

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 4

Session of
2021

INTRODUCED BY MUTH, JANUARY 5, 2021

REFERRED TO RULES AND EXECUTIVE NOMINATIONS, JANUARY 5, 2021

A RESOLUTION

1 Adopting the Rules of the Senate for the 205th and 206th Regular
2 Session.

3 RESOLVED, That the following be adopted as the Rules of the
4 Senate for the governing of the 205th and 206th Regular Session.
5 2021-2022

6 RULES OF THE SENATE OF PENNSYLVANIA

7 Rule 1. Sessions.

8 (a) Regular and special.--The General Assembly shall be a
9 continuing body during the term for which its Representatives
10 are elected. It shall meet at twelve o'clock noon on the first
11 Tuesday of January each year. Special sessions shall be called
12 by the Governor on petition of a majority of the Members elected
13 to each House or may be called by the Governor whenever in his
14 opinion the public interest requires.

15 (b) Weekly.--The Senate shall convene its weekly sessions on
16 Monday, unless the Senate shall otherwise direct.

17 Rule 2. President.

18 The Lieutenant Governor shall be President of the Senate.

1 Rule 3. Duties of the President.

2 The President shall:

3 (1) Take the chair on every legislative day at the hour
4 to which the Senate stands recessed, immediately call the
5 Senators to order, and proceed with the Order of Business of
6 the Senate.

7 (2) While in session have general direction of the
8 Senate Chamber. It shall be the President's duty to preserve
9 order and decorum, including ensuring all members and staff
10 with privilege of the floor are properly attired pursuant to
11 Senate Rule 10, and, in case of disturbance or disorderly
12 conduct in the Chamber or galleries, may cause the same to be
13 cleared. When in the President's opinion there arises a case
14 of extreme disturbance or emergency the President shall, with
15 the concurrence of the President Pro Tempore, the Majority
16 Leader and the Minority Leader, recess the Senate. Such
17 recess shall not extend beyond the limitation imposed by
18 Article II, section 14 of the Constitution.

19 (3) During debate, prevent personal references or
20 questions as to motive, and confine Senators, in debate, to
21 the question.

22 (4) Decide, when two or more Senators arise, who shall
23 be first to speak.

24 (5) In the presence of the Senate, within one
25 legislative day after receipt or adoption, sign all bills and
26 joint resolutions which have passed both Houses after their
27 titles have been read.

28 (6) Sign resolutions, orders, writs, warrants and
29 subpoenas issued by order of the Senate. The signature shall
30 be attested by the Secretary-Parliamentarian of the Senate,

1 or, if absent, by the Chief Clerk of the Senate; and the fact
2 of signing shall be entered in the Journal on the next
3 available session day.

4 (7) Decide all points of order, subject to appeal,
5 giving, however, any Member called to order the right to
6 extenuate or justify. Debate shall not be permitted unless
7 there be an appeal from a decision of the President in which
8 event the President shall submit the question to the whole
9 Senate for decision. The President shall submit points of
10 order involving the constitutionality of any matter to the
11 Senate for decision. Questions of order submitted to the
12 Senate may be debated.

13 Rule 4. President Pro Tempore.

14 (a) Election.--The Senate shall, at the beginning and close
15 of each regular session and at such other times as may be
16 necessary, elect one of its Members President Pro Tempore, who
17 shall perform the duties of the Lieutenant Governor in any case
18 of absence or disability of that officer, and whenever the
19 office of Lieutenant Governor shall be vacant.

20 (b) Voting.--The vote of a majority of the Members voting
21 shall be required to elect a President Pro Tempore. Except at
22 the beginning and close of each regular session, the Senate
23 shall only elect a President Pro Tempore when the office has
24 become vacant and the vote of the majority of the Members
25 elected shall be required to vacate the office of a seated
26 President Pro Tempore.

27 Rule 5. Duties of President Pro Tempore.

28 (a) Mandatory.--The President Pro Tempore shall:

29 (1) Appoint the Chair, Vice Chair and members of the
30 Standing Committees of the Senate as soon after the election

1 of the President Pro Tempore as possible. Upon the
2 resignation of the Chair of a standing committee, the
3 President Pro Tempore may designate an acting Chair.

4 (2) Appoint members to special committees whenever
5 authorized.

6 (3) Fill all vacancies occurring in standing and special
7 committees.

8 (4) Refer to the appropriate standing committee every
9 bill and joint resolution which may be introduced in the
10 Senate or received from the House of Representatives.

11 (5) Appoint and have under the President Pro Tempore's
12 direction such Senate employees as are authorized by law.

13 (6) Vote last on all questions when occupying the Chair.

14 (b) Discretionary.--The President Pro Tempore may name any
15 Senator to preside in the absence of the President, or if both
16 the President and President Pro Tempore are absent the Majority
17 Leader, or the Majority Leader's designee, shall preside. The
18 Majority Leader, during such time, shall be vested with all
19 powers of the President. This authority shall not extend beyond
20 a day's recess.

21 Rule 6. Duties of the Secretary-Parliamentarian.

22 (a) Election.--At the beginning of each regular session
23 convening in an odd-numbered year and at other times as may be
24 necessary, the Senate shall elect a Secretary-Parliamentarian of
25 the Senate.

26 (b) General duties.--The Secretary-Parliamentarian of the
27 Senate shall:

28 (1) Assist the presiding officer in conducting the
29 business of the session.

30 (2) Act in the capacity of Parliamentarian.

1 (c) Specific duties.--The Secretary-Parliamentarian of the
2 Senate shall, subject to the direction of the President Pro
3 Tempore:

4 (1) Direct the following functions:

5 (i) Amending bills in the Senate.

6 (ii) Preparing and publishing the Senate Calendar.

7 (iii) Publication of the Senate History.

8 (iv) Numbering Senate bills as they are introduced
9 and causing them to be distributed to the chair of the
10 committee to which they are referred and receiving a
11 receipt for the same.

12 (v) Printing of bills.

13 (vi) Maintain and update, as needed, the Legislative
14 Data Processing Senate Virtual Session Desk application
15 for use by members and staff.

16 (2) Keep a record of the Senate action on a bill on a
17 special record sheet attached to the bill after it has been
18 reported from committee.

19 (3) Keep a record of all leaves granted by the Senate by
20 compiling the leave requests submitted by a member and
21 transmitted to the Secretary-Parliamentarian by the
22 respective Floor Leaders. These records shall be retained
23 only for the duration of the two-year legislative session.
24 Further, these records shall be available for public
25 inspection upon request.

26 (4) Transmit all bills, joint resolutions, concurrent
27 resolutions and other communications to the House of
28 Representatives within one legislative day of final passage
29 or adoption, and each shall be accompanied by a message
30 stating the title to the measure being transmitted and

1 requesting concurrence of the House, as required.

2 (5) Attest all writs, warrants and subpoenas issued by
3 order of the Senate; certify as to the passage of Senate
4 Bills and the approval of executive nominations.

5 (6) Supervise the Senate Library, assist Senators by
6 making reference material available to them and perform any
7 duties assigned to the Senate Librarian by any statute.

8 (7) Supervise the Chief Sergeant-at-Arms, the Senate
9 Bill Room, the Senate Print Shop, the Official Reporter's
10 Office and the Senate Page Service.

11 (8) Post each roll call vote, including each roll call
12 vote taken on an amendment, taken in the Senate on the
13 Internet website maintained by the Senate immediately, but in
14 no case later than 24 hours after the vote. Each roll call
15 vote shall be posted in a manner which clearly identifies the
16 bill, resolution, amendment or other subject of the vote.

17 (9) Post the Legislative Journal of the Senate on the
18 Internet website maintained by the Senate upon approval of
19 the Journal or within 60 calendar days of each session day,
20 whichever is earlier. If the Secretary-Parliamentarian posts
21 the Legislative Journal on the Internet website prior to
22 Senate approval, the copy shall be marked "Official
23 Reporter's Document."

24 Rule 7. Duties of the Chief Clerk of the Senate.

25 (a) Election.--At the beginning of each regular session
26 convening in an odd-numbered year and, whenever necessary, the
27 Senate shall elect a Chief Clerk of the Senate.

28 (b) Duties.--The Chief Clerk shall be the chief fiscal
29 officer of the Senate and shall perform those duties prescribed
30 in section 2.4 of the act of January 10, 1968 (1967 P.L.925,

1 No.417), referred to as the Legislative Officers and Employes
2 Law. In addition, the Chief Clerk, subject to the direction of
3 the President Pro Tempore, shall perform those powers and duties
4 prescribed in the Financial Operating Rules of the Senate. In
5 the absence of the Secretary-Parliamentarian, the Chief Clerk
6 shall, subject to the direction of the President Pro Tempore,
7 attest all writs, warrants and subpoenas issued by order of the
8 Senate and shall certify as to the passage of Senate Bills and
9 the approval of executive nominations.

10 Rule 8. Duties of the Chief Sergeant-at-Arms.

11 The Chief Sergeant-at-Arms shall:

12 (1) Be constantly in attendance during the sessions of
13 the Senate except when absent in discharging other duties.

14 (2) Have charge of and direct the work of the assistant
15 sergeants-at-arms.

16 (3) Serve all subpoenas and warrants issued by the
17 Senate or any duly authorized officer or committee.

18 (4) Maintain order, at the direction of the presiding
19 officer, in the Senate Chamber and adjoining rooms.

20 (5) See that no person, except those authorized to do
21 so, disturbs or interferes with the desk, or its contents, of
22 any Senator or officer.

23 (6) Exclude from the Floor all persons not entitled to
24 the privilege of the same.

25 (7) Have charge of all entrances to the Chamber during
26 the sessions of the Senate and shall see that the doors are
27 properly attended.

28 (8) Announce, upon recognition by the presiding officer,
29 all important communications and committees.

30 (9) Escort the Senate to all Joint meetings with the

1 mace.

2 (10) Escort the Senate to attend funeral services of
3 members, former members of the Senate or other dignitaries
4 with the mace.

5 Rule 9. Order of Business.

6 (a) General rule.--The Order of Business to be observed in
7 taking up business shall be as follows:

8 First Call to Order.

9 Second Prayer by the Chaplain and
10 Pledge of Allegiance.

11 Third Reading of Communications.

12 Fourth Receiving reports of committees.

13 Fifth Asking of leaves of absence. No
14 Senator shall absent himself
15 without leave of the Senate,
16 first obtained, unless prevented
17 from attendance by sickness, or
18 other sufficient cause.

19 Sixth Approval of Journals of
20 preceding session days.

21 Seventh Offering of original
22 resolutions.

23 Eighth Introduction of Guests.

24 Ninth Consideration of the Calendar.

25 Any bill or resolution on the
26 Calendar not finally acted upon
27 within 10 legislative days shall
28 be removed from the Calendar and
29 laid on the table, unless the
30 Senate shall otherwise direct.

1 Tenth Consideration of Executive
2 Nominations.
3 Eleventh Unfinished Business. Reports of
4 Committees. Unanimous consent
5 resolutions.
6 Twelfth First consideration of bills
7 reported from committee, which,
8 at this time, shall not be
9 subject to amendment, debate or
10 a vote thereon.
11 Thirteenth Announcements by the Secretary-
12 Parliamentarian.
13 Fourteenth Introduction of Petitions and
14 Remonstrances.
15 Fifteenth Recess.

