

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 1

Session of  
2019

INTRODUCED BY CUTLER, JANUARY 1, 2019

INTRODUCED AND ADOPTED, JANUARY 1, 2019

A RESOLUTION

1 Adopting permanent rules for the House of Representatives,  
 2 further providing for members' and employees' expenses, for  
 3 order of business, for general appropriation bill and non-  
 4 preferred bills, for consideration of bills, for third  
 5 consideration and final passage bills, for bills amended by  
 6 the Senate, for House and concurrent resolutions, for  
 7 standing committees and subcommittees, for organization of  
 8 standing committees and subcommittees and for powers and  
 9 duties of standing committees and subcommittees; providing  
 10 for Government Oversight Committee; further providing for  
 11 status of members indicted or convicted of a crime, for  
 12 members required to be present and vote, for financial  
 13 interests in gaming entities, for suspending and changing  
 14 rules, for Ethical Conduct Rules definitions and for conduct;  
 15 providing for professional conduct; and further providing for  
 16 Committee on Ethics.

17 RESOLVED, That the Permanent Rules of the House of  
 18 Representatives (2017-2018) be adopted as the Permanent Rules of  
 19 the House of Representatives for the 2019-2020 session of the  
 20 House of Representatives with the following amendments to the  
 21 heading and Rules 14, 17, 19(b), 21, 24, 30, 35, 43, 44, 45, 47,  
 22 64, 65(b) and 77, Ethical Conduct Rules heading and Rules 1E, 2E  
 23 and 3E and the addition of Rules 45(a) and 2.1E:

24 [2017-2018] 2019-2020

25 GENERAL OPERATING RULES

1 OF THE HOUSE OF REPRESENTATIVES

2 \* \* \*

3 RULE 14

4 Members' and Employees' Expenses

5 A member who attends a duly called meeting of a standing or  
6 special committee of which he or she is a member when the House  
7 is not in session or who is summoned to the State Capitol or  
8 elsewhere by the Speaker, or the Majority or Minority Leader of  
9 the House, to perform legislative services when the House is not  
10 in session shall be reimbursed per day for each day of service,  
11 plus mileage to and from the member's residence, at such rates  
12 as are established from time to time by the Committee on Rules  
13 but not in excess of the applicable maximum mileage rate  
14 authorized by the Federal Government. For travel to any location  
15 for committee meetings or for travel to the State Capitol for  
16 any reason, members cannot receive reimbursement in excess of  
17 the applicable maximum per diem rate authorized by the Federal  
18 Government. These expenses shall be paid by the Chief Clerk from  
19 appropriation accounts under the Chief Clerk's exclusive control  
20 and jurisdiction, upon a written request approved by the Speaker  
21 of the House, or the Majority or the Minority Leader of the  
22 House.

23 An employee of the House summoned by the Speaker or the  
24 Majority or Minority Leader of the House to perform legislative  
25 services outside of Harrisburg shall be reimbursed for actual  
26 expenses and mileage to and from the employee's residence. Such  
27 expenses may be paid by the Speaker, Majority or Minority  
28 Leader, if they agree to do so, or shall be paid by the Chief  
29 Clerk from appropriation accounts under the Chief Clerk's  
30 exclusive control and jurisdiction, upon a written request

1 approved by the Speaker, or the Majority or the Minority Leader.  
2 District office employees are only permitted to be reimbursed  
3 from an account under the control of the Chief Clerk when  
4 traveling to Harrisburg for a training program sponsored by  
5 either caucus or for travel to a legislative conference approved  
6 by the Speaker, the Majority Leader or the Minority Leader. All  
7 other travel by district office employees may be reimbursed from  
8 the member's accountable expenses or an account under the  
9 control of the Speaker, the Majority Leader or the Minority  
10 Leader.

11 Members and employees traveling outside the Commonwealth of  
12 Pennsylvania who receive any reimbursement for expenses or  
13 travel which reimbursement is from public funds shall file with  
14 the Chief Clerk a statement containing his or her name and the  
15 name, place, date and the purpose of the function.

16 Money appropriated specifically to and allocated under a  
17 specific symbol number for allowable expenses of members of the  
18 House of Representatives shall be reimbursed to each member upon  
19 submission of vouchers and any required documentation by each  
20 member on forms prepared by the Chief Clerk of the House. No  
21 reimbursement shall be made from this account where a member is  
22 directly reimbursed for the same purpose from any other  
23 appropriation account.

24 Such allowable expenses of members may be used for any  
25 legislative purpose or function, including but not limited to  
26 the following:

27 (1) Travel expense on legislative business.

28 (a) Mileage on session or nonsession days at a rate as  
29 may be approved from time to time by the Committee on Rules,  
30 but not in excess of the maximum mileage rate authorized by

1 the Federal Government for travel; voucher only.

2 (b) Miscellaneous transportation on legislative business  
3 (taxi, airport limousine parking, tolls), and expenses of a  
4 similar nature; voucher only for any single expense not in  
5 excess of \$10.

6 (c) Travel on legislative business by common carrier  
7 other than taxi and airport limousine; voucher and receipt  
8 from common carrier.

9 (d) Car rental; voucher and receipt from rental agency  
10 but reimbursement not to exceed in any month an amount as may  
11 be approved from time to time by the Committee on Rules. Any  
12 amount in excess of the said amount shall be paid by the  
13 person renting the car. In no event shall other than American  
14 manufactured cars be rented.

15 (e) Lodging, restaurant charges and other miscellaneous  
16 and incidental expenses while away from home. Vouchers only  
17 for per diem allowance approved from time to time by the  
18 Committee on Rules, but not in excess of the applicable  
19 maximum per diem rate authorized by the Federal Government or  
20 for actual expenses not in excess of such per diem rate.

21 (2) Administrative, clerical and professional services for  
22 legislative business, except for employment of spouses or any  
23 relatives, by blood or marriage.

24 (a) Administrative and clerical services; voucher and  
25 receipt from person employed.

26 (b) Professional services; voucher and receipt and copy  
27 of agreement or contract of employment.

28 (3) Rent for legislative office space; purchase of office  
29 supplies; postage; telephone and answering services; printing  
30 services and rental only of office equipment; voucher and

1 vendor's receipt, except for postage expense.

2 (4) Official entertainment—restaurant and beverage charges;  
3 voucher only for expenses. Receipts for entertainment expenses,  
4 together with a statement of the reason for the expense, shall  
5 be submitted with the request for reimbursement.

6 (5) Purchase of flags, plaques, publications, photographic  
7 services, books, and other similar items in connection with  
8 legislative activities; voucher and vendor's receipt.

9 (6) Communications and donations in extending  
10 congratulations or sympathy of illness or death; voucher only on  
11 expenses not in excess of \$35.

12 No money appropriated for members' and employees' expenses  
13 shall be used for contributions to political parties or their  
14 affiliated organizations.

15 No money appropriated for members' and employees' expenses  
16 shall be used for contributions to charitable organizations or  
17 for charitable advertisements. This paragraph shall not prevent  
18 a de minimis use of legislative resources, in connection with  
19 legislative activities, to benefit a bona fide charitable  
20 organization that serves a member's district.

21 Members and employees shall not request reimbursement for the  
22 private lease of vehicles leased on a long-term basis. No  
23 payments will be made with respect to private, long-term lease  
24 vehicle expenses incurred by members or employees except with  
25 respect to private, long-term lease arrangements entered into by  
26 a member prior to March 13, 2007, payments for which will be  
27 made in accord with the rules in place on March 12, 2007. The  
28 Chief Clerk is authorized to enter into a master lease agreement  
29 with the Department of General Services for the long-term lease  
30 of automobiles.

1 All disbursements made, debts incurred or advancements paid  
2 from any appropriation account made to the House or to a member  
3 or nonmember officer under a General Appropriation Act or any  
4 other appropriation act shall be recorded in a monthly report  
5 and filed with the Chief Clerk by the person authorized to make  
6 such disbursement, incur any debt or receive any advancement on  
7 a form prescribed by the Chief Clerk.

8 The Chief Clerk shall prescribe the form of all such reports  
9 and make such forms available to those persons required to file  
10 such reports. Such report form shall include:

11 (1) As to personnel:

12 (a) The name, home address, job title, brief description  
13 of duties and where they are performed, department or member  
14 or members to whom assigned, the name of immediate supervisor  
15 and minimum hours of employment per week of each employee.

16 (b) The appropriation account from which such employee  
17 is compensated, the amount of compensation and whether such  
18 person is on salary, per diem or contract.

19 (2) As to all other expenditures:

20 (a) To whom it was paid, the amount thereof, and the  
21 nature of the goods, services or other purpose for which the  
22 expenditure was made.

23 (b) The appropriation account from which the expenditure  
24 was made and the name or names of the person or persons  
25 requesting and/or authorizing the same.

26 The reporting requirements as to personnel may be fulfilled  
27 by the maintenance in the Office of the Chief Clerk of the House  
28 of an alphabetized file containing the current information for  
29 each employee as set forth above.

30 All monthly reports filed on disbursements made or debts

1 incurred by any officer or member or employee from  
2 appropriations made to the House or to a member or nonmember  
3 officer under any General Appropriation Act, and the  
4 documentation for each disbursement, shall be public information  
5 and shall be available in accordance with the act of February  
6 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law.

7 All vouchers and requisitions relating to all expenditures,  
8 expenses, disbursements and other obligations out of all  
9 appropriated funds of the House, and the documentation  
10 evidencing payment of the vouchers and requisitions, shall be  
11 available in accordance with the Right-to-Know Law.

12 All requests for reimbursement out of any appropriation shall  
13 be accompanied by a voucher, or other documents where required,  
14 evidencing payment or approval. All requests for reimbursement  
15 out of any appropriation payable to a member, nonmember officer  
16 or employee shall be void if not submitted within [60] 90 days  
17 of the date that the otherwise allowable expense is incurred for  
18 any and all otherwise allowable expenses, including without  
19 limitation, per diem, mileage and actual expenses incurred. Any  
20 such void request for reimbursement may not be paid except  
21 pursuant to a motion to suspend this rule for good cause  
22 specific to the voided request for reimbursement. In no event  
23 shall any payment or reimbursement be made for any otherwise  
24 allowable expense incurred on or before March 12, 2007. The  
25 voucher form shall be approved and supplied by the Chief Clerk.  
26 Receipts or documentation of every expenditure or disbursement  
27 which is in excess of the maximum amount as set forth herein  
28 shall be attached to the voucher. Where a request for payment is  
29 made in advance of an expense actually incurred, the Chief  
30 Clerk, before making such advance payment shall require a

1 description satisfactory to the Chief Clerk of the item or  
2 service to be purchased or the expense to be incurred, and a  
3 receipt or other documentation shall be given to the Chief Clerk  
4 after the item or service has been purchased or expense incurred  
5 as evidence that such advancement was in fact expended for such  
6 purpose.

