

## WAYS AND MEANS COMMITTEE RULES 2021-2022

*Proposed January 14, 2021*

Rule 1. The Rules of the House as they are now or as hereafter adopted shall be the House Ways and Means Committee rules as determined to be appropriate by the Chairman and except as otherwise provided below.

Rule 2. The adopted rules must be taken as an expression of the normal operating procedure of the Committee, but the procedure, excluding voting requirements, may be departed from with the approval of two-thirds of the Committee members present. Permanent changes to the rules require approval by two-thirds of the appointed membership. The rules shall remain in effect beyond the two-year session to serve as the temporary rules until the subsequent Committee membership adopts rules.

Rule 3. During the organizational session at the beginning of each two-year session, the Committee shall meet and elect a 1<sup>st</sup> Vice-Chairman and a 2<sup>nd</sup> Vice-Chairman. The 1<sup>st</sup> Vice-Chairman shall preside over Committee meetings in the absence of the Chairman. The 2<sup>nd</sup> Vice-Chairman shall preside over Committee meetings in the absence of the Chairman and 1<sup>st</sup> Vice-Chairman.

Rule 4. The Chairman shall determine the number and size of subcommittees and shall appoint subcommittee chairmen. Legislation is assigned to a subcommittee at the discretion of the Chairman and the Chairman may modify assignments as he deems appropriate. The Chairman may appoint ad hoc subcommittees to study specific legislation or issues. An ad hoc subcommittee shall cease to exist upon completion of the assigned task(s) and any specific legislation produced by an ad hoc committee may be placed on the full committee agenda for consideration by the Committee.

Rule 5. The Committee, in order to ensure that all full committee meetings are available to the public, may allow access to S.C. ETV for the availability of internet streaming whenever technologically feasible. In the event of extraordinary circumstances, including but not limited to natural disasters, severe weather, and Acts of God, the Chairman may designate alternative meeting arrangements and procedures. Provided, however, these meeting arrangements and procedures must: (1) provide for public observation or participation as required by House Rules and the provisions of Title 30, Chapter 4 of the 1976 Code of Laws of South Carolina, as amended; (2) provide both a video and audio component that is publicly accessible; and (3) record the meeting, in its entirety, and make the recording available on the General Assembly website as soon as practicable following the meeting.

Rule 6. A majority of the appointed membership constitutes a quorum.

Rule 7. Pursuant to the provisions of S.C. Code Section 2-69-30 and Article III, Section 12, of the South Carolina Constitution, the committee or a subcommittee, in the discharge of its duties, may administer oaths and affirmations, take depositions, and receive testimony and evidence as necessary in connection with its work, study, or investigation.

Rule 8. A matter to be considered at a meeting shall be listed on the agenda. Preparation of the agenda for a Committee meeting and designation of the meeting time is the responsibility of the Chairman. Each item on the agenda shall include the bill number, the primary sponsor, an abbreviated bill title, and a summary of the bill that includes a statement of fiscal impact.

Rule 9. A matter that is not listed on the agenda may be considered at the meeting for which the agenda is prepared with unanimous consent of those members present. A matter shall be added to the agenda for the subsequent meeting of the Committee if approved by a two-thirds vote of the appointed members of the Committee at any regularly scheduled meeting.

Rule 10. The Committee may recall a bill or resolution from a subcommittee, by majority vote of the members present, for consideration by the Committee; however, the bill or resolution will not be eligible for consideration until the next meeting of the Committee.

Rule 11. To address the Committee, a person must be scheduled on the agenda, a constitutional officer of the state or member of the General Assembly granted permission by the Chairman, or granted permission during the meeting by the Chairman without objection of five or more members of the Committee.

Rule 12. Any member of the Committee may request a roll-call vote on any question pending consideration. The Chairman shall direct a roll-call vote to be taken if at least five Committee members second the requesting member's action.

Rule 13. The Chairman may vote on any issue; however, he must vote in case of a tie.

Rule 14. Any member desiring to sign a minority report to a bill or resolution must do so or express the intent to do so to the Chairman before adjournment of the Committee meeting at which the Committee approves the bill or resolution.

Rule 15. Any legislation that receives a favorable motion to adjourn debate at either a subcommittee or committee hearing will not be immediately placed on the next meeting agenda for that subcommittee or the committee. It will only be placed on a future agenda at the discretion of the full committee chairman.

Rule 16. Half of the membership of a subcommittee constitutes a quorum. The Chairman of the Ways and Means Committee serves as an ex-officio member of each subcommittee and may vote in any subcommittee meeting.

Rule 17. A subcommittee chairman is responsible for scheduling a meeting of the subcommittee.

Rule 18. All hearings on legislation shall be conducted by the subcommittee studying that legislation. With the exception of members of the General Assembly and those granted permission by the subcommittee chairman, persons requesting to be heard at a hearing shall submit a written request to the Committee office at least twenty-four hours before the day and time of the hearing.

Rule 19. Unless recalled by the Committee, a bill or resolution must be reported out of a subcommittee as favorable, favorable with amendments, or unfavorable to be considered by the full Committee.

#### Selected House Rules Relevant to Committee Procedure<sup>i</sup>

Whenever feasible twenty-four hour advance notice shall be given for all committee meetings. Such notice shall be mailed to the members by the committee chairmen when the House is not in session. Notice of regular and special meetings shall also be given by the administrative assistants to each member of the committees and to the Sergeant at Arms in the manner the committee deems proper. Failure of notice of any meeting shall not invalidate committee action unless bad faith is shown. House Rule 4.4.

No committee shall sit unless a quorum be present and all bills introduced by committees must carry the statement of the Chairman that the bill has the approval of two-thirds of the membership of the committee, except that the State Appropriations Bill, the Supplemental Appropriations Bill, a Rescission Bill, and the Deficiency Appropriations Bill may be introduced by a majority vote of the Ways and Means Committee. House Rule 4.4.

All meetings of all committees shall be open to the public at all times, subject always to the power and authority of the Chairman to maintain order and decorum with the right to go into Executive Session as provided for in the South Carolina Freedom of Information Act, Title 30, Chapter 4 of the 1976 Code of Laws of South Carolina, as amended. House Rule 4.5.

No committee shall file a report unless the committee has met formally at an authorized time and place with a quorum present. House Rule 4.5.

No member of a committee shall be allowed under any circumstances to vote by proxy. House Rule 4.14.

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<sup>i</sup> The House Rules included in this document are listed for informational purposes only and are not intended to be a part of the formal Ways and Means Committee Rules. Additionally, the House Rules listed are not exhaustive and may be updated as rule changes are adopted by the House of Representatives.