16 (b) Special order of business.--Any subject may, by a vote
17 of a majority of the Members present, be made a special order;
18 and when the time so fixed for its consideration arrives, the
19 presiding officer shall lay it before the Senate.

20 Rule 10. Order and decorum.

21 (a) Recognition.--Any Senator who desires to speak or
22 deliver any matter to the Senate shall rise and respectfully
23 address the presiding officer as "Mr. President" or "Madam
24 President," and on being recognized, may address the Senate at a
25 microphone located on the Floor of the Chamber.

26 (b) Avoiding personal references.--Any Senator addressing
27 the Senate shall confine remarks to the question under debate,
28 avoiding personal references or questions as to motive.

29 (c) Speaking out of order.--If any Senator transgresses the
30 Rules of the Senate, in speaking or otherwise, the presiding

1 officer may, or any Senator may through the presiding officer,
2 call that Senator to order.

3 (d) Speaking more than twice.--No Senator shall speak more
4 than twice on one question without leave of the Senate.

5 (e) Decorum.--When a Senator is speaking, no other person
6 shall pass between the Senator and the presiding officer.

7 (f) Order and privilege.--No Senator speaking shall be
8 interrupted except by a call to order, a question of privilege,
9 a question of order or a call for the previous question, without
10 the consent of the Senator speaking, and no Senator shall speak
11 on a question after it is put to a vote.

12 (g) Questions of order.--The presiding officer shall decide
13 all questions of order, subject to appeal by any member. No
14 debate shall be allowed on questions of order, unless there is
15 an appeal. A second point of order on the same general subject,
16 but not the same point, is not in order while an appeal is
17 pending, but when the first appeal is decided, laid on the table
18 or otherwise disposed of, the second point of order is in order
19 and is subject to appeal. While an appeal is pending, no other
20 business is in order. It is within the discretion of the
21 presiding officer as to whether to vacate the chair on an
22 appeal.

23 (h) Question when interrupted.--A question regularly before
24 the Senate can be interrupted only by a call for the previous
25 question, for amendment, postponement, to lay on the table,
26 commitment, recess or adjournment sine die.

27 (i) Use of tobacco products.--No tobacco products, including
28 cigarettes, cigars, pipes and chewing tobacco, shall be used in
29 the Senate Chamber or in Senate Committee Rooms.

30 (j) Cell phones.--In the Senate Chamber, cell phones and

1 similar portable communication devices shall be set to silent
2 mode.

3 (k) Proper attire.--Members and staff with privilege of the
4 floor during Senate sessions shall not dress in a manner
5 offensive to the decorum of the Senate but shall be dressed in
6 professional attire, including a coat, tie and trousers or
7 slacks for men, and appropriate dignified dress for women.

8 Rule 11. Motions.

9 (a) Putting a motion.--When a motion is made, it shall,
10 before debate, be stated by the presiding officer. Every motion
11 made to the Senate and entertained by the presiding officer
12 shall be entered in the Journal with the name of the Senator
13 making it. A motion may be withdrawn by the Senator making it
14 before amendment, postponement, an order to lay on the table or
15 decision.

16 (b) Precedence of motions.--Motions shall take precedence in
17 the following order:

- 18 (1) Adjourn sine die.
- 19 (2) Recess.
- 20 (3) Previous question.
- 21 (4) Recess temporarily within the same session day.
- 22 (5) Questions of privilege of the Senate.
- 23 (6) Orders of the day.
- 24 (7) Lay on the table.
- 25 (8) Limit, close or extend limit on debate.
- 26 (9) Postpone.
- 27 (10) Commit or recommit.
- 28 (11) Amend.
- 29 (12) Main motion.

30 (c) Non-debatable motions.--Non-debatable motions are:

- 1 (1) Adjourn sine die.
- 2 (2) Recess.
- 3 (3) Recess temporarily within the same session day.
- 4 (4) Previous question.
- 5 (5) Lay on the table.
- 6 (6) Orders of the day.
- 7 (7) Limit, close or extend limit on debate.

8 (d) Motions which permit limited debate.--

9 (1) On the motion to postpone, the question of
10 postponement is open to debate, but the main question is not.

11 (2) The motion to commit or recommit to committee is
12 debatable as to the propriety of the reference, but the main
13 question is not open to debate.

14 (3) The motion to amend is debatable on the amendments
15 only and does not open the main question to debate.

16 (e) Seconding motions.--All motions, except for the previous
17 question, which shall be seconded by not less than four
18 Senators, may be made without a second.

19 (f) Recessing and convening.--

20 (1) A motion to recess shall always be in order, except,
21 when on the call for the previous question, the main question
22 shall have been ordered to be now put, or when a Member has
23 the Floor, and shall be decided without debate.

24 (2) On a motion to recess, adopted and not having a
25 reconvening time, the Senate will meet the following day at
26 10:00 a.m.

27 (3) The Senate shall not convene earlier than 8:00 a.m.
28 unless the Senate adopts a motion that sets forth the need to
29 convene earlier than 8:00 a.m.

30 (4) The Senate shall not recess later than 11:00 p.m.

1 each session day unless the Senate adopts a motion that sets
2 forth the need to recess later than 11:00 p.m.

3 (g) Motion for previous question.--Pending the consideration
4 of any question before the Senate, a Senator may call for the
5 previous question, and if seconded by four Senators, the
6 President shall submit the question: "Shall the main question
7 now be put?" If two-thirds vote of the Senate is in favor of it,
8 the main question shall be ordered, the effect of which shall
9 cut off all further amendments and debate, and bring the Senate
10 to a direct vote first upon the pending amendments and motions,
11 if there be any, then upon the main proposition. The previous
12 question may be ordered on any pending amendment or motion
13 before the Senate.

14 (h) Motion to lay on table.--The motion to lay on the table
15 is not debatable, and the effect of the adoption of this motion
16 is to place on the table the pending question and everything
17 adhering to it. Questions laid on the table remain there for the
18 entire session unless taken up before the session closes.

19 (i) Motion to take from table.--A motion to take from the
20 table, a bill or other subject, is in order under the same order
21 of business in which the matter was tabled. It shall be decided
22 without debate or amendment.

23 (j) Reconsideration.--

24 (1) When a question has once been made and carried in
25 the affirmative or negative, it shall be in order to move the
26 reconsideration thereof. When the Senate has been equally
27 divided on a question, or a bill shall have failed to pass by
28 reason of not having received the number of votes required by
29 the Constitution, it shall be in order to move the
30 reconsideration thereof.

1 (2) Provided, however, that no motion for the
2 reconsideration of any vote shall be in order after a bill,
3 resolution, report, amendment or motion upon which the vote
4 was taken shall have gone out of the possession of the
5 Senate.

6 (3) Provided, further, that no motion for
7 reconsideration shall be in order unless made on the same day
8 on which the vote was taken, or within the next five days of
9 voting session of the Senate thereafter.

10 (4) A motion to reconsider the same question a third
11 time is not in order.

12 (5) When a bill, resolution, report, amendment, order,
13 or communication, upon which a vote has been taken, shall
14 have gone out of the possession of the Senate and been sent
15 to the House of Representatives or to the Governor, the
16 motion to reconsider shall not be in order until a resolution
17 has been passed to request the House or Governor to return
18 the same and the same shall have been returned to the
19 possession of the Senate.

20 Rule 12. Bills.

21 (a) Passage of bills.--

22 (1) No law shall be passed except by bill, and no bill
23 shall be so altered or amended, on its passage through either
24 House, as to change its original purpose.

25 (2) No alteration or amendment shall be considered which
26 is not appropriate and closely allied to the original purpose
27 of the bill. If a bill has been amended after being reported
28 by the Appropriations Committee and if the amendment may
29 require the expenditure of Commonwealth funds or funds of a
30 political subdivision or cause a loss of revenue to the

1 Commonwealth or a political subdivision, the Appropriations
2 Committee shall make a fiscal note reflecting the impact of
3 the amendment available to the Senators.

4 (b) Reference and printing.--No bill shall be considered
5 unless referred to a committee, printed for the use of the
6 members and returned therefrom.

7 (c) Form of bills.--No bill shall be passed containing more
8 than one subject, which shall be clearly expressed in its title,
9 except a general appropriation bill or a bill codifying or
10 compiling the law or a part thereof.

11 (d) Consideration of bills.--

12 (1) Every bill shall be considered on three different
13 days in each House. All amendments made thereto shall be
14 available pursuant to Rule 13(a)(2) for the use of the
15 members before the final vote is taken on the bill. Upon
16 written request addressed to the presiding officer of the
17 Senate by at least 25% of the Members elected to the Senate,
18 any bill shall be read at length in that House. No bill shall
19 become a law, unless on its final passage the vote is taken
20 by yeas and nays, the names of the persons voting for and
21 against it are entered on the Journal, and a majority of the
22 Members elected to each House is recorded thereon as voting
23 in its favor.

24 (2) Every bill that receives a majority of co-
25 sponsorship support from each of the Majority and Minority
26 party shall be reported out of standing committee, considered
27 on three separate days and receive a vote on final passage.

28 (3) Bills that originate in the House and are reported
29 unanimously to the Senate shall be reported out of standing
30 committee, be considered on three separate days and receive a

1 vote on final passage.

2 (e) Local and special bills.--No local or special bill shall
3 be passed unless notice of the intention to apply therefor shall
4 have been published in the locality where the matter or the
5 thing to be effected may be situated, which notice shall be at
6 least 30 days prior to the introduction into the General
7 Assembly of such bill and in the manner to be provided by law;
8 the evidence of such notice having been published shall be
9 exhibited in the General Assembly before such act shall be
10 passed.

11 (f) Revenue bills.--All bills for raising revenue shall
12 originate in the House of Representatives, but the Senate may
13 propose amendments as in other bills.

14 (g) Appropriation bills.--

15 (1) The general appropriation bill shall embrace nothing
16 but appropriations for the executive, legislative and
17 judicial departments of the Commonwealth, for the public debt
18 and for public schools. All other appropriations shall be
19 made by separate bills, each embracing but one subject.

20 (2) No appropriation shall be made for charitable,
21 educational or benevolent purposes to any person or community
22 nor to any denomination and sectarian institution,
23 corporation or association: Provided, That appropriations may
24 be made for pensions or gratuities for military service and
25 to blind persons 21 years of age and upwards and for
26 assistance to mothers having dependent children and to aged
27 persons without adequate means of support and in the form of
28 scholarship grants or loans for higher educational purposes
29 to residents of the Commonwealth enrolled in institutions of
30 higher learning, except that no scholarship, grants or loans

1 for higher educational purposes shall be given to persons
2 enrolled in a theological seminary or school of theology.

3 (h) Charitable and educational appropriations.--No
4 appropriation shall be made to any charitable or educational
5 institution not under the absolute control of the Commonwealth,
6 other than normal schools established by law for the
7 professional training of teachers for the public schools of the
8 State, except by a vote of two-thirds of all the members elected
9 to each House.