7 All reports, vouchers and receipts from which reports are  
8 prepared and filed shall be retained by the Chief Clerk, officer  
9 or member, as the case may be, for such period of time as may be  
10 necessary to enable the Legislative Audit Advisory Commission  
11 created pursuant to the act of June 30, 1970 (P.L.442, No.151),  
12 entitled "An act implementing the provisions of Article VIII,  
13 section 10 of the Constitution of Pennsylvania, by designating  
14 the Commonwealth officers who shall be charged with the function  
15 of auditing the financial transactions after the occurrence  
16 thereof of the Legislative and Judicial branches of the  
17 government of the Commonwealth, establishing a Legislative Audit  
18 Advisory Commission, and imposing certain powers and duties on  
19 such commission," to conduct, through certified public  
20 accountants appointed by it, annual audits to assure that such  
21 disbursements made or debts incurred were in accordance with  
22 Legislative Audit Advisory Commission guidelines and standards  
23 as approved by the Committee on Rules, or for a minimum of three  
24 years, whichever is longer. All annual audit reports shall be  
25 available for public inspection. Photocopies of such reports  
26 shall be available for a fee established by the Chief Clerk not  
27 to exceed the cost of duplication.

28 Except as specifically prohibited by law or limited by this  
29 rule, all expenditures of funds appropriated to the House or to  
30 a member or nonmember officer shall be subject to the



1 expenditure guidelines established by the Rules Committee. The  
2 Rules Committee shall establish standards regarding  
3 documentation evidencing payment out of any appropriations  
4 account made to the House or to a member or nonmember officer.

5 The Bipartisan Management Committee shall receive and review  
6 suggestions from the Comptroller on ways to reduce costs and  
7 improve the fiscal operations of the House. The Comptroller,  
8 following authorization by the Bipartisan Management Committee,  
9 shall implement cost-reducing and other new measures to improve  
10 the fiscal operations of the House.

11 \* \* \*

12 RULE 17

13 Order of Business

14 The daily order of business shall be:

- 15 (1) Prayer [by the Chaplain].
- 16 (2) Pledge of Allegiance.
- 17 (3) Correction and approval of the Journal.
- 18 (4) Leaves of absence.
- 19 (5) Master Roll Call.
- 20 (6) Reports of Committee.
- 21 (7) First consideration bills.
- 22 (8) Second consideration bills.
- 23 (9) Third consideration bills, final passage bills  
24 (including both third consideration and final passage postponed  
25 bills) and resolutions.
- 26 (10) Final passage bills recalled from the Governor.
- 27 (11) Messages from the Senate and communications from the  
28 Governor.
- 29 (12) Reference to appropriate committees of bills,  
30 resolutions, petitions, memorials, remonstrances and other

1 papers.

2 (13) Unfinished business on the Speaker's table.

3 (14) Announcements.

4 (15) Adjournment.

5 [The Chaplain offering the prayer shall be a member of a  
6 regularly established church or religious organization or shall  
7 be a member of the House of Representatives.]

8 Any question may, by a majority vote of the members elected,  
9 be made a special order of business. When the time arrives for  
10 its consideration, the Speaker shall lay the special order of  
11 business before the House.

12 In lieu of offering House Resolutions on topics of importance  
13 to members, any member, without unanimous consent, may address  
14 the House on such issue and have his or her remarks entered into  
15 the record during a special period of time established each week  
16 by the Speaker at the conclusion of House business on a specific  
17 day.

18 \* \* \*

19 RULE 19 (b)

20 General Appropriation Bill and Non-Preferred Bills

21 This rule shall apply to all amendments offered to the  
22 General Appropriation Bill for each proposed fiscal year  
23 including any amendments offered to or for supplemental  
24 appropriations to prior fiscal years contained within the  
25 General Appropriation Bill, and shall also apply to all  
26 amendments offered to any non-preferred appropriation bill for  
27 the same fiscal year.

28 Any amendment offered on the floor of the House to the  
29 General Appropriation Bill that proposes to increase spending of  
30 State dollars for the Commonwealth's proposed fiscal year or

1 prior fiscal years above the levels contained in the General  
2 Appropriation Bill as reported from the Appropriations Committee  
3 plus any aggregate if certified each year by the Appropriations  
4 Committee shall not be in order and may not be considered unless  
5 the same amendment contains sufficient reductions in line items  
6 of that General Appropriation Bill so that the amendment offered  
7 does not result in a net increase in the total proposed spending  
8 contained within the General Appropriation Bill plus any  
9 aggregate if certified by the Appropriations Committee.

10 Any amendment offered on the floor of the House to any non-  
11 preferred appropriation bill that proposes to increase spending  
12 of State dollars for the proposed fiscal year above the levels  
13 contained in that non-preferred appropriation bill as reported  
14 from the Appropriations Committee shall not be in order and may  
15 not be considered unless the same amendment contains sufficient  
16 reductions in that non-preferred appropriation bill so that the  
17 amendment offered does not result in a net increase in the total  
18 proposed spending contained within that non-preferred  
19 appropriation bill.

20 Members shall be notified of the scheduled vote on the  
21 General Appropriation Bill no later than 4:30 P.M. of the day  
22 that is [~~nine~~] six days prior to the scheduled vote of the  
23 General Appropriation Bill. In order to be considered,  
24 amendments to the General Appropriation Bill must be submitted  
25 to the Office of the Chief Clerk by [~~2:00 P.M.~~] 1:00 P.M. of the  
26 day that is [~~four~~] two days prior to the scheduled vote of the  
27 General Appropriation Bill. The Appropriations Committee for  
28 special and proper reason and by majority vote, may waive this  
29 deadline. Rule 21 of the Rules of the House, insofar as it  
30 applies to the filing deadline for amendments and notice

1 requirements for the voting schedule for the General  
2 Appropriation Bill, shall not apply to this rule. Rule 21 shall,  
3 however, apply to the non-preferred appropriation bills.

4 If the amendment cannot be submitted in accordance with the  
5 provision of the previous paragraph because it is still being  
6 prepared by the Legislative Reference Bureau, the member must,  
7 by [2:00 P.M.] 1:00 P.M. on the day that is [four] two days  
8 prior to the scheduled vote, provide the Office of the Chief  
9 Clerk with a statement, prepared by the member containing the  
10 factual content and exact amounts of increases and decreases in  
11 line items which would be proposed in the amendment, along with  
12 certification from the Legislative Reference Bureau that the  
13 amendment was submitted to the Legislative Reference Bureau  
14 prior to the above-noted [2:00 P.M.] 1:00 P.M. deadline. This  
15 filing deadline does not apply to amendments to any non-  
16 preferred appropriation bill.

17 Debate on any debatable question related to the General  
18 Appropriation Bill or a nonpreferred appropriation bill shall be  
19 limited to five minutes each time a member is recognized. On the  
20 bill a sponsor of an amendment shall be entitled to be  
21 recognized twice, a maker of a debatable motion shall be  
22 entitled to be recognized twice, any other members shall be  
23 entitled to be recognized once. Unless the chair or minority  
24 chair of the Appropriations Committee objects to the  
25 determination that a bill implements the General Appropriation  
26 Bill, bills implementing the General Appropriation Bill shall be  
27 subject to the limits of this paragraph.

28 \* \* \*

29 RULE 21

30 Consideration of Bills

1 (a) Every bill and every joint resolution shall be  
2 considered on three different days. All amendments made thereto  
3 shall be printed for the use of the members before the final  
4 vote is taken thereon, and before the final vote is taken, upon  
5 written request addressed to the presiding officer by at least  
6 25% of the members elected to the House, any bill shall be read  
7 at length. No bill shall become law and no joint resolution  
8 adopted unless, on its final passage, the vote is taken by yeas  
9 and nays, the names of the persons voting for and against it are  
10 entered on the Journal, and a majority of the members elected to  
11 the House is recorded thereon as voting in its favor.

12 (Constitution, Article III, Section 4).

13 (b) Members shall be notified of bills and resolutions  
14 scheduled to be voted no later than prior to the close of  
15 business at 4:30 P.M. of the second legislative day prior to the  
16 date of second consideration for legislation that has no legal  
17 deadline. (The General Appropriation Act and non-preferred bills  
18 are included within the definition of legislation that has no  
19 legal deadline.) Except as provided in subsection (d), all  
20 amendments shall be submitted to the Office of the Chief Clerk  
21 by [2:00 P.M.] 1:00 P.M. of the last legislative day preceding  
22 the scheduled date of second consideration. Members shall be  
23 notified of bills scheduled to be voted on third consideration.  
24 A change in the printer's number as a result of third  
25 consideration shall not require an additional notice of final  
26 passage. No vote on final passage can occur before the date of  
27 the scheduled vote.

28 (c) If the amendment cannot be submitted in accordance with  
29 the above [paragraph] subsection because it is still being  
30 prepared by the Legislative Reference Bureau, the member must

1 provide the Office of the Chief Clerk with a statement, by the  
2 above-noted [2:00 P.M.] 1:00 P.M. deadline, prepared by the  
3 member containing the factual content of said amendment along  
4 with certification from the Legislative Reference Bureau that  
5 the amendment was submitted to the Legislative Reference Bureau  
6 for drafting prior to the above-noted [2:00 P.M.] 1:00 P.M.  
7 deadline. The Legislative Reference Bureau may not issue a  
8 certificate for an amendment to a bill as amended by another  
9 amendment unless the requesting member can identify by number  
10 the underlying amendment.

11 (d) In cases where an amendment alters a bill so as to  
12 effectively rule out of order an amendment which was timely  
13 filed pursuant to the provisions of this rule, a replacement  
14 amendment may be submitted to the Office of the Chief Clerk  
15 provided that the subject matter of the replacement amendment is  
16 not substantially different from the intent of the original  
17 amendment. The replacement amendment shall be deemed to have met  
18 the timely filed conditions provided for in this rule. The  
19 member shall notify the Speaker of the member's intent to file a  
20 replacement amendment and shall file a certificate with the  
21 Office of the Chief Clerk. The bill in question may continue to  
22 receive consideration but shall not be moved to third  
23 consideration until the replacement amendment is available for a  
24 vote. If consideration of the bill is delayed to a new  
25 legislative day due solely to delay in receipt of replacement  
26 amendments, then only amendments timely filed for the date of  
27 the originally scheduled vote and replacement amendments shall  
28 be considered. This limitation on amendments shall not apply to  
29 the bill in question if consideration of the bill is rescheduled  
30 beyond the new legislative day.

1 (e) A bill may not receive action on concurrence until at  
2 least six hours have elapsed from the time the bill and its  
3 amendatory language was available to the public, unless the  
4 amendment was a technical amendment as described under the first  
5 paragraph of Rule 24 or an affirmative vote of 2/3 of the  
6 members elected to the House indicates they have had sufficient  
7 time to review the language and thereby approve proceeding with  
8 the bill.

9 A brief description of every bill on concurrence shall be  
10 given prior to a vote. Additionally, members shall be notified  
11 and conference committee reports shall be available to members  
12 at least 24 hours prior to the adoption of all conference  
13 committee reports. When these reports are considered on the  
14 first legislative day of the week, said notice shall be provided  
15 no later than the close of business on the last business day  
16 preceding the vote. Notwithstanding notice provided, members  
17 may, by an affirmative vote of 2/3 of the members elected to the  
18 House, indicate that they have had sufficient time to review a  
19 conference committee report and that they approve proceeding  
20 with a vote.

