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HOUSE JOINT RESOLUTION NO. 575

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senator Surovell

on January 13, 2021

(Patron Prior to Substitute--Delegate Herring)

Providing for a Joint Assembly and establishing a schedule for the conduct of business coming before the 2021 Regular Session of the General Assembly of Virginia.

RESOLVED by the House of Delegates, the Senate concurring, That the Speaker of the House of Delegates, President pro tempore of the Senate, and President of the Senate shall assemble in the Hall of the House of Delegates on Wednesday, January 13, 2021, at such time as specified by the Speaker of the House of Delegates, to receive the Governor of Virginia, and such address as he may desire to make, and that the rules for the government of the House of Delegates and the Senate, when convened in joint session for such purpose, shall be as follows:

Rule I. At the hour fixed for the meeting of the Joint Assembly, the President pro tempore of the Senate and the President of the Senate, accompanied by the Clerk of the Senate, shall proceed to the Hall of the House of Delegates and shall be received by the Speaker of the House of Delegates and the Clerk of the House of Delegates standing. An appropriate seat shall be assigned to the President pro tempore of the Senate by the Sergeant at Arms of the House. The Speaker of the House of Delegates shall assign an appropriate seat for the President of the Senate.

Rule II. The Speaker of the House of Delegates shall be President of the Joint Assembly. In case it shall be necessary for the Speaker to vacate the Chair, the President of the Senate shall serve as the presiding officer.

Rule III. The Clerk of the House of Delegates shall be Clerk of the Joint Assembly and shall be assisted by the Clerk of the Senate. The Clerk of the Joint Assembly shall enter the proceedings of the Joint Assembly in the Journal of the House and shall certify a copy of the same to the Clerk of the Senate, who shall enter the same in the Journal of the Senate.

Rule IV. The Sergeant at Arms and Doorkeepers of the House shall act as such for the Joint Assembly.

Rule V. The Rules of the House of Delegates, as far as applicable, shall be the rules of the Joint Assembly.

Rule VI. In calling the roll of the Joint Assembly, the names of the Senators shall be called in alphabetical order, then the names of the Delegates in like order, except that the name of the Speaker of the House of Delegates shall be called last.

Rule VII. If, when the Joint Assembly meets, it shall be ascertained that a majority of each house is not present, the Joint Assembly may take measures to secure the attendance of absentees, or adjourn to a succeeding day, as a majority of those present may determine.

Rule VIII. When the Joint Assembly adjourns, the President pro tempore of the Senate and the President of the Senate, accompanied by the Clerk of the Senate, shall return to their chamber, and the business of the House shall be continued in the same order as at the time of the entrance of the President pro tempore of the Senate, the President of the Senate, and the Clerk of the Senate; and, be it

RESOLVED FURTHER, That notwithstanding any other provision of this resolution and in accordance with the practices of each house, with the exception of commending and memorial joint resolutions, a request to be added as a co-patron shall be received prior to the first vote on the passage of a bill or agreement to a joint resolution or, if the bill or joint resolution is not reported from committee, then prior to the last action on such legislation. A request to be removed as a co-patron shall be received no later than 3:00 p.m., Friday, February 12, 2021; and, be it

RESOLVED FURTHER, That any member offering for introduction a bill or joint resolution not submitted to the Division of Legislative Services for drafting is encouraged to submit an electronic version no later than 5:00 p.m. on the day the legislation is introduced; and, be it

RESOLVED FURTHER, That for purposes of the procedural deadlines established herein for the 2021 Regular Session of the General Assembly:

"Budget Bill" means the general appropriation bill introduced in each house that authorizes the biennial expenditure of public revenues for the period from July 1, 2020, through June 30, 2022.

"Debt bill" means any bill that authorizes the issuance of debt.

"Legislative day" means the period of time that begins with the call to order by the presiding officer and ends when declared adjourned by the presiding officer. Unless another time is specified, any deadline established in this resolution shall expire at the end of the legislative day.

"Prefiled legislation" means any bill or joint resolution requested from the Division of Legislative Services no later than 5:00 p.m., Monday, November 30, 2020, and prefiled no later than 10:00 a.m., Wednesday, January 13, 2021, or any bill or joint resolution not requested from the Division of Legislative Services and prefiled no later than 10:00 a.m., Wednesday, January 13, 2021.

"Revenue bill" means any bill, except the Budget Bill and debt bills, that increases or decreases the total revenues available for appropriation.

"Unanimous consent" means the affirmation of all the members present in the house of origin. Any legislation intended to be offered for introduction with unanimous consent or with the written request of the Governor shall not require the consent of the house in order for the member to request the Division of Legislative Services to draft such legislation. The Division of Legislative Services shall return such legislation after the original introduction deadline.