10 (i) Land transfer legislation.--

11 (1) No bills granting or conveying Commonwealth land or
12 taking title thereto shall be reported by any committee of
13 the Senate unless there has been filed with the Secretary-
14 Parliamentarian and the Chair of the Reporting Committee, a
15 memorandum from the Department of General Services indicating
16 the use to which the property is presently employed, the full
17 consideration for the transfer, if any, a departmental
18 appraisal of the property, including its valuation and a list
19 of recorded liens and encumbrances, if any, the use to which
20 the property will be employed upon its transfer, the date by
21 which the land is needed for its new use and the senatorial
22 district or districts in which the land is located. The
23 memorandum shall be filed within 60 days after a request is
24 made for same and contain a statement by a responsible person
25 in the Department of General Services indicating whether or
26 not the departments involved favor the transfer which is the
27 subject of the bill under consideration. The sponsor of the
28 bill or the Chair of the Reporting Committee may request the
29 memorandum from the Department of General Services.

30 (2) No amendment granting or conveying Commonwealth land

1 or taking title thereto shall be considered by the Senate
2 unless there has been filed with the Secretary-
3 Parliamentarian and the Chair of the committee reporting the
4 bill a memorandum from the Department of General Services
5 indicating the use to which the property is presently
6 employed, the full consideration for the transfer, if any, a
7 departmental appraisal of the property, including its
8 valuation and a list of recorded liens and encumbrances, if
9 any, the use to which the property will be employed upon its
10 transfer, the date by which the land is needed for its new
11 use, the senatorial district or districts in which the land
12 is located and a statement by a responsible person in the
13 Department of General Services indicating whether or not the
14 departments involved favor the transfer which is the subject
15 of the amendment under consideration. The memorandum shall be
16 filed within 60 days after a request is made. The sponsor of
17 the amendment or the Chair of the Reporting Committee may
18 request the memorandum from the Department of General
19 Services.

20 (3) If a memorandum is not filed within 60 days after a
21 request is made to the Department of General Services, the
22 Senate or any committees of the Senate may consider bills or
23 amendments granting or conveying Commonwealth land or taking
24 title thereto, notwithstanding paragraphs (1) and (2).

25 (j) Consideration during second regular session.--All bills,
26 joint resolutions, resolutions, concurrent resolutions or other
27 matters pending before the Senate upon the recess of a first
28 regular session convening in an odd-numbered year shall maintain
29 their status and be pending before a second regular session
30 convening in an even-numbered year but not beyond adjournment

1 sine die or November 30th of such year, whichever first occurs.

2 (k) Introduction.--All bills shall be introduced in
3 quadruplicate. A sponsor may be added after a bill has been
4 printed but the addition of sponsors shall not require that the
5 bill be reprinted. All bills shall be examined by the
6 Legislative Reference Bureau for correctness as to form and
7 shall be imprinted with the stamp of the Bureau before being
8 filed with the Secretary-Parliamentarian for introduction.

9 (l) Character of bills to be introduced.--No Member shall
10 introduce, nor shall any committee report any bill for the
11 action of the Senate, proposing to legislate upon any of the
12 subjects prohibited by Article III, section 32 of the
13 Constitution.

14 (m) Printing of amended bills.--

15 (1) All bills reported or re-reported from committee, if
16 amended by the committee, and all bills on the Calendar, if
17 amended by the Senate, shall be reprinted and a new printer's
18 number assigned thereto before any action is taken thereon.

19 (2) No bill or joint resolution re-reported from
20 committee as amended shall be voted upon on final passage
21 until at least six hours have elapsed from the time of the
22 committee report.

23 (n) First consideration.--Bills on first consideration shall
24 not be subject to amendment, debate or a vote thereon.

25 (o) Second consideration.--Bills on second consideration may
26 be subject to amendment, debate and a vote thereon.

27 (p) Third consideration and final passage.--

28 (1) The following apply:

29 (i) Bills on third consideration may be amended and
30 are subject to debate. Bills on final passage may not be

1 amended but are open to debate. The vote on final passage
2 shall be taken by a roll call. The names of the Senators
3 voting for and against shall be recorded, entered in the
4 Journal and posted on the Internet website maintained by
5 the Senate. No bill shall be declared passed unless a
6 majority of all Senators elected to the Senate shall be
7 recorded as voting for the same.

8 (ii) No bill which may require an expenditure of
9 Commonwealth funds or funds of any political subdivision
10 or cause a loss of revenue to the Commonwealth or any
11 political subdivision shall be given third consideration
12 on the Calendar until it has been referred to the
13 Appropriations Committee and a fiscal note attached
14 thereto.

15 (iii) In obtaining the information required by these
16 Rules, the Appropriations Committee may utilize the
17 services of the Budget Office and any other State agency
18 as may be necessary.

19 (iv) No bills appropriating money for charitable or
20 benevolent purposes shall be considered finally until
21 after the general appropriation bill shall have been
22 reported from committee.

23 (2) The following apply:

24 (i) It shall not be in order, by suspension of this
25 Rule or otherwise, to consider a bill on final passage
26 unless it is printed, together with amendments, if any,
27 and made available to the Senators.

28 (ii) No bill or joint resolution amended on third
29 consideration shall be voted on final passage until at
30 least six hours have elapsed from the time of adoption of

1 the amendment.

2 (q) Prefiling of bills, joint resolutions and resolutions.--
3 Any Senator or Senator-elect may file bills, joint resolutions
4 and resolutions with the Secretary-Parliamentarian of the Senate
5 commencing on December 15 of each even-numbered year. The
6 Secretary-Parliamentarian of the Senate shall number the bills,
7 joint resolutions and resolutions and shall have them available
8 for distribution. Upon the naming of the committees of the
9 Senate at the convening of a First Regular Session, the
10 President Pro Tempore shall refer all prefiled measures to the
11 proper committee within 14 calendar days.

12 (r) Normal filing of bills, joint resolutions and
13 resolutions.--Senators may introduce bills, joint resolutions
14 and resolutions by filing the same with the Secretary-
15 Parliamentarian of the Senate. The Secretary-Parliamentarian of
16 the Senate shall number the bills, joint resolutions and
17 resolutions and shall notify the President Pro Tempore of the
18 fact of such filing.

19 (s) Referral to committee by President Pro Tempore.--Every
20 bill, joint resolution and resolution introduced by a Senator or
21 received from the House of Representatives shall be referred by
22 the President Pro Tempore to the appropriate committee within 14
23 calendar days. Upon referral, the Secretary-Parliamentarian of
24 the Senate shall deliver the bills, joint resolutions and
25 resolutions to the committees to which they have been referred.
26 The Secretary-Parliamentarian of the Senate shall have the
27 bills, joint resolutions and resolutions available for
28 distribution.

29 (t) Senate Calendar.--Members of the Senate shall receive a
30 marked Senate Calendar no later than 12 hours in advance of the

1 start of the Senate session.

2 Rule 13. Amendments.

3 (a) When in order.--

4 (1) Amendments shall be in order when a bill is reported
5 or re-reported from committee, on second consideration, on
6 third consideration, and on concurrence from the House. No
7 amendments shall be received by the presiding officer or
8 considered by the Senate which destroys the general sense of
9 the original bill or is not appropriate and closely allied to
10 the original purpose of the bill. Any Member, upon request,
11 must be furnished a copy of a proposed amendment, this
12 includes being available on the Senate Virtual Session Desk
13 application, and be given a reasonable opportunity to
14 consider same before being required to vote thereon.

15 (2) Amendments offered on the Floor shall be read by the
16 Reading Clerk and stated by the presiding officer to the
17 Senate before being acted upon. Amendments shall be presented
18 with at least four typewritten copies obtained through the
19 Legislative Reference Bureau, which shall have the Sponsor
20 identified. No amendment may be considered by the Senate
21 until the Secretary-Parliamentarian of the Senate has posted
22 the amendment on the Internet website maintained by the
23 Senate. All amendments submitted to the Secretary-
24 Parliamentarian for consideration on the Floor shall receive
25 a roll call vote, unless the amendment sponsor indicates
26 otherwise. The names of Senators voting for or against all
27 amendments, either in Committee, second or third
28 consideration, or on concurrence from the House, shall be
29 recorded, entered in the Journal and posted on the Internet
30 website maintained by the Senate.

1 (3) Amendments to bills or other main motions or
2 questions before the Senate may be tabled. When an amendment
3 proposed to any bill or other main motion or question before
4 the Senate is laid on the table, it shall not carry with it
5 or prejudice the bill, main motion or question. A motion to
6 take an amendment from the table shall only be in order if
7 the bill or other main motion or question remains before the
8 Senate for decision. The motion to take an amendment from the
9 table is not debatable and shall have the same precedence as
10 the motion to amend.

11 (b) Amendments reconsidering; revert to prior print.--
12 Amendments adopted or defeated may not be again considered
13 without reconsidering the vote by which the amendments were
14 adopted or defeated, unless a majority vote of the Senators
15 present shall decide to revert to a prior printer's number. If
16 such a motion is made to a bill on third consideration and
17 carried it shall not be in order to vote on the final passage of
18 the bill until a copy of the reverted printer's number is made
19 available to the Senators, this includes being available on the
20 Senate Virtual Session Desk application.

21 (c) Concurrence in House amendments.--

22 (1) The following apply:

23 (i) No amendments to bills by the House shall be
24 concurred in by the Senate, except by the vote of a
25 majority of the Members elected to the Senate taken by
26 yeas and nays.

27 (ii) If a bill on concurrence contains an amendment
28 which may require the expenditure of Commonwealth funds
29 or funds of a political subdivision or cause a loss of
30 revenue to the Commonwealth or a political subdivision,

1 the bill shall be referred to the Appropriations
2 Committee and a fiscal note shall be attached thereto.
3 The bill may not be voted finally until a fiscal note
4 reflecting the impact of the amendment is made available
5 to the Senators, including being available on the Senate
6 Virtual Session Desk application.

7 (2) The following apply:

8 (i) Any bill or resolution containing House
9 amendments which is returned to the Senate shall be
10 referred to the Committee on Rules and Executive
11 Nominations immediately upon the reading of the
12 communication by the Reading Clerk, subject to subsection
13 (c)(1)(ii). The consideration of any bill or resolution
14 containing House amendments may include the amendment of
15 House amendments in the Committee on Rules and Executive
16 Nominations or prior to the vote on concurrence on the
17 Floor. The vote on concurring in amendments by the House
18 to bills or resolutions amended by the House shall not be
19 taken until the bills or resolutions have been favorably
20 reported, as committed or as amended, by the Committee on
21 Rules and Executive Nominations and have been placed on
22 the desks of the Senators, this includes being available
23 on the Senate Virtual Session Desk application, and
24 particularly referred to on their calendars.

25 (ii) Unless the Majority Leader and the Minority
26 Leader shall agree otherwise, the offering of an
27 amendment to House amendments in the Committee on Rules
28 and Executive Nominations shall not be in order until at
29 least one hour after the filing of a copy of the
30 amendment as prepared by the Legislative Reference Bureau

1 with the office of the Secretary-Parliamentarian. Upon
2 the filing of such an amendment, the Secretary-
3 Parliamentarian shall immediately time stamp the
4 amendment and forward a time-stamped copy of the
5 amendment to the offices of the Majority Leader and the
6 Minority Leader. Except as provided in this subsection,
7 it shall not be in order to suspend or otherwise waive
8 the requirements of this subsection.

