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**0477-Amended Colorado Legislator's Handbook: Senate Rules as Amended
through February 2002**

COLORADO LEGISLATOR'S HANDBOOK

*Senate Rules as Amended
through February 2002*



Legislative Council
Research Publication No. 477
November 2000

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RULES OF THE SENATE OF THE COLORADO GENERAL ASSEMBLY

1. Hour of Meeting – Presiding Officer

- (a) Unless otherwise ordered, the regular hour of meeting of the Senate shall be 10 o'clock a.m. on Mondays, and 9 o'clock a.m. on other days. The hour of adjournment shall be as ordered.
- (b) The President of the Senate, or in his absence the President pro tempore, shall take the chair every day promptly at the hour to which the Senate stands adjourned, shall call the Senate to order, and on the ascertainment of a quorum, shall proceed to business.
- (c) If at the hour for the convening of the Senate, the President and the President pro tempore shall be absent, and if the President shall not have designated a member to perform the duties of the President or if the person so designated is unwilling to preside, the senior Senator present who is a member of the same political party as the President shall call the Senate to order and shall continue to preside, with all the powers, privileges, and duties of the President, until the President or President pro tempore shall appear. In the event that such senior Senator present is unwilling to preside, the next senior Senator present who is a member of the same political party as the President and who is willing to preside shall preside.



2. Quorum

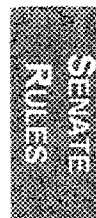
- (a) A majority of all Senators elected shall constitute a quorum, but a smaller number may adjourn from day to day, or for less than a day, and compel the attendance of absent members.

3. Order of Business

- (a) The order of business of the Senate shall be as follows:
 - (1) Reading, correction, and approval of the journal.
 - (2) Reports of committees of reference.
 - (3) Reports of special committees.
 - (4) Messages from the House of Representatives.
 - (5) Messages from the Revisor.
 - (6) Introduction of bills and first reading by title.
 - (7) Introduction of resolutions and memorials.
 - (8) Third reading of bills.
 - (9) General orders.
 - (10) Consideration of resolutions and memorials.
 - (11) Messages from the Governor and other state officers.
 - (12) Other business.
- (b) When the Senate has proceeded to the general orders of the day, no other business, unless it be a special order, shall be in order until the general orders have been disposed of.
- (c) Except as otherwise provided in Rules 3 (b), 6, 7, 9 (b), 9 (c), and 25 (b), the Senate may at any time, by the affirmative vote of a majority of all members present, proceed out of order to any order of business or return to an order already passed.
- (d) Notice of recall of a bill by the House shall be read immediately upon receipt if such bill then be under consideration by the Senate, otherwise upon conclusion of the business then before the Senate, and thereafter the Senate shall take no action on such bill. Such bill shall automatically be returned to the House without the necessity of a motion or vote.

4. Special Orders

- (a) No bill or bills, or any other measure which takes the same course as a bill, may be made a special order unless approved by the affirmative vote of two-thirds of all members elected. In discussion of a motion to make a special order, no Senator shall speak more than once, nor longer than ten minutes, and a vote shall thereafter immediately be taken. Whenever any bill or other measure is made a special order for a particular day and hour, and the consideration thereof shall not be completed at that sitting, it shall retain its place as a special order and be considered immediately following the reading and approval of the journal on the next succeeding day of actual session. When a special order is under consideration, it shall take precedence over any special order for a subsequent hour of the same day, but such subsequent special order may be taken up immediately after the previous special order has been disposed of.



5. Motions and Amendments

- (a) No second shall be required of any motion presented to the Senate. When a motion is made it shall be stated by the President, or, being in writing, shall be handed to the secretary and read aloud before debate. A motion shall be reduced to writing if the President or any Senator so requests.
- (b) Any motion or resolution except a concurrent resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the ayes and noes, except a motion to reconsider, which shall not be withdrawn except by a majority vote of all members elected.
- (c) When a question is under debate, the President shall receive no motion except:
- (1) To adjourn.
 - (2) To take a recess.

- (3) To question the presence of a quorum or request a call of the Senate.
- (4) To strike the enacting or resolving clause.
- (5) To lay on the table.
- (6) For the previous question.
- (7) To close debate at a specified time.
- (8) To postpone to a day certain.
- (9) To commit.
- (10) To amend.
- (11) To postpone indefinitely.

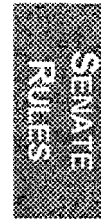
Such motions shall take precedence in the order named; but no one motion may be made more than once at any stage of any particular bill or proposition.

- (d) No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.
- (e) A motion to postpone to a day certain, or indefinitely, being decided, shall not again be allowed at the same stage of the bill or proposition; and if a bill or proposition be set for consideration on a certain day, it shall not be considered at an earlier day.
- (f) No person other than a Senator shall present any petition, memorial, or address while the Senate is in session.
- (g) All so-called substitute motions and resolutions shall be considered as amendments only, and shall be subject to the rules relating thereto, except such matters as may be reported by committee.

- (h) All amendments to bills, resolutions, and memorials, to reports of the committee of the whole, or to reports of committees of reference, must be typed on appropriate amendment forms and presented to the secretary, who shall number such amendments as received, and when presented in this manner each such amendment shall be deemed to be pending and shall be considered in the order received. Each amendment should be checked for technical errors by the sponsor of the amendment before it is presented to the secretary.

6. Questions of Order – Appeal

- (a) All questions of order shall be decided by the President without debate, but any decision of the chair shall be subject to an appeal to the Senate by any Senator. The Senator making such appeal shall state his reasons therefor, using not more than ten minutes for such purpose, to which the President may respond. Such appeal shall be acted upon immediately, and no motion or other business, except a motion to adjourn or to take a recess, shall be entertained, until the question be determined by a majority vote of the members present.



7. Motion to Adjourn or Recess

- (a) A motion to adjourn, or a motion to take a recess shall always be in order, but being decided in the negative, shall not be again entertained unless some motion other than a call of the Senate, motion to adjourn, or motion for recess shall have taken place.

8. Division of Question

- (a) If the question in debate contains two or more points, any Senator may have the same divided; but on motion to strike out and insert, it shall not be in order to move for a division of the question; but a rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition.

- (b) Amendments of the House to a Senate bill, resolution, or memorial, shall not be divisible.

9. Debate

- (a) The following questions shall be decided upon without debate; but any Senator making such a motion shall be given three minutes to explain his motion:
- (1) Fix the time to which to adjourn, except the fixing of sine die adjournment.
 - (2) Adjourn.
 - (3) Take a recess.
 - (4) Call for orders of the day and questions relating to priority of business.
 - (5) Suspension of the rules.
 - (6) Objection to the consideration of a question.
 - (7) Previous question, and motions to close, limit, or extend the limits of debate.
 - (8) Amend or reconsider an undebatable motion.
 - (9) Dispense with reading of the journal.
- (b) The previous question shall be stated in this form: "Shall the main question be now put?" and, until it is decided, shall preclude all amendments or debate. When it is decided that the main question shall not be put, the main question shall be considered as still remaining under debate. When, by the affirmative vote of a majority of all members elected, it is decided that the main question shall be put, it shall put an end to all debate and bring the Senate to a direct

vote; first, upon all amendments reported or pending, in the inverse order in which they are offered. After the motion for the previous question has prevailed, it shall be in order to move for a call of the Senate, but it shall not be in order to move to adjourn, prior to a decision on the main question.

- (c) Upon a majority vote of the members elected, debate may be closed at any time not less than one hour after the adoption of a motion to that effect, and an hour may be fixed for a vote upon the pending measure. No other motion shall be entertained until the motion to close debate, or to fix an hour for the vote on the pending question, shall have been determined.

10. Legislative Day

- (a) Each calendar day shall be considered a legislative day.

11. Reading of Bills

- (a) Unless a member shall request the reading of a bill in full when the bill is being considered by the committee of the whole or on third and final reading, it shall be read by title only, and the unanimous consent of the members present to dispense with the reading of the bill in full shall be presumed.

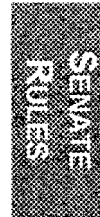
12. President and Presiding Officers

- (a) The President shall:
 - (1) Preside over all sessions of the Senate, except as otherwise provided in these rules.
 - (2) Appoint all committees except those enumerated in Rule 21 (a), (b), and (j), unless otherwise ordered by the majority vote of all members elected.

- (3) Cast his vote as any other member of the Senate.
 - (4) Administer all oaths required in the discharge of his duties; and issue, under his hand and attested by the secretary, all writs, warrants, and subpoenas ordered by the Senate or any committee thereof.
 - (5) Sign all bills and concurrent resolutions passed by the General Assembly; and sign all other resolutions, memorials, and orders.
 - (6) Have general direction of the Senate chamber and of approaches thereto, and preserve order and decorum, and in case of any disturbance or disorderly conduct in the lobby or galleries, have power to order the same to be cleared.
 - (7) Designate, when he desires to leave the chair for a brief period and the President pro tempore is absent, a Senator to act as temporary presiding officer, who shall be invested during such time only with the duty of presiding over the Senate and preserving order, and such appointment shall not extend beyond the return of the President pro tempore or beyond an adjournment.
- (b) At the beginning of each regular session convening after a general election and at such other times as may be necessary, the Senate shall, by a majority vote of all members elected, elect one of its members as President, and another member as President pro tempore, who shall, during the absence or inability of the President to serve, preside over the Senate and exercise and perform all the powers, privileges, and duties of the President.
- (c) Neither the President, President pro tempore, any acting or temporary presiding officer, nor the chairman of the committee of the whole shall be excused from or prohibited from voting on any question because of so presiding, but shall not vote on appeals from such person's decision.