21 \* \* \*

22 RULE 24

23 Third Consideration and Final Passage Bills

24 Bills on third consideration shall be considered in their  
25 calendar order and shall be subject to amendment only when an  
26 amendment is necessary to make the document internally  
27 consistent, to clear up an ambiguity, to correct grammar or to  
28 correct a drafting error or is necessary for purposes of  
29 statutory construction. An amendment under this paragraph shall  
30 not be subject to the filing deadlines under Rule 21. A bill

1 having received consideration by the House on three different  
2 days and having been agreed to may be called by the Speaker to  
3 receive action on final passage; however, a bill may not receive  
4 action on final passage until at least [24] 12 hours have  
5 elapsed from the time the bill and its amendatory language was  
6 available to the public, unless the amendment was a technical  
7 amendment permitted under the first paragraph of this rule or an  
8 affirmative vote of 2/3 of the members elected to the House  
9 indicates that they have had sufficient time to review the  
10 language of the bill and thereby approve proceeding with the  
11 bill. Upon being called to receive action on final passage, the  
12 title and a brief description of a bill shall be read. A bill on  
13 final passage shall not be subject to amendment, but shall be  
14 subject to debate. At the conclusion of debate, the Speaker  
15 shall then state the question as follows:

16 "This bill has been considered on three different days and  
17 agreed to and is now on final passage. The question is, shall  
18 the bill pass finally? Agreeable to the provision of the  
19 Constitution, the yeas and nays will now be taken."

20 When more than one bill shall be called for action on final  
21 passage at the same time, prior to voting, the title or a brief  
22 analysis of each bill shall be read.

23 The Speaker shall then state the question as follows:

24 "These bills have been considered on three different days and  
25 agreed to and are now on final passage. The question is, shall  
26 the bills on the uncontested calendar pass finally? Agreeable to  
27 the provision of the Constitution, the yeas and nays will now be  
28 taken."

29 \* \* \*

30 RULE 30



1 Bills Amended by the Senate

2 When a bill or joint resolution has been amended by the  
3 Senate and returned to the House for concurrence, it shall be  
4 referred automatically to the Committee on Rules immediately  
5 upon the reading of the message from the Senate by the Clerk.  
6 The consideration of any bill or joint resolution containing  
7 Senate amendments may include the amendment of Senate amendments  
8 by the Committee on Rules. The vote on concurring in amendments  
9 by the House to bills or joint resolutions amended by the Senate  
10 shall not be taken until said bills or joint resolutions have  
11 been favorably reported, as committed or as amended, by the  
12 Committee on Rules.

13 When said bill or joint resolution has been favorably  
14 reported by the Committee on Rules, either as committed or as  
15 amended, said bill or joint resolution shall be placed on the  
16 calendar. When acting on bills or joint resolutions amended by  
17 the Senate, the bill and the amendments shall be read and the  
18 question put on the concurrence in all amendments to the bill  
19 since it was last considered by the House.

20 Any two members may object to the report of any bill or joint  
21 resolution containing Senate amendments amended by the Committee  
22 on Rules. The objection must be raised prior to the bill or  
23 joint resolution being put to a roll call vote. The question  
24 shall be decided by a majority vote of the members elected to  
25 the House. If the House rejects the report of any such bill or  
26 joint resolution, the bill or joint resolution shall be  
27 automatically returned to the Committee on Rules as last passed  
28 by the Senate.

29 The House shall not consider any proposed amendment to any  
30 amendment made by the Senate to a bill or joint resolution, nor

1 consider any amendment to any amendment made by the Committee on  
2 Rules.

3 A majority vote of the members elected to the House taken by  
4 yeas and nays shall be required to concur in amendments made by  
5 the Senate, except for appropriations to charitable and  
6 educational institutions not under the absolute control of the  
7 Commonwealth, where a vote of two-thirds of all the members  
8 elected to the House shall be required to concur. (Constitution,  
9 Article III, Sections 5 and 30).

10 Unless the Majority Leader and the Minority Leader shall  
11 agree otherwise, the offering of an amendment to Senate  
12 amendments in the Committee on Rules shall not be in order until  
13 at least one hour after the filing of a copy of the amendment as  
14 prepared by the Legislative Reference Bureau with the office of  
15 the Chief Clerk. Upon the filing of such an amendment, the Chief  
16 Clerk shall immediately time stamp the amendment and forthwith  
17 forward a time-stamped copy of the amendment to the offices of  
18 the Majority Leader and the Minority Leader. Except as provided  
19 under this [subsection] paragraph, it shall not be in order to  
20 suspend or otherwise waive the requirements of this [subsection]  
21 paragraph.

22 \* \* \*

23 RULE 35

24 House and Concurrent Resolutions

25 Members introducing resolutions other than concurrent  
26 resolutions shall file five copies thereof; seven copies of  
27 concurrent resolutions shall be filed. All resolutions shall be  
28 signed by their sponsors, dated and filed with the Chief Clerk.  
29 After being numbered, one copy of all resolutions shall be given  
30 to the news media and all other copies delivered to the Speaker.

1 A sponsor may not be added or withdrawn after a resolution has  
2 been printed. Resolutions may not be withdrawn after reference  
3 to a committee.

4 Unless privileged under Rule 36 for immediate consideration  
5 or deemed noncontroversial by the Speaker in consultation with  
6 the Majority Leader and the Minority Leader, the Speaker shall  
7 refer House resolutions (except discharge resolutions) and  
8 Senate resolutions presented to the House for concurrence to  
9 appropriate committees. No House resolution shall be deemed  
10 noncontroversial if an indictment is returned or a charge is  
11 filed before a court of record against the prime sponsor of the  
12 resolution, and the gravamen of the indictment or charge is  
13 directly related to his or her conduct as a member or is one  
14 which would render the member ineligible to the General Assembly  
15 under section 7 of Article II of the Constitution of  
16 Pennsylvania. If, during the same legislative term, the  
17 indictment or charge is quashed, dismissed or withdrawn, or the  
18 court finds that the member is not guilty of the offense  
19 alleged, the member may be the prime sponsor of subsequently  
20 introduced House resolutions deemed noncontroversial as provided  
21 in this rule.

22 House resolutions deemed noncontroversial, including, but not  
23 limited to, condolence and congratulatory resolutions, shall be  
24 considered under the proper order of business on the same day as  
25 introduced or within two legislative days thereafter without  
26 being referred to committee. The Speaker, in consultation with  
27 the Majority Leader and the Minority Leader, shall place  
28 noncontroversial resolutions, except condolence or  
29 congratulatory resolutions, on an uncontested resolution  
30 calendar. Resolutions on the uncontested calendar may be voted

1 by a single roll-call vote. Each resolution listed on the  
2 uncontested resolution calendar shall be printed separately in  
3 the journal with the vote recorded on the approval of the  
4 uncontested calendar as the vote on final passage of each  
5 resolution contained therein.

6 The Speaker shall report to the House the committees to which  
7 resolutions have been referred, either on the day introduced or  
8 received or the next two legislative days the House is in  
9 session.

10 A resolution introduced in the House and referred to  
11 committee shall be printed and placed in the House files.

12 When a resolution (House or Senate) is reported from  
13 committee, it shall be placed on the calendar and may be called  
14 up by a member for consideration by the House under the order of  
15 business of resolutions. A House resolution other than a  
16 concurrent or joint resolution shall be adopted by a majority of  
17 the members voting.

18 \* \* \*

19 RULE 43

20 Standing Committees and Subcommittees

21 The Committee on Committees shall consist of the Speaker and  
22 15 members of the House, ten of whom shall be members of the  
23 majority party and five of whom shall be members of the minority  
24 party, whose duty shall be to recommend to the House the names  
25 of members who are to serve on the standing committees of the  
26 House. Except for the Speaker, the Majority and Minority  
27 Leaders, Whips, Caucus Chairs, Caucus Secretaries, Caucus  
28 Administrators, Policy Chairs and the chairs and minority chairs  
29 of standing committees, each member shall be entitled to serve  
30 on not less than two standing committees.

1 The Speaker shall appoint the chair and vice-chair of each  
2 standing committee when such standing committee has no standing  
3 subcommittees as prescribed herein, except the Committee on  
4 Appropriations which shall also have a vice-chair appointed by  
5 the Speaker; when the standing committee has standing  
6 subcommittees, the Speaker shall appoint a subcommittee chair  
7 for each standing subcommittee. The Speaker shall appoint a  
8 secretary for each standing committee. The Minority Leader shall  
9 appoint the minority chair, minority vice-chair and minority  
10 secretary of each standing committee and the minority  
11 subcommittee chair for each standing subcommittee.

12 Except for members who decline chair status or minority chair  
13 status in writing or who are barred from serving as a chair or  
14 minority chair under this rule, the chair and minority chair of  
15 each standing committee except the Appropriations Committee  
16 shall be limited only to the members of the applicable caucus  
17 with the most seniority as members of their respective caucus.  
18 Whenever there are more caucus members with equal seniority than  
19 available chairs or minority chairs for that caucus, the  
20 selection of a chair or minority chair from among such caucus  
21 members shall be in the discretion of the appointing authority.  
22 The appointing authority may designate the standing committee to  
23 which the appointing authority shall appoint a member as chair  
24 or minority chair without regard to seniority. The Speaker and  
25 the Floor Leader, Whip, Caucus Chair, Caucus Secretary, Caucus  
26 Administrator and Policy Chair of the majority party and  
27 minority party shall not be eligible to serve as chair or  
28 minority chair of any standing committee and no member may serve  
29 as chair or minority chair of more than one standing committee.

30 Any chair or minority chair held by a member who fails to

1 meet the requirements of this rule shall become vacant by  
2 automatic operation of this rule. If the appointing authority  
3 fails to make an appointment of a chair or minority chair prior  
4 to the organizational meeting of a standing committee or fails  
5 to fill a vacancy within seven calendar days after it occurs,  
6 such position shall be deemed to remain vacant in violation of  
7 this rule. Whenever a chair or minority chair becomes vacant or  
8 remains vacant in violation of this rule, the member of the  
9 applicable caucus who meets the requirements of this rule shall  
10 automatically fill the vacancy and, if there are two or more  
11 such eligible caucus members for any such vacancy or vacancies,  
12 they shall be filled from among such eligible members through a  
13 lottery to be conducted under the supervision of the Chief Clerk  
14 after giving notice of the time and place thereof to all  
15 eligible members, to the Speaker, to the Majority Leader and to  
16 the Minority Leader.

17 Nothing in this rule shall prohibit the appointing authority  
18 from transferring a member from the chair or minority chair of a  
19 standing committee to the chair or minority chair of another  
20 standing committee.

21 Whenever the appointment of a chair or minority chair will  
22 cause the applicable caucus to exceed its permissible allocation  
23 of members on a standing committee, the appointing authority  
24 shall make a temporary transfer of an eligible committee member  
25 to the standing committee vacated by the member appointed as  
26 chair or minority chair until a regular committee appointment  
27 can be made in accordance with the rules of the House. If the  
28 Speaker or Minority Leader fails to make a temporary transfer  
29 within seven calendar days after such appointment, the committee  
30 member with the least seniority, who is eligible for transfer,

1 shall be automatically transferred to the committee vacated by  
2 the newly appointed chair or minority chair and, if more than  
3 one committee member is eligible for such transfer, the transfer  
4 shall be implemented through a lottery conducted under the  
5 supervision of the Chief Clerk.

6 The Speaker of the House, Floor Leader of the majority party  
7 and the Floor Leader of the minority party shall be ex-officio  
8 members of all standing committees, without the right to vote  
9 and they shall be excluded from any limitation as to the number  
10 of members on the committees or in counting a quorum.

11 Twenty-four standing committees of the House, each to consist  
12 of 27 members except the Committee on Appropriations, which  
13 shall consist of 37 members, are hereby created. In addition,  
14 there are hereby created 48 standing subcommittees.