9 Rule 14. Committees.

10 (a) Standing committees.--

11 (1) There shall be the following permanent standing
12 committees, the Chair, the Vice Chair and members thereof to
13 be appointed by the President Pro Tempore as soon as possible
14 after the election of the President Pro Tempore in sessions
15 convening in odd-numbered years or such other times as may be
16 equally divided between the Majority caucus, including
17 members who caucus with the Majority caucus, the Minority
18 caucus, including members who caucus with the Minority
19 caucus, composition of the Senate membership.

20 Aging and Youth - 10 members

21 Agriculture and Rural Affairs - 10 members

22 Appropriations - 22 members

23 Banking and Insurance - 14 members

24 Communications and Technology - 10 members

25 Community, Economic and Recreational Development - 14
26 members

27 Consumer Protection and Professional Licensure - 14
28 members

29 Education - 10 members

30 Environmental Resources and Energy -- 10 members

1 Finance -- 10 members
2 Game and Fisheries -- 10 members
3 Health and Human Services -- 10 members
4 Intergovernmental Operations -- 10 members
5 Judiciary - 13 members
6 Labor and Industry -- 10 members
7 Law and Justice -- 10 members
8 Local Government -- 10 members
9 Rules and Executive Nominations - 16 members
10 State Government -- 10 members
11 Transportation - 14 members
12 Urban Affairs and Housing -- 10 members
13 Veterans' Affairs and Emergency Preparedness -- 10
14 members

15 (2) Subcommittees. Each standing committee or the chair
16 thereof may appoint, from time to time, a subcommittee to
17 study or investigate a matter falling within the jurisdiction
18 of the standing committee or to consider a bill or resolution
19 referred to it. A subcommittee may hold public hearings only
20 with the prior permission of its standing committee.

21 Subcommittees shall be regulated by the Senate Rules of
22 Procedure and shall be in existence for only that time
23 necessary to complete their assignments and report to their
24 standing committees.

25 (b) Members-ex-officio.--

26 (1) The President Pro Tempore shall be an ex-officio
27 voting member of all standing committees and any
28 subcommittees that may be established and shall not be
29 included in the number of committee members herein provided.
30 However, the President Pro Tempore shall not be an ex-officio

1 Member of the Committee on Ethics and Official Conduct.

2 (2) The Majority Leader and the Minority Leader shall
3 each be an ex-officio member of the Committee on
4 Appropriations and shall not be included in the number of
5 members of the committee provided herein.

6 (3) The Majority Leader shall serve as Chair of the
7 Committee on Rules and Executive Nominations and the Minority
8 Leader shall serve as the Minority Chair.

9 (c) Committees' function between sessions.--Standing
10 committees shall exist and function both during and between
11 sessions. Such power shall not extend beyond November 30th of
12 any even-numbered year.

13 (d) Powers and responsibilities.--Standing committees are
14 authorized:

15 (1) To maintain a continuous review of the work of the
16 Commonwealth agencies concerned with their subject areas and
17 the performance of the functions of government within each
18 such subject area, and for this purpose to request reports
19 from time to time, in such form as the standing committee
20 shall designate, concerning the operation of any Commonwealth
21 agency and presenting any proposal or recommendation such
22 agency may have with regard to existing laws or proposed
23 legislation in its subject area. The standing committee is
24 authorized to require public officials and employees and
25 private individuals to appear before the standing committee
26 for the purpose of submitting information to it.

27 (2) In order to carry out its duties, each standing
28 committee is empowered with the right and authority to
29 inspect and investigate the books, records, papers,
30 documents, data, operation and physical plant of any public

1 agency in this Commonwealth.

2 (3) In order to carry out its duties, each standing
3 committee may issue subpoenas, subpoenas duces tecum and
4 other necessary process to compel the attendance of witnesses
5 and the production of any books, letters or other documentary
6 evidence desired by the committee. The chair may administer
7 oaths and affirmations in the manner prescribed by law to
8 witnesses who shall appear before the committee to testify.

9 (4) Each bill or resolution referred to a standing
10 committee shall be considered by the standing committee upon
11 its merits, and acted upon by the committee at a scheduled
12 meeting.

13 (e) Notice of meetings.--

14 (1) The following apply:

15 (i) The Chair of a committee or, in the absence of
16 the Chair, the Vice Chair, with the approval of the
17 Chair, shall provide each member of the committee with
18 written notice of committee meetings, which shall include
19 the date, time and location of the meeting and the number
20 of each bill, resolution or other matter which may be
21 considered. The Chair shall give due notice of a standing
22 committee meeting or hearing not later than 72 hours
23 before the date and time the standing committee meeting
24 or hearing is to be scheduled. Committee members shall
25 give due notice of amendments to be offered not later
26 than 24 hours before the scheduled standing committee
27 meeting. During session, notice of meetings of standing
28 committees shall be published daily. Notice shall be
29 delivered by the Chair to the Secretary-Parliamentarian's
30 office on a form prescribed by the Secretary-

1 Parliamentarian of the Senate by the end of the session
2 on the day preceding its intended publication.

3 (ii) The prime sponsor of a bill or resolution may
4 request that the Chair of a standing committee hold a
5 hearing on a bill or resolution introduced and referred
6 to the standing committee. The Chair shall hold a public
7 hearing within 10 legislative days of receiving a request
8 from the prime sponsor of the bill or resolution. All
9 hearings on bills or resolutions shall be subject to the
10 requirements of 65 Pa.C.S. Ch. 7 (relating to open
11 meetings) and shall provide reasonable opportunity for
12 public comment or testimony at the hearing. Within 10
13 legislative days of the hearing the Chair shall hold a
14 committee meeting to consider the bill or resolution.

15 (iii) Whenever the Chair of any standing committee
16 shall refuse to call a hearing on a resolution or bill,
17 the Minority Chair of the standing committee may call a
18 hearing by providing written notice to members of the
19 standing committee and to the Secretary-Parliamentarian
20 of the Senate, setting the time and place of such
21 hearing, not later than 72 hours before the hearing is to
22 be scheduled. Such notice shall be read in the Senate and
23 the same posted by the Secretary-Parliamentarian in the
24 Senate. Thereafter, the hearing shall be held at the time
25 and place specified in the notice. In addition, any such
26 hearing shall comply with all provisions of 65 Pa.C.S.
27 Ch. 7.

28 (2) A committee meeting, or hearing for which notice has
29 not been published as provided in paragraph (1), may be held
30 during a session only if approval is granted by a two-thirds

1 vote of the standing committee and if notice of the bills to
2 be considered is given during session.

3 (f) Bills recommitted.--Any bill or resolution reported by
4 any standing committee without prior notice having been given as
5 required by these Rules shall be recommitted to the committee
6 reporting the same.

7 (g) Public meetings or hearings.--

8 (1) The following apply:

9 (i) The Chair of a standing committee may hold
10 hearings open to the public and in doing so shall make a
11 public announcement in writing prior to the date of the
12 hearing of the date, time, location and subject matter of
13 the hearing.

14 (ii) The Chair of a standing committee shall have
15 the power to designate whether or not a meeting of the
16 committee for the purpose of transacting committee
17 business shall be open to the public or shall be held in
18 executive session and therefore closed to the public, but
19 no matters may be considered in executive session for
20 which an open meeting is required under 65 Pa.C.S. Ch. 7
21 [(relating to open meetings)].

22 (2) All standing committees may have their hearings
23 reported and transcribed if payment for such service is being
24 made from committee funds. If payment is expected to be made
25 from a source other than committee funds, approval must be
26 first obtained from the President Pro Tempore.

27 (h) Quorum of committee.--A committee is actually assembled
28 only when a quorum constituting a majority of the members of
29 that committee is present in person. A majority of the quorum of
30 the whole committee shall be required to report any bill,

1 resolution or other matter to the Floor for action by the whole
2 Senate.

3 (i) Quorum of subcommittee.--A subcommittee is actually
4 assembled only when a quorum constituting a majority of the
5 members of that subcommittee is present in person. A majority of
6 the quorum of the whole subcommittee shall be required to report
7 any bill, resolution or other matter to the committee.

8 (j) Discharging committees.--

9 (1) No standing committee shall be discharged from
10 consideration of any bill, resolution or other matter within
11 10 legislative days of its reference to committee without the
12 unanimous consent of the Senate or after such 10-day period
13 except by majority vote of all members elected to the Senate.

14 (2) Such discharge shall be by resolution which shall
15 lie over one day for consideration upon introduction and
16 which may be considered under the Order of Business of
17 Resolutions on the Calendar.

18 Rule 15. Committee officers.

19 (a) Chair-ex-officio.--The Chair and Minority Chair of each
20 standing committee shall be ex-officio members of each
21 subcommittee that may be established as part of the standing
22 committee, with the right to attend meetings of the subcommittee
23 and vote on any matter before the subcommittee.

24 (b) Calling committee to order.--The Chair or, if authorized
25 by the Chair, the Vice Chair, shall call the committee to order
26 at the hour provided by these Rules. Upon the appearance of a
27 quorum, the committee shall proceed with the order of business.
28 Any member of the committee may question the existence of a
29 quorum.

30 (c) Chair control of the committee room.--The Chair or, if

1 authorized by the Chair, the Vice Chair, shall preserve order
2 and decorum and shall have general control of the committee
3 room. In case of a disturbance or disorderly conduct in the
4 committee room, the Chair or, if authorized by the Chair, the
5 Vice Chair, may cause the same to be cleared. The use of cell
6 phones and similar portable communication devices within any
7 Senate committee room by other than members of the Senate or
8 their staffs is strictly prohibited.

9 (d) Chair's authority to sign documents and decide questions
10 of order.--The Chair shall sign all notices, vouchers, subpoenas
11 or reports required or permitted by these Rules. The Chair shall
12 decide all questions of order relative to parliamentary
13 procedure, subject to an appeal by any member of the committee.

14 (e) Vote of Chair, Vice Chair.--The Chair and Vice Chair
15 shall vote on all matters before such committee; Provided, That
16 the name of the Chair shall be called last.

17 (f) Performance of duties by Vice Chair.--Upon the death of
18 the Chair, the Vice Chair shall perform the duties of the office
19 until and unless the President Pro Tempore shall appoint a
20 successor or designate an acting Chair. Upon and during
21 disability, or incapacity of the Chair, the Vice Chair shall
22 perform the Chair's duties.

23 (g) Chair's duty to report.--The Chair shall report any bill
24 to the Floor of the Senate not later than the next occurring
25 legislative day after the committee's vote to report it.

26 (h) Amendments.--Upon reporting the bill from committee, the
27 Chair shall submit all amendments adopted in committee to the
28 Secretary-Parliamentarian of the Senate for posting on the
29 Internet website maintained by the Senate.

30 Rule 16. Committee members.

1 Members, attendance and voting shall be as follows:

2 (1) Every member of a committee shall be in attendance
3 during each of its meetings, unless excused or necessarily
4 prevented, and shall vote on each question, except that a
5 member desiring to be excused from voting in committee due to
6 a direct, personal, private or pecuniary interest shall seek
7 a ruling from the Chair pursuant to Rule 20(c).

