

(Corrected)

Session of 2021

House Concurrent Resolution No. 5001

By Representatives Ryckman, Hawkins and Sawyer

1-11

1 A CONCURRENT RESOLUTION adopting joint rules for the Senate
2 and House of Representatives for the 2021-2022 biennium.

3
4 Be it resolved by the House of Representatives of the State of Kansas, the
5 Senate concurring therein: That the following joint rules shall be the
6 joint rules of the Senate and House of Representatives for the 2021-
7 2022 biennium.

8 JOINT RULES OF THE
9 SENATE AND HOUSE OF REPRESENTATIVES
10 2021-2022

11 **Joint rule 1. Joint rules; application and date of expiration;**
12 **adoption, amendment, suspension and revocation.** (a) *Joint rules;*
13 *expiration, adoption, amendment, suspension and revocation; vote*
14 *required.* Joint rules are adopted under the authority of section 8 of article
15 2 of the Constitution of the State of Kansas and shall govern matters
16 made subject thereto except when otherwise specifically provided by
17 joint rule. Joint rules shall expire at the conclusion of the terms of
18 representatives. Joint rules shall be adopted, amended, suspended and
19 revoked by concurrent resolution of the two houses of the legislature.
20 Concurrent resolutions adopting joint rules shall receive the affirmative
21 vote of not less than a majority of the members then elected (or
22 appointed) and qualified in each house.

23 (b) *Amendment, suspension or revocation of joint rules; previous*
24 *notice; vote required.* After one day's previous notice, joint rules may be
25 amended, suspended or revoked by the affirmative vote of not less than a
26 majority of the members then elected (or appointed) and qualified in each
27 house. Upon the filing of such notice in either house, a message shall be
28 sent to the other house advising of the filing of such notice and the
29 reading of the message shall constitute notice to the members of such
30 house. If such previous notice is not given, the affirmative vote of $\frac{2}{3}$ of
31 the members then elected (or appointed) and qualified in each house shall
32 be required for the amendment, suspension or revocation of a joint rule.

33 (c) *Amendment, suspension or revocation of joint rules at*
34 *commencement of legislative session; vote required; conditions.*
35 Notwithstanding any provision of this rule to the contrary, no notice shall
36 be required for the adoption of a concurrent resolution amending,

1 suspending or revoking any one or more joint rules at the commencement
2 of a legislative session, and adoption of any such concurrent resolution
3 shall require only the affirmative vote of not less than a majority of the
4 members then elected (or appointed) and qualified in each house, subject
5 to the following conditions: (1) The concurrent resolution is sponsored by
6 the speaker or the president; and (2) either: (a) A copy thereof is mailed to
7 each member of the legislature by deposit in the United States mails not
8 later than 11:00 p.m. on the Thursday preceding the Monday on which
9 the legislative session is to commence; or (b) in lieu of mailing, copies of
10 the concurrent resolution are made available to members on the first day
11 of the legislative session and final action is taken on a subsequent
12 legislative day.

13 **Joint rule 2. Joint sessions.** (a) *Joint session called by concurrent*
14 *resolution; vote required; time, place and subject matter.* A joint session
15 of the senate and house of representatives may be called by concurrent
16 resolution adopted by the affirmative vote of not less than a majority of
17 the members elected (or appointed) and qualified in each house of the
18 legislature or as may otherwise be prescribed by law. Any such resolution
19 shall fix the time and place of the joint session, and the subject matter to
20 be considered at the joint session. Joint sessions shall consider only such
21 matters as are prescribed by law or by the concurrent resolution calling
22 such joint session.

23 (b) *Presiding officer at joint sessions; record of joint session; rules*
24 *applicable.* The speaker of the house of representatives shall preside at all
25 joint sessions of the senate and house of representatives, and the clerk of
26 the house of representatives shall keep a record of the proceedings thereof
27 and shall enter the record of each such session in the journal of the house
28 of representatives. The rules of the house of representatives and the joint
29 rules of the two houses, insofar as the same may be applicable shall be
30 the rules for joint sessions of the two houses.