15 All standing committees shall consist of [16] 15 members of  
16 the majority party and [11] 10 members of the minority party,  
17 except the Committee on Appropriations which shall consist of 22  
18 members of the majority party and 15 members of the minority  
19 party. The quorum for each of the standing committees and  
20 subcommittees shall be no less than the majority of said  
21 committees. The following are the standing committees and  
22 subcommittees thereof:

- 23 (1) Aging and Older Adult Services
  - 24 (a) Subcommittee on Care and Services
  - 25 (b) Subcommittee on Programs and Benefits
- 26 (2) Agriculture and Rural Affairs
- 27 (3) Appropriations
  - 28 (a) Subcommittee on Health and Human Services
  - 29 (b) Subcommittee on Education
  - 30 (c) Subcommittee on Economic Impact and Infrastructure

- 1 (d) Subcommittee on Fiscal Policy
- 2 (e) Subcommittee on Criminal Justice
- 3 (f) Subcommittee on Government and Financial Oversight
- 4 (4) Children and Youth
- 5 (5) Commerce
  - 6 (a) Subcommittee on Financial Services and Banking
  - 7 (b) Subcommittee on Housing
  - 8 (c) Subcommittee on Economic Development
  - 9 (d) Subcommittee on Small Business
  - 10 (e) Subcommittee on Automation and Technology
- 11 (6) Consumer Affairs
  - 12 (a) Subcommittee on Public Utilities
  - 13 (b) Subcommittee on Telecommunications
- 14 (7) Education
  - 15 (a) Subcommittee on Basic Education
  - 16 (b) Subcommittee on Higher Education
  - 17 (c) Subcommittee on Special Education
  - 18 (d) Subcommittee on Career and Technical Education
- 19 (8) Environmental Resources and Energy
  - 20 (a) Subcommittee on Energy
  - 21 (b) Subcommittee on Mining
  - 22 (c) Subcommittee on Parks and Forests
- 23 (9) Finance
  - 24 (a) Subcommittee on Tax Modernization and Reform
- 25 (10) Game and Fisheries
- 26 (11) Gaming Oversight
- 27 (12) Health
  - 28 (a) Subcommittee on Health Facilities
  - 29 (b) Subcommittee on Health Care
- 30 (13) Human Services



- 1 (a) Subcommittee on Mental Health
- 2 (b) Subcommittee on Drugs and Alcohol
- 3 (14) Insurance
- 4 (15) Judiciary
  - 5 (a) Subcommittee on Crime and Corrections
  - 6 (b) Subcommittee on Courts
  - 7 (c) Subcommittee on Family Law
- 8 (16) Labor and Industry
- 9 (17) Liquor Control
  - 10 (a) Subcommittee on Licensing
  - 11 (b) Subcommittee on Marketing
- 12 (18) Local Government
  - 13 (a) Subcommittee on Boroughs
  - 14 (b) Subcommittee on Counties
  - 15 (c) Subcommittee on Townships
- 16 (19) Professional Licensure
- 17 (20) State Government
  - 18 (a) Subcommittee on Government Operations
  - 19 (b) Subcommittee on Federal-State Relations
- 20 (21) Tourism and Recreational Development
  - 21 (a) Subcommittee on Arts and Entertainment
  - 22 (b) Subcommittee on Recreation
  - 23 (c) Subcommittee on Travel Promotion, History and
  - 24 Heritage
- 25 (22) Transportation
  - 26 (a) Subcommittee on Highways
  - 27 (b) Subcommittee on Public Transportation
  - 28 (c) Subcommittee on Transportation Safety
  - 29 (d) Subcommittee on Aviation
  - 30 (e) Subcommittee on Railroads



1 advisable that the membership of any standing subcommittee be of  
2 greater number than that prescribed herein, the Committee on  
3 Committees may appoint additional members of the standing  
4 committee from the majority or minority party to serve on such  
5 standing subcommittee. The number of additional members selected  
6 should be such as to maintain, as far as is practicable, a ratio  
7 in majority and minority party membership which affords a fair  
8 and reasonable representation to the minority party on the  
9 standing subcommittee.

10 The chair and the minority chair of each standing committee  
11 shall be members of each standing subcommittee which is part of  
12 the parent standing committee, with the right to attend standing  
13 subcommittee meetings and vote on any matter before such  
14 standing subcommittee.

15 A majority of the members of each standing subcommittee shall  
16 constitute a quorum for the proper conduct of its business. Each  
17 standing subcommittee may promulgate such rules necessary for  
18 the conduct of its business which are not inconsistent with the  
19 rules of its parent standing committee or the Rules of the  
20 House.

21 When the chair of a standing committee has referred a bill,  
22 resolution or other matter to a standing subcommittee, the power  
23 and control over such bill, resolution or other matter shall  
24 then reside in such subcommittee for a reasonable period of time  
25 thereafter in order that such subcommittee may consider the  
26 bill, resolution or other matter and return the same to its  
27 standing committee with its recommendations as to the action  
28 which ought to be taken on such bill, resolution or other  
29 matter.

30 Each standing subcommittee, within a reasonable time after it

1 has received a bill, resolution or other matter, shall meet as a  
2 committee for the purpose of considering the same and returning  
3 the bill, resolution or other matter back to its parent standing  
4 committee with a subcommittee report as to what action it  
5 recommends. The report of the subcommittee on a bill, resolution  
6 or other matter being returned to the standing committee shall  
7 contain one of the following recommendations:

8 (1) that the bill, resolution or other matter in its present  
9 form be reported to the House,

10 (2) that the bill, resolution, or other matter not be  
11 reported to the House,

12 (3) that the bill, resolution or other matter be reported to  
13 the House, with recommendations for amendments,

14 (4) that the bill, resolution or other matter is returned  
15 without recommendations.

16 When a standing committee receives reports from its  
17 subcommittees, it shall consider the same and by majority vote  
18 of the members of the standing committee either approve or  
19 disapprove such report. If disapproved, the standing committee  
20 may then determine by a majority vote of its members what  
21 further action, if any, should be taken on such bill, resolution  
22 or other matter.

23 Where no action has been taken by a standing subcommittee on  
24 a bill, resolution or other matter referred to it, and the chair  
25 of the standing committee considers that such subcommittee has  
26 had reasonable time to consider the bill, resolution or other  
27 matter and return the same to its parent standing committee, the  
28 subcommittee chair shall then forthwith surrender and forward  
29 the same, together with all documents or papers pertaining  
30 thereto, to the standing committee.

1 In the event that a chair of a standing committee is absent,  
2 unless a vice-chair or subcommittee chair would be precluded  
3 from acting as chair by Rule 47, the following rules shall apply  
4 in the following order of precedence:

5 (1) If such standing committee has a vice-chair, the vice-  
6 chair of the standing committee shall act as chair of the  
7 committee meetings.

8 (2) If such standing committee has only one subcommittee,  
9 the subcommittee chair shall act as chair of the standing  
10 committee.

11 (3) If the standing committee has more than one  
12 subcommittee, the subcommittee chair with the longest  
13 consecutive legislative service shall act as chair of the  
14 standing committee, except where the subcommittee chairs have  
15 equal legislative service, in which case the Speaker of the  
16 House shall designate one of the subcommittee chairs to act as  
17 chair of the standing committee.

18 In case of absence of a subcommittee chair, the chair of the  
19 appropriate standing committee shall designate one member from  
20 either the standing committee or subcommittee to act as chair of  
21 the subcommittee.

## 22 RULE 45

### 23 Powers and Duties of Standing Committees

#### 24 and Subcommittees

25 The chair of each standing committee and subcommittee shall  
26 fix regular weekly, biweekly or monthly meeting days for the  
27 transaction of business before the committee or subcommittee.  
28 The chair of the committee or subcommittee shall notify all  
29 members, at least 24 hours in advance of the date, time and  
30 place of regular meetings, and, insofar as possible, the

1 subjects on the agenda. In addition to regular meetings, special  
2 meetings may be called from time to time by the chair of the  
3 committee or subcommittee as they deem necessary. No recess or  
4 combination of recesses shall exceed 48 hours for any committee  
5 meeting or subcommittee meeting. No committee shall meet during  
6 any session of the House without first obtaining permission of  
7 the Speaker. During any such meeting, no vote shall be taken on  
8 the Floor of the House on any amendment, recommittal motion,  
9 final passage of any bill, or any other matter requiring a roll  
10 call vote. Any committee meeting called off the Floor of the  
11 House shall meet in a committee room. In addition to the  
12 specific provisions of this rule, all provisions of 65 Pa.C.S.  
13 Ch. 7 (relating to open meetings) relative to notice of meetings  
14 shall be complied with.

15 At regularly scheduled meetings, or upon the call of the  
16 chair, or subcommittee chair, for special meetings, the  
17 membership of such committees shall meet to consider any bill,  
18 resolution, or other matter on the agenda. The secretary of each  
19 standing committee, or in case of subcommittees a secretary  
20 designated by the subcommittee chair, shall record:

- 21 (1) the minutes of the meeting,
- 22 (2) all votes taken,
- 23 (3) a roll or attendance of members at standing committee or  
24 subcommittee meetings showing the names of those present, absent  
25 or excused from attendance, and the majority and minority chairs  
26 or their designees shall verify by their signatures all votes  
27 taken and the roll or attendance of those members present,  
28 absent or excused before said records are submitted to the Chief  
29 Clerk, and
- 30 (4) dispatch of bills and resolutions before the committee.

1 Such records shall be open to public inspection. On the first  
2 legislative day of each week the House is in session, the chair  
3 of each standing committee shall submit to the Chief Clerk for  
4 inclusion in the House Journal only, the roll or record of  
5 attendance of members at standing committee or subcommittee  
6 meetings held prior thereto and not yet reported, along with the  
7 record of all votes taken at such meetings. All reports from  
8 standing committees shall be prepared in writing by the  
9 secretary of the committee. Members of a standing committee may  
10 prepare in writing and file a minority report, setting forth the  
11 reasons for their dissent. Such committee reports shall be filed  
12 with the Chief Clerk within five days of the meeting. All  
13 meetings at which formal action is taken by a standing committee  
14 or subcommittee shall be open to the public, making such reports  
15 as are required under Rule 44. When any member, except for an  
16 excused absence, fails to attend five consecutive regular  
17 meetings of his or her committee, the chair of that committee or  
18 subcommittee shall notify the member of that fact and, if the  
19 member in question fails to reasonably justify absences to the  
20 satisfaction of a majority of the membership of the standing  
21 committee of which he or she is a member, membership on the  
22 committee or subcommittee shall be deemed vacant and the chair  
23 of the standing committee shall notify the Speaker of the House  
24 to that effect. Such vacancy shall then be filled in the manner  
25 prescribed by these rules.

26 Whenever the chair of any standing committee shall refuse to  
27 call a regular meeting, then a majority of the members of the  
28 standing committee may vote to call a meeting by giving two days  
29 written notice to the Speaker of the House, setting the time and  
30 place for such meeting. Such notice shall be read in the House

1 and the same posted by the Chief Clerk in the House Chamber.  
2 Thereafter, the meeting shall be held at the time and place  
3 specified in the notice. In addition, all provisions of 65  
4 Pa.C.S. Ch. 7 (relating to open meetings) relative to notice of  
5 meetings shall be complied with.