8 (2) The Chair may excuse any Senator for just cause from
9 attendance during the meetings of the committee for any
10 stated period.

11 (3) Any member of a committee who is otherwise engaged
12 in legislative duties may have the member's vote recorded on
13 bills, resolutions or other matters pending before the
14 committee by communicating in writing to the Chair the
15 inability to attend and the manner in which the member
16 desires to be voted on bills, resolutions or other matters
17 pending before the committee.

18 Rule 17. Committee voting.

19 Taking the vote shall be as follows:

20 (1) The Chair shall announce the results of all votes to
21 report a bill or resolution or a vote regarding an executive
22 nomination. All votes shall be open to the public and shall
23 be posted on the Internet website maintained by the Senate
24 within 24 hours.

25 (2) In all cases where the committee vote shall be
26 equally divided, the question falls.

27 Rule 18. Motions in committees.

28 All motions made in committee shall be governed and take the
29 same precedence as those set forth in these Rules.

30 Rule 19. Conference Committees.

1 (a) Composition.--The President Pro Tempore shall appoint
2 three Senators to comprise a Committee of Conference. Two shall
3 be from the Majority Party and one from the Minority Party.

4 (b) Deliberations.--The deliberations of the committee shall
5 be confined to the subject of difference between the two Houses,
6 unless both Houses shall direct a free conference.

7 (c) Report of Conference Committee.--

8 (1) The report of a Committee of Conference shall be
9 prepared in triplicate by the Legislative Reference Bureau
10 and shall be signed by the members or a majority of the
11 members of each committee comprising the Committee of
12 Conference. Every report of a Committee of Conference shall
13 be printed together with the bill as amended by the
14 committee, shall be made available to the Senators and shall
15 be particularly referred to on their calendars before action
16 shall be taken on such report. No report of a Committee of
17 Conference may be adopted by the Senate until at least six
18 hours have elapsed from the time of adoption of the report by
19 the Committee of Conference.

20 (2) A report of a Committee of Conference which requires
21 the expenditure of Commonwealth funds or funds of a political
22 subdivision or causes a loss of revenue to the Commonwealth
23 or a political subdivision shall have a fiscal note attached
24 before the report is finally adopted by the Senate.

25 (d) Adoption of Conference Committee report.--Reports of
26 committees of conference shall be adopted only by the vote of a
27 majority of the members elected to the Senate, taken by yeas and
28 nays.

29 Rule 20. Voting.

30 (a) Senators must be present.--Every Senator shall be

1 present within the Senate Chamber during the sessions of the
2 Senate and shall be recorded as voting on each question stated
3 from the Chair which requires a roll call vote unless the
4 Senator is on leave, is duly excused or is unavoidably prevented
5 from attending session. The refusal of any Senator to vote as
6 provided by this Rule shall be deemed a contempt of the Senate.

7 (b) Voting required.--Except as may be otherwise provided by
8 this Rule, no Senator shall be permitted to vote on any question
9 unless the Senator is present in the Senate Chamber at the time
10 the roll is being called, or prior to the announcement of the
11 vote, unless the following applies:

12 (1) Capitol leave.--A Senator who is performing a
13 legislative duty in the Harrisburg area, which is defined in
14 the Financial Operating Rules of the Senate as within Dauphin
15 County or otherwise within a 10 mile radius of the Capitol,
16 may, upon request during session, be granted a Capitol Leave
17 by the Senate and may be voted by the Senator's respective
18 Floor Leader. A specific reason for the Capitol Leave must be
19 given in writing by the Senator. The Capitol Leave request
20 shall be communicated to the Senator's respective Whip for
21 transmission to the respective Floor Leader prior to the
22 beginning of a roll call vote. All written Capitol Leave
23 requests shall be transmitted by the respective Floor Leaders
24 to the Secretary-Parliamentarian of the Senate for retention
25 in accordance with Rule 6(c)(3) within 24 hours of the
26 conclusion of the legislative day in which leave was
27 requested.

28 (2) Legislative leave.--A Senator who is performing a
29 legislative duty outside of the Harrisburg area may, upon
30 request during session, be granted a Legislative Leave by the

1 Senate and may be voted by the Senator's respective Floor
2 Leader. A specific reason for the Legislative Leave must be
3 given in writing by the Senator. The Legislative Leave
4 request shall be communicated to the Senator's respective
5 Whip for transmission to the respective Floor Leader prior to
6 the beginning of a roll call vote. All written Legislative
7 Leave requests shall be transmitted by the respective Floor
8 Leaders to the Secretary-Parliamentarian of the Senate for
9 retention in accordance with Rule 6(c)(3) within 24 hours of
10 the conclusion of the legislative day in which leave was
11 requested.

12 (3) Military leave.--A Senator who is on active duty or
13 in training with a reserve component of the armed forces of
14 the United States or the Pennsylvania National Guard or Air
15 National Guard may be granted a military leave. A Senator
16 requesting military leave shall submit a leave request to the
17 Senator's respective Floor Leader who shall transmit the
18 request to the Secretary-Parliamentarian of the Senate on
19 behalf of the Senator requesting leave within 24 hours of the
20 conclusion of the legislative day in which leave was
21 requested.

22 (4) Personal leave.--A Senator who is absent for any
23 purpose other than those set forth in these Rules may be
24 granted a personal leave. A Senator on personal leave shall
25 not be voted on any question before the Senate or on any
26 question before any committee of the Senate. A Senator
27 requesting personal leave shall submit a leave request to the
28 Senator's respective Floor Leader who shall transmit the
29 request to the Secretary-Parliamentarian of the Senate on
30 behalf of the Senator requesting leave within 24 hours of the

1 conclusion of the legislative day in which leave was
2 requested.

3 (c) Excused from voting.--

4 (1) A Senator desiring to be excused from voting due to
5 a direct, personal, private or pecuniary interest in any
6 question or bill proposed or pending before the Senate shall
7 seek a ruling from the presiding officer.

8 (2) Senators who seek a ruling on whether they have a
9 direct, personal, private or pecuniary interest in any
10 question or bill proposed or pending before the Senate shall,
11 after the Senator is recognized by the presiding officer,
12 make a brief statement of the reasons for making the request
13 and ask the presiding officer to decide whether or not the
14 Senator must vote. The question shall be decided by the
15 presiding officer without debate.

16 (d) Changing vote.--No Senator may vote or change a vote
17 after the result is announced by the Chair. Before the
18 announcement of the final result, however, a Senator may change
19 a vote, or may vote, if previously absent from the Chamber.
20 Should a Senator be erroneously recorded on any vote, the
21 Senator may at any time, with the permission of the Senate, make
22 a statement to that effect which shall be entered in the
23 Journal. Similarly, should the Senator be absent when a vote is
24 taken on any question, the Senator may later, with the
25 permission of the Senate, make a statement for entry upon the
26 Journal, indicating how the Senator would have voted had the
27 Senator been present when the roll was taken and the reasons
28 therefor shall be submitted in writing or delivered orally not
29 to exceed five minutes.

30 (e) Persons allowed at desk during roll call.--No Senator or

1 other person, except the Majority or Minority Leader or other
2 persons designated by them, shall be permitted at the Reading
3 Clerk's desk during the recording, counting or verification of a
4 roll call vote.

5 (f) Two-thirds vote.--When bills or other matters which
6 require a two-thirds vote are under consideration, the
7 concurrence of two-thirds of all the Senators elected shall not
8 be requisite to decide any question or amendment short of the
9 final question and, on any question short of the final one, a
10 majority of Senators voting shall be sufficient to pass the
11 same.

12 (g) Majority vote defined.--A majority of the Senators
13 elected shall mean a majority of the Senators elected, living,
14 sworn and seated.

15 (h) Majority vote.--When bills or other matters which
16 require a vote of the majority of Senators elected are under
17 consideration, the concurrence of a majority of all the Senators
18 elected shall not be requisite to decide any question or
19 amendment short of the final question; and, on any question
20 short of a final one, a majority of Senators voting shall be
21 sufficient to pass the same.

22 (i) Announcement of vote.--Upon completion of a roll call
23 vote or a voice vote, the result shall be announced immediately
24 unless the Majority or Minority Leader requests a delay.

25 (j) Explanation of vote.--Any Senator may, with the consent
26 of the Senate, make an explanation of a vote on any question and
27 have the explanation printed in the Journal.

28 (k) Tie vote.--In the case of a tie vote, the President of
29 the Senate may cast a vote to break the tie as long as, by doing
30 so, it does not violate any provisions of the Constitution of

1 Pennsylvania. In the event that there is a tie vote on a
2 question requiring a constitutional majority, the question
3 falls.

4 (l) Verifying vote.--Any Senator may demand a verification
5 of a vote immediately upon the completion of a roll call or
6 after the announcement of the vote by the presiding officer. In
7 verifying a vote, the Clerk shall first read the affirmative
8 roll at which time any additions or corrections shall be made.
9 Upon the completion and verification of the affirmative roll
10 call, the Clerk shall proceed with the reading of the negative
11 roll at which time any additions or corrections shall be made.
12 Upon the completion and verification of the negative roll call,
13 the roll call shall be declared verified. It shall not be in
14 order for a Senator to change a vote after the verified roll
15 call is announced. A demand for a verification shall not be in
16 order when all Senators vote one way. The demand for a
17 verification of a vote is not debatable.

18 (m) Voice vote.--Unless otherwise ordered, demanded or
19 required, a voice vote may be taken. Any Senator who doubts the
20 accuracy of a voice vote may demand a roll call vote. Such
21 request must be made immediately upon the announcement of the
22 vote by the presiding officer and shall not be in order after
23 other business has intervened. The demand for a verification of
24 a voice vote shall not be in order.

25 Rule 21. Correspondents.

26 (a) Admission to Senate Press Gallery.--Admission to the
27 Senate Press Gallery shall be limited to members in good
28 standing of the Pennsylvania Legislative Correspondents'
29 Association and to other members of the press as determined by
30 the President Pro Tempore. Seating shall be available on a

1 first-come basis.

2 (b) Photographs in Senate Chamber.--

3 (1) Photographers may be authorized by the President Pro
4 Tempore to take still photographs in the Senate.

5 (2) No still photographs shall be taken in the Senate
6 during sessions without prior notice to the Senators. When
7 possible, such notice shall be given at the beginning of the
8 session during which the still photographs are scheduled to
9 be taken.

10 (c) Order and decorum of press.--

11 (1) Persons seated in the Senate Press Gallery shall be
12 dressed appropriately and shall, at all times, refrain from
13 loud talking or causing any disturbance which tends to
14 interrupt the proceedings of the Senate.

15 (2) Persons seated in the Senate Press Gallery shall not
16 walk onto the Floor of the Senate nor approach the rostrum or
17 the Reading Clerk's desk during session or while being at
18 ease.

19 Rule 22. Radio and television.

20 (a) Filming, videotaping, televising and broadcasting.--
21 Filming, videotaping, televising or broadcasting of Senate
22 sessions shall be permitted as provided in these Rules.

