

ASSEMBLY COMMITTEE ON LOCAL GOVERNMENT
Cecilia M. Aguiar-Curry, Chair

2021-2022 COMMITTEE RULES

The Committee will operate under the Joint Rules and the Standing Rules of the Assembly. The following Committee procedures and guidelines are designed to further expedite the conduct of Committee business.

Committee hearings are regularly scheduled at the discretion of the Assembly Speaker for the 2nd and 4th Wednesdays of the legislative calendar, at the time and location as stated in the Assembly Daily File. A majority of the entire committee (1/2 + 1) constitutes a quorum.

WORKSHEET

1. When a bill is referred to the committee, the committee secretary shall immediately forward to the author a worksheet to be completed for the preparation of the committee analysis. The chair may withhold setting the bill for hearing until the worksheet is completed and returned to the committee. To allow adequate time for committee staff to analyze the bill, all committee worksheets shall be returned to the committee no later than five (5) legislative days after delivery to the author's office.

SETTING BILLS

2. (a) Initial Referral to Committee: No bill may be set until it has been referred to committee. [Assembly Rule 56]

(b) "30-day Print": No bill may be heard or acted upon until it has been in print for 30 days. This requirement may be dispensed with by approval of the Rules Committee and a three-fourths (3/4) vote of the house. [Article IV, Section 8(a)]
[Joint Rule 55]*

(c) Notice: A bill being heard in the committee of first reference in the Assembly must be noticed in the file for four (4) days prior to a hearing. This requirement can be waived by a majority vote of the House. The file notice requirement for bills in a second or subsequent committee of reference is two days prior to the hearing. [Joint Rule 62(a)] *

(d) Three-sets: A bill may be "set" for a hearing in committee only three times. A bill is considered "set" when it appears in the file for one or more days. If the committee postpones the hearing on the bill, such action does not count as a "set." If the file indicates "testimony only," the hearing does not count as a set." This requirement may be suspended with the approval of the Rules Committee and a two-thirds (2/3) vote of the House. [Joint Rule 62(a)] *

(e) Setting of Bills by Subject Matter: Bills may be placed on the committee calendar at the discretion of the chair. When more than one bill before the committee deals with a like subject matter, the chair may schedule such bills on the basis of like subject matter groupings for a special hearing at a time convenient for the authors.

[Assembly Rule 56]

COMMITTEE ANALYSES

3. A committee analysis is required for every bill. Analyses shall be available to the public at least one business day prior to the hearing. (A "business day" is defined as a day on which the Assembly file is published.)

[Assembly Rule 56.5]

ORDER OF AGENDA

4. (a) Bills set for hearing shall be heard in the order as stated in the Assembly Daily File.

(b) Bills of the committee members shall be taken up after all other authors present have taken up their measures.

(c) The consent calendar may be taken up as determined by the chair.

(d) When the chair finds another order of business would be more expedient, measures may be taken up out of order or set as a special order of business.

(e) If a bill is to be presented by someone other than the author, it will be taken up at the discretion of the committee chair after all authors (including those temporarily "passed over" and committee members) have been accommodated. An author's letter authorizing staff or another member to present on the bill must be provided to the committee in advance.

COMMITTEE CONSENT CALENDAR

5. (a) The committee chair may, prior to a hearing, propose to recommend bills for consideration on the consent calendar.

(b) The committee may recommend that an uncontested bill be placed on the consent calendar of the Assembly Floor or of a subsequent committee if:

(i) The bill was approved by unanimous vote of the members present, provided a quorum is present;

(ii) No opposition was expressed by any person at the hearing with respect to the bill as finally approved by the committee, and;

(iii) The author, prior to final action by the committee, did not object to the bill being placed on consent.

(c) Any member of the committee may request that a bill be removed from the consent calendar. Upon such request, the chair shall remove the bill from the consent calendar and place the bill on the regular calendar.

AMENDING BILLS

6. (a) Sending Amendments to Counsel: At the time amendments are submitted to Legislative Counsel, the author's office should provide a copy to the committee.

(b) Amendments Back from Counsel: Author's amendments in "counsel form" shall be submitted to the committee no later than 5:00 p.m. 12 calendar days preceding the hearing, along with a copy of the "In-Context Amendments" provided to the author by Legislative Counsel.

When substantive amendments are submitted within seven (7) legislative days of a scheduled hearing, the bill may be held over until the next hearing, unless this requirement is waived by the committee chair. The committee chair shall determine whether an amendment is substantive.

(c) Author's Amendment Offered in Committee: A member may offer author's amendments at the hearing. If the amendments are substantive, the chair may put the bill over until the next hearing to allow adequate time for the staff to reanalyze the bill. The committee chair shall determine whether an amendment is substantive.

(d) Urgency Clauses: A bill may not be amended to add an urgency clause unless the author of the amendment has secured the approval of the Rules Committee of the house in which the amendment is proposed. [Joint Rule 58] *

Adoption of urgency clause amendments requires a vote by the committee and cannot be done through "author's amendments" prior to the committee hearing.

(e) Germaneness: A substitute or amendment must relate to the same subject as the original bill. [Joint Rule 9] *

(f) Non-substantive Bills Pending Referral: For a non-substantive bill pending referral that the author anticipates will be referred to the committee, the author must provide the committee with author's amendments when they are provided to the Rules Committee. Failure to do so may result in a bill not being set for hearing.

