Resolution

ENROLLED SENATE
CONCURRENT
RESOLUTION NO. 5

By: McCortney of the Senate

and

Echols of the House

A Concurrent Resolution relating to Joint Rules; amending Joint Rules for the 59th Legislature.

BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 59TH OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

SECTION 1. The Joint Rules of the ~~58th~~ 59th Oklahoma Legislature are amended to read as follows:

JOINT RULES

~~58th~~ 59th OKLAHOMA LEGISLATURE

~~2021-2022~~ 2023-2024

PREAMBLE

The Oklahoma Legislature hereby adopts the following joint rules to govern its operations and procedures pursuant to Article V, Section 30 of the Oklahoma Constitution.

RULE ONE

JOINT SESSIONS

(a) The Officers of joint sessions of the Legislature shall be the President of the Senate, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the

Secretary of the Senate, and the Clerk of the House of Representatives.

(b) Upon the convening of a joint session of the Legislature, the Secretary of the Senate and the Clerk of the House of Representatives shall keep a report of the proceedings to be published in the journals of their respective chambers.

RULE TWO

COMMUNICATIONS BETWEEN SENATE AND HOUSE

All bills, resolutions, votes and amendments by either chamber, to which the concurrence of both is necessary, as well as messages, shall be presented to the other under the signature of the Clerk or Secretary of the chamber from which they are transmitted. Messages between the chambers shall be sent only while the receiving chamber is sitting.

RULE THREE

AVAILABILITY OF LEGISLATION

Neither chamber of the Oklahoma Legislature shall consider legislation unless said legislation has been made available on a previous legislative day to the members of the chamber then having custody of the measure.

RULE FOUR

JOINT COMMITTEES

CHAPTER A:

IN GENERAL

4.1 - Co-Chairs and Co-Vice Chairs.

(a) The President Pro Tempore of the Senate shall appoint a Co-Chair and Co-Vice Chair to each Joint Committee. The Speaker of the House of Representatives shall appoint a Co-Chair and Co-Vice Chair to each Joint Committee.

(b) While considering a bill or resolution in a joint meeting, Joint Committees shall be presided over by the member appointed as a Co-Chair by the proposed legislation's chamber of origin unless otherwise determined by the Joint Committee.

(c) When meeting jointly or separately, the Co-Vice Chair shall assume the duties of the Co-Chair for the same chamber during the absence of or at the request of the Co-Chair.

4.2 - Timing of Meetings.

The dates, times, and locations of separate meetings shall be determined by the Speaker of the House of Representatives and the President Pro Tempore of the Senate for their respective delegations.

4.3 - Notice of Meetings.

Unless otherwise established by agreement between the Speaker of the House of Representatives and the President Pro Tempore of the Senate, twenty-four (24) hours of notice to the public shall be provided for meetings of Joint Committees whether such meeting shall be held jointly or separately.

4.4 - Open Meetings.

Meetings of Joint Committees shall be open to the public.

4.5 - Calendar of Business.

Unless otherwise established by agreement between the Speaker of the House of Representatives and the President Pro Tempore of the Senate, the Co-Chairs of a Joint Committee shall establish the calendar of business for that Joint Committee.

4.6 - Authority of Co-Chairs and Co-Vice Chairs.

(a) The presiding Co-Chair or Co-Vice Chair of a Joint Committee shall have all authority necessary to maintain order and decorum and to ensure efficient operation of the Joint Committee.

(b) Except as otherwise provided for by this Rule, when meeting separately, each chamber's respective Rules governing the conduct of committee meetings shall apply to meetings of a Joint Committee; provided, the Co-Chairs of the Joint Committee may establish procedures for the conduct of joint meetings of the Joint Committee.

4.7 - Quorum.

(a) In a joint meeting, a quorum shall be considered present only when a majority of the members appointed by the House of Representatives and a majority of the members appointed by the Senate are present.

(b) In a separate meeting convened either by the Speaker of the House of Representatives or by the President Pro Tempore of the Senate, a quorum shall be considered present when a majority of the members from the convening chamber are present.

4.8 - Voting.

(a) All votes cast in a Joint Committee shall be conducted in open, public meetings.