23 (b) Broadcasting session.--Nothing in this Rule shall be
24 construed to prohibit any licensed radio station or television
25 station from broadcasting a session from the Senate or any part
26 thereof; Provided, That the signal originates from the Senate-
27 operated audio-visual system which transmits Senate session
28 activity to the offices in the Main Capitol and environs.

29 Rule 23. Video feed and audio feed.

30 (a) Responsibilities of the Chief Clerk of the Senate.--

1 (1) The Chief Clerk, in consultation with the Secretary-
2 Parliamentarian of the Senate, shall provide a video feed and
3 audio feed of Senate Floor activity.

4 (2) The Chief Clerk shall be responsible for the
5 acquisition, installation and maintenance of equipment
6 required to provide the video feed and audio feed, and for
7 the continued development and operation of the feeds,
8 including the hiring of the necessary personnel.

9 (3) All equipment required to produce the video feed and
10 audio feed shall be operated by Senate personnel. Nothing in
11 any contract entered into by the Office of the Chief Clerk
12 regarding installation or maintenance of equipment shall
13 permit any control over the video cameras and microphones in
14 the Senate Chamber to be exercised by anyone but the
15 appropriate Senate officers and employees.

16 (b) Sessions provided free of charge.--

17 (1) Continuous broadcast of Senate sessions shall be
18 provided free of charge to any licensed television station,
19 radio station or cable television outlet and shall further be
20 available through the Senate's Internet website.

21 (2) The Senate Committee on Management Operations may
22 authorize providing the video feed and audio feed free of
23 charge to other entities.

24 (c) Funding.--Funding for the implementation and operation
25 of the broadcasting system shall be provided through Senate
26 appropriations as designated by the President Pro Tempore.

27 (d) Scope of video and audio feeds.--

28 (1) The video feed and audio feed shall provide a
29 complete, unedited record of what is said on the Floor of the
30 Senate and shall be free from commentary.

1 (2) During roll call votes and other votes, the video
2 cameras shall be focused on the Senate floor until the
3 announcement of the vote tabulation by the presiding officer.

4 (3) During recesses of the Senate or when the Senate is
5 at ease, the video feed and audio feed shall be turned off.

6 (4) During guest introductions, video feed of guests
7 seated in the Senate Gallery or on the floor of the Senate is
8 permissible.

9 (e) Restrictions on video and audio feeds.--

10 (1) The video feed and audio feed, and any television or
11 radio coverage thereof, shall not be made available or used
12 for political or campaign purposes, whether in paid political
13 advertisements or otherwise. Use of the video feed and audio
14 feed shall be subject to all Federal and State laws relating
15 to elections and campaign practices.

16 (2) The video feed and audio feed, and any television or
17 radio coverage thereof, shall not be used in any commercial
18 advertisement.

19 (3) Any live coverage of the Senate shall be without and
20 presented without any commercial sponsorship, except when it
21 is part of a bona fide news program or public affairs
22 program.

23 (4) The President Pro Tempore or any other presiding
24 officer shall be prohibited from ordering that any segment of
25 a Floor session not be broadcast or recorded.

26 (5) Except as provided in this paragraph, the President
27 Pro Tempore, any other presiding officer and any Senator,
28 officer or employee of the Senate shall be prohibited from
29 editing any portion of the video feed and audio feed
30 described in this Rule. A Senator may post a video clip or

1 audio clip of Senate session on an Internet website or
2 provide a video clip or audio clip of Senate session for any
3 television broadcast as long as the video clip or audio clip
4 exclusively features the Senator who is posting or providing
5 the video clip or audio clip.

6 (f) Other recording prohibited.--

7 (1) Except as provided in this Rule, any recording,
8 filming, videotaping, broadcasting or distribution of any
9 session of the Senate, or any part thereof, in any form
10 whatsoever is prohibited.

11 (2) Nothing in this Rule shall be construed to prohibit
12 any licensed radio or television station or other licensed
13 entity from broadcasting a session from the Senate or any
14 part thereof; Provided, That the signal originates from the
15 Senate-operated sound and video system which transmits Senate
16 session activity to the offices in the Main Capitol and
17 environs.

18 (g) Violations.--Any violation of this Rule shall be dealt
19 with as directed by the Committee on Rules and Executive
20 Nominations.

21 (h) Official record.--The video feed and audio feed provided
22 by the Senate shall not constitute an official record of Senate
23 actions. The official record of Senate actions shall be
24 contained in the Journals prepared by the Secretary-
25 Parliamentarian of the Senate and approved by the Senate.
26 Rule 24. Who privileged to the Floor of the Senate.

27 (a) Admission during session.--With the exception of the
28 Senate Gallery and Senate Press Gallery, no person shall be
29 admitted within the Senate Chamber during Senate sessions,
30 unless invited by the President Pro Tempore or the Majority

1 Leader or Minority Leader. Prior to the start of each Senate
2 session day, the Majority Leader and the Minority Leader shall
3 provide notice to the President Pro Tempore listing the guests
4 they have invited to the Floor of the Senate. During session,
5 authorized staff with access to the Senate Chamber shall be
6 limited and shall be restricted to the area immediately adjacent
7 to the Majority Leader's and Minority Leader's desks. Advice to
8 Senators during debate shall be allowed only when the Senator is
9 using the microphones at the Majority Leader's and Minority
10 Leader's desks.

11 (b) Rear entrance closed during session.--No person shall,
12 during a session, be permitted to enter through the front or
13 rear door of the Senate Chamber nor be present in the rooms
14 immediately to the rear of the Senate Chamber except for
15 Senators, officers and employees expressly authorized.

16 (c) Telephone facilities.--No person other than Senators,
17 Senate Officers or their staff shall, at any time, be permitted
18 to use the telephone facilities in or adjacent to the Senate
19 Chamber.

20 Rule 25. Rules.

21 (a) Force and effect.--These Rules shall be in full force
22 and effect until altered, changed, amended or repealed as
23 provided in subsection (d).

24 (b) Dispensing with Rules.--The consent of two-thirds vote
25 of the Senators elected shall be necessary to suspend any Rule.

26 (c) Voting for altering, changing or amending Rules.--The
27 consent of a majority of the Senators elected shall be necessary
28 to alter, change or amend these Rules.

29 (d) Alteration, change or amendment of Rules by
30 resolution.--All alterations, changes or amendments to Senate

1 Rules shall be by resolution which shall not be considered
2 unless first referred to and reported from the Rules and
3 Executive Nominations Committee.

4 Rule 26. Mason's Manual of Legislative Procedure to govern
5 Senate.

6 The Rules of Parliamentary Practice comprised in Mason's
7 Manual of Legislative Procedure shall govern the Senate in all
8 cases to which they are applicable, and in which they are not
9 inconsistent with the Standing Rules, Prior Decisions and Orders
10 of the Senate.

11 Rule 27. Quorum.

12 (a) Majority constitutes a quorum.--A majority of Senators
13 elected shall constitute a quorum, but a smaller number may
14 adjourn from day to day and compel the attendance of absent
15 members.

16 (b) When less than a quorum is present.--When, upon a call,
17 which may be demanded by not less than four Senators, it is
18 found that less than a quorum is present, it shall be the duty
19 of the presiding officer to order the doors of the Senate to be
20 closed, and to direct the Reading Clerk to call the roll of the
21 Senate and note the absentees after which the names of the
22 absentees shall be again called. A Senator whose absence is not
23 excused, or for whom an insufficient excuse is made, may by
24 order of a majority of the Senators present be sent for and
25 taken into custody by the Chief Sergeant-at-Arms, or assistant
26 sergeants-at-arms appointed for the purpose. Any unexcused
27 Senator shall be brought before the bar of the Senate, where the
28 Senator, unless excused by a majority of the Senators present,
29 shall be publicly reprimanded by the presiding officer for
30 neglect of duty.

1 (c) When less than a quorum vote but are present.--When less
2 than a quorum vote upon any subject under the consideration of
3 the Senate, not less than four Senators may demand a call of the
4 Senate, when it shall be the duty of the presiding officer to
5 order the doors of the Senate to be closed and the roll of the
6 Senators to be called. If it is ascertained that a quorum is
7 present, either by answering to their names, or by their
8 presence in the Senate, the presiding officer shall again order
9 the yeas and nays; and, if any Senator present refuses to vote,
10 the name or names of such Senator shall be entered on the
11 Journal as "Present but not voting." Such refusal to vote shall
12 be deemed a contempt; and, unless purged, the presiding officer
13 shall direct the Chief Sergeant-at-Arms to bring the Senator
14 before the bar of the Senate, where the Senator shall be
15 publicly reprimanded by the presiding officer.

16 Rule 28. Executive nominations.

17 (a) Presentation and reference.--

18 (1) All nominations by the Governor or the Attorney
19 General shall be submitted to the Secretary-Parliamentarian
20 of the Senate. All nominees shall file the financial
21 statements required pursuant to 65 Pa.C.S. Ch. 11 (relating
22 to ethics standards and financial disclosure) with the
23 Secretary-Parliamentarian of the Senate. Copies of the
24 nominations and financial statements shall be furnished by
25 the Secretary-Parliamentarian of the Senate to the Majority
26 Caucus Secretary and Minority Caucus Secretary or their
27 designees.

28 (2) Nominations shall, after being read, without a
29 motion, be referred by the presiding officer to the Committee
30 on Rules and Executive Nominations. After having been

1 reported by the committee, the final question on every
2 nomination shall be: "Will the Senate advise and consent to
3 this nomination?"

4 (3) The Chair of the Committee on Rules and Executive
5 Nominations shall designate an appropriate standing committee
6 of the Senate to conduct a public hearing for nominees that
7 have Statewide jurisdiction and to which salaries are
8 attached. The Committee on Rules and Executive Nominations
9 shall refer those nominees to the designated committee for
10 the purpose of holding a public hearing to scrutinize the
11 qualifications of nominees and to report its recommendations.
12 Public hearings may be held for nominees for any other
13 office.

14 (b) Information concerning nominations.--All information,
15 communication or remarks made by a Senator when acting upon
16 nominations in committee, concerning the character or
17 qualifications of the person nominated, may be kept
18 confidential. If, however, charges shall be made against a
19 person nominated, the committee may, in its discretion, notify
20 the nominee, but the name of the person making such charges
21 shall not be disclosed.

22 (c) Consideration.--When the consideration of executive
23 nominations is reached in the order of business, a Senator may
24 make a motion to go into executive session for the purpose of
25 confirming the nominations which have been reported from
26 committee; and on the motion being agreed to, the nomination or
27 nominations shall be considered until finally disposed of,
28 unless the same shall be postponed by a majority of the Senate.

29 (d) Executive session.--When in executive session, no
30 communication shall be received from the Governor, unless it be

1 relative to the nomination under consideration, nor from the
2 House of Representatives, nor shall any other business be
3 considered.

4 (e) Reconsideration.--When a nomination is confirmed or
5 rejected by the Senate, any Senator may move for a
6 reconsideration on the same day on which the vote was taken, or
7 on either of the next two days of voting session of the Senate;
8 but if a notification of the confirmation or rejection of a
9 nomination shall have been sent to the Governor before the
10 expiration of the time within which a motion to reconsider may
11 be made, the motion to reconsider shall be accompanied by a
12 motion to request the Governor to return such notification to
13 the Senate. A motion to reconsider the vote on a nomination may
14 be laid on the table without prejudice to the nomination.