31 (c) *Votes in joint session; taking; requirements.* All votes in a joint
32 session shall be taken by yeas and nays, and in taking the same it shall be
33 the duty of the secretary of the senate first to call the names of the
34 members of the senate, and after which the clerk of the house of
35 representatives shall in like manner call the names of the members of the
36 house. Each member of the senate and the house of representatives
37 present shall be required to vote on all matters considered in joint session,
38 unless excused by a vote of a majority of the members of both houses
39 present.

40 **Joint rule 3. Conference committee procedure.** (a) *Action by house*
41 *of origin of bill or concurrent resolution amended by other house.* When a
42 bill or concurrent resolution is returned to the house of origin with
43 amendments by the other house, the house of origin may: (1) Concur in

1 such amendments; (2) refuse to concur in such amendments; or (3) refuse
2 to concur in such amendments and request a conference on the bill or
3 concurrent resolution.

4 (b) *Concurrence by house of origin; concurrence prior to taking*
5 *action on conference committee report by other house; final action; effect*
6 *of failure of motion to concur.* The house of origin of any bill or
7 concurrent resolution may concur in any amendments made by the other
8 house, except that if the bill or concurrent resolution has been referred to
9 a conference committee such action may only be taken prior to the taking
10 of final action upon the conference committee report upon such bill or
11 concurrent resolution by the other house. A vote in the house of origin of
12 any bill or concurrent resolution on a motion to concur in amendments to
13 such bill or concurrent resolution by the other house shall be considered
14 action on the final passage of the bill or concurrent resolution and the
15 affirmative and negative votes thereon shall be entered in the journal. If
16 the motion to concur is upon amendments to a bill or concurrent
17 resolution for which a conference committee has been appointed and
18 action has not been taken upon the report of such committee by the other
19 house and such motion fails, the bill or concurrent resolution shall not be
20 deemed to have been killed thereby and the motion to concur may be
21 renewed but not on the same legislative day. If the motion to concur is
22 upon amendments to a bill or concurrent resolution for which a
23 conference committee has not been appointed and such motion fails, the
24 bill or concurrent resolution shall be deemed to be killed.

25 (c) *Motion to nonconcur; when considered final action; effect of*
26 *adoption of motion.* A vote in the house of origin of any bill or concurrent
27 resolution on a motion to nonconcur or to refuse to concur in amendments
28 to such bill or concurrent resolution by the other house which is not
29 coupled with a request for the appointment of a conference committee
30 shall be considered action on final passage of the bill or concurrent
31 resolution and the affirmative and negative votes thereon shall be entered
32 in the journal, and the bill or concurrent resolution shall be deemed killed
33 on the adoption thereof.

34 (d) *House of origin refusal to concur or nonconcur; request for*
35 *conference; procedure.* When a bill or concurrent resolution is returned
36 by either house to the house of origin with amendments, and the house of
37 origin refuses to concur or to nonconcur therein, a conference may be
38 requested by a majority vote of the members present and voting. Such
39 request shall be transmitted to the other house by message which shall
40 include the names of the conferees on the part of the requesting house.
41 Upon receipt of any such message, the receiving house may, in like
42 manner, approve such conference, and shall thereupon notify the
43 requesting house by message stating the names of its conferees.

1 (e) *Membership; appointment; chairperson; house of origin of*
2 *substitute or materially changed bill or concurrent resolution; meetings*
3 *of conference committee.* Each conference committee shall consist of
4 three members of the senate and three members of the house of
5 representatives, unless otherwise fixed by agreement of the president of
6 the senate and speaker of the house. Senate members shall be appointed
7 by the president of the senate and house members shall be appointed by
8 the speaker of the house of representatives. The president or the speaker
9 may replace any conferee previously appointed by such person. Not
10 fewer than one member appointed from each house shall be a member of
11 the minority political party of such house except when such
12 representation for such house is waived by the minority leader of such
13 house. In all cases, the first-named member of the house of origin of the
14 bill or concurrent resolution assigned to the committee shall be
15 chairperson of the conference committee. The house of origin of a
16 substitute bill or substitute concurrent resolution shall be the house in
17 which the bill or concurrent resolution in its original form was
18 introduced. The chairperson of a conference committee on a bill or
19 concurrent resolution the subject matter of which has been ruled to be
20 materially changed shall be a member of the house which amended the
21 bill or concurrent resolution to materially change the subject matter. Each
22 conference committee shall meet on the call of its chairperson. All
23 meetings of conference committees shall be open to the public and no
24 meeting shall be adjourned to another time or place in order to subvert
25 such policy.