6 Records, bills and other papers in the possession of  
7 committees and subcommittees, upon final adjournment of the  
8 House shall be filed with the Chief Clerk.

9 No committee report, except a report of the Appropriations  
10 Committee, shall be recognized by the House, unless the same has  
11 been acted upon by a majority vote of the members of a standing  
12 committee present at a committee session actually assembled and  
13 meeting as a committee, provided such majority vote numbers at  
14 least [12] 11 members, and provided further a quorum is present.  
15 No committee report of the Appropriations Committee shall be  
16 recognized by the House, unless the same has been acted upon by  
17 a majority vote of the members of such committee present at a  
18 committee session actually assembled and meeting as a committee,  
19 provided such majority vote numbers at least 17 members, and  
20 provided further a quorum is present.

21 No proxy voting shall be permitted in committee, except as  
22 provided for herein. If a member reports to a scheduled  
23 committee meeting and advises the chair and other members of a  
24 conflicting committee meeting or other legislative meeting which  
25 he or she must attend on the same day, the member is authorized  
26 to give the chair or minority chair his or her proxy in writing  
27 which shall be valid only for that day and which shall include  
28 written instructions for the exercise of such proxy by the chair  
29 or minority chair during the meeting. The member should also  
30 advise the chair where he or she can be reached. In the event



1 the conflicting committee meeting or other legislative meeting  
2 is scheduled to convene at the same time or prior to the meeting  
3 at which a member desires to vote by proxy, such proxy shall be  
4 delivered to both the chair and minority chair prior to, but on  
5 the same day as, the conflicting meetings.

6 When the majority of the members of a standing committee  
7 believe that a certain bill or resolution in the possession of  
8 the standing committee should be considered and acted upon by  
9 such committee, they may request the chair to include the same  
10 as part of the business of a committee meeting. Upon failure of  
11 the chair to comply with such request, the membership may  
12 require that such bill be considered by written motion made and  
13 approved by a majority vote of the entire membership to which  
14 such committee is entitled.

15 Whenever the phrase "majority of members of a standing  
16 committee or subcommittee" is used in these rules, it shall mean  
17 majority of the entire membership to which a standing committee  
18 or subcommittee is entitled, unless the context thereof  
19 indicates a different intent.

20 To assist the House in appraising the administration of the  
21 laws and in developing such amendments or related legislation as  
22 it may deem necessary, each standing committee or subcommittee  
23 of the House shall exercise continuous watchfulness of the  
24 execution by the administrative agencies concerned of any laws,  
25 the subject matter of which is within the jurisdiction of such  
26 committee or subcommittee; and, for that purpose, shall study  
27 all pertinent reports and data submitted to the House by the  
28 agencies in the executive branch of the Government.

29 The Committee on Appropriations shall have the power to issue  
30 subpoenas under the hand and seal of its chair commanding any

1 person to appear before it and answer questions touching matters  
2 properly being inquired into by the committee, which matters  
3 shall include data from any fund administered by the  
4 Commonwealth, and to produce such books, papers, records,  
5 accounts, reports, documents and data and information produced  
6 and stored by any electronic data processing system as the  
7 committee deems necessary. Such subpoenas may be served upon any  
8 person and shall have the force and effect of subpoenas issued  
9 out of the courts of this Commonwealth. Any person who willfully  
10 neglects or refuses to testify before the committee or to  
11 produce any books, papers, records, accounts, reports, documents  
12 or data and information produced and stored by any electronic  
13 data processing system shall be subject to the penalties  
14 provided by the laws of the Commonwealth in such case. Each  
15 member of the committee shall have power to administer oaths and  
16 affirmations to witnesses appearing before the committee. The  
17 committee may also cause the deposition of witnesses either  
18 residing within or without the State to be taken in the manner  
19 prescribed by law for taking depositions in civil actions.

20 RULE 45 (a)

21 Government Oversight Committee

22 The Government Oversight Committee shall consist of nine  
23 members, five of whom shall be members of the majority party  
24 appointed by the Majority Leader and four of whom shall be  
25 members of the minority party appointed by the Minority Leader.  
26 The Majority Leader shall appoint the chair and secretary for  
27 the committee. The Minority Leader shall appoint the minority  
28 chair for the committee. A majority of the members of the  
29 committee shall constitute a quorum.

30 The members of the committee shall first meet upon the call

1 of the chair and perfect its organization. The committee shall  
2 have the power to promulgate rules not inconsistent with this  
3 rule or the Rules of the House that may be necessary for the  
4 orderly conduct of its business.

5 The chair of the committee shall notify all members on the  
6 committee at least 24 hours in advance of the date, time and  
7 place of meetings and, insofar as possible, the subjects on the  
8 agenda. Meetings may be called from time to time by the chair of  
9 the committee as the chair deems necessary.

10 The committee shall be authorized and empowered to do all of  
11 the following:

12 (1) Conduct hearings at any place in this Commonwealth to  
13 investigate any matter referred to the committee by the Speaker,  
14 the Majority Leader or the Minority Leader. Referred matters  
15 shall relate to executive agencies and administrative actions  
16 and may not include matters which are:

17 (a) under the jurisdiction of the Committee on Ethics;

18 (b) under the jurisdiction of the Committee on  
19 Appropriations, except matters which may incidentally include  
20 information related to expenditures of public money; or

21 (c) within the scope of an adopted House resolution  
22 authorizing and empowering a standing committee, subcommittee or  
23 select committee to investigate any matter.

24 Unless in conflict with the provisions of this rule, Rule 51  
25 shall be applicable to hearings of the committee concerning  
26 referred matters.

27 (2) Any action necessary to fulfill any assignment or duty  
28 given to the committee by any resolution or other rule of the  
29 House.

30 The committee may issue subpoenas for documents or testimony

1 as part of the investigation of any matter referred to the  
2 committee. Notwithstanding any other rule of the House,  
3 subpoenas issued under this rule shall be in the name of the  
4 committee, shall be signed by the chair of the committee and  
5 attested by another member of the committee who voted in favor  
6 of either authorizing the subpoena or authorizing the chair to  
7 issue subpoenas.

8 A subpoena issued by the committee may be served upon any  
9 person and shall have the force and effect of a subpoena issued  
10 out of the courts of this Commonwealth. Subpoenas shall be  
11 served by the Sergeant-at-Arms of the House or other person  
12 designated by the committee when directed to do so by the  
13 committee. Each subpoena shall be addressed to the witness and  
14 shall state that the proceeding is before a committee of the  
15 House for which the witness is required to attend and testify at  
16 a specified time and place; or to produce books, papers,  
17 records, accounts, reports, documents and data and information  
18 produced and stored by any electronic data processing system; or  
19 both, as the committee may also require. All subpoenaed items  
20 shall be maintained and returned in accordance with Rule 51.  
21 Mileage and witness fees shall be paid by the House to the  
22 witness in an amount prescribed by law. A person who willfully  
23 neglects or refuses to comply with a subpoena issued by the  
24 committee shall be subject to the penalties provided by the laws  
25 of this Commonwealth with respect to such willful neglect or  
26 refusal. The committee may quash or modify the subpoena if it  
27 finds the subpoena to be overly broad or without proper purpose.  
28 Each member of the committee shall have power to administer  
29 oaths and affirmations to witnesses appearing before the  
30 committee.

1 Upon completion of the investigation of any matter referred  
2 to the committee, the committee shall file a final report with  
3 the House. A final report of a referred matter shall not be  
4 considered in the committee unless the report has been available  
5 to committee members for at least three days before  
6 consideration, excluding Saturdays, Sundays, and legal holidays,  
7 unless the House is in session on those days. A report on a  
8 referred matter shall be adopted by a majority vote of the  
9 committee members to which the committee is entitled, present at  
10 a committee session actually assembled and meeting as a  
11 committee. Members of the committee may prepare in writing and  
12 file a minority report, setting forth the reasons for their  
13 dissent. Such committee reports shall be filed with the Chief  
14 Clerk within five days of the meeting.

15 The committee shall not continue to exist after sine die  
16 adjournment of the General Assembly. Investigation of any  
17 referred matter before the committee that has not been concluded  
18 or disposed of by October 31 of the second year of a legislative  
19 term shall cease on such date, and all documents, reports,  
20 communications, transcripts and other materials compiled by the  
21 committee for such matters shall be collected, organized and  
22 submitted to the Chief Clerk under seal for transition to the  
23 reconstituted committee consisting of members appointed from the  
24 incoming General Assembly. These materials shall be held in a  
25 secure manner and nothing in this rule shall authorize the Chief  
26 Clerk or any other person to view such materials. Within 30 days  
27 following the reconstitution of the committee in the next  
28 succeeding legislative term, the committee shall review such  
29 materials and determine whether or not to proceed with a  
30 referred matter investigated by the former committee.

2 RULE 47

3 Status of Members Indicted or Convicted of a Crime

4 When an indictment is returned or a charge is filed before a  
5 court of record against a member of the House, and the gravamen  
6 of the indictment or charge is directly related to the member's  
7 conduct as a committee chair or ranking minority committee  
8 member or in a position of leadership or is one which would  
9 render the member ineligible to the General Assembly under  
10 section 7 of Article II of the Constitution of Pennsylvania, the  
11 member shall be relieved of committee chair status, ranking  
12 minority committee member status or leadership position until  
13 the indictment or charge is disposed of, but the member shall  
14 otherwise continue to function as a Representative, including  
15 voting, and shall continue to be paid.

16 If, during the same legislative term, the indictment or  
17 charge is quashed, dismissed or withdrawn, or the court finds  
18 that the member is not guilty of the offense alleged, the member  
19 shall immediately be restored to committee chair status, ranking  
20 minority committee member status or the leadership position  
21 retroactively from which he or she was suspended.

22 Upon a finding or verdict of guilt by a judge or jury, plea  
23 or admission of guilt or plea of nolo contendere of a member of  
24 the House of a crime, the gravamen of which relates to the  
25 member's conduct as a Representative or which would render the  
26 member ineligible to the General Assembly under section 7 of  
27 Article II of the Constitution of Pennsylvania, the  
28 Parliamentarian of the House [may, upon the request of the Chair  
29 and Vice-Chair of the House Ethics Committee, prepare a  
30 resolution of expulsion. Upon imposition of sentence, the

1 [Parliamentarian of the House] shall prepare a resolution of  
2 expulsion under the sponsorship of the Chair and Vice-Chair of  
3 the House Ethics Committee. The resolution shall be printed and  
4 placed on the calendar for the next day of House session.

5 Upon a finding or verdict of guilt by a judge or jury, plea  
6 or admission of guilt or plea of nolo contendere of a member of  
7 the House of embezzlement of public moneys, bribery or perjury,  
8 and upon imposition of sentence, the member shall no longer be  
9 eligible to serve in the General Assembly.

10 \* \* \*

11 RULE 64

12 Members Required to be Present and Vote

13 Every member shall be present within the Hall of the House  
14 during its sittings, unless excused by the House or unavoidably  
15 prevented, and shall vote for or against each question put,  
16 unless he or she has a direct personal or pecuniary interest in  
17 the determination of the question or unless excused.

18 A member may exit the Hall of the House for brief periods  
19 without being placed on leave to attend to the member's  
20 immediate personal needs. In such instances, the member shall  
21 not leave the vicinity of the Hall of the House in the Capitol  
22 Complex and shall return to the Hall of the House promptly if  
23 requested.