13. Secretary

- (a) A secretary of the Senate shall be elected at the commencement of each session, and at such other times as may be necessary, to hold office at the pleasure of the Senate. In addition to other duties imposed by these rules, the secretary shall:
- (1) Have custody and care of every bill, resolution, and memorial, and other papers coming into his possession, and of all records of the Senate, none of which shall he permit to be examined or to be taken from his custody except by the President, Senators, and officers and employees of the Senate, and the printer of Senate papers, acting in the necessary performance of their official duties.
 - (2) Take a receipt for every document which passes from his possession in the due course of business of the Senate, and keep a record book of all such receipts.
 - (3) Report in writing to the President if any papers in his charge shall be missing, which report shall be publicly announced to the Senate.
 - (4) Keep a docket book of all bills, resolutions, and memorials introduced in the Senate or received from the House, in which shall be entered the number, title, and introducers of all such bills, resolutions, and memorials, and every action taken thereon and the date thereof, until final disposition of the same shall be made.
 - (5) Unless otherwise directed by the President, have general supervision over all employees of the Senate and report to the Senate services committee any misconduct or neglect of duty on the part of any such employee.



- (6) Attend to the printing and distribution of all bills, journals, calendars, and documents or other papers printed by the Senate, and to the purchase of all Senate supplies, under the direction of the Senate services committee.
- (7) Enter in the journal on a daily basis an enumeration of the bills or other measures ordered printed each day.

14. Journal

- (a) The secretary shall keep a correct journal of each day's proceedings, which shall be printed after the close of each day's session, and before the convening of the next day's session, one copy shall be placed on the desk of each Senator.
- (b) Before proceeding to any other order of business each day, the journal of the preceding day shall be corrected and approved. On any day, the journal for the preceding day shall be read at the request of any Senator. No corrections of the original journal after it is approved shall be made without consent of the Senate.
- (c) After the journal for any particular day has been approved, the President shall sign, and the secretary shall attest, four copies as corrected and approved, one of which shall be filed in the office of the Governor and one in the office of the Secretary of State, the remaining two copies to be retained for the use of the Senate, or for such disposition as the Senate shall direct.

15. Calendar

- (a) The secretary shall prepare a calendar for each day's order of business, and unless the Senate shall otherwise direct, have the same printed and distributed to the members before the convening of the day's session. Such calendar shall include:

- (1) All bills and concurrent resolutions which are committed to a committee of the whole Senate and which are not made the order of the day for any particular day or hour, shall be listed under the title of "general orders," in the order in which they were reported from committees.
 - (2) All bills, resolutions, reports of committees, and other business of the Senate, which have, by order of the Senate, been set down for consideration at some particular day and hour, shall be listed under the title of "special orders."
 - (3) All bills and concurrent resolutions which may be upon their third reading, shall be listed under the title of "third reading of bills," in the order in which they were ordered upon third reading unless the Senate shall, by a majority vote of members elected, otherwise direct.
 - (4) Miscellaneous orders which require action of the Senate, including "consideration of resolutions and memorials," "House amendments to Senate bills," "reports of conference committees," shall each be listed under their respective titles.
- (b) The secretary shall include on the calendar any references or explanatory notes which, in his judgment, will be of aid to the members, and when a bill or resolution coming from the House does not appear in print in the form in which it was passed in the House, the secretary may have the amendments to the bill or resolution printed on the calendar.
 - (c) Bills, resolutions, and memorials referred to the committee of the whole or to the Senate by committees of reference shall, except as otherwise provided in Rules 25A, 30 (g), and 36 (d), be placed on the calendar the second actual day of session following the day on which the committee report is delivered to the Senate.
 - (d) Any objection to the calendar shall be made and disposed of before the Senate proceeds to the consideration of the orders of the day.

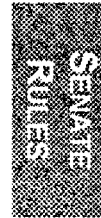
16. Senators

- (a) Every Senator shall be present within the Senate chamber during sessions of the Senate unless duly excused, or necessarily prevented from attendance. No members shall be excused without the consent of the President.
- (b) Any Senator rising to speak in debate or to present any matter, shall, before proceeding, first address the President and be recognized by him. If two or more Senators rise at the same time, the President shall name the Senator who is to speak first. No Senator shall speak longer than one hour at any one time without the consent of the Senate, and he shall confine himself to the question under debate and avoid personalities.
- (c) Any Senator may call for a statement of the question. No Senator shall in any manner interrupt the business of the Senate while the President is putting the question or while journals, bills, or other papers are being read; nor when any Senator is speaking, except to raise a question of order, or, with the consent obtained through the chair of the speaking Senator to make a personal explanation or propound an inquiry.
- (d)
 - (1) If any Senator, in speaking or otherwise, transgresses the rules of the Senate, the President shall, or any member may, call him to order, in which case he shall immediately sit down, and shall not speak, except in explanation, until it shall have been determined whether or not he is in order.
 - (2) If any Senator is called to order for words spoken in debate, the person calling him to order shall repeat the words excepted to, and they shall be reduced to writing by the secretary; but no Senator shall be held to answer or be subject to censure of the Senate therefor if further debate or other business has intervened after the words spoken and before exception to them shall have been made.

- (e) Any Senator shall have the right to protest or remonstrate against any action of the Senate, and such protest or remonstrance, with the reasons therefor, if reduced to writing, shall without alteration or delay be, with the consent of the Senate, entered in the journal if the protest or remonstrance is not personal in its nature.

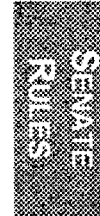
17. Voting

- (a) All votes shall be taken viva voce, except as otherwise provided in these rules. If the President is in doubt as to the result of any vote, or if a division is called for by any Senator, the Senators shall divide and those in the affirmative shall first rise and be counted, then those in the negative; and if the President is still in doubt, he shall direct that the roll be called.
- (b) The vote shall be by ayes and noes and entered in the journal:
- (1) Upon the final passage of a bill or of a concurrent resolution.
 - (2) Upon consideration of amendments to Senate bills or concurrent resolutions made by the House of Representatives.
 - (3) Upon consideration of reports of conference committees.
 - (4) On any question at the desire of any Senator.
 - (5) Upon consideration and confirmation of appointments made by the Governor.
- (c) Any Senator having a personal or private interest in any question or bill pending, shall disclose such fact to the Senate and shall not vote thereon, and if the vote be by ayes and noes, such fact shall be entered in the journal.
- (c.5) A Senator is not now compelled nor shall a Senator be compelled by a majority of a political caucus to cast a vote for or against any legislative measure or to sustain a Governor's veto.



- (d) Every Senator present, when the question is put, shall vote, unless the Senate, for special reasons, excuses him, or unless he shall have a personal or private interest in the matter. A request to be excused from voting shall be determined without debate by the President. Any Senator present and not excused from voting who refuses to vote on any question, if the vote be by ayes and noes, shall be noted in the journal as "present but refusing to vote."
- (e) Any Senator has the right to demand the ayes and noes upon any question and upon such demand, the President shall direct the reading clerk to call the names of Senators in their alphabetical order, and before the result is declared, the reading clerk shall read over the names of those voting in the affirmative, and those voting in the negative. After the alphabetical roll call of the ayes and noes has commenced, no debate on the measure before the Senate shall ensue, except that any Senator may be allowed one minute to explain his vote at the time his vote is recorded. No Senator shall be permitted to vote, under any circumstances, after the decision on the voting has been announced by the chair.
- (f) Any matter may be passed by a majority vote of a quorum except:
 - (1) Any bill on second or on third reading shall require 18 votes for passage, except as provided in (8).
 - (2) Any simple or joint resolution or memorial shall require 18 votes.
 - (3) Concurrent resolutions on second reading, which propose amendments to the state constitution or recommend the calling of a constitutional convention, shall require 18 votes for passage. However, on third reading such concurrent resolutions shall require 24 votes for passage.
 - (4) Concurrent resolutions which ratify proposed amendments to the United States Constitution shall require 18 votes for passage on both second and third readings.

- (5) A motion to adjourn sine die shall require 18 votes.
- (6) To suspend the rules shall require 24 votes, except upon three days' notice, in which event 18 votes shall be required.
- (7) The confirmation of Governor's appointments shall require 18 votes for confirmation.
- (8) Bills to increase or diminish the number of district judges or increase or diminish the number of judicial districts shall require 18 votes for passage on second reading and 24 votes for passage upon third reading.
- (9) To reconsider any action of the Senate shall require 18 votes for passage. To recall from the House anything acted upon by the Senate shall require 18 votes for passage.
- (10) Passage on third or final reading of any measure, following concurrence in House amendments, shall require the same number of votes as is required on third reading for the original instrument for passage.
- (11) Overriding Governor's veto shall require 24 votes for passage.
- (12) An amendment to the report of a committee of the whole which amendment in effect shows that a bill or concurrent resolution did pass shall require 18 votes showing passage of such bill or concurrent resolution.
- (13) To make a bill or other measure a special order shall require 24 votes.
- (14) To amend or repeal rules requires 18 votes if three days' prior notice is given; without such notice, 24 votes are required.
- (15) To amend any bill on third reading shall require the consent of a majority of all members elected.