(b) Only those committee members present may vote on any matter.

(c) A proposed recommendation shall not be considered adopted by a Joint Committee unless a majority of a quorum of the members appointed by the House of Representatives and a majority of a quorum of the members appointed by the Senate shall have both, at some time in the course of the present biennium, voted in favor of the question.

4.9 - Deadlines.

(a) Measures referred to a Joint Committee shall not be subject to the legislative deadlines regularly adopted by the Legislature.

(b) If a Joint Committee does not report a bill or resolution with a recommendation prior to Sine Die Adjournment of the First Regular Session of the biennium, the bill or resolution shall remain

in the custody of the Joint Committee and shall carry over to the Second Regular Session of the biennium with the same status.

(c) The Speaker of the House of Representatives and the President Pro Tempore of the Senate may establish other deadlines applicable to Joint Committees.

4.10 - Security.

(a) Unless otherwise established by agreement between the Speaker of the House of Representatives and the President Pro Tempore of the Senate, the Co-Chairs of a Joint Committee created pursuant to this Rule shall jointly determine what security arrangements shall be necessary for each Joint Committee meeting.

(b) Unless otherwise established by agreement between the Speaker of the House of Representatives and the President Pro Tempore of the Senate, the Co-Chairs of a Joint Committee created pursuant to this Rule shall individually determine what security arrangements shall be necessary for separately convened committee meetings.

CHAPTER B:

APPROPRIATIONS AND BUDGET

4.11 - Composition and Title.

(a) There shall be constituted a joint committee whose membership is composed of members of the House of Representatives and of the Senate. The joint committee established by this Rule shall be styled as the Joint Committee on Appropriations and Budget and shall be hereinafter referenced as "JCAB".

(b) The members of the Senate appointed to serve on the Senate Committee on Appropriations shall also be the members of the Joint Committee, provided, such membership may be changed by the President Pro Tempore of the Senate. The members of the House of Representatives appointed to serve on House Committee on Appropriations and Budget shall also be the members of JCAB; provided, such membership may be changed by the Speaker of the House

of Representatives. Ex officio members of the committees of each respective chamber shall be ex officio and voting members of JCAB.

4.12 - Amendments.

Legislation referred to JCAB shall not be amended other than by adoption of a committee substitute authored by the Co-Chairs of JCAB.

4.13 - Recommendations.

(a) A recommendation by JCAB of "Do Pass" or "Do Pass, As Amended" shall constitute a favorable recommendation.

(b) Upon adoption of a favorable recommendation by JCAB, the Co-Chairs shall cause a joint committee report to be created recording the ayes and the nays. Said report shall be filed with the chief legislative officer of the recommended legislation's chamber of origin.

(c) All legislation receiving a favorable recommendation by JCAB to the chamber of origin shall contain a complete Title and an Enacting or Resolving Clause.

(d) No measure shall be recommended by JCAB to the chamber of origin which does not have a fiscal impact. A fiscal impact may arise from provisions affecting revenues or expenditures or from provisions giving rise to a fiscal impact upon any governmental subdivision of the State of Oklahoma.

4.14 - Joint Calendar for Appropriations and Budget.

(a) There shall be constituted a joint calendar upon which only those measures receiving a favorable recommendation by JCAB shall be published. The joint calendar established by this Rule shall be styled as the Joint Calendar on Appropriations and Budget and shall be hereinafter referenced in this Rule as the "Joint Calendar".

(b) Upon filing with the chief legislative officer of the chamber of origin, the joint committee report shall be published to the Joint Calendar. When published to the Joint Calendar, said report shall be distributed to the members of the House of

Representatives and Senate and shall be made available to the public on a legislative day prior to consideration in the chamber of origin.

(c) The distribution and public availability requirements of paragraph (b) of this Rule shall fulfill all internal and external distribution and availability requirements for both chambers of the Legislature for measures receiving a favorable recommendation by the Joint Committee.

4.15 - Consideration in Chamber of Origin.

(a) If a measure favorably reported by JCAB is scheduled for consideration, the joint committee report, prior to advancement of the measure from General Order to Third Reading and Final Passage, shall undergo consideration and shall either be adopted or rejected.