24 No member shall be permitted to vote and have his or her vote  
25 recorded on the roll unless present in the Hall of the House  
26 during the roll call vote[.], except that a member may provide  
27 direction for his or her vote if the member is in the vicinity  
28 of the Hall of the House in the Capitol Complex attending to the  
29 member's immediate personal need.

30 The Legislative Journal shall show the result of each roll

1 call by yeas and nays and those absent and those not voting.

2 \* \* \*

3 RULE 65 (b)

4 Financial Interests in Gaming Entities

5 Annually, on or before April 30, every member shall file an  
6 [affidavit] attestation with the Chief Clerk, on a form provided  
7 by the Chief Clerk, affirming that neither the member nor an  
8 immediate family member of the member holds a financial interest  
9 in violation of 4 Pa.C.S. § 1512 (relating to financial and  
10 employment interests).

11 For purposes of this rule, "immediate family member" shall  
12 mean a spouse, minor child or unemancipated child.

13 \* \* \*

14 RULE 77

15 Suspending and Changing Rules

16 Unless otherwise specified in another rule, any rule of the  
17 House, which is not required by the Constitution, may be  
18 temporarily suspended at any time for a specific purpose only by  
19 a vote of two-thirds of the members elected to the House by a  
20 roll call vote. If a rule requires a greater majority than a  
21 two-thirds vote of the members elected to the House to take an  
22 action, that majority greater than two-thirds vote of the  
23 members elected to the House specified in the rule shall be  
24 required to suspend that rule.

25 A motion to suspend the rules may not be laid on the table,  
26 postponed, committed or amended and may be debated by the  
27 majority leader, the minority leader, the maker of the motion,  
28 the maker of the amendment under consideration and the prime  
29 sponsor of the bill under consideration.

30 A brief description of the underlying bill or amendment shall



1 be given whenever a member moves to suspend the rules of the  
2 House in order to consider such bill or amendment.

3 The existing rules of the House shall not be changed, added  
4 to, modified or deleted except by written resolution and the  
5 same approved by a majority vote of the members elected to the  
6 House by a roll call vote.

7 Except where such resolution originates with the Committee on  
8 Rules, no resolution proposing any change, addition,  
9 modification or deletion to existing House rules shall be  
10 considered until such resolution has been referred to the  
11 Committee on Rules, reported therefrom, printed, filed on the  
12 desk of each member and placed on the calendar.

13 Any proposed change, addition, modification or deletion  
14 offered by a member on the floor of the House to such resolution  
15 shall be considered, in effect, a change, addition, modification  
16 or deletion to existing House rules and shall require for  
17 approval a majority vote of the members by a roll call vote.

18 \* \* \*

19 ETHICAL AND PROFESSIONAL CONDUCT RULES OF  
20 THE HOUSE OF REPRESENTATIVES

21 RULE 1 E

22 Definitions

23 The following words and phrases when used in the Ethical and  
24 Professional Conduct Rules of the House of Representatives shall  
25 have the meanings given to them in this Rule unless the context  
26 clearly indicates otherwise:

27 "Campaign." An effort organized in support of or opposition  
28 to the nomination, election or re-election of an individual to  
29 elective office.

30 "Campaign activity." An activity on behalf of a candidate,

1 political party, political committee, campaign, campaign  
2 committee, political organization or political body which is  
3 intended to influence the outcome of an election, including any  
4 of the following:

5 (1) Organizing a campaign meeting, campaign rally or  
6 other campaign event, including a fund-raiser where campaign  
7 contributions are solicited or received.

8 (2) Preparing or completing responses to questionnaires  
9 that are intended primarily for campaign use.

10 (3) Preparing, reviewing or filing a campaign finance  
11 report.

12 (4) Conducting background research on a candidate or an  
13 elected official to be used or intended to be used to  
14 influence the outcome of an election.

15 (5) Preparing, conducting or participating in campaign  
16 polling.

17 (6) Preparing, circulating or filing a candidate  
18 nominating petition or papers.

19 (7) Participating in, preparing, reviewing or filing a  
20 legal challenge to a nominating petition or papers.

21 (8) Preparing, distributing or mailing campaign  
22 literature, campaign signs or other campaign material on  
23 behalf of or in opposition to any candidate.

24 (9) Managing a campaign.

25 (10) Participating in, preparing, reviewing or filing  
26 documents in a recount, challenge or contest of an election.

27 (11) Posting campaign-related information on a website  
28 or social media website.

29 (12) Soliciting an individual's vote for a candidate.

30 (13) Working at a polling place.

1 "Campaign contribution." A monetary or in-kind contribution  
2 made to a candidate or a campaign.

3 "Campaign polling." The preparation, compilation, collection  
4 or gathering of information, including focus groups and surveys,  
5 reflecting public opinion as to an elected official, group of  
6 elected officials, candidate, group of candidates, political  
7 party, political committee, campaign, campaign committee,  
8 political organization or political body that is intended to be  
9 used for the purpose of supporting or opposing the nomination,  
10 election or re-election of an individual to elective office.

11 "Committee." The Committee on Ethics of the House of  
12 Representatives.

13 "Candidate." An individual seeking nomination, election or  
14 re-election to an elective office.

15 "De minimus." An economic consequence which has an  
16 insignificant effect.

17 "Elected official." An individual elected by the public to  
18 serve a term in an elective office. The term shall include an  
19 individual appointed to fill an unexpired term in an elective  
20 office.

21 "Election." A general, special, municipal or primary  
22 election, including elections at which a candidate for elective  
23 office in a Federal governmental body is on the ballot.

24 "Elective office." A position in a governmental body to  
25 which an individual is required under the Constitution of  
26 Pennsylvania, the Constitution of the United States or by law to  
27 be elected by the public.

28 "Employer." The term includes the following:

29 (1) An officer of the House.

30 (2) The Office of the Speaker of the House of

1 Representatives.

2 (3) The House Republican Caucus.

3 (4) The House Democratic Caucus.

4 "Frivolous complaint." A complaint filed in a grossly  
5 negligent manner without basis in law or fact.

6 "House employee." The term includes the following:

7 (1) A person employed by the Office of the Speaker of  
8 the House of Representatives, the House Republican Caucus or  
9 the House Democratic Caucus.

10 (2) Except as otherwise precluded by law, an officer of  
11 the House or a person employed by an officer of the House.

12 "House office." Legislative offices and work spaces,  
13 including:

14 (1) An office assigned to a Member for the conduct of  
15 legislative duties, wherever located.

16 (2) House conference or meeting rooms located in the  
17 Capitol complex.

18 (3) A legislative district office.

19 (4) The offices of an officer of the House.

20 "House resources." House-owned or House-leased equipment  
21 including telephones, computer hardware or software, copiers,  
22 scanners, fax machines, file cabinets or other office furniture,  
23 cell phones, personal digital assistants or similar electronic  
24 devices, and office supplies.

25 "House work time." Compensated time spent in the performance  
26 of duties by a House employee.

27 "Independent counsel." An attorney engaged by the Committee  
28 for the purpose of investigating and prosecuting a specific  
29 complaint who shall not be employed during the investigation for  
30 any other purpose or in any other capacity by the House, the

1 committee or a Member.

2 "Legislative nonprofit organization." A nonprofit  
3 corporation or other entity whose primary purpose is to receive  
4 funds under the General Appropriation Act or another  
5 appropriation act at the discretion or by reason of the  
6 influence of a Member for use at the discretion or direction of  
7 the Member.

8 "Majority of the Committee" or "majority." A majority of the  
9 Members to which the Committee is entitled.

10 "Mass communication." The term shall include, but not be  
11 limited to, the following if they are paid for with House funds:

12 (1) Any newsletter or similar mailing of more than 50  
13 pieces a day in which the content of the matter is  
14 substantially identical.

15 (2) Any electronic mail transmission to more than 50  
16 addresses per day in which the content of the matter is  
17 substantially identical.

18 (3) Any public service announcement via radio or  
19 television broadcast that depicts the name, voice or image of  
20 a Member.

21 (4) Any telemarketing activities or robocalls on behalf  
22 of a Member, except for limited surveys to determine public  
23 opinion on various issues that do not use the name, voice or  
24 image of a Member.

25 "Member." An individual elected to serve in the Pennsylvania  
26 House of Representatives.

27 "Officers of the House." The Chief Clerk, the Comptroller  
28 and the Parliamentarian of the Pennsylvania House of  
29 Representatives.

30 "Official mailing lists." Any list containing individuals,

1 companies or vendors, including names, addresses, telephone  
2 numbers or e-mail addresses that are procured, compiled,  
3 maintained or produced with House funds.

4 "Own time." A House employee's time that is distinct from  
5 House work time and includes time that is spent on  
6 vacation/annual leave and personal leave. The term does not  
7 include compensatory leave.

8 "Restricted period." The 60-day period immediately  
9 preceding:

10 (1) a primary or general election in an even-numbered year;

11 or

12 (2) an election at which the Member is a candidate.

13 "Sexual harassment." Unwelcome sexual advances, requests for  
14 sexual favors or other verbal or physical conduct of a sexual  
15 nature.

16 "Subject." A person against whom a complaint has been filed  
17 with the Committee.

18 RULE 2 E

19 Ethical Conduct

20 (1) No campaign activity may be conducted by a House  
21 employee on House work time. No campaign activity may be  
22 conducted in a House office or with House resources or House  
23 funds. The following shall apply:

24 (a) House employees are permitted to engage in campaign  
25 activities on their own time.

26 (b) The solicitation or receipt of campaign  
27 contributions in a House office, on House work time or with  
28 House resources is prohibited. If an unsolicited contribution  
29 is sent to a House office through the mail or in an  
30 unidentifiable form, the employee who receives it shall turn

1 it over to the applicable campaign and, within two business  
2 days, notify the donor, if known, that campaign contributions  
3 should not be sent or delivered to a House office.

4 (c) No House employee may be allocated any leave time  
5 for time spent engaging in campaign activities on his or her  
6 own time.

7 (d) A House employee, with the permission of his or her  
8 employer, may go on leave without pay or benefits to engage  
9 in campaign activities.

10 (e) A House employee who announces his or her candidacy  
11 for a House seat or files nomination petitions or papers or  
12 for whom a nomination certificate is filed to run for a House  
13 seat shall be put on leave without pay or benefits during the  
14 duration of his or her candidacy unless the employee  
15 voluntarily leaves House employment.

16 (f) De minimis campaign activities may be unavoidable  
17 for a Member or House employee in the course of their  
18 official duties and shall not be considered a violation of  
19 these ethical conduct rules. This includes the following  
20 activities:

21 (i) A Member or House employee may, in responding to  
22 inquiries from the public, need to address incidental  
23 questions that relate to a Member's or another person's  
24 campaign or a related legislative record.

25 (ii) A Member or House employee may provide  
26 scheduling assistance and information to campaign staff  
27 to ensure that no conflict occurs among the Member's  
28 campaign schedule, official schedule and personal  
29 schedule.

30 (iii) A Member or House employee may engage in

1 political conversation in the natural course of personal  
2 communication.

3 (g) A Member's official State website or State social  
4 media website shall not contain a link to his or her campaign  
5 website or campaign social media website.

6 (h) No House employee may be required to make a campaign  
7 contribution as a condition of employment or continued  
8 employment.

9 (i) No House employee may be required to perform any  
10 campaign activity, on House work time or the employee's own  
11 time, as a condition of employment or continued employment.