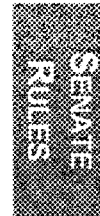


18. Reconsideration

- (a) When a question has been decided by the Senate, any Senator voting on the prevailing side may, on the same day, or on either of the next two days of actual session thereafter, move a reconsideration; and if the Senate shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent. Every motion to reconsider shall be decided by a majority vote of those elected, without debate, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion.
- (b) When a bill, resolution, memorial, report, amendment, order, or message upon which a vote has been taken, shall have gone out of the possession of the Senate, and been communicated to the House, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.
- (c) This rule has been repealed.
- (d) Upon notice being given by any Senator of his intention to move a reconsideration of any vote taken, the secretary shall enter the same in the journal, and shall retain the bill or other paper with reference to which the vote was taken (except petitions, enacted bills, and orders of inquiry), until the time for reconsideration has expired; but the operation of this rule shall be suspended during the last three days of the session.
- (e) After a question has been decided by a committee of reference, any member voting on the prevailing side may move to reconsider. If the committee shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent. Notwithstanding Senate Rule 22 (b) and 22 (n), a motion to reconsider shall require the affirmative vote of a majority of the members of the committee. Such a motion may be made at the meeting at which the decision was made by the committee

or at the next meeting of the committee. However, such a motion may not be made if a committee report regarding the decision of the committee has already been signed by the chairman of the committee and delivered to the Secretary of the Senate.

- (f) After a question has been decided by a committee of reference, a member of the committee who has voted on the prevailing side may give notice of intention to reconsider. If such notice is given, a measure affected by the notice shall be held in the committee of reference until the next regularly scheduled committee meeting. At the next regularly scheduled meeting, the senator who gave the notice may make a motion to reconsider. If that senator does not make a motion to reconsider, the notice shall be deemed withdrawn. However, unless the Committee on Delayed Bills has extended the deadline, notice of intention to move to reconsider shall be out of order if the next regularly scheduled meeting of the committee of reference will not be held until after the passage of an applicable legislative deadline for reporting the measure out of the committee of reference.
- (g) When there has been a tie vote on a question decided by the Senate or by a committee of reference, for purposes of the making of a motion to reconsider, a member who voted "no" shall be deemed to have voted on the prevailing side.



19. Disagreement Between Senate and House

- (a) In case of a disagreement between the Senate and House of Representatives, the Senate may adhere to its position, recede from its position and concur with the position of the House, or request a conference on the matter at issue.

20. Call of the Senate

- (a) Any five Senators may demand a call of the Senate, and require absent Senators to be sent for; but a call of the Senate cannot be made after alphabetical roll call has commenced; and the call of the Senate being in order, the President shall order that the doors of the Senate be closed, and that no Senator be allowed to leave the Senate chamber until the pending motion is voted upon, and shall direct the reading clerk to call the roll and note the absentees; after which the names of the absentees shall be again called, and those absent shall be sent for and taken into custody by the sergeant-at-arms, or his assistants, and brought before the bar of the Senate, where, unless excused by a majority of the Senate present, those for whose absence no excuse or an insufficient excuse is made shall be reprimanded by the President for neglect of duty, and fined, respectively, at least to the extent of the expenses incidental to their apprehension and return. The roll call shall be entered in the journal unless the call shall be raised before the President announces the result of the roll call.
- (b) No more than two calls of the Senate may be made at any particular stage of any proceeding, except by the unanimous consent of the members present.
- (c) Upon the motion of the Senator who made the motion demanding the call, a call of the Senate may be raised by a majority vote of those members present in the chambers.

21. Committees

- (a) The following committees of reference of the Senate shall be appointed by resolution at the beginning of each regular session of the General Assembly convening after a general election, and shall remain constituted as such committees until the first regular session convening after the next ensuing general election:

- (1) Agriculture and Natural Resources.
- (2) Appropriations.
- (3) Business, Labor and Finance.
- (4) Education.
- (5) Government, Veterans and Military Relations,
and Transportation.
- (6) Health, Environment, Children and Families.
- (7) Judiciary.
- (8) Public Policy and Planning.

The party representation of such committees shall be in proportion, as nearly as practicable, as determined by the majority leader, to the relative number of members of the two major political parties in the Senate. The majority leader of the Senate shall determine the number of members, shall designate the number from each political party, and shall appoint the majority members to the committees of reference. The minority leader shall appoint the minority members to such committees.

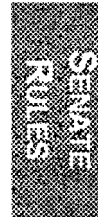
- (a.1) For the purposes of section 24-4-103 (8) (d), Colorado Revised Statutes 1973, the Committee on Legal Services shall be considered a committee of reference.
- (a.3) Any reference in these Rules, the Joint Rules of the Senate and House of Representatives, or in the Colorado Revised Statutes, to the following committees as they existed prior to January 1, 2001, shall be deemed to refer to the following new committees:



Old Committee	New Committee
1 Agriculture, Natural Resources, and Energy.	Agriculture and Natural Resources.
2 Business Affairs and Labor.	Business, Labor and Finance.
3 Finance.	Business, Labor and Finance.
4 Health, Environment, Welfare, and Institutions.	Health, Environment, Children and Families.
5 Local Government.	Government, Veterans and Military Relations, and Transportation.
6 State, Veterans, and Military Affairs.	Government, Veterans and Military Relations, and Transportation.
7 Transportation.	Government, Veterans and Military Relations, and Transportation.

- (b) The following committees shall be appointed by resolution at the beginning of each regular session of the General Assembly convening after a general election, and shall remain constituted as such committees until the first regular session convening after the next ensuing general election:
- (1) Senate Services.
 - (2) Joint Budget Committee.
- (c) No committee shall sit during the sessions of the Senate nor at any time occupy the Senate chamber without leave granted by the Senate.
- (d) Committees shall report upon all matters referred to them without unnecessary delay, and in case of an adverse report, shall at all times state explicitly reasons therefor, in which case such adverse report shall not be acted upon until the following day. They shall return all petitions and other papers referred to them with the bill or resolution, if any, to which they relate.

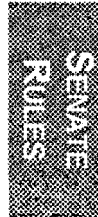
- (e) If a committee of reference decides that a bill referred to it should be referred to another committee it shall do so by means of a committee of reference report.
- (f) The Senate services committee shall see to the proper revision, engrossment, and enrollment of bills. The committee may examine all bills, joint resolutions, joint memorials, and amendments, or other papers which are required to be engrossed before they go out of the possession of the Senate; they may also compare such amendments as shall be made in the House to Senate bills, that are concurred in by the Senate, for the purpose of seeing if they are correct for enrollment in the bill. No bill shall have its third reading unless it shall have been printed, nor until it has been correctly engrossed. The said committee may examine all bills before third reading and final passage, for the purpose of avoiding repetitions, unconstitutional provisions, securing proper title and of ensuring accuracy in the text and references and consistency with the language of existing statutes, and as to whether any amendments adopted by the Senate, if not already printed, are of that material character required by the constitution to be printed. If the committee examines any bills, it may report the nature of errors, with a concise suggestion as to the change necessary to correct the same. The committee may examine all bills originating in the Senate to see that they are correctly enrolled, signed by the President and the Speaker of the House, and presented to the Governor for signature. The committee may also authorize, review, and audit all expenditures for equipment, supplies, and services necessary for the efficient conduct of the business of the Senate and may employ such officers and employees of the Senate as authorized and assign them to their duties. The committee shall have leave to report at any time on its activities and may delegate any of its responsibilities to the secretary, as appropriate.
- (g) Repealed, SR 02-004, January 16, 2002.
- (h) This rule has been repealed.
- (i) Repealed, SR 02-004, January 16, 2002.



22. Committee Rules

- (a) (1) The committees of reference of the Senate shall meet at the times and places specified in the Schedule of Committee Meetings adopted by the Senate at the beginning of each regular session of the General Assembly; the committees shall be scheduled to meet according to the categories in subsection (l) (1) of this rule.
- (2) A committee of reference may hold a special committee meeting at a time and place other than is provided in the Schedule of Committee Meetings, provided the chairman publicly announces the special meeting to the Senate as much in advance of the actual meeting as possible and provided the announcement is made while the Senate is in actual session.
- (3) If a regularly scheduled committee meeting is cancelled, the chairman shall announce such cancellation while the Senate is in actual session prior to the time the meeting is scheduled to take place.
- (b) A majority of the members of each committee of reference shall constitute a quorum.
- (c) Proxies, either written or oral, shall not be permitted for any purpose.
- (d) No final committee action shall be taken upon a measure unless notice of the measures that are to be considered is posted at least one calendar day prior to the scheduled meetings at which the measures are to be considered. The numbers, prime sponsor, and abbreviated title shall be included in the posted announcement and shall be printed in the appropriate daily calendar of the Senate. Failure of the chairman to post such notice shall not preclude the committee of reference from taking any action on a measure if such action shall receive a favorable vote of a majority of the members of the committee.