26 (f) *Conference committee reports; matters which may be included;*
27 *report not subject to amendment; house which acts first on report; copies*
28 *of reports; reports considered under any order of business.* Only subject
29 matters which are or have been included in the bill or concurrent
30 resolution in conference or in bills or concurrent resolutions which have
31 been passed or adopted in either one or both houses during the current
32 biennium of the legislature may be included in the report of the
33 conference committee on any bill or concurrent resolution except in any
34 appropriations bill there may be included a proviso relating to any such
35 item of appropriation. Subject to any limitations imposed under the
36 constitution of the state of Kansas, no more than a total of four additional
37 bills or concurrent resolutions or parts of bills or concurrent resolutions in
38 conference or bills or concurrent resolutions or parts of bills or concurrent
39 resolutions which have passed in either one or both houses during the
40 current biennium of the legislature may be included in the report of the
41 conference committee on any bill or concurrent resolution, except that
42 reports of conference committees on any taxation bill are not subject to
43 the limitation contained in this provision. A conference committee report

1 shall not be subject to amendment. The original signed conference
2 committee report shall be submitted to and acted upon first by the house
3 other than the house of origin of the bill or concurrent resolution. Except
4 when a conference committee report is an agree to disagree coupled with
5 a request that a new conference committee be appointed or is a
6 recommendation to accede to or recede from all amendments of the
7 second house, electronic and paper copies of the report shall be made
8 available to all members of the house considering the report not later than
9 30 minutes before the time of its consideration, except that if the report is
10 more than six pages in length no paper copies will be required to be
11 distributed to individual members provided that at least 10 paper copies
12 of the report are made available to members at the clerk's or secretary's
13 desk at the front of the respective house. By written notice, the majority
14 leader may direct the clerk or secretary to increase from six pages to
15 some greater number of pages the size of conference committee reports
16 that need not be distributed by paper copies to individual members
17 pursuant to this rule. The affirmative vote of $\frac{2}{3}$ of the members present in
18 the house at the time of consideration of the report shall be sufficient to
19 dispense with distribution of copies of the conference committee report to
20 all members of that house. Reports of conference committees may be
21 received and considered under any order of business.

22 (g) *Signatures required on conference committee reports.* All initial
23 conference committee reports other than an agreement to disagree
24 coupled with a request that a new conference committee be appointed
25 shall be signed by all of the conferees. All initial conference committee
26 reports which are an agreement to disagree coupled with a request that a
27 new conference committee be appointed shall be signed by a majority of
28 the conferees appointed in each house. If a conference committee report
29 which is an agreement to disagree coupled with a request that a new
30 conference committee be appointed is not adopted, a subsequent
31 conference committee report shall be signed by all conferees unless a
32 subsequent conference committee report which is an agreement to
33 disagree coupled with a request that a new conference committee be
34 appointed is adopted, in which case a conference committee report
35 subsequent to the adoption of such report shall be signed by a majority of
36 the conferees appointed in each house. All other conference committee
37 reports shall be signed by a majority of the conferees appointed in each
38 house.

39 (h) *Vote to adopt conference committee report final action; effect of*
40 *failure of motion to adopt conference committee report.* The vote to adopt
41 the report of a conference committee, other than a report of failure to
42 agree coupled with a recommendation for appointment of a new
43 conference committee, shall be considered final action on the bill or

1 concurrent resolution and the affirmative and negative votes thereon shall
2 be entered in the journal. If the motion fails, the bill or concurrent
3 resolution shall be deemed to be killed. If the motion on a conference
4 committee report which is an agreement to disagree coupled with a
5 request that a new conference committee be appointed fails, the bill or
6 concurrent resolution shall not be deemed to have been killed thereby and
7 remains in conference.