(b) Upon adoption of the joint committee report, the bill or resolution shall be considered advanced from General Order, and on Third Reading and Final Passage.

(c) If a motion to reject the joint committee report is adopted, the report and the measure shall be returned to the custody of the Joint Committee.

(d) No bill or resolution receiving a recommendation from the Joint Committee of "Do Pass" or "Do Pass, As Amended" shall be subject to amendment.

(e) Upon approval of the bill or resolution on Third Reading and Final Passage, the measure shall be engrossed to the opposite house in the same manner as other measures are engrossed.

4.16 - Consideration in the Opposite Chamber.

(a) Upon consideration in the opposite chamber, the joint committee report, prior to advancement of the measure from General Order to Third Reading and Final Passage, shall undergo consideration and shall either be adopted or rejected.

(b) Upon adoption of the joint committee report in the opposite chamber, the bill or resolution shall be considered advanced from General Order, engrossed and on Third Reading and Final Passage.

(c) If a motion to reject the joint committee report is adopted, the report and the measure shall be returned to the custody of the Joint Committee.

(d) No bill or resolution receiving a recommendation from the Joint Committee of "Do Pass" or "Do Pass, As Amended" shall be subject to amendment.

~~CHAPTER C:~~

~~ADMINISTRATIVE RULES~~

~~4.17 – Composition and Title.~~

~~(a) There shall be constituted a joint committee whose membership is composed of members of the House of Representatives and of the Senate. The joint committee established by this Rule shall be styled as the Joint Committee on Administrative Rules and shall be hereinafter referenced as "JCAR".~~

~~(b) The President Pro Tempore of the Senate shall appoint members of the Senate to JCAR to serve at the pleasure of the Senate Pro Tempore. The Speaker of the House of Representatives shall appoint members of the House of Representatives to JCAR to serve at the pleasure of the Speaker of the House of Representatives. Ex officio members of the committees of each respective chamber shall be ex officio and voting members of JCAR.~~

~~4.18 – Recommendations.~~

~~(a) Action by JCAR may be by motion to "recommend approval", "recommend approval in part", "recommend disapproval", "recommend agency amendment", or "recommend agency further consideration".~~

~~(b) Upon adoption of a favorable recommendation by JCAR, the Co-Chairs shall cause a joint committee report to be created recording the ayes and the nays. Said report shall be filed with~~

~~the chief legislative officer of the recommended legislation's chamber of origin.~~

~~4.19 – Joint Calendar for Administrative Rules.~~

~~(a) There shall be constituted a joint calendar upon which measures receiving a recommendation by JCAR shall be published. The joint calendar established by this Rule shall be styled as the Joint Calendar on Administrative Rules and shall be hereinafter referenced in this Rule as the "JCAR Calendar".~~

~~(b) Upon filing with the chief legislative officer of the chamber of origin, the JCAR report shall be published to the JCAR Calendar. When published to the JCAR Calendar, said report shall be distributed to the members of the House of Representatives and Senate and shall be made available to the public on a legislative day prior to consideration in the chamber of origin.~~

~~(c) The distribution and public availability requirements of paragraph (b) of this Rule shall fulfill all internal and external distribution and availability requirements for both chambers of the Legislature for measures receiving a recommendation by JCAR.~~

~~4.20 – Consideration in Chamber of Origin.~~

~~(a) If a measure reported by JCAR is scheduled for consideration, the JCAR report, prior to advancement of the measure from General Order to Third Reading and Final Passage, shall undergo consideration and shall either be adopted or rejected.~~

~~(b) Upon adoption of the JCAR report, the measure shall be considered advanced from General Order, and on Third Reading and Final Passage.~~

~~(c) If a motion to reject the JCAR report is adopted, the report and the measure shall be returned to the custody of JCAR.~~

~~(d) No bill or resolution receiving a recommendation from JCAR shall be subject to amendment.~~

~~(c) Upon approval of the measure on Third Reading and Final Passage, the measure shall be engrossed to the opposite chamber in the same manner as other measures are engrossed.~~