- (e) (1) The chairman of each committee of reference shall determine the order of business for each committee meeting, including the measures that will be considered at each meeting. However, at least seven days after a measure has been delivered to the chairman, upon the request of a majority of all members of the committee of reference that a specific measure be considered, such request to be made at a regularly scheduled committee meeting, the chairman of the committee shall announce such fact, have it listed on the subsequent daily calendar of the Senate, and schedule such measure for consideration at the next regularly scheduled meeting of the committee.
- (2) The chairman of each committee of reference may limit testimony and discussion on a measure to that which is adequate, in the chairman's discretion, to enable the committee to consider the measure on its merits. In particular, the chairman may limit the length of testimony and discussion and may exclude testimony or discussion that the chairman determines to be repetitious or irrelevant.
- (f) After a committee of reference has taken its final action on a measure, the chairman of the committee shall make a report of such action to the Secretary of the Senate within five legislative days. However, during the last three days of a legislative session, the chairman of the committee shall make any committee of reference report as soon as possible. Final action shall consist of reporting a measure out of committee, with or without amendments, for consideration by the committee of the whole, reporting a measure out of committee, with or without amendment, for consideration by the committee of the whole with a recommendation that the bill be placed on the consent calendar, a recommendation for reference to another committee of reference, or postponing the measure indefinitely. A motion to postpone consideration of a measure for more than 30 days or until a date beyond the date for adjournment sine die of the legislative session shall be considered a motion to postpone indefinitely. In addition, a measure shall be deemed postponed indefinitely when there has been a tie vote on a motion that would constitute final action and subsequently the applicable deadline for Senate committees of



reference to report bills passes without action by the Senate Committee on Delayed Bills to extend the deadline for the measure. The chairman shall make a report to the Secretary of the Senate indicating that any such measure is deemed postponed indefinitely. Following the date of the applicable committee deadline, the chairman shall have five legislative days in which the General Assembly is in actual session to make such report. Every bill shall be reported out of committee for consideration by the Committee of the Whole or indefinitely postponed by a committee of reference prior to the adjournment sine die of the legislative session, and a report to that effect shall be delivered to the secretary. No further action may be taken on any bill that has been indefinitely postponed by a committee of reference and delivered to the secretary.

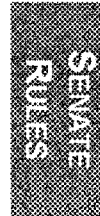
- (g) The staff assistant assigned to each committee of reference shall be responsible to the chairman of the committee for the proper preparation of all reports.
- (h) Upon receipt of a measure by the chairman of a committee of reference, he shall be responsible for the safekeeping of the measure, but he may give custody of the measure to a staff assistant.
- (i) The chairman of a committee of reference shall vote on every question coming before the committee except those in which he has an immediate personal or financial interest, but he shall not vote twice, as in the case to make a tie and then to cast the deciding vote. All other members shall vote on all measures before the committee except proposals in which the member has an immediate personal or financial interest.
- (j) If a member of a committee of reference is absent from three consecutive scheduled committee meetings without being excused, the committee chairman shall report such fact to the floor leader of the party to which the member belongs.
- (k) A recommendation of any committee of reference to amend a measure shall not become an integral part of the measure in question until adopted by the committee of the whole.

- (l) (1) The committees of reference as listed in Rule 21 (a) shall be placed in the following categories:

<u>Category</u>	<u>Committee</u>
1	Business, Labor and Finance. Judiciary.
2	Government, Veterans and Military Relations, and Transportation. Health, Environment, Children and Families. Public Policy and Planning.
3	Agriculture and Natural Resources. Education.
4	Appropriations.

- (2) A member of the Senate shall serve on no more than one committee of reference within a category.

- (m) Roll call votes shall be taken and recorded in each committee on final action and on proposed amendments to which one or more committee members have voiced objection. The record shall include the names of those voting on motions to amend and on final action, and how they voted. Said record shall be available for public inspection.
- (n) In order to take any action on a measure by a committee of reference, the affirmative vote of a majority of a quorum or a majority of those present and voting, whichever is greater, shall be necessary.
- (o) Reconsideration in a committee of reference shall be governed by the provisions of Rule 18 (e) and (f).



22A. Protection of Deliberations

- (a) This rule is adopted pursuant to the constitutional, statutory, and inherent powers of the Senate and is intended to protect the deliberations of the Senate, Senate committees, Senate party caucuses, and other official meetings from undue disruption and interruption.
- (b) Audible electronic devices and audible telephone devices used for transmitting and receiving communications shall be rendered inoperable in the Senate chambers, in the hearings of Senate committees, in Senate party caucuses, or in any other official meetings of Senate members held in the Capitol or the Legislative Services Building.
- (c) Violations of this rule shall be punishable as prescribed by the President of the Senate, and punishments may include, but need not be limited to, temporary or permanent confiscation of said audible devices.

22B. Electronic Participation in Committee of Reference

Members of the Senate shall not be permitted to participate in any meeting of a committee of reference through telephone or other electronic connection.

Rule 23

Rule 23 has been repealed.

24. Reports

- (a) Reports of conference committees shall be placed on the calendar for the day next succeeding that on which such report is presented to the Senate. Reports of committees of reference that refer a bill, concurrent resolution, joint resolution, Senate resolution, or confirmation to the committee of the whole or to the Senate shall, unless otherwise ordered or as otherwise provided in Rules 25A, 30 (g), and 36 (d), be placed upon the calendar for the second actual day of session following that on which such report is delivered to the Senate, as required by Rule 15 (c). All reports of committees of reference shall be included in the journal.
- (b) Repealed, SR 02-004, January 16, 2002.
- (c) Reports of interim committees or other committees made pursuant to request or direction of the General Assembly or the Senate shall be referred to the appropriate standing committee for consideration at the discretion of the President.



25. Bills

- (a) At the time of introduction of a bill, resolution, or memorial, the secretary shall be furnished with the original and four copies thereof, one of which copies shall be returned to the sponsor thereof.
- (b) Every bill shall be read by title when introduced, and by title or at length when the bill is being considered by the committee of the whole or on third and final reading, in accordance with the provisions of Rule 11 of these rules. All substantial amendments thereto shall be printed and laid on the desks of Senators before third reading and final passage of the bill. The final vote shall be taken by ayes and noes, and the names of those voting for and against the same be entered in the journal. No bill shall be declared passed, or signed by the President, unless a majority of all the Senators elected to the Senate shall be recorded as voting for the same; nor shall any bill be signed by the President or secretary of the Senate until it has been properly

enrolled and initialed to so indicate by the bill proof readers of both the Senate and the House.

- (c) Every Senate bill, upon introduction, shall be assigned to the appropriate committee of reference or committees of reference, and shall be printed, unless previously printed under Rule 38 or unless the Senate orders otherwise or unless the sponsor thereof requests otherwise. Following the printing of any bill, the original bill shall be delivered to the chairman of the committee of reference by the docket clerk, taking his receipt therefor. If there be no objection, the report of a committee of reference referring a bill or resolution to the committee of the whole, shall be deemed automatically adopted, except in case of:
- (1) An adverse report.
 - (2) Recommendation for tabling or indefinite postponement.
 - (3) Majority and minority reports on the same bill, in which case a vote shall be taken for adoption or rejection, and for such purposes a minority report shall be deemed a proposed amendment to the majority report.

The adoption of such report shall not preclude amendments to such report by the Senate.

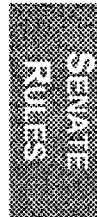
- (d) (1) Notwithstanding any other provisions of these rules, each bill which provides directly for the increase of any salary or which causes an appropriation from the state treasury, shall be referred to the appropriations committee prior to its consideration either by the Senate or by the committee of the whole, and no such bill shall be considered by the committee of the whole or by the Senate until it has been so referred; but this paragraph shall not be construed to compel such reference of any bill merely by reason of the fact that it provides for the re-enactment without change of any continuing appropriation or salary.

(2) Notwithstanding any other provisions of these rules, each bill which provides directly that any money or revenue under the control of the state shall be devoted to any purpose other than that to which it is devoted under existing law shall be referred to the Business, Labor and Finance Committee prior to its consideration either by the Senate or by the committee of the whole, and no such bill shall be considered by the committee of the whole or by the Senate until it has been so referred.

(e) No measure having a significant effect on the revenues, expenditures, or fiscal liability of the state or any political subdivision thereof, for which a pertinent fiscal note has not been prepared or updated, shall be passed on second reading until an appropriate fiscal note is prepared or updated if so requested by at least five members of the Senate.

(f) The final question upon the second reading of every bill or concurrent resolution shall be whether it shall be engrossed or revised and considered on third and final reading. After the Senate shall adopt, by a majority of all members elected, any report of the committee of the whole, the President of the Senate shall publicly make a declaration that all bills included in the report which were adopted were adopted by the required constitutional majority, and such declaration shall be noted in the journal. Prior to the adoption of the committee of the whole report any member may request a roll call on any bill considered in the committee of the whole and such bill shall receive 18 votes before it is ordered passed. Prior to adoption of the committee of the whole report, amendments submitted thereto, whether considered by the committee of the whole or not, shall first be considered.

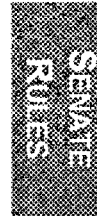
(g) No amendments to bills, concurrent resolutions, joint resolutions, or joint memorials by the House shall be concurred in by the Senate except by the vote of a majority of the members elected thereto, taken by ayes and noes, and the names of those voting for and against recorded in the journal.