8 (i) *Report of conference committee unable to agree; effect of failure*
9 *to request new conference committee; effect of failure of motion to adopt*
10 *report requesting new conference committee.* If a conference committee
11 upon any bill or concurrent resolution is unable to agree, it shall report
12 that fact to both houses. Such report may request that a new conference
13 committee be appointed thereon. If the committee so reports but fails to
14 request the appointment of a new conference committee thereon, the bill
15 or concurrent resolution shall be deemed to have been killed upon the
16 adoption by either house of such report. If the motion to adopt a report
17 requesting the appointment of a new conference committee fails, the bill
18 or concurrent resolution shall be deemed to be killed.

19 (j) *Bills or concurrent resolutions under consideration by*
20 *conference committees and reports thereof; carryover from odd-*
21 *numbered to even-numbered year.* Bills or concurrent resolutions under
22 consideration by a conference committee, or a report of which has been
23 filed but no action taken thereon in either house, at the time of
24 adjournment of a regular session of the legislature held in an odd-
25 numbered year shall remain alive during the interim and may be
26 considered by the committee and legislature as the case may be at the
27 regular session held in the following even-numbered year.

28 **Joint rule 4. Deadlines for introduction and consideration of bills.**

29 The senate and house of representatives shall observe the following
30 schedule of deadlines in making requests for drafting and in the
31 introduction and consideration of bills.

32 (a) *Bill request deadline for individual members.* Except for bills
33 introduced pursuant to (i) of this rule, no request to draft bills, except
34 those made by committees, through their respective chairpersons, shall be
35 made to, or accepted by, the office of the revisor of statutes after the hour
36 of 5:00 p.m. on February 1, 2021, during the 2021 regular session ~~and on~~
37 ~~February 3, 2020, during the 2020 regular session.~~

38 (b) *Bill introduction deadline for individual members.* Except as
39 provided in (i) of this rule, no bill sponsored by a member or members
40 shall be introduced in either house of the legislature after the hour of
41 adjournment on February 10, 2021, during the 2021 regular session ~~and~~
42 ~~on February 12, 2020, during the 2020 regular session.~~ Such deadline for
43 the introduction of bills by individual members may be changed to an

1 earlier date in either house at any time by resolution duly adopted by the
2 affirmative vote of not less than a majority of the members then elected
3 (or appointed) and qualified in such house.

4 (c) *Bill request deadline for certain committees.* Except for bills to
5 be introduced pursuant to (i) of this rule, no committee except the
6 committee on ways and means of the senate, the committee on
7 assessment and taxation of the senate, select committees of either house
8 when so authorized, the committee on federal and state affairs of either
9 house or the house committees on calendar and printing, appropriations
10 and taxation shall make a request to the office of the revisor of statutes
11 for any bill to be drafted for sponsorship by such committee after the hour
12 of 5:00 p.m. on February 8, 2021, during the 2021 regular session ~~and on~~
13 ~~February 10, 2020, during the 2020 regular session.~~

14 (d) *Bill introduction deadline for certain committees.* Except as
15 provided in (i) of this rule, no bill sponsored by any committee of either
16 house of the legislature, except the committee on ways and means of the
17 senate, the committee on assessment and taxation of the senate, select
18 committees of either house when so authorized, the committee on federal
19 and state affairs of either house or the house committees on calendar and
20 printing, appropriations and taxation shall be introduced in either house
21 after the hour of adjournment on February 12, 2021, during the 2021
22 regular session ~~and on February 14, 2020, during the 2020 regular~~
23 ~~session.~~

24 (e) *House of origin bill consideration deadline.* No bill, except bills
25 sponsored by, referred to or acted upon by the committee on ways and
26 means of the senate, the committee on assessment and taxation of the
27 senate, select committees of either house when so authorized, the
28 committee on federal and state affairs of either house or the house
29 committees on calendar and printing, appropriations and taxation shall be
30 considered in the house in which such bill originated after the hour of
31 adjournment on March 5, 2021, during the 2021 regular session ~~and on~~
32 ~~February 27, 2020, during the 2020 regular session.~~

