

ASSEMBLY COMMITTEE ON BANKING AND FINANCE

Timothy Grayson, Chair

2021-22 COMMITTEE RULES

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

WORKSHEET

1. When a bill is referred to the Committee, the Committee secretary shall immediately forward to the author a worksheet to be completed for the preparation of the Committee analysis. The Chair may withhold setting the bill for hearing until the worksheet is completed and returned to the Committee. To allow adequate time for Committee staff to analyze the bill, all Committee worksheets shall be returned to the Committee no later than seven (7) calendar days after delivery to the author's office.

SETTING BILLS

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

(b) "30-day Print": No bill may be heard or acted upon until it has been in print for 30 days. This requirement may be suspended concurrently with the suspension of Section 8 of Article IV of the Constitution and joint rule 55.

[Article IV, Section 8a and Joint Rule 55]

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

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

[Joint Rule 62(a)]

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

[Assembly Rule 56]

COMMITTEE ANALYSES

3. A Committee analysis is required for every bill set for a hearing. Analyses shall be available to the public at least one working day prior to the hearing. (A "working day" is defined as a day on which the Assembly File is published.) In the case of special meetings, analyses shall be available to the public at least at the beginning of the hearing.

[Assembly Rule 56.5]

ORDER OF AGENDA

4. (a) Bills set for hearing shall be heard in the order of member "sign-in" or subject to the Chair's discretion.

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

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

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

(e) If a bill is to be presented by someone other than the author, it will be taken up at the end of the grouping of like subject matter bills after all authors (including those temporarily "passed over" and Committee members) have been accommodated. Anyone other than the author who is to present the bill must have an "authorization" letter from the author.

COMMITTEE CONSENT CALENDAR

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

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

AMENDING BILLS

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

(b) Amendments Back from Counsel: Author's amendments in "counsel form" shall be submitted to the Committee by 12:00 PM on the seventh calendar day preceding a scheduled hearing. For example, author's amendments shall be submitted to the Committee no later than 12:00 PM on Monday of the week preceding a scheduled Monday hearing.

When substantive amendments are submitted within seven (7) calendar days of a scheduled hearing, the bill shall be held over until the next hearing, unless this requirement is waived by the

Committee Chair. The Committee Chair shall determine whether an amendment is substantive.

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

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

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

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

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

MEETINGS

7. (a) Open Meetings: All Committee meetings, except for an authorized closed session, shall be open and public, and all persons shall be allowed to attend the meetings. [Assembly Rule 11.3]

(b) Time and Place: The Committee shall meet at its regularly scheduled time, unless otherwise permitted by the Assembly. [Assembly Rule 56]

If a quorum is not present, the Chairperson may start the hearing as a sub Committee subject to both House and Joint Rules.

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

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

(d) When the Chair is presenting a bill to the Committee, or in other circumstances in which the Chair may be temporarily absent from the dais, the vice-Chair or other Committee member shall preside.

VOTING

8. (a) Quorum: A majority of the entire Committee membership constitutes a quorum. A quorum is necessary to take action or to adopt amendments.

[Assembly Rule 57, Joint Rule 62(c)]

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

[Assembly Rule 57]

(b) Voting on Bills: Voting on bills shall be by roll call vote which shall show "Ayes", "Noes", "Members Absent", and "Not Voting".

[Assembly Rule 58.5]

A majority of the Committee membership is required to report a bill out of Committee.

[Assembly Rule 58.5]

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

[Assembly Rules 57 and 67]

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

[Assembly Rule 68.5]

(e) Substitution of Prior Roll Call: The Committee may, upon unanimous consent of the members present, substitute a prior roll call, provided that the members whose votes are substituted are present at the time of the substitution.

[Joint Rule 62(c)]

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

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

If a motion to adjourn is adopted while the Committee is under call, the call shall be dispensed with and any pending vote announced.

[Joint Rule 62(d)]

(g) Keeping the Roll Open: In the absence of objection, the roll shall be kept open at the request of an author or any member of the Committee until adjournment of the Committee hearing or within 15 minutes of adjournment of the Committee hearing.

[Assembly Rule 58.5]

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

(i) A "Without Objection" Motion by the Chair: A second is not required where the

Chair makes a motion that begins with the words "without objection". If any member objects, the motion is automatically withdrawn.

RECONSIDERATION

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

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

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

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

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

(c) Vote Required for Reconsideration: Reconsideration may be granted by unanimous consent, or if any Committee member objects, a majority vote of the Committee.

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

CONSENT CALENDAR RECOMMENDATION

10. The Committee may recommend that an uncontested bill be placed on the consent calendar of the Assembly Floor or of a subsequent Committee if:

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

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

(c) The author, prior to final action by the Committee, requested that the bill be placed on consent.

INTERIM STUDY RECOMMENDATION

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

LETTERS OF SUPPORT AND OPPOSITION

12. (a) Letters of support and opposition must be received in the Committee office by 12:00 p.m. (noon) on the third business day preceding the next scheduled hearing in order for the letter to be listed within the analysis. For example, a letter must be received by 12:00 p.m. (noon) on

Wednesday for a hearing scheduled on the following Monday. Position should be submitted using the California Legislature Position Letter portal located at <https://calegislation.lc.ca.gov/Advocates/>.

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

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

MISCELLANEOUS

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

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