15 Rule 29. Resolutions.

16 (a) Introduction.--All resolutions, Senate and concurrent,
17 shall be introduced by presenting five copies of the Resolution,
18 with the sponsor identified, to the presiding officer.

19 (b) Consideration.--The following resolutions, after being
20 read, shall be referred to an appropriate committee without
21 debate unless by unanimous consent the Senate shall otherwise
22 direct and, if favorably reported by the committee, shall lie
23 over one day for consideration, after which the resolutions may
24 be called up under the appropriate order of business:

25 (1) All Senate concurrent resolutions and House
26 concurrent resolutions, excepting resolutions in reference to
27 adjournment sine die, recesses and resolutions recalling
28 bills from the Governor, which shall be regarded as
29 privileged.

30 (2) Resolutions containing calls for information from

1 the heads of departments or to alter the Rules.

2 (3) Resolutions giving rise to debate, except those that
3 relate to the disposition of matters immediately before the
4 Senate, those that relate to the business of the day on which
5 they were offered, and those that relate to adjournment sine
6 die or a recess.

7 (c) Printing in Senate History.--

8 (1) (Reserved).

9 (2) All resolutions shall be adopted by a majority vote
10 of the Senators present except as specifically provided for
11 in these Rules.

12 (d) Joint Resolutions.--

13 (1) Joint resolutions shall be limited to constitutional
14 amendments and shall be adopted by a vote of a majority of
15 the Senators elected to the Senate.

16 (2) A Joint resolution when passed by both Houses shall
17 not be transmitted to the Governor for approval or
18 disapproval but shall be filed in the Office of the Secretary
19 of the Commonwealth in accordance with Article XI, section 1
20 of the Constitution of Pennsylvania.

21 Rule 29.1. Citations.

22 (a) Preparation.--A member making a request that a Senate
23 Citation be issued to a particular person or on a specified
24 occasion shall provide the Legislative Reference Bureau with the
25 facts necessary for the preparation of the citation on a
26 suitable form.

27 (b) Filing.--The citation request shall be filed with the
28 Secretary-Parliamentarian of the Senate and automatically
29 referred to the President Pro Tempore, who may approve and sign
30 the citation on behalf of the Senate.

1 (c) Issuance.--One original citation shall be issued by the
2 Secretary-Parliamentarian of the Senate.

3 Rule 30. General access to the Senate Floor prohibited.

4 The Secretary-Parliamentarian of the Senate shall cause the
5 doors to the Senate Floor to be closed to all persons except
6 those who are entitled to access pursuant to the Rules of the
7 Senate. On days when the Senate is not in session, access to the
8 Senate Floor by any person not connected with the Senate is
9 prohibited. Other than the Senator, no person shall be permitted
10 to occupy the seat of a Senator at any time.

11 Rule 31. Veto.

12 (a) Passing over veto.--When any bill is not approved by the
13 Governor, he shall return it with his objection to the House in
14 which such bill originated. Thereupon such House shall enter the
15 objections upon their Journal and proceed to reconsider it. If,
16 after such reconsideration, two-thirds of all the Members
17 elected to that House shall agree to pass the bill, it shall be
18 sent with the objections to the other House by which likewise it
19 shall be reconsidered and, if approved by two-thirds of all the
20 members elected to that House, it shall become a law.

21 (b) Consideration during second regular session.--A bill
22 vetoed in a first regular session and not finally acted upon may
23 be brought up for consideration in a second regular session.

24 Rule 32. Division of a question.

25 Any Senator may call for a division of a question by the
26 Senate if the question includes points so distinct and separate
27 that, one of them being taken away, the other will stand as a
28 complete proposition. The motion to strike out and insert is
29 indivisible.

30 Rule 33. Coordination with other Senate Rules.

1 Any use of Senate resources or time shall be governed by the
2 Financial Operating Rules and the Ethical Conduct Rules of the
3 Senate.

4 Rule 34. Committee on Ethics.

5 (a) Composition.--In addition to the committees created by
6 Rule 14, there shall be a Senate Committee on Ethics which shall
7 be composed of six members appointed by the President Pro
8 Tempore. Three members shall be of the Majority Party and three
9 members shall be of the Minority Party. The Minority Party
10 members will be appointed on the recommendation of the Minority
11 Leader.

12 (b) Organization.--The Senate Committee on Ethics shall be
13 organized as follows:

14 (1) The President Pro Tempore shall appoint one of the
15 Majority Party members as Chair and, on the recommendation of
16 the Minority Leader, one of the Minority Party members as
17 Vice Chair. A quorum for this committee shall be four
18 members, and the committee shall have such duties, powers,
19 procedure and jurisdiction as are prescribed and authorized
20 in this Rule.

21 (2) The chair shall notify all members of the committee
22 at least 24 hours in advance of the date, time and place of a
23 meeting. Whenever the chair shall refuse to call a meeting, a
24 majority of the committee may call a meeting by giving two
25 days' written notice to the Majority Leader and the Minority
26 Leader of the Senate setting forth the time and place for
27 such meeting. A meeting commenced in this manner shall be
28 held at the time and place specified in the notice.

29 (3) Except as provided in subsection (j), all meetings
30 of the committee shall be open to the public and notice of

1 such meetings shall be given as generally provided in these
2 Rules for the convening of committees.

3 (4) The committee may adopt rules of procedure for the
4 orderly conduct of its affairs, investigations, hearings and
5 meetings, which rules are not inconsistent with this Rule.

6 (c) Receipt of complaint.--The committee shall receive
7 complaints against any Senator alleging unethical conduct in
8 violation of a Senate Rule, statute or constitutional provision
9 governing the ethical conduct of a Senator. Any complaint filed
10 with the committee shall:

11 (1) be submitted in writing;

12 (2) be sworn or affirmed by the person filing the
13 complaint; and

14 (3) detail the alleged unethical conduct in question and
15 specify the Rule, statute or constitutional provision
16 allegedly violated.

17 (d) Review of complaint.--Upon receipt of a complaint that
18 conforms with all the requirements of this Rule, the Senate
19 Committee on Ethics shall review the complaint and determine
20 whether or not a preliminary investigation is warranted within
21 30 days of receiving the complaint. For good cause, a majority
22 of the members of the committee may vote to grant an additional
23 30 days to complete the committee's review. A frivolous or de
24 minimis complaint may be dismissed by a majority of the members
25 of the committee, with prejudice. The chair shall notify the
26 complainant and the subject Senator of the disposition of a
27 dismissed complaint.

28 (e) Disposition of complaints.--If it is determined by a
29 majority of the members of the Senate Committee on Ethics that
30 an ethical conduct violation may have occurred, the Senator

1 against whom the complaint has been brought shall be notified in
2 writing and given a copy of the complaint. Within 15 days after
3 receipt of the complaint, the Senator may file a written answer
4 to the complaint with the committee. If no answer is filed, the
5 complaint shall be deemed denied by the subject Senator. The
6 lack of an answer shall not be deemed to be an admission or
7 create an inference or presumption that the complaint is true.
8 The lack of an answer shall not prohibit a majority of the
9 members of the committee from either proceeding with a formal
10 investigation or dismissing the complaint.

11 (f) Preliminary investigation.--The committee shall have 30
12 days from the date that receipt of the answer to the complaint
13 is to be provided to complete its preliminary investigation. For
14 good cause, a majority of the members of the committee may vote
15 to grant an additional 30 days to complete the committee's
16 review. The committee may employ an independent counsel to
17 conduct a preliminary investigation. Upon conclusion of the
18 preliminary investigation, by vote of a majority of the members
19 of the committee, the committee shall determine whether to
20 proceed with a formal investigation, which may include hearings.
21 In the event that the committee vote is equally divided, the
22 question falls. If the committee does not decide to proceed to a
23 formal investigation, the Chair shall notify the complainant and
24 the subject Senator of the disposition of the complaint and
25 shall summarize the committee's rationale for its conclusion.

26 (g) Confidentiality.--Prior to the commencement of a formal
27 investigation, the fact that a preliminary investigation is
28 being conducted or is to be conducted shall be confidential
29 information. If, however, the filing of a complaint or a
30 preliminary investigation is made public by the complainant, the

1 committee may publicly confirm the receipt of a complaint.

2 (h) Indictment.--When an indictment is returned against a
3 member of the Senate, and the gravamen of the indictment is
4 directly related to the ethical conduct of a Senator in
5 violation of a Senate Rule, statute or constitutional provision
6 governing the ethical conduct of a Senator, the Senate Committee
7 on Ethics shall not initiate any new investigation and shall
8 suspend any ongoing investigation initiated pursuant to this
9 Rule until the subject matter of the indictment that relates to
10 the Senator's alleged unethical conduct is resolved.

11 (i) Alternative procedure.--In addition to action on formal
12 complaints as provided in subsection (c), a majority of the
13 members of the Senate Committee on Ethics may initiate a
14 preliminary investigation of suspected unethical conduct in
15 violation of a Senate Rule, statute or constitutional provision
16 governing the ethical conduct of a Senator. If it is determined
17 by a majority of the members of the committee that a violation
18 may have occurred, the Senator in question shall be notified in
19 writing of the alleged unethical conduct in question and the
20 Rule, statute or constitutional provision allegedly violated.
21 Within 15 days of the receipt of this information, the Senator
22 may file a written answer with the committee. The lack of an
23 answer shall not be deemed to be an admission or create an
24 inference or presumption that the complaint is true. The lack of
25 an answer shall not prohibit a majority of the members of the
26 committee from either proceeding with a formal investigation or
27 dismissing the complaint. The committee shall have 30 days from
28 the date that receipt of the answer to the complaint is to be
29 provided to complete its preliminary investigation. For good
30 cause, a majority of the members of the committee may vote to

1 grant an additional 30 days to complete the committee's review.
2 Upon conclusion of the preliminary investigation, by vote of a
3 majority of the members of the committee, the committee shall
4 determine whether to proceed with a formal investigation, which
5 may include hearings. In the event that the committee vote is
6 equally divided, the question falls.

7 (j) Closed session.--The committee shall conduct its
8 preliminary investigations, hearings and meetings related to a
9 specific investigation or a specific Senator in closed session
10 unless the Senator subject to investigation advises the
11 committee in writing that the Senator wants such meetings or
12 hearings to be held publicly. In the event that the Senator in
13 question makes such a request, the committee shall furnish the
14 Senator with a public meeting or hearing.

15 (k) Formal investigation.--In the event that the Senate
16 Committee on Ethics shall elect to proceed with a formal
17 investigation of alleged unethical conduct by a Senator, the
18 committee may employ an independent counsel to conduct a formal
19 investigation. The committee and any independent counsel
20 employed by the committee shall comply with the following
21 procedural requirements at all stages of the investigation:

22 (1) The Chair of the Senate Committee on Ethics may
23 continue any hearing for reasonable cause. Upon the vote of a
24 majority of the members of the committee, or upon the request
25 of the Senator subject to investigation, the Chair shall
26 issue subpoenas for the attendance and testimony of witnesses
27 and the production of documentary evidence relating to any
28 matter under formal investigation by the committee. The Chair
29 of the committee may administer oaths or affirmations,
30 examine and receive evidence, or rule on any objections

1 raised during the course of a hearing.