- (h) A motion to strike out the enacting clause of a bill shall have precedence over a motion to amend, and if carried shall be equivalent to its rejection.
- (i) This rule has been repealed.
- (j) The word "bill" as used in these rules shall be deemed to include concurrent resolutions.
- (k) In the event a substantial amendment is presented to any bill on third reading, said amendment shall be reproduced and placed on the members' desks; action on the amendment and final consideration of said bill on third reading shall be laid over until the next legislative day. All third reading amendments and the votes thereon shall be recorded in the journal whether they are adopted or not.
- (l) The physical loss or misplacement of a bill shall not deem the bill lost. Should a bill or any other Senate document be lost or misplaced at any stage of action the secretary of the Senate shall report same to the President under Rule 13 (a) (3). He shall then under the direction of the Senate services committee have reproduced a true and correct copy of the bill, entering thereon from the docket book all action and date of such action taken up to the time of misplacement or loss of the bill. He shall further certify on the bill, along with the President of the Senate, that it is a true and correct copy of the original lost or misplaced bill. Should the bill be a House bill, or if a Senate bill and the House has taken action thereon, the Speaker and chief clerk of the House shall also certify as to its being an exact copy. The Senate services committee shall then report by committee of reference report to the effect that such duplicated bill shall hereafter be considered in place of the original bill.
- (m) After the introduction of a bill, a member's name may be added or removed as a co-sponsor thereof only if such member, immediately following the adoption thereof on third reading, rises and indicates to the presiding officer that he wishes his name to be added or removed as co-sponsor.

25A. Consent Calendar

- (a) (1) Except as otherwise provided in this rule, if a bill passes out of committee by a unanimous vote, if a bill has no recommended committee amendments, if all committees of reference considering a bill recommend that the bill be placed on the consent calendar for consideration by the committee of the whole or the majority leader determines a bill to be noncontroversial in nature, the bill may be placed on the consent calendar in the sole discretion of the majority leader, after consultation with the minority leader and the appropriate committee chair. Any bill that is reported out of a committee of reference for consideration by the committee of the whole less than seventy-two hours prior to the applicable deadline for final passage of such bill in the Senate or prior to the final day of any regular or special session cannot be placed on the consent calendar.
- (2) Bills included on the consent calendar shall be printed and posted in the Senate calendar at least forty-eight hours prior to the time of consideration. If any member files a written objection to the inclusion of a bill on the consent calendar with the secretary after its placement thereon or, when recognized for such purpose, objects orally at the microphone to inclusion of a bill on the consent calendar, the bill shall be removed from the consent calendar and placed at the end of the general orders calendar for the next day of actual session following the day on which it was removed from the consent calendar; however, any bill objected to and removed from the consent calendar on the final day for passage of such bill in the Senate in accordance with applicable deadlines shall be placed at the end of the general orders calendar for that day. The consent calendar shall appear on the daily calendar under the title of "general orders", and it shall be clearly designated by the words "consent calendar".



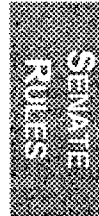
- (b) All bills on the consent calendar shall be considered on second reading by the committee of the whole in the same manner as other bills; except that:
- (1) No substantial debate or floor amendments, other than committee of reference reports, simple comments or questions, or simple or technical floor amendments, shall be permitted for bills on the consent calendar; and
 - (2) The committee of the whole shall take a single vote covering all such bills. The vote shall have the effect of adopting all such bills on second reading.
- (c) A bill shall be removed from the consent calendar upon the objection of any member made at any time after the Senate begins to consider the bill on second reading or third reading. If the objection is made prior to the adoption of the committee of the whole report, the bill shall be deemed as not having been considered on second reading and shall be placed on the general orders calendar for the next day of actual session following the day on which it was removed from the consent calendar; however, any bill objected to and removed from the consent calendar on the final day for passage of such bill in the Senate in accordance with applicable deadlines or on the final day of any regular or special session shall be placed at the end of the general orders calendar for that day. If the objection is made after the adoption of the committee of the whole report but prior to the passage of the bill on third reading, the bill shall be placed on the third reading calendar for the next day of actual session following the day on which it was removed from the consent calendar; however, any bill objected to and removed from the consent calendar on the final day for passage of such bill in the Senate in accordance with applicable deadlines or on the final day of any regular or special session shall be placed at the end of the third reading calendar for that day.
- (d) All bills on the consent calendar that have been passed on second reading shall be included on the calendar under the title "third reading of bills" and shall be clearly designated by the words "consent calendar". No substantial debate or third reading amendments shall

be permitted for bills on the consent calendar. There shall be a single vote covering all bills appearing on the consent calendar. The vote shall be by ayes and noes and entered in the journal separately for each bill.

- (e) The word "bill" as used in this rule shall not include concurrent resolutions.

26. Conference Committees and Votes on Concurring

- (a) The vote on concurring in bills amended in the House shall not be taken until said bills have been placed in the files of Senators and particularly referred to in their calendars; but this rule shall be suspended during the last three days of the session.
- (b) The vote on adopting reports of committees of conference shall not be taken until said reports have been either reproduced for use of the Senators or printed in the journal, and particularly referred to in their calendars; but this rule shall be suspended during the last three days of the session.
- (c) When a conference committee has reached a decision, at least three of its members shall go to the Office of Legislative Legal Services and explain the findings and agreements of the committee. No report of a conference committee shall be returned unless drafted by the Office of Legislative Legal Services.



27. Secret and Executive Sessions

- (a) On a motion being made and seconded to close the doors of the Senate on the discussion of any business which may, in the opinion of any Senator require secrecy, or on motion being made and carried that the Senate go into executive session, the President shall direct all except the Senators and secretary and sergeant-at-arms to withdraw, and during the executive session and the discussion of said motion the

doors shall remain shut, and every member and officer shall keep secret all matters, words, and proceedings that have transpired during the course of said executive session.

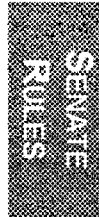
- (b) Whenever the Senate shall go into the consideration of executive business the proceedings of the Senate in such business shall be kept in a separate journal, which shall not be inspected by any others than the members of the Senate unless otherwise ordered by the Senate. The Governor shall, from day to day, be notified by the secretary of the action of the Senate, upon executive nominations, but no further extract from the executive journal shall be furnished, published, or otherwise communicated, except by special order of the Senate.
- (c) This rule has been repealed.
- (d) Any Senator, and officer of the Senate convicted of disclosing any words, statements, matters, or proceedings occurring during an executive session shall be liable, if a Senator, to expulsion, and if an officer, to dismissal from the service of the Senate. All matters, words, discussions, and proceedings, save for exception set forth in subsection (b) of this rule shall be deemed to be secret and in confidence, unless the Senate shall by a majority vote during an executive session direct otherwise.

28. Committee of the Whole

- (a) Upon the adoption of a motion to go into the committee of the whole Senate, the President, unless otherwise ordered by the Senate, shall appoint the chairman thereof, who shall for the time being exercise all the powers of the President necessary to the conduct of the business of the committee.
- (b) The rules of the Senate shall govern, as far as practicable, the proceedings of the committee, except that a member may speak more than twice on the same subject, that a call for the ayes and noes

cannot be made, nor can an appeal from the decision of the chair be taken.

- (c) The committee may rise, report progress, and beg leave to sit again on the same day or on the following day.
- (d) A motion that the committee rise shall always be in order, and shall be decided without debate.
- (e) All bills shall be considered in committee of the whole; all amendments made therein shall be reported by the chairman to the Senate, and shall by him be moved to be entered in the journal. Every bill shall be read at length in committee of the whole if any Senator shall request such reading.
- (f) In committee of the whole, amendments recommended by committees of reference shall be considered as adopted if there is no objection.
- (g) Any amendments to the report of the committee of the whole adopted shall be entered in the journal, together with the vote thereon. Any amendments which are defeated may, if requested by five members of the Senate, be either printed in the journal or reproduced and placed on the members' desks and specifically referred to in the journal. The vote on such amendment shall also be recorded in the journal.



29. Messages

- (a) Messages shall be sent to the House by the secretary or assistant secretary, the secretary having previously endorsed the final determination of the Senate thereon.
- (b) Messages from the Governor or House of Representatives may be received at any time.

30. Resolutions and Memorials

Resolutions and memorials shall be of the following classes:

- (a) (1) Senate concurrent resolutions, which shall:
 - (A) Propose amendments to the state constitution or recommend the holding of a constitutional convention. Following approval by a two-thirds vote of all of the members of the Senate, such resolutions shall be entered in full in the journal together with the ayes and noes thereon as required by subsection (1) of section 2 of Article XIX of the Constitution.
 - (B) Ratify proposed amendments to the federal constitution. Following approval by a majority vote of all of the members of the Senate as required by Senate Rule 17 (f) (4), such resolutions shall be entered in full in the journal together with the ayes and noes thereon.
 - (2) Senate concurrent resolutions, as well as House concurrent resolutions, shall be treated in all respects as bills, except that they shall not be limited as to the time of introduction and action thereon. However, such resolutions may not be introduced within the last twenty legislative days of any regular or special session as provided for in Joint Rule 23 (g). All other provisions of these rules or the joint rules applying to bills shall also apply to concurrent resolutions.
 - (3) Concurrent resolutions of either house shall be referred to an appropriate committee of reference.
- (b) Senate joint resolutions, which pertain to:
- (1) The transaction of the business of both houses.
 - (2) The establishment of investigating committees composed of members of both houses.

- (3) An expression of the will of both houses on any matter not mentioned in Rule 30A.

Any such resolution shall be printed as a bill and placed in the members' bill books, and only its title shall be printed in the journal. The number of printed copies shall be determined by the secretary. Except as otherwise provided in subsection (g) of this rule, at the discretion of the President, it shall then either lay over one day before being acted upon or be referred to a committee of reference, where it shall be considered as Senate bills are considered.