12 (j) No House employee who agrees or offers to  
13 participate in a campaign activity on the employee's own  
14 time, or makes a campaign contribution, shall receive  
15 additional House compensation or employee benefit in the form  
16 of a salary adjustment, bonus, compensatory time off,  
17 continued employment or any other similar benefit in return.

18 (k) A House employee who refuses to participate in a  
19 campaign activity or to make a campaign contribution shall  
20 not be [sanctioned] subject to retaliation for that refusal.

21 (l) Official House mailing lists shall be used solely  
22 for legislative purposes and shall not be provided to a  
23 candidate, political party, political committee, campaign,  
24 campaign committee political organization or political body  
25 to be used for any campaign activity.

26 (m) House computers shall not be used to create or  
27 update any mailing list that identifies the listed  
28 individuals as campaign volunteers or campaign contributors  
29 to a candidate, political party, political committee,  
30 campaign or campaign committee, political organization or



1 political body.

2 (n) No list may be developed by a Member or a House  
3 employee for the purpose of monitoring or tracking campaign  
4 activity or campaign contributions of a House employee.

5 (o) A Member shall not use campaign funds for any event  
6 that occurs inside any House office except to pay expenses  
7 related to receptions in honor of a Member's swearing-in to  
8 or retirement from the Pennsylvania House of Representatives.

9 (2) No mass communication shall be made at the direction or  
10 on behalf of any Member which is delivered to a postal facility  
11 or otherwise distributed during a restricted period. Nothing in  
12 this subsection shall apply to any mass communication:

13 (a) in response to inquiries or affirmative requests  
14 from persons to whom the matter is communicated,

15 (b) sent to colleagues in the General Assembly or other  
16 government officials, or

17 (c) which consists entirely of news releases to the  
18 communications media.

19 (3) No House employee may be required to perform any task  
20 unrelated to the House employee's official duties, on House work  
21 time or the employee's own time, as a condition of employment or  
22 continued employment.

23 (4) No House employee who agrees or offers to perform a task  
24 unrelated to the House employee's official duties, on the  
25 employee's own time, shall receive any additional House  
26 compensation or employee benefit in the form of a salary  
27 adjustment, bonus, compensatory time off, continued employment  
28 or any other similar benefit in return.

29 (5) A House employee who refuses to perform a task unrelated  
30 to the House employee's official duties while on House work time

1 shall not be sanctioned for that refusal.

2 (6) No Member or House employee may accept a cash gift  
3 unless from a spouse, parent, parent by marriage, sibling,  
4 child, grandchild, other family member or friend when the  
5 circumstances make it clear that the motivation for the gift was  
6 a personal or family relationship. For the purposes of this  
7 paragraph, a "friend" shall not include a registered lobbyist or  
8 an employee of a registered lobbyist. Nothing under this  
9 [paragraph] subsection shall prevent a Member or House employee  
10 from accepting a campaign contribution otherwise authorized by  
11 law.

12 (7) A Member shall not create, maintain or cause to be  
13 created or maintained a legislative nonprofit organization.

14 (8) The following apply:

15 (a) No Member or officer of the House shall retaliate  
16 against a House employee or another Member or officer of the  
17 House in response to any of the following actions taken in  
18 good faith:

19 (i) Filing:

20 (A) a complaint of unethical conduct under the  
21 Legislative Code of Ethics or Rules of the House;

22 (B) a complaint of unethical or illegal conduct  
23 with the State Ethics Commission; or

24 (C) a criminal complaint relating to illegal  
25 conduct with a law enforcement agency.

26 (ii) Participating in an investigation in connection  
27 with or a proceeding resulting from the filing of a  
28 complaint under subparagraph (i).

29 (b) Nothing under paragraph (a) shall be construed to  
30 prevent action against a Member or officer of the House who

1 is subject to a complaint of unethical or illegal conduct.

2 RULE 2.1 E

3 Professional Conduct

4 (1) No Member or officer of the House shall do any of the  
5 following:

6 (a) Use the submission to or rejection by a House  
7 employee of conduct constituting sexual harassment as a basis  
8 for an employment decision affecting the employee.

9 (b) Make submission to conduct constituting sexual  
10 harassment, either explicitly or implicitly, a term or  
11 condition of a House employee's employment.

12 (c) Engage in conduct constituting sexual harassment  
13 that is so frequent or severe that it creates a hostile or  
14 offensive work environment for a House employee or another  
15 Member or officer of the House.

16 (2) No Member or officer of the House shall retaliate  
17 against a House employee or another Member or officer of the  
18 House in response to any of the following actions taken in good  
19 faith:

20 (a) Filing:

21 (i) a complaint of sexual harassment under Rules of  
22 the House or the policies and procedures of an employer;

23 (ii) a charge of sex discrimination relating to  
24 sexual harassment with a government agency or commission  
25 charged with enforcing laws relating to sex  
26 discrimination;

27 (iii) a civil action relating to sexual harassment  
28 in a court of competent jurisdiction; or

29 (iv) a criminal complaint relating to sexual  
30 harassment with a law enforcement agency.



1 Committee may request that the chair call a meeting for a  
2 specific purpose. If the chair refuses to call a meeting upon  
3 such request, a majority of the Committee may vote to call a  
4 meeting by giving two days' written notice to the Speaker of the  
5 House setting forth the time and place for such meeting. Such  
6 notice shall be read in the House and posted in the House  
7 Chamber by the Chief Clerk or a designee. Thereafter, the  
8 meeting shall be held at the time and place specified in such  
9 notice.

10 The Committee shall not continue to exist after sine die  
11 adjournment of the General Assembly. Proceedings on matters  
12 before the Committee that have not been concluded or disposed of  
13 by October 31 of the second year of a legislative term shall  
14 cease on such date and all documents, reports, communications,  
15 transcripts and other materials compiled by the Committee for  
16 such matters shall be collected, organized and submitted to the  
17 Chief Clerk under seal for transition to the reconstituted  
18 Committee consisting of Members appointed from the incoming  
19 General Assembly. These materials shall be held in a secure  
20 manner and nothing in this rule shall authorize the Chief Clerk  
21 or any other person to view such materials. Within 30 days  
22 following the reconstitution of the Committee in the next  
23 succeeding legislative term, the Committee shall review such  
24 materials and determine whether or not to proceed with one or  
25 more of the matters under review by the former Committee. Any  
26 time period required for any actions of the Committee or others  
27 under this rule shall be tolled until the reconstituted  
28 Committee has made a determination whether or not to proceed.  
29 If the Committee determines to proceed with a matter, the  
30 Committee shall continue from the stage in the consideration of

1 the matter where the former Committee ended.

2 The Committee shall compile, update and distribute a Members'  
3 Handbook on Ethics for Members and House Employees on matters  
4 regarding the ethical conduct of their legislative duties. Each  
5 Member shall complete two hours of ethics education and training  
6 and one hour of sexual harassment and discrimination in the  
7 workplace education and training each legislative term. A Member  
8 shall be excused from one hour of ethics training for any full  
9 year the Member was absent due to illness, injury, military  
10 service or any other permissible excuse under General Operating  
11 Rule 64(a). The Committee shall be responsible for planning and  
12 offering [**ethics**] the education and training programs.

13 The Committee shall issue to a Member upon the Member's  
14 request an advisory opinion regarding the Member's duties under  
15 Rule 2E relating to legislative nonprofit organizations. The  
16 opinion shall be issued within 14 days following the request. No  
17 Member who acts in good faith on an opinion issued under this  
18 paragraph shall be subject to any sanctions for so acting if the  
19 material facts are as stated in the request. Opinions issued  
20 under this paragraph shall be public records and may from time  
21 to time be published. Notwithstanding the foregoing, the Member  
22 requesting the opinion may request that an opinion undergo  
23 deletions and changes necessary to protect the identity of the  
24 persons involved, and the Committee shall make such deletions  
25 and changes.

26 The Committee may issue other advisory opinions with regard  
27 to questions pertaining to other legislative ethics or decorum  
28 at the request of a Member or House employee. An opinion issued  
29 under this paragraph shall be confidential and shall apply  
30 exclusively to the requestor. No requestor who acts in good

1 faith on an opinion issued under this paragraph shall be subject  
2 to any sanctions for acting in accordance with the opinion if  
3 the material facts are as stated in the request.

4 The Committee may receive complaints against Members and  
5 House employees alleging unethical conduct under the Legislative  
6 Code of Ethics or the Rules of the House and complaints against  
7 Members and officers of the House for violations of Rule 2.1 E.

8 A complaint must be in writing and be signed by the person  
9 filing the complaint under penalty of law under 18 Pa.C.S. §  
10 4904 (relating to unsworn falsification to authorities). The  
11 complaint must set forth in detail the actions constituting the  
12 alleged unethical conduct or violation. No person shall disclose  
13 or acknowledge to any other person any information relating to  
14 the filing of a complaint or the proposed filing of a complaint,  
15 except as otherwise authorized under this rule or Rule 2.1 E,  
16 for the purpose of seeking legal advice, as otherwise required  
17 by law or to carry out a function of the Committee.

18 The Committee shall not have jurisdiction over, shall not  
19 accept for review or action and shall return to the complainant  
20 with a notice explaining the Committee's lack of jurisdiction  
21 any of the following:

22 (1) a complaint filed later than five years following  
23 the occurrence of the alleged unethical conduct or violation;

24 (2) a complaint filed against a former Member or former  
25 House employee unless required by Section 7(c) of the  
26 Legislative Code of Ethics; or

27 (3) a complaint filed against a Member during a  
28 restricted period.

29 A five-year limitations period that expires during a  
30 restricted period shall be tolled until the day following the

1 election occurring at the expiration of the restricted period.

2 Within 30 days following receipt of a complaint over which  
3 the Committee has jurisdiction under this rule, the Committee  
4 shall do one of the following:

5 (1) dismiss the complaint if it:

6 (a) alleges facts that do not constitute unethical  
7 conduct or a violation of Rule 2.1 E;

8 (b) is objectively baseless;

9 (c) is insufficient as to form;

10 (d) is a frivolous complaint; or

11 (2) initiate a preliminary investigation of the alleged  
12 unethical conduct or violation.

13 If the Committee initiates a preliminary investigation, it  
14 shall, promptly upon voting to proceed, send the subject a  
15 letter setting forth each allegation in the complaint. Within 15  
16 days after receipt of the letter, the subject may file a written  
17 response with the Committee. Failure of the subject to file a  
18 response shall not be deemed to be an admission, or create an  
19 inference or presumption, that the allegations in the complaint  
20 are true, and such failure shall not prohibit the Committee from  
21 either proceeding with the preliminary or a formal investigation  
22 or dismissing the complaint. The Committee may engage an  
23 independent counsel to assist in a preliminary investigation.  
24 The subject may be represented by counsel of the subject's  
25 choosing at any point during an investigation under this rule.

26 If the Committee initiates a preliminary investigation of a  
27 complaint of a violation under Rule 2.1 E, it shall also send to  
28 the appropriate employer a copy of the letter sent to the  
29 subject setting forth each allegation in the complaint. Upon the  
30 request of the complainant, the employer shall make adjustments



1 to the complainant's work hours, assignment or duties or  
2 location that may be appropriate under the circumstances of the  
3 allegations in the complaint. The adjustments may include:

4 (1) removing the complainant or the subject from the  
5 physical work location of the complainant;

6 (2) allowing the complainant to be placed on administrative  
7 leave with continued pay and benefits, if applicable; or

8 (3) any other reasonable accommodation agreed to by the  
9 employer and the complainant.