33 (f) *Second house bill consideration deadline.* No bill, except bills
34 sponsored by, referred to or acted upon by the committee on ways and
35 means of the senate, the committee on assessment and taxation of the
36 senate, select committees of either house when so authorized, the
37 committee on federal and state affairs of either house or the house
38 committees on calendar and printing, appropriations and taxation shall be
39 considered by either house, not the house of origin of such bill, after the
40 hour of adjournment on March 31, 2021, during the 2021 regular session
41 ~~and March 25, 2020, during the 2020 regular session.~~

42 (g) *Exceptions to limitation of (d), (e) and (f); procedure.* Specific
43 exceptions to the limitations prescribed in subsections (d), (e) and (f) may

1 be made in either house by resolution adopted by the affirmative vote of
2 not less than a majority of the members of such house then elected (or
3 appointed) and qualified.

4 (h) *Deadline which falls on day neither house in session; effect.* In
5 the event that any deadline prescribed in this rule falls on a day that
6 neither house of the legislature is in session, such deadline shall be
7 observed on the next following day that either house is in session.

8 (i) *Bills introduced in odd-numbered years after deadlines; effect.*
9 Bills may be introduced by members and committees in regular sessions
10 occurring in an odd-numbered year after the times prescribed in (b) and
11 (d) of this rule, but there shall be no final action thereon by either house
12 during the session when introduced. Such bills shall be held over for
13 consideration at the next succeeding regular session held in an even-
14 numbered year.

15 (j) *Modification of schedule of deadlines for introduction and*
16 *consideration of bills; procedure.* In any regular session a concurrent
17 resolution may be adopted by the affirmative vote of not less than a
18 majority of the members then elected (or appointed) and qualified in each
19 house setting forth a different schedule of deadlines for introduction and
20 consideration of bills for that session and the provisions of such
21 concurrent resolution shall apply to such session notwithstanding
22 provisions of this rule to the contrary.

23 (k) *Bill consideration deadline; exceptions.* No bills shall be
24 considered by the Legislature after April 9, 2021, during the 2021 regular
25 session ~~and after April 3, 2020, during the 2020 regular session~~ except
26 bills vetoed by the governor, the omnibus appropriation act and the
27 omnibus reconciliation spending limit bill provided for under K.S.A. 75-
28 6702, and amendments thereto. This subsection (k) may be suspended for
29 the consideration of a specific bill or bills not otherwise exempt under
30 this subsection by the affirmative vote of a majority of the members then
31 elected (or appointed) and qualified in the house in which the bill is to be
32 considered.

33 **Joint rule 5. Closure of meetings to consider matters relating to**
34 **security.** Any standing committee of the house of representatives, any
35 standing committee of the senate, the legislative coordinating council,
36 any joint committee of both houses of the legislature, any special or select
37 committee of the house of representatives or the senate, the house of
38 representatives in session, the senate in session or a joint session of the
39 house of representatives and the senate may meet in closed, executive
40 session for the purpose of receiving information and considering matters
41 relating to the security of state officers or employees, or both, or the
42 security of buildings and property under the ownership or control of the
43 state of Kansas.

1 **Joint rule 6. Floor amendments to bills making appropriations. (a)**

2 Unless by majority consent to correct an error in drafting, no amendment
3 from the floor in either house of the legislature to increase the amount of
4 expenditures that would be authorized in a provision of an appropriations
5 bill shall be in order unless the amendment contains a provision reducing,
6 by a like or greater amount, expenditures that would be authorized in
7 another provision of such appropriations bill. Notwithstanding any rule in
8 either house of the legislature, those portions of a motion to amend a bill
9 as described in this rule shall be indivisible.

10 (b) The provisions of subsection (a) shall not apply if the ending
11 balance in the state general fund for the ensuing fiscal year is equal to
12 7.5% or more of the total amount authorized to be expended or
13 transferred by demand transfer from the state general fund in such fiscal
14 year based on the most recent budget profile of the Kansas legislative
15 research department.
16