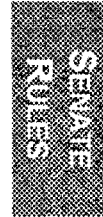
- (c) Senate resolutions, which shall not require the concurrence of the House, and shall cover any purpose similar to a joint resolution, but relate solely to the Senate. Such resolutions shall be treated in all respects as joint resolutions.
- (d) Senate joint memorials or Senate memorials, which shall pertain to resolutions memorializing the Congress of the United States on any matter, or to an expression of sentiment on the death of any person or persons who served as members of the General Assembly, present or former elected State officials, present or former justices of the Colorado Supreme Court, members of Congress, elected officials of other states or of the United States, or foreign dignitaries. Senate joint memorials to Congress shall be treated in all respects as joint resolutions, and all other Senate joint memorials and all Senate memorials shall be treated in all respects as Senate resolutions; except that Senate memorials shall not require the concurrence of the House. Former members of the Senate may address the members of the Senate pursuant to Rule 31 (g) regarding a Senate joint memorial or Senate memorial expressing sentiment on the death of any person who served as a member of the Senate.
- (d.5) Senate joint memorials or Senate memorials, which shall pertain to any matter set forth in Rule 30A (b) (1), when the sponsor has requested a tribute pertaining to that matter and the tribute was not issued pursuant to Rule 30A (c) (3). Senate joint memorials and Senate memorials under this subsection (d.5) shall be treated in all



respects as Senate joint resolutions and Senate resolutions, respectively.

- (e) House joint resolutions and House joint memorials, upon introduction, shall be read by title. Except as otherwise provided in subsection (g) of this rule, at the discretion of the President, they shall then either lay over one day before being acted upon or be referred to a committee of reference, where they shall be considered as bills originating in the House are considered. Former members of the Senate may address the members of the Senate pursuant to Rule 31 (g) regarding a House joint memorial expressing sentiment on the death of any person who served as a member of the Senate.
- (f)
 - (1) (A) A member of the Senate may not introduce more than three Senate joint resolutions or Senate resolutions during any regular or special session unless permission to introduce the resolution is given by the Senate Committee on Delayed Bills. A joint resolution or resolution must be introduced prior to the last twenty legislative days as required in Joint Rule No. 23 (g). This provision shall not apply to a Senate joint resolution or Senate resolution pertaining to the close of the session or to the conduct of legislative business.
 - (B) This paragraph (1) is effective January 1, 1994.
- (g)
 - (1) (A) Except as otherwise provided in this rule, any Senate joint resolution, Senate resolution, Senate joint memorial, Senate memorial, House joint resolution, or House joint memorial that the majority leader determines to be noncontroversial in nature may be placed on the consent calendar in the sole discretion of the majority leader, after consultation with the minority leader and the appropriate committee chair, if applicable. No resolution or memorial shall be placed on the consent calendar within seventy-two hours of the final day of any regular or special session.

- (B) Resolutions or memorials included on the consent calendar shall be printed and posted in the Senate calendar at least forty-eight hours prior to the time of consideration. If any member files a written objection to the inclusion of a resolution or memorial on the consent calendar with the secretary after its placement thereon or, when recognized for such purpose, objects orally at the microphone to inclusion of a resolution on the consent calendar, the resolution or memorial shall be removed from the consent calendar and placed on the calendar for the next day of actual session following the day on which it was removed from the consent calendar; however, any resolution or memorial objected to and removed from the consent calendar on the final day of any regular or special session shall be placed at the end of the calendar for that day. The consent calendar shall appear on the calendar under the title of "consideration of resolutions" or "consideration of memorials", as applicable, and it shall be clearly designated by the words "consent calendar".



- (2) All resolutions and memorials on the consent calendar shall be considered on final passage by the Senate in the same manner as other resolutions and memorials; except that:
- (A) No substantial debate or floor amendments, other than committee of reference reports, simple comments or questions, or simple or technical floor amendments, shall be permitted for resolutions and memorials on the consent calendar; and
- (B) The Senate shall take a single vote covering all resolutions appearing on the consent calendar and a single vote covering all memorials appearing on the consent calendar. The vote shall have the effect of adopting all such resolutions and memorials on final passage. The vote shall be by ayes and noes and

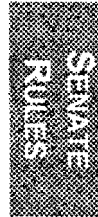
entered in the journal separately for each resolution or memorial, as applicable.

- (3) A resolution or memorial shall be removed from the consent calendar upon the objection of any member made at any time after the Senate begins to consider the resolution or memorial. If the objection is made prior to the vote on the resolutions and memorials on the consent calendar, the resolution or memorial shall be deemed as not having been considered and shall be placed on the calendar for the next day of actual session following the day on which it was removed from the consent calendar; however, any resolution or memorial objected to and removed from the consent calendar on the final day of any regular or special session shall be placed at the end of the calendar for that day.

30A. Tributes

- (a) Tributes are non-legislative actions which do not require introduction or floor action.
- (b) Tributes issued by the secretary of the Senate shall be of the following classes:
 - (1) Senate joint tributes or Senate tributes, which shall:
 - (A) Offer congratulations for significant public achievements;
 - (B) Recognize meritorious individual achievement;
 - (C) Express appreciation for service to the state or the General Assembly;
 - (D) Extend greetings to prominent visitors to the state.

- (2) Senate joint memorial tributes or Senate memorial tributes, which shall express sentiment on the death of a person who has not served as a member of the General Assembly.
- (c) The secretary of the Senate shall not issue:
- (1) A Senate tribute or memorial tribute unless the Senator requesting the issuance of such tribute has obtained the permission of the President;
 - (2) A Senate joint tribute or joint memorial tribute unless the Senator requesting the issuance of such tribute has obtained the permission of the President and a Representative has obtained the permission of the Speaker of the House.
 - (3) A Senate joint tribute or Senate tribute if, prior to the issuance of the tribute, at least five members of the Senate request that the tribute not be issued. If a tribute is not issued because five members of the Senate have requested otherwise, the member requesting the issuance of the tribute may introduce the matter as a joint memorial or a memorial in accordance with Rule 30 (d.5).
- (d) A list of all tributes requested in the Senate shall be made available for inspection in the office of the Secretary of the Senate.
- (e) Repealed, SR 02-004, January 16, 2002.



31. Use of Senate Chamber and Privileges

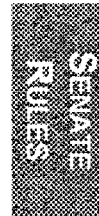
- (a) No person not a member of the General Assembly or an officer or employee required to be on the floor of the Senate in the course of legislative business, other than the judges of the district and supreme courts, the Governor and elected state officers, members of the congressional delegation, ex-members of the Senate, duly accredited representatives of the state press, and such other persons as may be

invited by the President or members of the Senate and families of members of the Senate, shall be admitted to the Senate chamber and adjoining cloak rooms or antechambers, and any such persons shall only be entitled to the quiet and orderly occupancy of the seats provided for visitors or for representatives of the press, and in no event to the privileges of the floor; except that former members of the Senate may address the members of the Senate regarding a Senate memorial, Senate joint memorial, or House joint memorial expressing sentiment on the death of any person who served as a member of the Senate pursuant to subsection (g) of this rule. Persons invited by members of the Senate shall occupy the seats in the rear of the floor of the Senate and on the sides, and any five Senators may demand that the Senate floor be cleared of persons invited by members of the Senate. Other persons shall be admitted to the galleries of the Senate or to the lobby located at the main entrance of the chamber. It shall be the duty of the sergeant-at-arms to enforce this rule.

The desks, materials, and papers of Senators are not to be touched by any person other than Senate employees under the direction of the sergeant-at-arms or the secretary of the Senate. Lobbyists and other persons, except in official state capacity, visiting Senate chambers are not permitted to place material upon the desks of Senators. Any material which any person desires to have distributed to the desks of one or more Senators, except through the mail, must be delivered to the sergeant-at-arms. Such material must bear the name of the organization or person who was responsible for its preparation and distribution. It should be constructively stated and courteously expressed. If facts or statistics from other sources are used, such sources should be identified. Lobbyists and the public are encouraged to communicate with their Senators and to furnish to them factual data concerning the merits of legislative proposals. If the sergeant-at-arms has any question as to the propriety of the material which he is asked to distribute to the members of the Senate, he shall consult the President of the Senate, or in his absence the President pro tempore, or in the absence of both, the majority and minority floor leaders.

Lobbyists shall not be permitted on the floor of the Senate between 9:00 a.m. and adjournment except on the invitation of a Senator.

- (b) No committee of the Senate shall occupy the Senate chamber for public hearings on any matter, without permission having been granted by the consent of a majority of the members elected.
- (c) At no time, whether the Senate be in session or not, shall any employee of the Senate, or any persons whatsoever other than the President or a Senator or a Representative be permitted to occupy the chair or use the desk of the President or that of any Senator.
- (d) Any employee of the Senate or of its committees, soliciting or inviting any Senator to vote or use his influence for any bill or matter before the Senate, shall be at once dismissed from service and employment; and any person entitled to the privileges of the floor of the Senate who shall, while on the floor during the session of the Senate, solicit or invite any Senator to vote or use his influence for any bill or matter before the Senate shall forfeit his privilege. Nothing in this subsection (d) shall prohibit an employee of the Senate or of its committees from exercising the same rights and privileges as other citizens of Colorado with regard to legislation of interest if such attempts are made away from the premises of the state Capitol and not while fulfilling the responsibilities of whatever position the employee has been hired to perform.
- (e) Any person known as a lobbyist, except a volunteer lobbyist, as such term is defined in the Joint Rules of the Senate and House of Representatives, desiring to appear before any committee of the Senate shall first be registered with the Secretary of State as required in section 24-6-303 or 24-6-303.5, Colorado Revised Statutes. A volunteer lobbyist shall be registered with the chief clerk of the House of Representatives.
- (f) There shall be no introduction of visitors or groups in the Senate gallery. Introduction of guests on the floor of the Senate shall be limited to the immediate families of members, former members of the Senate, present or former elected state officials, members of Congress, elected officials of other states or the United States, and foreign dignitaries. In addition, a senator may introduce individuals who have been recognized statewide for a significant accomplishment



or achievement or the members of an academic or athletic group or organization who have achieved a significant goal such as winning a league, state, or national title, competition, or championship. No introductions shall be made during deliberations by the committee of the whole or when the Senate is engaged in third reading of bills.