10 The employer shall keep the letter and the fact of the  
11 initiation of a preliminary investigation confidential but may  
12 disclose necessary information to Members, officers of the House  
13 or House employees as needed in order to implement the foregoing  
14 adjustments. No House employee shall retaliate or take adverse  
15 actions against the complainant in response to the filing of a  
16 complaint of a violation of Rule 2.1 E with the Committee.

17 A member of the Committee who is the complainant, the subject  
18 or a witness to the unethical conduct or violation alleged in a  
19 complaint shall not participate in any Committee consideration  
20 of the complaint. The Member shall be temporarily replaced on  
21 the Committee in a like manner as his or her original  
22 appointment.

23 Within 30 days following the initiation of a preliminary  
24 investigation, the Committee shall vote to dismiss the complaint  
25 for lack of probable cause to support the alleged unethical  
26 conduct or violation or to proceed with a formal investigation  
27 because it finds that probable cause exists. If a majority of  
28 the Committee is unable to agree on either course of action, the  
29 Committee shall dismiss the complaint. The Committee shall  
30 promptly notify the subject in writing of the result.

1 If the Committee votes to proceed with a formal  
2 investigation, the Committee shall engage an independent counsel  
3 unless the Committee determines that the alleged unethical  
4 conduct or violation raised in the complaint does not warrant  
5 the expense of engaging an independent counsel. If the Committee  
6 does not engage an independent counsel, the Committee shall be  
7 represented in the investigation and any hearing conducted under  
8 this rule by Committee staff attorneys, including at least one  
9 from each party.

10 The Committee, including Committee staff attorneys, and any  
11 independent counsel engaged by the Committee shall have the  
12 power to conduct investigations and hearings under the  
13 guidelines set out in this rule. Where a provision of this rule  
14 conflicts with another Rule of the House, the provision of this  
15 rule shall govern. This rule shall be construed to empower the  
16 Committee and its independent counsel to do all of the  
17 following:

- 18 (1) act as a neutral fact-finder;
- 19 (2) protect due process and other constitutional rights  
20 of a subject;
- 21 (3) fully investigate and deter unethical conduct or  
22 violation of Rule 2.1 E; and
- 23 (4) protect the public trust.

24 The Chief Clerk shall pay the fees and expenses of an  
25 Independent Counsel engaged by the Committee under this rule.

26 The Committee may issue subpoenas for documents or testimony  
27 as part of a preliminary investigation, a formal investigation  
28 or in connection with a hearing before the Committee.

29 Notwithstanding the provision of any other Rule of the House,  
30 subpoenas issued under this rule shall be in the name of the

1 Committee, shall be signed by the chair of the Committee and  
2 shall be attested by another member of the Committee who voted  
3 in favor of authorizing the subpoena.

4 A subpoena issued by the Committee may be served upon any  
5 person and shall have the force and effect of a subpoena issued  
6 out of the courts of this Commonwealth. Subpoenas shall be  
7 served by the Sergeant-at-Arms of the House or another person  
8 designated by the Committee when directed to do so by the  
9 Committee. Each subpoena shall be addressed to the witness and  
10 shall state that such proceeding is before a Committee of the  
11 House for which the witness is required to attend and testify at  
12 a specified time and place; or to produce books, papers,  
13 records, accounts, reports, documents and data and information  
14 produced and stored by any electronic data processing system; or  
15 both, as the Committee may also require. Mileage and witness  
16 fees shall be paid by the House to such witness in an amount  
17 prescribed by law. Unless addressed to and served on the  
18 subject, a copy of a subpoena issued by the Committee shall be  
19 provided to the subject and the subject's counsel, if  
20 applicable. A person who willfully neglects or refuses to comply  
21 with a subpoena issued by the Committee shall be subject to the  
22 penalties provided by the laws of this Commonwealth with respect  
23 to such willful neglect or refusal. Notwithstanding the  
24 foregoing, a recipient of a subpoena issued by the Committee may  
25 object to the subpoena by serving notice of such objection on  
26 the signatory to the subpoena and the Committee. The Committee  
27 may quash or modify the subpoena if it finds the subpoena to be  
28 overly broad or without proper purpose. Each member of the  
29 Committee shall have the power to administer oaths and  
30 affirmations to witnesses appearing before the Committee.

1 All subpoenaed books, papers, records, accounts, reports,  
2 documents, data and information shall be returned to the person  
3 from whom such material was subpoenaed when the Committee has  
4 completed its examination of such material, but in no event  
5 later than the date of final disposition of the matter.

6 Following the completion of a formal investigation, the  
7 Committee shall conduct a hearing if:

8 (1) the independent counsel engaged by the Committee  
9 recommends that a hearing be conducted and the Committee  
10 votes to adopt the recommendation; or

11 (2) an independent counsel was not engaged by the  
12 Committee but the Committee finds that the testimony and  
13 documents reviewed by the Committee during the formal  
14 investigation indicates more likely than not that the  
15 unethical conduct or violation alleged in the complaint  
16 occurred.

17 If a hearing is to be conducted, the Committee shall provide  
18 the subject and the subject's counsel, if applicable, with  
19 written notice consistent with constitutional principles of due  
20 process. The Pennsylvania Rules of Evidence shall apply during  
21 the hearing, unless the Committee determines otherwise.

22 Notwithstanding the foregoing, the Committee may not infringe on  
23 the right of the subject to present evidence, cross-examine  
24 witnesses, face his or her accuser and be represented by counsel  
25 at a hearing conducted under this rule.

26 Witnesses called to appear at a hearing under this rule,  
27 including a subject, may be accompanied by his or her own  
28 counsel for the purpose of advising him or her concerning his or  
29 her constitutional rights. Counsel may interpose legal objection  
30 to any and all questions which in the opinion of counsel may

1 violate the constitutional rights of his or her clients.

2 The proceedings of a hearing conducted under this rule shall  
3 be either stenographically or electronically recorded. The  
4 Committee shall determine which parts of such recorded  
5 proceedings, if any, shall be transcribed.

6 The burden shall be on the independent counsel, if one has  
7 been engaged by the Committee, or the Committee staff attorneys,  
8 if an independent counsel has not been engaged, to prove, by  
9 clear and convincing evidence, that the unethical conduct or  
10 violation alleged in the complaint occurred. Within 30 days  
11 following the conclusion of the formal investigation and  
12 hearing, the Committee shall make a determination as to whether  
13 the burden was met and shall submit its finding to the House. If  
14 the Committee finds that the burden was met, the Committee may  
15 make one or more of the following recommendations to the House:

- 16 (1) a reprimand of the subject;
- 17 (2) a censure of the subject;
- 18 (3) expulsion of the subject from the House; or
- 19 (4) the denial or limitation of any right, power or  
20 privilege of the Member granted by Rules of the House and not  
21 contrary to the Pennsylvania Constitution.

22 The Committee shall provide a written report of its findings  
23 and recommendations, if any, to the subject and shall  
24 simultaneously submit a copy of the same to the House. Only  
25 findings and recommendations agreed to by a majority of the  
26 Committee shall be included in the report. The report may  
27 include a minority report. The House shall not take any action  
28 on the findings and recommendations submitted by the Committee  
29 and shall not make such findings and recommendations public  
30 until a period of at least seven days has passed following the

1 Committee's provision of the report to the subject.

2 The Committee may extend any of the time periods, other than  
3 those relating to the jurisdiction of the Committee, required  
4 for any actions of the Committee or others under this rule.

5 Investigations, hearings and meetings of the Committee  
6 relating to an investigation and the existence of such  
7 investigations, hearings, and meetings shall be confidential.  
8 All other meetings of the Committee shall be open to the public.

9 Notwithstanding the above, except for a hearing on complaints  
10 of a violation of Rule 2.1 E, the Committee shall conduct a  
11 hearing in public upon the written request of the subject unless  
12 the Committee determines that evidence or testimony to be  
13 received at the hearing may substantially defame, degrade, or  
14 incriminate a person other than the subject. In that event, the  
15 Committee shall receive such evidence or testimony in executive  
16 session. No evidence or testimony taken in executive session may  
17 be released to any person or authority or used in public  
18 sessions without the consent of the Committee.

19 The Committee may enter into a consent agreement with the  
20 subject at any point in the proceedings. The Committee may make  
21 an appropriate referral of a complaint to a law enforcement  
22 agency at any point in the proceedings.

23 The complaint, response and records of the Committee shall be  
24 confidential. Notwithstanding the foregoing:

25 (1) consent agreements and final findings by the  
26 Committee of unethical conduct and the Committee's  
27 recommendations with respect to such findings shall not be  
28 confidential; [and]

29 (1.1) consent agreements and final findings by the  
30 Committee of a violation of Rule 2.1 E shall not be

1 confidential, except that at the request of a complainant,  
2 the name of the complainant and, unless the House considers a  
3 resolution to discipline the subject, any facts that may lead  
4 to the identification of the complainant, including the name  
5 of the subject, shall be redacted before an agreement or  
6 final findings of the Committee are made public;

7 (2) the subject may, in his or her discretion, make  
8 public a finding by the Committee that no unethical conduct  
9 or violation of Rule 2.1 E had occurred or that there was  
10 insufficient evidence presented to the Committee that  
11 unethical conduct or a violation of Rule 2.1 E had  
12 occurred[.], except that the subject shall not make public  
13 the name of a complainant who filed a complaint alleging a  
14 violation of Rule 2.1 E; and

15 (3) if the Committee makes a referral of a complaint to  
16 a law enforcement agency, the Committee may provide the  
17 agency with copies of documents and information in its  
18 possession.

19 Any member of the Committee breaching the confidentiality  
20 provisions set forth in this rule shall be removed immediately  
21 from the Committee and replaced by another Member in a like  
22 manner as his or her original appointment.

23 A nondisclosure agreement shall not be imposed on an  
24 individual as a condition of the initiation of the procedures  
25 available under this rule for the filing and hearing of a  
26 complaint of a violation of Rule 2.1 E. Nothing in this  
27 paragraph shall be construed to prohibit the complainant and the  
28 subject from voluntarily entering into a settlement agreement  
29 with a nondisclosure provision agreed to by each party as part  
30 of the settlement of a complaint or proceeding. Notwithstanding

1 the foregoing, a Member who is the subject of a complaint of a  
2 violation of Rule 2.1 E filed with the Committee shall not  
3 benefit from a nondisclosure agreement or provision if a  
4 completed formal investigation of the Committee finds that the  
5 complaint is credible or a final decision by the Committee finds  
6 a violation.

7       The Committee may meet with a committee of the Senate to hold  
8 investigations or hearings involving complaints against  
9 employees of the two chambers jointly or officers or employees  
10 of the Legislative Reference Bureau, the Joint State Government  
11 Commission, the Local Government Commission, the Legislative  
12 Budget and Finance Committee, the Legislative Data Processing  
13 Committee or other legislative service agencies. No action may  
14 be taken at a joint meeting unless it is approved by the  
15 Committee. A member of the Committee who is the complainant, the  
16 subject or a witness to the unethical conduct or violation of  
17 Rule 2.1 E alleged in a complaint under this paragraph shall not  
18 participate in any joint proceedings under this paragraph. The  
19 Member shall be temporarily replaced on the Committee in a like  
20 manner as his or her original appointment.