MEETINGS

7. (a) Open Meetings: All committee meetings shall be open and public, and all persons shall be allowed to attend the meetings. [Assembly Rule 11.3]

(b) Time and Place: The committee shall meet at the time and location as stated in the Assembly Daily File. [Assembly Rule 56]

A committee may not act on a bill at a hearing held outside of Sacramento. [Joint Rule 60(a)] *

(c) Special Meetings: A special meeting shall be held in an area "readily accessible to the public" and not in the Assembly Chamber. [Assembly Rule 56]

(d) Limitations on Testimony: When it is necessary, due to the number or complexity of the bills on the agenda at a hearing, to limit testimony on one or more of the bills in order to ensure that all of the bills on the agenda have a fair and reasonable opportunity to be presented by the author and heard and discussed by the Committee, the chair may: (1) limit duplicative testimony; (2) limit the number of witnesses appearing to testify on a bill; or, (3) limit the time allotted to the presentation of testimony on a bill provided that both support and opposition receive equitable time for their presentation.

(e) If at a hearing commenced by the chair, the chair is absent or otherwise is presenting a bill to the committee, the vice chair shall preside.

VOTING

8. (a) Quorum: A majority of the entire committee (1/2 + 1) constitutes a quorum. A quorum is necessary to take action or to adopt amendments. [Assembly Rule 57, Joint Rule 62(c)]

If a member is disqualified from voting because of a conflict of interest, there shall be no change in the "quorum requirements" or the number of affirmative votes required to report a bill out of committee. [Assembly Rule 57]

(b) Voting on Bills: Voting on bills shall be by roll call vote which shall show "for", "against", "members absent", and "members not voting". [Assembly Rule 58.5]

A majority (5) of all members (8) is required to report a bill out of committee. [Assembly Rule 58.5]
[Joint Rule 62(c)] *

(c) Voting on Amendments: A quorum is required to be present for there to be a vote on amendments. A roll call vote is required to adopt amendments in committee. Amendments shall be approved by a majority of those present and voting.

[Assembly Rules 57 and 67]

(d) Amended Bills in Print: When a bill is amended and the amended version is not in print, the committee may act on the bill only if the committee determines that the effect of the amendment can be readily understood by the committee and audience. [Assembly Rule 68.5]

(e) Substitution of Prior Roll Call: The committee may, upon unanimous consent of the members present, substitute a prior roll call, provided that the members whose votes are substituted are present at the time of the substitution. [Joint Rule 62(c)] *

(f) Call of the Committee: The chair may, at any time, order a call of the committee. If requested by any member of the committee or the author of the bill under consideration, the chair shall order a call. In the absence of a quorum, a majority of the members present may order a quorum call and compel the attendance of absentees.

A quorum call or call of the committee may be dispensed with by the chair without objection by any member of the committee, or by a majority of the members present.

If a motion to adjourn is adopted while the committee is under call, the call shall be dispensed with and any pending vote announced. [Joint Rule 62(d)] *

(g) Keeping the Roll Open: The roll shall be kept open at the request of an author or any member of the committee until adjournment of the committee hearing. [Assembly Rule 58.5]

(h) A Second to a Motion: A motion shall require a second.

RECONSIDERATION

9. (a) Reconsideration may be granted only one time. [Joint Rule 62(a)] *

(b) A motion to reconsider can be granted only under the following circumstances:

(1) At the same meeting at which the bill is defeated and author is present; or

(2) Within 15 legislative days of the meeting at which the bill was defeated or prior to the interim study joint recess, whichever occurs first, in which case the same file notice is required as for setting a bill. [Joint Rule 62(a)] *

Authors seeking reconsideration under this subsection shall notify the committee secretary in writing in order that notice of reconsideration may be published in the file.

(c) Vote Required for Reconsideration: A majority vote or unanimous consent of the committee is required to grant reconsideration. These requirements may be suspended with the approval of the Rules Committee and two-thirds (2/3) vote of the House.

[Assembly Rule 57.1 and Joint Rules 62(a) and 62(c)]

INTERIM STUDY RECOMMENDATION

10. The committee may refer the subject matter of any bill not given a do pass recommendation to the Rules Committee for interim study. The committee may, however, subsequently reconsider and act on the bill. [Assembly Rule 59]

LETTERS OF SUPPORT AND OPPOSITION

11. (a) Letters of support and opposition must be received in the committee office by 5:00 p.m. on the Thursday preceding the next hearing in order for the letter to be listed within the analysis.

(b) Letters of support and opposition received after the above-mentioned deadline may be listed separate from the analysis and identified as "Late Support and Opposition." Every effort will be made to communicate late support and opposition to members of the committee.

(c) Letters of support and opposition must be received on letterhead that includes name, mailing address, and telephone number identifying the organization or individual expressing support or opposition.

MISCELLANEOUS

12. (a) The chair shall not preside at a hearing on a bill if the chair is the sole author or the lead author of the bill. [Assembly Rule 60]

(b) A committee may hear the subject matter of a bill during a recess provided a four-day file notice is given prior to the hearing. [Joint Rule 60(b)] *

* *See the most recently adopted Joint Rules.*