- (g) At the discretion of the president, any former member of the Senate may be admitted to the floor of the Senate chamber in order to address the members of the Senate regarding a Senate memorial, Senate joint memorial, or House joint memorial expressing sentiment on the death of any person who served as a member of the Senate. Prior to the commencement of an address by a former member concerning a Senate memorial, senate joint memorial, or House joint memorial, the Senate shall recess for the purpose of hearing the address.

32. Presenting Petitions, Memorials, Etc.

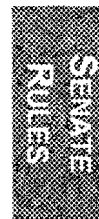
- (a) In presenting a petition, memorial, remonstrance, or other communication addressed to the Senate, the Senator shall make a brief verbal statement of the general purport of it, and, if it be not insulting, profane, or obscene, it shall be received.
- (b) Every petition, memorial, remonstrance, resolution, bill, and report of committee shall be endorsed with its appropriate title, and immediately thereunder the name of the Senator presenting the same shall be written.
- (c) Every petition, memorial, and other paper shall be referred, as of course, without putting the question, unless the reference be objected to when presented.

33. Contested Elections

- (a) All contests of the election of a Senator, and all questions affecting or relating to the qualification or eligibility of a Senator, or the right of any Senator to a seat or membership in the Senate, shall be referred to the Committee on Government, Veterans and Military Relations, and Transportation, which shall proceed to hear and determine said matters, and each of them, in such manner, at such times, in such places, and under such rules, as said committee may adopt, for the purpose of facilitating such hearing.

34. Amendment or Repeal of the Rules

- (a) To amend or repeal one or more rules shall require a majority vote of all members elected provided three days' notice thereof shall have been given. To amend or repeal one or more rules without such prior notice shall require two-thirds vote of all members elected.
- (b) Two certified copies of the revised rules, as amended from time to time, shall be kept at the desk of the secretary of the Senate, which shall be the official rules of the Senate. The certification above provided for shall be by the President and secretary of the Senate.



35. On Vetoed Bills

- (a) In the event of the veto of any bill passed by the General Assembly, the veto message of the Governor shall be read together with the bill vetoed.
- (b) It shall then be in order to proceed to consideration of the bill, in which event the motions shall be:
 - (1) That the bill do pass notwithstanding the veto, and the affirmative vote of two-thirds of all members elected shall be required for the adoption of such motion.

- (2) That consideration of the bill be postponed to a day certain.
- (c) The merits of the bill may be debated before the vote be taken, but the vote on a vetoed bill shall not be reconsidered. In the case of a bill containing several items or sections, one or more of which has been vetoed, and approval given to the remaining items or sections, each item or section so vetoed shall be separately voted upon by the Senate.
- (d) Action by the Senate upon all vetoed bills shall be endorsed on the bill and certified by the President. The bill shall then be filed immediately with the Secretary of State by the secretary of the Senate.

36. Confirmations

- (a) Appointments by the Governor which require confirmation by the Senate shall be received and read in open session of the Senate and shall then be referred to one or more committees of reference. Consideration of any such appointment by a committee of reference shall be listed on the Senate calendar prior to such consideration so as to permit public comment and information concerning such appointment to be submitted to the committee, its chairman, or the staff thereof.
- (b) On the date stated on the Senate calendar, the committee shall consider the appointment in open session and without conducting a public hearing thereon, unless the committee, in open session and upon the vote of a majority of the members present, determines otherwise.
- (c) The report of the committee on any such appointment may recommend that the Senate conduct an executive session to consider the appointment, otherwise the consideration thereof shall be in open session of the Senate. Except as otherwise provided in subsection (d) of this rule, consideration of any such appointment shall be placed on the Senate calendar for the second day of actual session next following receipt of the committee report thereon.



- (d) (1) (A) Except as otherwise provided in this rule, any confirmation reported out by the committee that the majority leader determines to be noncontroversial in nature may be placed on the consent calendar in the sole discretion of the majority leader, after consultation with the minority leader and the appropriate committee chair. No confirmation shall be placed on the consent calendar within seventy-two hours of the last day of any regular or special session.
- (B) Confirmations included on the consent calendar shall be printed and posted in the Senate calendar at least forty-eight hours prior to the time of consideration. If any member files a written objection to the inclusion of a confirmation on the consent calendar with the secretary after its placement thereon or, when recognized for such purpose, objects orally at the microphone to inclusion of a confirmation on the consent calendar, the confirmation shall be removed from the consent calendar and placed on the calendar for the next day of actual session following the day on which it was removed from the consent calendar; however, any confirmation objected to and removed from the consent calendar on the final day of any regular or special session shall be placed at the end of the calendar for that day. The consent calendar shall appear on the calendar under the title of "consideration of Governor's appointments", and it shall be clearly designated by the words "consent calendar".
- (2) All confirmations on the consent calendar shall be considered by the Senate in the same manner as other confirmations; except that:
 - (A) No substantial debate, other than simple comments or questions, shall be permitted for confirmations on the consent calendar; and

- (B) There shall be a single vote covering all confirmations appearing on the consent calendar. The vote shall have the effect of confirming all such appointments. The vote shall be by ayes and noes and entered in the journal separately for each confirmation.
- (3) A confirmation shall be removed from the consent calendar upon the objection of any member made at any time after the Senate begins to consider the confirmation. If the objection is made prior to the vote on the confirmations on the consent calendar, the confirmation shall be deemed as not having been considered and shall be placed on the calendar for the next day of actual session following the day on which it was removed from the consent calendar; however, any confirmation objected to and removed from the consent calendar on the final day of any regular or special session shall be placed at the end of the calendar for that day.

37. Miscellaneous

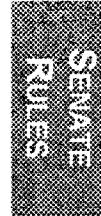
- (a) When the reading of any paper is called for, and not as a part of the remarks of any Senator, and objection is made, it shall be determined by a vote of the Senate, without a debate.
- (b) Questions of privilege shall be first, those affecting the rights of the Senate, collectively, its safety, dignity, and integrity of its proceedings; second, the rights, reputation, and conduct of members individually in their senatorial capacity only; and third, public affairs.

Expressions of personal privilege shall be made after the conclusion of business as called for on the printed calendar, except by a majority vote of members present; provided, that Senate Rule No.31 (f) shall govern the introduction of guests. Any Senator who speaks on privilege shall be the sole judge as to whether his remarks are privileged and shall be limited to ten minutes to present his remarks, except that they may be extended by consent of the Senate.

- (c) It shall be improper on roll call for any Senator to state or attempt to state the vote or sentiments of any absent Senator, or for the clerks of the Senate to make any reference in the journal to such attempt.

38. Printing of Bills Prior to Session

- (a) Any time after December 1st but preceding the convening of the General Assembly at its next regular session, a member or member-elect of the Senate may prefile a bill for introduction with the secretary of the Senate or the secretary-designate. Prior to the convening of any legislative session, the President of the Senate shall order the printing of any bill prefiled for introduction in order to facilitate the business of the pending session of the General Assembly.



39. Demand

- (a) Upon the affirmative vote of 24 members, a bill or other measure may be withdrawn from a committee of reference, and, upon such withdrawal, the chairman of the committee which holds the bill or other measure shall forthwith deliver the bill to the secretary of the Senate, and it shall be placed on the calendar as a general order on the second day of actual session following the vote.

40. Parliamentary Authority

- (a) The latest edition of Mason's Manual of Legislative Procedure shall govern the Senate in all cases in which it is not inconsistent with these rules and the Joint Rules of the Senate and House.

41. Ethics

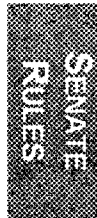
(a) **Definitions.** As used in this rule, unless the context otherwise requires:

- (1) "Close economic associate" or "close economic association" means the Senator's employer, client, employee, or partner or associate in business or professional activities; enterprises of which a Senator is a director or officer; corporations in which a Senator owns more than ten percent of the outstanding capital stock; an enterprise which is his significant unsecured creditor or of which he is a significant creditor; or a trust of which he is a beneficiary. It does not mean a bank or savings and loan association in which his interest is in the form of an account; nor an officership, directorship, or employment in a political, religious, charitable, or educational entity which returns compensation to him of less than one thousand dollars per year.
- (2) "Close relative" means the spouse of the Senator and the following natural, adoptive, and adopted members of the Senator's family and the family of his spouse: mother, father, children, brothers, and sisters.
- (3) "Enterprise" means corporation, partnership, proprietorship, association, or other legal entity (other than an estate or trust) engaged in business for profit.
- (4) "Lobbyist" means any person defined as such in the Joint Rules of the Senate and House of Representatives.
- (5) "Person" and "another" means an individual, partnership, association, corporation, or other legal entity.
- (6) "State agency" means every department, commission, board, division, office, council, or other agency created as part of the state government pursuant to law and supported by state moneys.