~~4.21 - Consideration in the Opposite Chamber.~~

~~(a) Upon consideration in the opposite chamber, the JCAR report, prior to advancement of the measure from General Order to Third Reading and Final Passage, shall undergo consideration and shall either be adopted or rejected.~~

~~(b) Upon adoption of the JCAR report in the opposite chamber, the bill or resolution shall be considered advanced from General Order, engrossed, and on Third Reading and Final Passage.~~

~~(c) If a motion to reject the JCAR report is adopted, the report and the measure shall be returned to the custody of JCAR.~~

~~(d) No bill or resolution receiving a recommendation from JCAR shall be subject to amendment.~~

RULE FIVE

CONFERENCE COMMITTEES

5.1 - Procedures.

(a) When a bill or resolution is returned by either chamber to the other with amendments, and the chamber where the bill or resolution originated refuses to concur in said amendments, a conference, by a majority vote of those present and voting, may be requested. Such action shall be transmitted by message which shall include the names of the conferees on the part of the requesting chamber. Upon receipt of such message, the other chamber may, in like manner, grant such conference, notifying the requesting chamber by message stating therein the names of its conferees.

(b) In case of agreement by a majority of the members of each chamber, the conference committee report shall first be made to the chamber of origin, and there acted upon, the action taken to be immediately reported, by message, by the Secretary or the Clerk to

the other chamber. The conference committee report shall be signed by a majority of the conferees appointed by each chamber.

(c) In the event of the failure of either chamber to adopt the conference committee report, the bill or resolution as reported by the conference committee shall remain with the chamber where the failure to adopt occurred and that chamber may, at any time thereafter, request further conference and the original or new conferees shall be appointed for the further consideration of amendments. In the event that the conference committee report is rejected and further conference is requested, the bill or resolution shall be in custody of the chamber of origin.

(d) In case the conferees of the two chambers are unable to agree they shall report that fact to the chamber of origin by filing a conference committee report stating "conferees are unable to agree". The bill or joint resolution shall revert to the status it occupied before being sent to conference committee.

(e) It shall be within the exclusive jurisdiction of the chamber of origin:

1. to determine the germaneness of all amendments proposed by the opposite chamber to the bills and joint resolutions of the chamber of origin; and

2. to determine the germaneness of all conference committee substitutes as well as any other changes made within a conference committee report to the bills and joint resolutions of the chamber of origin.

5.2 - Joint Conference Calendar.

(a) The President Pro Tempore of the Senate and the Speaker of the House of Representatives may establish a joint calendar for publication of conference committee reports.

(b) Unless otherwise established by agreement between the Speaker of the House of Representatives and the President Pro Tempore of the Senate, a conference committee report, upon filing with the chief legislative officer of the chamber of origin, may be published to the Joint Conference Calendar. When published to the

Joint Conference Calendar, said report shall be distributed to the members of the House of Representatives and Senate and shall be made available to the public on a legislative day prior to consideration in the chamber of origin.

RULE SIX

RECALL OF MEASURES FROM GOVERNOR

Bills and joint resolutions presented to the Governor, and on which action by the Governor is pending, may be recalled only by a concurrent resolution introduced in the chamber of origin of said bill or joint resolution and adopted by both chambers; provided, however, bills and joint resolutions may be recalled from the Governor upon a joint request of the presiding officers of both chambers for the exclusive purpose of correcting typographical and grammatical errors therein when such request for recall identifies the errors to be corrected. The amendment of such bill or joint resolution recalled on request of the presiding officers shall be limited to the correction of errors as stated in the recall request. The recall request shall be printed in full in the journal of each chamber.

RULE SEVEN

LEGISLATIVE SCHEDULE

(a) The First Regular Session of the ~~58th~~ 59th Oklahoma Legislature shall adhere to the following procedure schedule:

1. ~~January 21, 2021~~ January 19, 2023, no later than 4:00 p.m., shall be the deadline for introduction of bills and joint resolutions in the Senate and House of Representatives for consideration on the floor of the House of Representatives or Senate during the First Regular Session.

2. ~~March 11, 2021~~ March 23, 2023, shall be the final legislative day for Third Reading and Final Passage of a bill or joint resolution in the chamber of origin.

