member of the joint committee from which any bill being debated at the formal session has been reported, or their designees, and the division monitors may also be physically present. All other members are strongly encouraged to participate remotely in a formal session.

(2) Officers and employees essential to the conduct of the formal session may be present in the House Chamber during a formal session with the express authorization of the Speaker in consultation with the Minority Leader. The Speaker and Minority Leader may have two employees from their office present in the House Chamber during a formal session. No other officer or employee shall be physically present in the House Chamber unless deemed essential to the conduct of the formal session by the Speaker. [Amended Feb. 1, 2023.]

(3) All members, officers and employees physically present in the House Chamber during a formal session shall, at the direction of the Speaker, undertake any mitigation measures ordered by the Speaker. Court Officers shall strictly enforce mitigation measures directed by the Speaker by and between members, officers and employees in and around the House Chamber. Any member, officer or employee in violation of the mitigation measures ordered by the Speaker shall be removed from the House Chamber.

Remote Rule 3. (a) A member participating remotely may make any motion authorized pursuant to the standing rules, raise a point of order, raise a point of personal privilege, or raise a point of parliamentary inquiry. Members participating remotely shall notify their division monitor of their desire to make a motion, raise a point of order, raise a point of personal privilege or raise a point of parliamentary inquiry. The division monitor shall immediately notify the Speaker who shall recognize the member seeking to make a motion, raise a point of order, raise a point of personal privilege or raise a point of parliamentary inquiry. No member shall interrupt another member while that member is speaking, including to request that the member speaking yield, except for the reasons authorized herein.

(b) A vote on any motion made pursuant to subsection (a) shall be conducted by voice vote as prescribed by subsection (b) of Remote Rule 5, unless the Constitution or the standing rules specifically require a roll call vote.

(c) A motion made by a member participating remotely may be made and submitted by the division monitor for the floor division of the House wherein the seat assigned to said member pursuant to Standing Rule 79 is located.

Remote Rule 4. (a) A member participating remotely wishing to speak on any question before the House shall notify the monitor for the floor division of the House wherein the seat assigned to said member pursuant to Standing Rule 79 is located as follows:

(i) A member wishing to speak on a bill, resolve or the General Appropriation Bill, or an amendment thereto, shall notify their floor division monitor no later than 10:00 A.M. on the day that the bill, resolve, General Appropriation Bill, or amendment thereto, is scheduled to be considered by the House. Said notification shall include: (1) the number of the bill, resolve General Appropriation Bill, or amendment thereto, that the member wishes to speak to; and (2) whether the member wishes to speak in favor of or in opposition to the bill, resolve, General Appropriation Bill, or amendment thereto.

(ii) A member wishing to speak on a consolidated amendment shall notify their floor division monitor no later than 45 minutes after the consolidated amendment shall have been first filed with the Clerk and made available electronically to the members. Said notification shall include: (1) the number or letter of the consolidated amendment the member wishes to speak to; and (2) whether the member wishes to speak in favor of or in opposition to the consolidated amendment.

(iii) A member wishing to speak on a conference committee report filed pursuant to Joint Rule 11B shall notify their floor division monitor no later than 10:00 A.M. on the day the conference committee report is scheduled to be considered by the House. Said notification shall include: (1) the bill number of the conference committee report; and (2) whether the member wishes to speak in favor of, or in opposition to the report. The provisions of this paragraph shall be inoperative if the conference committee report is filed later than 8:00 P.M. on the day preceding its consideration by the House.

(b) The monitor for each division shall prepare a list of members of their division notifying the monitor of said member's desire to speak in favor of a question before the House and a list of members of their division notifying the monitor of said member's desire to speak in opposition to a question before the House. Each list shall be arranged in order of the time the monitor received the notification with the notification received the earliest being first.

(c) Upon completion of the lists required pursuant to subsection (b), the monitors for each division shall transmit the lists to the Speaker and the Minority Leader. The Speaker shall combine the lists received from each of the division monitors and, in consultation with the Minority Leader, shall prepare a consolidated list of members notifying their monitor of the member's desire to speak in favor of a question before the House and a consolidated list of members of their division notifying the monitor of said member's desire to speak in opposition to a question before the House.