2 (2) All testimony, documents, records, data, statements
3 or information received by the committee in the course of any
4 preliminary or formal investigation shall be private and
5 confidential except in the case of public meetings or
6 hearings or in a report to the Senate.

7 (3) All constitutional rights of any Senator under
8 investigation shall be preserved, and the Senator shall be
9 entitled to present evidence, cross-examine witnesses, face
10 the accuser and be represented by counsel.

11 (4) An oath or affirmation shall be executed in writing
12 before any member of the committee, any independent counsel
13 employed by the committee to conduct a preliminary or formal
14 investigation, or any employee of the Senate related to the
15 investigation may have access to information that is
16 confidential pursuant to the rules of the committee as
17 follows:

18 "I do solemnly swear or affirm that I will not disclose,
19 to any person or entity outside of the Senate Committee
20 on Ethics, any information received in the course of my
21 service with the committee, except as authorized by the
22 committee or in accordance with the Rules of the Senate."

23 Copies of the executed oath or affirmation shall be provided
24 to the Secretary-Parliamentarian of the Senate as part of the
25 records of the Senate. Any Senator or other person who
26 violates the confidentiality requirements of this subsection
27 shall be removed immediately from the committee and replaced
28 by another Senator, counsel or employee of the Senate
29 appointed in like manner as the person's original appointment
30 or selection.

1 (l) Report.--No report regarding unethical conduct by a
2 Senator shall be made to the Senate unless a majority of the
3 members of the Senate Committee on Ethics determines that a
4 finding of unethical conduct in violation of a Senate Rule,
5 statute or constitutional provision governing the ethical
6 conduct of a Senator has occurred. No finding of unethical
7 conduct by a Senator in violation of a Senate Rule, statute or
8 constitutional provision governing the ethical conduct of a
9 Senator adopted by the Senate Committee on Ethics shall be valid
10 unless signed by at least a majority of the members of the
11 committee. Any such report may include a minority report. A
12 report adopted by the committee that contains findings of
13 unethical conduct by a Senator in violation of a Senate Rule,
14 statute or constitutional provision governing the ethical
15 conduct of a Senator shall not be filed with the Secretary-
16 Parliamentarian of the Senate or released to the public until at
17 least seven days after a copy of the report is sent by certified
18 mail to the Senator under investigation.

19 (m) Distribution of report.--After the expiration of the
20 seven-day notice requirement contained in subsection (l), the
21 Senate Committee on Ethics shall file its report with the
22 Secretary-Parliamentarian of the Senate, who shall cause a copy
23 of the report of the committee to be distributed to the members
24 of the Senate. The report of the Senate Committee on Ethics
25 shall be placed on the Senate Calendar and shall be acted upon
26 by the Senate within 10 legislative days of the adoption of a
27 temporary rule setting forth rules of procedure for the orderly
28 disposition of the report by the full Senate. A vote by a
29 majority of the members elected to the Senate shall be necessary
30 to adopt each finding set forth in the Ethics Committee Report.

1 (n) Sanction.--Should the full Senate vote to adopt an
2 unethical conduct finding against a Senator as set forth in the
3 Ethics Committee Report, that Senator may be subject to sanction
4 by the full Senate. A sanction may include any of the following
5 depending on the circumstances of the violation:

6 (1) a warning;

7 (2) a written reprimand;

8 (3) restitution for damages; or

9 (4) any other sanction provided for pursuant to the
10 Rules of the Senate or the Constitution of Pennsylvania.

11 (o) Advisory opinion.--The Senate Committee on Ethics, at
12 the request of a Senator or officer who has an ethical question
13 or concern regarding the Senate Rules individually or in
14 conjunction with others, may issue an advisory opinion seeking
15 to clarify the ethical requirements of the Senate Rules. These
16 advisory opinions, with such deletions and changes as shall be
17 necessary to protect the identity of the persons involved or
18 seeking the advisory opinions, may be published and shall be
19 distributed to all members, officers and employees of the
20 Senate. No action regarding unethical conduct may be taken
21 against a Senator, officer or employee who has relied on a
22 written advisory opinion, whether directly addressed to that
23 person or not, which is reasonably construed as being applicable
24 to the conduct in question.

25 (p) Committee member under investigation.--In the event that
26 a member of the Senate Committee on Ethics shall be under
27 investigation, that Senator shall be temporarily replaced on the
28 committee in a like manner to the Senator's original
29 appointment.

30 (q) Costs and expenses.--Whenever the committee shall employ

1 independent counsel to conduct a preliminary or formal
2 investigation or shall incur other expenses pursuant to its
3 duties pursuant to this Rule, payment of costs of such
4 independent counsel or other expenses incurred by the committee
5 pursuant to this Rule shall be paid by the Chief Clerk of the
6 Senate upon submission of vouchers and necessary documentation.
7 The vouchers shall be signed by both the Chair and Vice Chair of
8 the committee. Included in such allowable expense items shall be
9 travel and per diem for the members of the committee. The Chief
10 Clerk shall pay such expenses out of funds appropriated to the
11 Chief Clerk for incidental expenses.

12 Rule 35. Status of members indicted or convicted of a crime.

13 (a) Status generally.--When an indictment is returned
14 against a member of the Senate, and the gravamen of the
15 indictment is directly related to the Senator's conduct as a
16 committee chair, ranking minority committee member or in a
17 position of leadership, the Senator shall be relieved of such
18 committee chairmanship, ranking minority committee member
19 status, or leadership position until the indictment is disposed
20 of, but the member shall otherwise continue to function as a
21 Senator, including voting, and shall continue to be paid.

22 (b) Restoration.--If, during the same legislative session,
23 the indictment is quashed, or the court finds that the Senator
24 is not guilty of the offense alleged, the Senator shall
25 immediately be restored to the committee chairmanship, ranking
26 minority committee member status, or leadership position
27 retroactively from which that Senator was suspended.

28 (c) Resolution of expulsion.--Upon a finding or verdict of
29 guilt by a judge or jury, a plea or admission of guilt or plea
30 of nolo contendere of a crime by a member of the Senate, the

1 gravamen of which relates to the member's conduct as a Senator,
2 and upon imposition of sentence, the Secretary-Parliamentarian
3 of the Senate shall prepare a resolution of expulsion under
4 session, which shall appear on the Calendar on the next
5 legislative session day following an imposition of sentence
6 based upon a determination or admission of guilt or a plea of
7 nolo contendere.

8 Rule 36. Status of officers or employees indicted or convicted
9 of a crime.

10 (a) Suspension.--Whenever any officer or employee of the
11 Senate is indicted or otherwise charged before a court of record
12 with the commission of a felony or a misdemeanor, the gravamen
13 of which relates to the officer's or employee's conduct or
14 status as an officer or employee of the Commonwealth or the
15 disposition of public funds, the officer or employee shall be
16 suspended immediately without pay and benefits by the Chief
17 Clerk of the Senate. After a finding or a verdict of guilt by a
18 judge or jury, plea or admission of guilt, or plea of nolo
19 contendere, and upon imposition of sentence, the employment
20 shall be terminated.

21 (b) Termination of suspension.--If the indictment is
22 quashed, or the court finds that the officer or employee is not
23 guilty of the offense alleged, the suspension without pay shall
24 be terminated, and the officer or employee shall receive
25 compensation for the period of time during which the officer or
26 employee was suspended, which compensation shall be reduced by
27 the amount of any compensation the officer or employee earned
28 from other employment during the period of suspension.

29 (c) Appeal.--If the officer or employee or the supervising
30 Senator of such employee disagrees with the decision of the

1 Chief Clerk of the Senate as to whether an indictment for
2 particular conduct shall be a crime requiring suspension or
3 dismissal, the officer or employee in question or the
4 supervising Senator of the employee may appeal the suspension to
5 the Senate Committee on Ethics, which shall determine whether
6 the conduct charged is an offense requiring suspension. Whenever
7 an appeal of a suspension shall be taken to the committee, the
8 suspension shall remain effective pending a decision by the
9 committee.

10 Rule 37. Affiliation with nonprofit entities.

11 (a) Requirements.--In order for a Senator or Senate
12 employee, including a family member of the Senator or Senate
13 employee, to be affiliated with a nonprofit entity, the
14 nonprofit entity must meet all of the following:

15 (1) Be a legal entity formed under the laws of this
16 Commonwealth or another state that is qualified for nonprofit
17 status.

18 (2) Have a formally established board of directors with
19 at least four members that is fully accountable for the
20 nonprofit entity's overall operation.

21 (3) Have a written set of bylaws or rules, approved by
22 its board of directors, that establishes its composition and
23 governance process.

24 (4) Require official action of the board of directors to
25 be approved and executed in a manner consistent with its
26 bylaws or rules.

27 (5) Not receive grant funding directly from the
28 Commonwealth that comprises its sole source of operational
29 funding.

30 (b) Prohibitions.--A Senator or Senate employee, including a

1 family member of that Senator or Senate employee, who is
2 affiliated with a nonprofit entity may not do any of the
3 following with regard to a nonprofit entity with which that
4 Senator or Senate employee, including a family member of that
5 Senator or Senate employee, is affiliated:

6 (1) Exercise sole and unilateral control of a final
7 action of the nonprofit entity regarding allocation or
8 disbursement of grant funding that the nonprofit entity
9 receives directly from the Commonwealth.

10 (2) Direct a Senate employee to staff or provide
11 services to the nonprofit entity as a condition of
12 employment.

13 (3) Direct the personnel or other resources of the
14 nonprofit entity for the benefit of a Senator's campaign.

15 (4) Commingle funds from any Senate expense account with
16 the funds of the nonprofit entity with the knowledge and
17 intent that those funds are to be used for the direct
18 reimbursement of expenses incurred by that nonprofit entity.

19 (5) Maintain a Senate district office within or
20 contiguous to the same office as the nonprofit entity.

21 (c) Applicability.--A Senator or Senate employee, including
22 a family member of that Senator or Senate employee, shall not be
23 subject to the requirements of this Rule if the affiliated
24 nonprofit entity receives no grant funding directly from the
25 Commonwealth.

26 (d) Training.--To assure compliance with this Rule by
27 Senators and Senate employees, appropriate training measures
28 shall be implemented by the Senate. Training shall be provided
29 annually for all Senators and Senate employees.

30 (e) Definitions.--As used in this Rule, the following words

1 and phrases shall have the meanings given to them in this
2 subsection unless the context clearly indicates otherwise:

3 "Affiliated." Serving:

- 4 (1) as an officer of a nonprofit entity;
- 5 (2) on the board of directors of a nonprofit entity;
- 6 (3) as a paid employee of a nonprofit entity; or
- 7 (4) as a contractor of a nonprofit entity.

8 "Family member." A spouse or child.

9 "Nonprofit entity." An entity that is qualified by the
10 Internal Revenue Service as meeting the requirements of section
11 501(c) of the Internal Revenue Code of 1986 (Public Law 99-514,
12 26 U.S.C. § 501(c)).