3. ~~April 22, 2021~~ April 27, 2023, shall be the final legislative day for Third Reading and Final Passage of a bill or joint resolution in the chamber opposite the chamber of origin.

4. The First Regular Session of the ~~58th~~ 59th Oklahoma Legislature shall adjourn sine die not later than 5:00 p.m. on ~~May 28, 2021~~ May 26, 2023.

5. Upon a two-thirds (2/3) vote of the membership of both chambers, a bill or joint resolution may be exempted from all deadline dates in both chambers; provided, each chamber may adopt rules which supersede the provisions of this Rule.

(b) The Second Regular Session of the ~~58th~~ 59th Oklahoma Legislature shall adhere to the following procedure schedule:

1. ~~December 10, 2021~~ December 8, 2023, shall be the final date for requesting the drafting of bills and joint resolutions in the House of Representatives and Senate for introduction for consideration during the Second Regular Session.

2. ~~January 20, 2022~~ January 18, 2024, no later than 4:00 p.m., shall be the deadline for introduction of bills and joint resolutions in the Senate and House of Representatives for consideration on the floor of the House of Representatives or Senate during the Second Regular Session.

3. The Second Regular Session of the ~~58th~~ 59th Oklahoma Legislature shall convene at twelve noon on ~~February 7, 2022~~ February 5, 2024.

4. ~~March 24, 2022~~ March 21, 2024, shall be the final legislative day for Third Reading and Final Passage of a bill or joint resolution in the chamber of origin.

5. ~~April 28, 2022~~ April 25, 2024, shall be the final legislative day for Third Reading and Final Passage of a bill or joint resolution in the chamber opposite the chamber of origin.

6. The Second Regular Session of the ~~58th~~ 59th Oklahoma Legislature shall adjourn sine die not later than 5:00 p.m. on ~~May 27, 2022~~ May 31, 2024.

7. Upon a two-thirds (2/3) vote of the membership of both chambers, a bill or joint resolution can be exempted from all deadline dates in both chambers; provided, each chamber may adopt rules which supersede the provisions of this Rule.

(c) This schedule may be amended or modified by the adoption of a concurrent resolution by a majority vote of the membership of each chamber.

(d) This schedule shall be inapplicable to any joint resolution introduced for the purpose of disapproving or approving agency rules pursuant to the provisions of the Administrative Procedures Act, or for the purpose of disapproving or approving standards adopted by the State Board of Education as set forth in Section 11-103.6a-1 of Title 70 of the Oklahoma Statutes.

(e) This schedule shall be inapplicable to any bills introduced for the purposes of incorporating and merging different versions of a statute amended in more than one measure at the same or different sessions of the Legislature as set forth in Section 23.1 of Title 75 of the Oklahoma Statutes.

(f) This schedule shall be inapplicable to any bill or joint resolution introduced for the purpose of approving, disapproving, repealing or modifying rules of the Ethics Commission pursuant to the provisions of Section 3 of Article XXIX of the Oklahoma Constitution.

(g) This schedule shall be inapplicable to any bill or joint resolution which proposes a special or local law and for which notice of intended introduction is published in a newspaper for four consecutive weeks pursuant to the provisions of Section 32 of Article V of the Oklahoma Constitution.

(h) The dates specified in this Rule for introduction of bills or joint resolutions shall be inapplicable to any bill or joint resolution which contains an "RB" number pursuant to the provisions of the Oklahoma Pension Legislation Actuarial Analysis Act. Such measures shall be submitted to the legislative actuary not later than such dates, and may be introduced not later than the first Monday in February following such submission.

(i) This schedule shall be inapplicable to any bill or joint resolution authored by the chairs and vice-chairs of the Senate Appropriations Committee and the House Appropriations and Budget Committee which affects the receipt, expenditure or budgeting of state funds or funds under the control of an entity created by state law.

(j) This schedule shall be inapplicable to any bill or joint resolution authored by the President Pro Tempore of the Senate and the Speaker of the House of Representatives which is deemed by them to be necessary for the preservation of public peace, health or safety.