(d) The Speaker shall distribute the lists compiled pursuant to subsection (c) to all members electronically prior to the commencement of the formal session. The Speaker shall distribute the list compiled pursuant to subsection (a)(ii) as soon as practicable upon completion.

(e) The consolidated lists prepared by the Speaker pursuant to subsection (c) and distributed to the membership pursuant to subsection (d) shall be the order in which members are recognized during the debate of the respective question. In recognizing members from said lists, the Speaker shall, to the extent practicable, alternate between members wishing to speak in favor of the question and members wishing to speak in opposition to the question.

(f) A member participating remotely may, in lieu of speaking on a bill, resolve, amendment, consolidated amendment or a conference committee report, submit written remarks in favor of, or in opposition to, any bill, resolve, amendment, consolidated amendment or conference committee report to the Clerk before the adjournment of the formal session in which said bill, resolve, amendment, consolidated amendment or conference committee report was considered by the House. Said remarks shall be transmitted to the Clerk electronically in a format prescribed by the Clerk. The Clerk shall include any remarks submitted by a member participating remotely pursuant to this section in the Journal of the House required to be kept by the Clerk pursuant to Standing Rule 10 and Remote Rule 2.

Remote Rule 5. (a) Notwithstanding Standing Rules 50 through 52, inclusive, during a formal session where members are participating remotely a vote on any question shall be by either a voice vote of the members present and voting pursuant to subsection (b) or a roll call vote of the members present and voting pursuant to subsection (c). Any question that would require a standing vote under the standing rules shall be decided by a voice vote of the members present and voting pursuant to subsection (b).

(b) When a question is put, the sense of the House shall be taken by the voices of the members, and the Speaker shall first announce the vote as it appears to the Speaker by the sound.

If the Speaker is unable to decide by the sound of the voices, or if the announcement made thereupon is doubted by a member, the Speaker shall order the division monitors to ascertain the number of members within in their division voting in the affirmative and the number of members within in their division voting in the negative, without further debate upon the question. The division monitors shall report the total vote of their division count to the Speaker. After receiving the reports of the total vote counts from each of the division monitors, the Speaker shall tally said votes and then announce the vote.

(c) The sense of the House shall be taken by yeas and nays whenever required by 10 percent of the members elected or when required pursuant to the Constitution of the Commonwealth. The Speaker shall state the pending question and shall order the division monitors to commence the roll call of the members. The division monitors shall call the roll of the members assigned to said division in alphabetical order. The division monitors shall record the votes of each member on a form prescribed by the Clerk. Upon completion of the roll call, the division monitors shall sign the form upon which the roll call for their division was recorded and submit the completed form to the Clerk. The Clerk shall tally the votes of the members of each division and shall enter the votes into the electronic roll call machine. Upon completion of the tally and the entry of the votes into the electronic roll call machine, the Clerk shall notify the Speaker that the vote has been completed. Upon instruction from the Speaker, the Clerk shall display the tally of the vote on the 2 monitors in the House Chamber. The Speaker shall then announce the vote.

(d) If a member doubts the presence of a quorum, the Speaker shall order the division monitors to ascertain the number of members within in their divisions who are present. Any member confirmed by the division monitor to be participating remotely shall be considered present. The division monitors shall report the total number of members present to the Speaker.

After receiving the reports of the total number of members present from each of the division monitors, the Speaker shall tally the numbers and then announce the number of members present. If, after tallying the numbers from each of the division monitors a quorum is not present, the Speaker shall order a roll call vote pursuant to subsection (c).

(e) The call for yeas and nays shall be decided without debate. If the yeas and nays have been ordered before the question is put, the proceedings under subsection (b) shall be omitted.