(b) **Conflicts of interest – personal or private interests versus public interest – definition.** (1) Subject to article V, section 43, of the state constitution, a Senator has the right to vote upon all questions before the Senate and to participate in the business of the Senate and its committees, and, in so doing, he is presumed to act in good faith and in the public interest. When a Senator's personal interest conflicts with the public interest and tends to affect his independence of judgment, his legislative activities are subject to limitations. Where any such conflict exists, it disqualifies him from voting upon any question and from attempting to influence any legislation to which it relates.

(2) A question arises as to whether a personal or private interest tends to affect a Senator's independence of judgment if the Senator:

- (A) Has or acquires a substantial economic interest by reason of his personal situation, distinct from that held generally by members of his occupation, profession, or business, in a measure proposed or pending before the General Assembly; or has a close relative or close economic associate with such an interest.
- (B) Has or acquires a financial interest in an enterprise, direct or indirect, which enterprise or interest would be affected by proposed legislation differently from like enterprises.
- (C) Has or acquires a close economic association with, or is a close relative of, a person who has a financial interest in an enterprise, direct or indirect, which enterprise or interest would be affected by proposed legislation differently from like enterprises.
- (D) Has or acquires a close economic association with, or is a close relative of, a person who is a lobbyist or who employs or has employed a lobbyist to propose



legislation or to influence proposed legislation on which the Senator has or may be expected to vote.

- (E) Accepts a gift, loan, service, or economic opportunity of significant value from a person who would be affected by or who has an interest in an enterprise which would be affected by proposed legislation. This provision shall likewise apply where such gift, loan, service, or opportunity is accepted by a close relative of the Senator. It shall not normally apply in the following cases: A commercially reasonable loan made in the ordinary course of business by an institution authorized by the laws of this state to engage in the business of making loans; an occasional nonpecuniary gift, insignificant in value; a nonpecuniary award publicly presented by a nonprofit organization in recognition of public service; or payment of or reimbursement for actual and necessary expenditures for travel and subsistence for a Senator's personal attendance at a convention or other meeting at which he is scheduled to participate and for which attendance no reimbursement is made by the state of Colorado.

- (c) **Undue influence – definition.** (1) A Senator, by reason of his office, is or may be in a position to bring undue influence on other legislators, public officials, or private persons. To use this potential for economic or private gain is an abuse of office and a matter of concern to the Senate, whether or not the act is also punishable under the criminal laws.

- (2) The following limitations shall apply to legislative conduct and violations are declared to constitute undue influence:

- (A) A Senator shall not use his public position, intentionally or otherwise, to obtain or attempt to obtain any confidential information or special advantage for himself, a close relative, or a close economic associate.

- (B) A Senator shall not sell goods or services to a state agency in a transaction not governed by the laws relating to public purchasing by competitive bidding, or intercede for or represent another in so doing; nor shall he in any way be interested in any contract to furnish supplies, printing, repairs, or furnishings to the General Assembly or any other state agency, contrary to section 29 of article V of the state constitution.
- (C) A Senator shall not solicit, receive, offer, or give any bribe, contrary to the state constitution and the provisions of sections 18-8-302 to 18-8-308, 18-8-401, 18-8-402, 18-8-404, 18-8-405, and 18-8-407, C.R.S. 1973; nor shall he accept or give any compensation, gratuity, or reimbursement for voting upon any question or for attempting to influence legislation.
- (D) A Senator shall not give or offer to give his vote in consideration of the vote of another member, contrary to the provisions of section 40 of article V of the state constitution.
- (E) A Senator shall not attempt to influence any public official by deceit or threat, contrary to section 7 of article XII of the state constitution and section 18-8-306, C.R.S. 1973.
- (d) ***When Senator permitted to vote.*** Nothing in this rule shall be construed as prohibiting a Senator from voting for a bill or other measure whose passage would adversely affect his personal or private interest or from voting against a bill or other measure whose defeat would adversely affect his personal or private interest; and nothing in this rule shall be construed to prevent a Senator from voting on the report of the committee of the whole, unless such vote is conducted solely on the bill or measure in which he has a personal or private interest.

- (e) ***Applicability of rule.*** The provisions of this rule shall not apply as the basis for the recall of any measure by either house nor otherwise constitute the basis to contest the validity of any legislative action on any bill or other measure on which a vote was cast by any member of the Senate in violation of this rule.
- (f) ***Legislators not to request donations to charitable organizations.*** A legislator shall not request a lobbyist or an employee of the General Assembly to make donations to any type of charitable organization.

42. Review of Certain Bills by the Capital Development Committee

- (a) A copy of any bill introduced in the Senate and determined under the rules of the Senate to be dealing with capital construction requests, controlled maintenance requests, or proposals for the acquisition of capital assets shall be directed to the Capital Development Committee, appointed pursuant to part 13 of article 3 of title 2, Colorado Revised Statutes. The Capital Development Committee shall review any bill directed to it under the provisions of this rule and may make advisory recommendations thereon to any committee of reference considering any such bill or to the Senate. Under the provisions of this rule, the Capital Development Committee shall not be considered a committee of reference of the General Assembly.

43. Committee on Ethics

- (a) Any person who has knowledge concerning misconduct involving legislative duties by a member of the Senate, including but not limited to the alleged violation of the Rules of the Senate or of Section 40 of Article V of the state Constitution, may file a written, signed complaint with the President setting forth the facts that constitute the alleged misconduct and specifying the statutes, rules, constitutional provisions, or other ethical principles alleged to have been violated. The President shall provide the member complained against with a copy of the complaint. The President shall consult with the majority

leader and the minority leader about the complaint. The fact that a complaint has been filed and any documents relating thereto shall be kept confidential by the President, the majority leader, and the minority leader. If at least two of the three leaders conclude that the complaint is not meritorious or does not substantiate an ethical violation, the complaint shall be dismissed, and the complainant and the member complained against shall be so notified. If the complaint is dismissed, it shall remain confidential.

- (b) If the complaint is not dismissed pursuant to subsection (a) of this rule, a committee on ethics shall be appointed, which shall consist of not less than five nor more than seven members. The party representation on the committee shall be in proportion generally to the relative number of members of the two major political parties in the Senate. The majority party members of the committee shall be appointed by the President from among the chairmen of committees of reference of the Senate. The minority party members of the committee shall be appointed by the minority leader from among the members of the Senate who are senior in service and experience. The President shall designate the chairman and vice-chairman of the committee from among its members.
- (c) The person complained against may submit a written answer to the committee within ten days after appointment of the committee. The committee shall make a preliminary investigation of the complaint. The preliminary investigation shall consist of an examination of the complaint, the answer, if any, and any other evidence compiled pursuant to the request of the committee, but the committee shall not receive testimony or other evidence from other sources. The preliminary investigation shall be completed within thirty days after appointment of the committee. If, after the preliminary investigation, the committee determines no violation has occurred, the complaint shall be dismissed.
- (d) If, after the preliminary investigation, the committee determines probable cause exists to find that a violation may have occurred, it shall so notify the person complained against. Within seven days after such notification, such person may request a hearing before the



committee, at which he or she shall be entitled to appear, present evidence, cross-examine witnesses, and be represented by counsel. The committee shall have the power to take testimony under oath and to issue subpoenas and subpoenas duces tecum in the manner provided by Joint Rule No. 33 (b), (c), and (d) of the Joint Rules of the Senate and House of Representatives. The hearing shall commence within fourteen days after receipt of the request for a hearing.

- (e) All proceedings of the committee shall be governed by the provisions of part 4 of article 6 and part 2 of article 72 of title 24, Colorado Revised Statutes.
- (f) After a hearing held pursuant to subsection (d) of this rule, the committee may dismiss the complaint, or, if it finds that action should be taken against the member complained against, it shall make appropriate recommendations to the Senate, including reprimand, censure, or expulsion. Pursuant to the authority vested in the Senate by Section 12 of Article V of the state Constitution, the Senate may expel the member in question by an affirmative vote of no fewer than two-thirds of the members elected to the Senate, or the Senate may reprimand, censure, or otherwise punish the member by an affirmative vote of a majority of the members elected to the Senate.
- (g) Action of the leadership, the ethics committee, or the Senate pursuant to this rule is final and not subject to court review. Nothing in this rule shall prohibit the Senate from taking any action based upon its authority to judge the qualifications of its members pursuant to Section 10 of Article V of the state Constitution.
- (h) The committee may retain such counsel and may hire such investigators as it deems necessary for the performance of its duties under this rule. All expenditures incurred pursuant to this subsection (h) shall be approved by the President and paid by vouchers and warrants drawn as provided by law from appropriations made to the General Assembly.

- (i) The committee may adopt rules of procedure for the orderly conduct of its meetings, investigations, and hearings, which rules shall be consistent with this rule and other applicable rules and statutes.
- (j) If the complaint concerns misconduct of the President, then the duties of the President in this rule shall be the duties of the majority floor leader and the duties of the majority floor leader shall be the duties of the assistant majority leader. If the complaint concerns misconduct of the majority floor leader or the minority leader, then the duties of such leader in this rule shall be the duties of the assistant majority leader or the assistant minority leader, as the case may be.