"Virginia Retirement System bill" means any bill that amends, adds, repeals, or modifies any provision of any retirement system established in Title 51.1 of the Code of Virginia; and, be it

RESOLVED FINALLY, That the 2021 Regular Session of the General Assembly shall be governed by the following procedural rules, which establish time limitations for elections and for all legislation prefiled and introduced for or continued to the 2021 Regular Session except:

(i) House and Senate resolutions, except for the time limitations established in Rules 18 and 20;

(ii) Bills and joint resolutions affecting the rules of procedure or the schedule of business of the General Assembly, either of its houses, or any of its committees;

(iii) Bills and joint resolutions introduced with unanimous consent to exceed the time limitations established in Rules 2, 3, 6, and 16;

(iv) Joint resolutions confirming appointments subject to the confirmation of the General Assembly;

(v) Joint commending and memorial resolutions, except for the time limitations established in Rules 14 and 16;

(vi) Bills and joint resolutions regarding elections held by the General Assembly during the 2021 Regular Session; or

(vii) Bills and joint resolutions requested in writing by the Governor.

Rule 1. Neither house of the General Assembly shall receive from any committee any bill or joint resolution that was continued on the agenda of such committee and acted upon later than midnight, Thursday, December 3, 2020. For purposes of this rule, a motion to refer a measure to another committee shall be treated as an action by a committee.

Rule 2. No bill or joint resolution creating or continuing a study shall be offered in either house after the adjournment of that house on Wednesday, January 13, 2021.

Rule 3. No Virginia Retirement System bill shall be offered in either house after adjournment of that house on Wednesday, January 13, 2021.

Rule 4. Except for bills and joint resolutions required to be requested earlier, requests for the drafting, redrafting, or correction of any bill or joint resolution shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Friday, January 15, 2021.

Rule 5. No later than Monday, January 18, 2021, each house shall begin its consideration of any election to fill any judicial seat in the courts of the Commonwealth, or to fill a seat on any commission or office elected by the General Assembly. In the event that the houses cannot agree on such election before Tuesday, January 19, 2021, such election shall become the subject of a special and continuing joint order in each house, and such special and continuing joint order shall have precedence over all other business of either house, until such time as both houses reach agreement on such election or agree to hold it at another specific time. The Rules of each house, as far as applicable, shall be the rules governing such election.

Rule 6. Except for bills required to be filed earlier, no bill or joint resolution shall be offered in either house after 3:00 p.m., Friday, January 22, 2021.

Rule 7. No later than Friday, January 22, 2021, the Board of Trustees of the Virginia Retirement System shall submit, in accordance with Section 30-19.1:7, impact statements for all Virginia Retirement System bills filed by the first day of session. For any Virginia Retirement

System bill filed later than the first day of session, the Board of Trustees shall use due diligence in preparing the impact statement in time for review by the standing committees.

Rule 8. The committees responsible for the consideration of the Budget Bill in the houses of introduction shall complete their work on such bill no later than midnight, Sunday, February 7, 2021, and any amendments proposed by such committees shall be made available to their respective houses no later than noon, Tuesday, February 9, 2021.

Rule 9. Except for the Budget Bill, beginning Wednesday, February 10, 2021, the House of Delegates shall consider only Senate bills, Senate joint resolutions, House bills with Senate amendments, and House joint resolutions with Senate amendments; the Senate shall consider only House bills, House joint resolutions, Senate bills with House amendments, and Senate joint resolutions with House amendments; and each house may consider conference reports and other privileged matters relating thereto to the end that the work of each house may be disposed of by the other.

Rule 10. The houses of introduction shall complete their consideration of the Budget Bill, except for conference reports and other privileged matters relating thereto, no later than Thursday, February 11, 2021.

Rule 11. The committees responsible for the consideration of revenue bills of the other house shall complete their consideration of such bills no later than midnight, Tuesday, February 16, 2021.

Rule 12. No later than Wednesday, February 17, 2021, each house shall complete its consideration of the Budget Bill and all revenue bills of the other house, except for conference reports and other privileged matters relating thereto, and the appointing authority shall appoint the conferees to such bills.

Rule 13. No later than Wednesday, February 17, 2021, each house shall begin its consideration of any election to fill any judicial seat in the courts of the Commonwealth, or to fill a seat on any commission or office elected by the General Assembly. In the event that the houses cannot agree on such election before Thursday, February 18, 2021, such election shall become the subject of a special and continuing joint order in each house, and such special and continuing joint order shall have precedence over all other business of either house, until such time as both houses reach agreement on such election, or either house votes to suspend or discharge the order. The Rules of each house, as far as applicable, shall be the rules governing such election.

Rule 14. Requests for the drafting, redrafting, or correction of any joint commending or memorial resolution shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Thursday, February 18, 2021.