~~(k) This schedule shall be inapplicable to any bill or joint resolution authored by the President Pro Tempore of the Senate and the Speaker of the House of Representatives which provides for redistricting.~~

RULE EIGHT

ADOPTION, AMENDMENT OR SUSPENSION OF JOINT RULES

(a) Joint Rules shall be adopted by a concurrent resolution by a majority vote of the membership of each chamber. Thereafter, except as provided in paragraph (c) of Rule Seven, said Rules may be amended, modified or repealed only by the adoption of a concurrent resolution by a two-thirds (2/3) vote of the membership of each chamber.

(b) Any Joint Rule or a portion thereof, except such joint rules as are expressions of requirements contained within the Oklahoma Constitution, may be suspended by a two-thirds (2/3) vote of the membership of each chamber; provided, a joint rule that does not express a constitutional requirement may be suspended by a two-thirds (2/3) vote of the membership of a single chamber on a matter affecting actions of that chamber only. In the event a joint rule is suspended in one chamber pursuant to this provision, the chamber adopting the suspension shall immediately notify the opposite chamber by message.

RULE NINE

OVERSIGHT COMMITTEE FOR THE LEGISLATIVE OFFICE FOR FISCAL TRANSPARENCY

9.1 - Composition and Title.

There shall be constituted an oversight committee whose membership is composed of members of the House of Representatives and of the Senate. The oversight committee as set forth in Section 8013 of Title 62 of the Oklahoma Statutes shall be styled as the Oversight Committee for the Legislative Office of Fiscal Transparency and shall be hereinafter referenced in this Rule as the "LOFT Oversight Committee".

9.2 - Timing of Meetings.

The dates, times and locations of meetings shall be determined by the Co-Chairs of the LOFT Oversight Committee.

9.3 - Notice of Meetings.

The notice and agenda for each meeting shall be determined by the Co-Chairs and shall be made available to the public, by posting on the Senate and House of Representatives websites, at least twenty-four (24) hours prior to the time of the meeting.

9.4 - Authority of the Co-Chairs.

(a) The Co-Chairs of the LOFT Oversight Committee shall have all authority necessary to maintain order and decorum and to ensure efficient operation of the LOFT Oversight Committee.

(b) Except as otherwise provided for by this Rule, Mason's Manual of Legislative Procedure shall govern the conduct of meetings of the LOFT Oversight Committee; provided, the Co-Chairs may establish procedures for the conduct of meetings of the Committee.

9.5 - Quorum.

A quorum of the LOFT Oversight Committee shall consist of at least eight (8) members; provided, any action by the Committee shall

require the vote of at least four (4) members from each house of the Legislature.

9.6 - Voting.

(a) All votes cast in the LOFT Oversight Committee shall be conducted in open, public meetings.

(b) Only those committee members present may vote on any matter.

(c) Any action by the LOFT Oversight Committee shall require the vote of at least four (4) members from each house of the Legislature in favor of the question to be considered adopted.

9.7 - Requests for Action.

(a) The Legislative Office of Fiscal Transparency shall be required to submit a proposed work plan to the LOFT Oversight Committee for approval. If the LOFT Oversight Committee adopts the proposed work plan, LOFT shall be authorized to conduct any necessary action to complete the work plan.

(b) No member of the Legislature shall be authorized to use LOFT resources to conduct investigations, evaluations or audits except as otherwise approved by the LOFT Oversight Committee or allowed by law.

9.8 - Executive Director.

(a) The LOFT Oversight Committee shall make an annual recommendation to both the Speaker of the House of Representatives and the President Pro Tempore of the Senate for retention or termination of the Executive Director.

(b) The LOFT Executive Director shall be evaluated annually and must be retained by both the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

RULE TEN

DURATION OF JOINT RULES

Joint Rules adopted in the First Regular Session of a Legislature shall be in full force and effect during both regular sessions of the same Legislature, unless amended, modified, or repealed as provided herein.

Adopted by the Senate the 9th day of February, 2023.

Darcy Jech

Presiding Officer of the Senate

Adopted by the House of Representatives the 16th day of February, 2023.

Presiding Officer of the House of Representatives

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 16th day of February, 2023, at 1:17 o'clock P. M.

By: Brian Bingman