(f) Except as heretofore provided, any member who shall vote or attempt to vote for another member or any person not a member who votes or attempts to vote for a member, or any member or other person who willfully tampers with or attempts to impair or destroy in any manner whatsoever the voting equipment used by the House, or change the records thereon shall be punished in such manner as the House determines; and provided further, that such a violation shall be reported to the committee on Ethics.

Remote Rule 6. No consolidated amendment to any bill offered by the committee on Ways and Means shall be considered by the House until the expiration of at least 30 minutes after the consolidated amendment shall have been first filed with the Clerk and made available electronically to the members. This rule shall not be suspended unless by unanimous consent of the members present.

Remote Rule 7. No consolidated amendment to any bill offered by the committee on Ways and Means shall be adopted except by a roll call vote.

Remote Rule 8. Notwithstanding any standing rule to the contrary, with the approval of the Speaker, a member, officer or employee may take photographs and videos of, and in, the House

Chamber provided said photographs or videos are to facilitate the remote participation in the formal session by a member.

Remote Rule 9. (a) Notwithstanding any standing rule to the contrary, unless authorized pursuant to subsection (b) or subsection (c), no member participating in a formal session shall be recognized more than once on any question before the House without unanimous consent or on any question before the House for more than 10 minutes without unanimous consent.

(b) The following members may, notwithstanding subsection (a), be recognized more than once on any question before the House: (1) the Minority Leader; (2) the member carrying the report of the committee; (3) and the Ranking Minority Member of the committee reporting the bill.

(c) Notwithstanding subsection (a), after all members have been recognized pursuant to Remote Rule 4, a member who is the primary sponsor of a bill, resolve or an amendment, or a designee of said member, may, in addition to being recognized pursuant to Remote Rule 4, be recognized for purposes of providing rebuttal or further explanation. If a member who is the primary sponsor of a bill, resolve or amendment or their designee is recognized pursuant to this subsection a member from the opposite political party designated by the member carrying the report of the committee or the Ranking Minority Member of the committee reporting the bill may also be recognized in addition to being recognized pursuant to Remote Rule 4. No member shall be recognized pursuant to this subsection for more than 5 minutes without unanimous consent.

Remote Rule 10. Notwithstanding any standing rule to the contrary, any formal session where members are participating remotely shall be livestreamed on the General Court website. Audio or

video recordings of all such sessions shall be made available to the public on the General Court website. All House sessions conducted by electronic means shall be broadcast on House television.

Remote Rule 11. Notwithstanding any standing rule to the contrary, no technical failure that breaks the remote connection of a member or members of the House of Representatives participating remotely in a formal session shall invalidate any action taken by the House of Representatives.

Remote Rule 12. Notwithstanding Standing Rule 49, members participating remotely may vote in a quorum roll call.

Remote Rule 13. Except as otherwise indicated, Remote Rules 1 through 16, inclusive, shall not be suspended unless by a 2/3 vote of the members present and voting. Debate upon a motion for the suspension of Remote Rules 1 through 16, inclusive, shall be limited to 15 minutes and no member shall speak for more than 3 minutes.

Remote Rule 14. The provisions of any standing or remote rules pertaining to procedures of the House may be suspended and alternative procedures may be used if said alternative methods are approved by a 2/3 majority of the committee on Rules and approved, in writing, by the Speaker and the Minority Leader. The Clerk shall enter any such approvals in the House Journal for the formal session required to be kept by the Clerk pursuant to Standing Rule 10.

Remote Rule 15. Except to the extent that they conflict with Remote Rules 1 through 16, inclusive, the standing rules shall remain in full force and effect.

Remote Rule 16. Remote Rules 1 through 16, inclusive, shall remain activated for no longer than 30 days after being activated by the Speaker; provided, that the House of Representative shall not operate under remote rules beyond 30 days without the adoption of an Order by a majority of the House.

[Emergency remote rule historical notes: See House document numbered 4690 of the 191st General Court; also see House documents numbered 59 and 3929 of the 192nd General Court; Added to Rules Jul. 7, 2021; Amended Feb. 1, 2023.]

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