Rule 15. Any conference committee on any revenue bills shall complete its deliberations and make the report of such conference available to the General Assembly as soon as practicable.

Rule 16. No joint commending or memorial resolution shall be offered in either house after 5:00 p.m., Monday, February 22, 2021.

Rule 17. Beginning Tuesday, February 23, 2021, neither house shall receive from any committee any bill or joint resolution acted on by any committee later than midnight, Monday, February 22, 2021.

Rule 18. Requests for the drafting, redrafting, or correction of any single-house commending or memorial resolution shall be submitted to and received by the Division of Legislative Services no later than 5:00 p.m., Tuesday, February 23, 2021.

Rule 19. Any conference committee on the Budget Bill shall complete its deliberations and make the report of such conference available to the General Assembly as soon as practicable. Neither house shall receive, consider, or vote on any Budget Bill that is in conference unless it has been agreed to in writing or signed electronically by a majority of conferees from each house. Neither house shall consider such conference report earlier than 48 hours after receipt, unless both houses respectively determine to proceed earlier by a vote of two-thirds of the members voting in each house. No engrossment of the Budget Bill shall be required in either house, and any conference on the Budget Bill shall consider, as the basis of its deliberations, the Budget Bill as recommended by the Governor and introduced in the House and the amendments thereto proposed by each house. A report shall be issued concurrently with the report of the conference committee that identifies the following by item number, narrative description, and dollar amount: (i) any nonstate agency appropriation, (ii) any item in the conference report that was not included in a general appropriation bill as passed by either the House or the Senate, and (iii) any item that represents legislation that failed in either house during the regular or a special session.

Rule 20. No single-house commending or memorial resolution shall be offered in either house after 5:00 p.m., Thursday, February 25, 2021.

Rule 21. Except for joint resolutions affecting the rules of procedure or the schedule of business of the General Assembly, beginning Friday, February 26, 2021, the House of Delegates shall consider only Senate joint resolutions and House joint resolutions with Senate amendments; the Senate shall consider only House joint resolutions and Senate joint resolutions with House amendments; and each house may consider conference reports or joint resolutions and other privileged matters relating thereto, to the end that the work of each house may be disposed of by the other.

Rule 22. This session of the General Assembly shall be extended beyond the 30-day period provided in Section 6 of Article IV of the Constitution of Virginia and shall adjourn sine die no later than Saturday, February 27, 2021.

Rule 23. Pursuant to Section 6 of Article IV of the Constitution of Virginia, the General Assembly shall reconvene Wednesday, April 7, 2021, for the purpose of considering bills and items of appropriation bills that may have been returned by the Governor with recommendations for their amendment, and bills and items of appropriation bills, including the general appropriation act, that may have been returned by the Governor with his objections.

Rule 24. That members of the General Assembly and credentialed legislative staff attending floor sessions, committees, subcommittees, and any other meetings of the General Assembly in person or meeting in a legislative office in person shall be required to wear a facemask or

face shield, and (i) at the discretion of the Speaker of the House of Delegates for Delegates and House credentialed staff and the discretion of the chair of the Senate Committee on Rules for Senators and Senate credentialed staff, have their temperature taken daily when initially entering legislative space; and (ii) at the discretion of the Speaker of the House of Delegates for Delegates and House credentialed staff and the discretion of the chair of the Senate Committee on Rules for Senators and Senate credentialed staff, be tested weekly for Covid-19 by the Virginia Department of Health.

Rule 25. The conduct of the business of any subcommittee of any House committee, any joint subcommittee of House and Senate committees, and any interim study commission created pursuant to a House measure shall be governed by the Rules of the House of Delegates; the conduct of the business of any subcommittee of any Senate committee, any joint subcommittee of Senate and House committees, and any interim study commission created pursuant to a Senate measure shall be governed by the Rules of the Senate. If a House measure and a Senate measure create the same study, the conduct of the business of the study shall be governed by the rules of the house of the chairman of the study, or in the case of co-chairmen, the rules of the house as agreed upon by the co-chairmen.

Rule 26. Interim meetings of any standing committee, joint committee, joint subcommittee, legislative commission, or any other interim study subcommittee or study commission shall be held on such day as called by the chair if electronically, or if in person on Monday, Tuesday, or Wednesday during the first and third full weeks of the month, unless otherwise authorized by the Speaker of the House of Delegates or the Chairman of the Senate Committee on Rules, as may be appropriate for the house in which the chairman serves.

Rule 27. Any staff member assigned to work for, and support the efforts of, any committee of the House or Senate, any subcommittee of any such committee, any joint subcommittee of House and Senate committees, or any interim study commission shall work under the direction of the chairman of such committee, subcommittee, joint subcommittee, or interim study commission.

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