**South Carolina General Assembly**

118th Session, 2009-2010

**H. 4486**

**STATUS INFORMATION**

House Resolution

Sponsors: Reps. Gunn, Brantley, Kennedy, Ballentine, Williams, Clyburn, Hart, Hodges, Hosey, McLeod, Ott and Weeks

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Introduced in the House on February 2, 2010

Currently residing in the House Committee on **Rules**

Summary: House of Representatives

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/2/2010 House Introduced [HJ](file:///h:\HJ%20Archive\2010\02-02-10.docx)‑78

2/2/2010 House Referred to Committee on **Rules** [HJ](file:///h:\HJ%20Archive\2010\02-02-10.docx)‑78

**VERSIONS OF THIS BILL**

[2/2/2010](file:///p:\pprever\2009-10\4486_20100202.docx)

**A** **HOUSE RESOLUTION**

TO AMEND RULES 8.5, 8.6, AND 8.11, RULES OF THE HOUSE OF REPRESENTATIVES, RELATING TO THE CONSIDERATION OF MOTIONS, WHEN THE PREVIOUS QUESTION MAY BE INVOKED AND VOTE REQUIREMENTS OF CERTAIN MOTIONS, SO AS TO INCREASE FROM A MAJORITY TO TWO‑THIRDS THE VOTE REQUIREMENT TO INVOKE THE PREVIOUS QUESTION.

Be it resolved by the House of Representatives:

(1) That Rule 8.5 of the Rules of the House of Representatives is amended to read:

“**8.5** When a question is under debate only those motions herein below shall be received and notwithstanding the provisions of any other rule, none of such motions except the motion to adjourn or recede, a motion to continue, or a motion for the previous question shall be considered until the conclusion of such debate. Such motions shall require a simple majority vote unless otherwise specified herein:

1. to adjourn or recede;

2. to continue;

3. to lay on the table;

4. ~~for the previous question (fifty percent of those present and voting, a quorum being present, plus five when a member has the floor at the time the motion is made);~~

~~5.~~ to adjourn the debate to a certain day;

~~6.~~5. to commit or recommit.

These motions shall have precedence in the order in which they are hereinabove arranged.

*Provided*, a motion to reconsider shall be received and noted while a speech is being made but notwithstanding the provisions of Rule 8.14, shall be considered immediately after disposal of the pending matter or pursuant to Rule 6.3, subparagraph 10, whichever shall come first.”

(2) That Rule 8.6 of the Rules of the House of Representatives is amended to read:

“**8.6** The previous question upon any matter may be invoked as follows:

Upon an affirmative vote ~~on a motion for the previous question (fifty percent of those present and voting, a quorum being present, plus five, being required to interrupt debate and a simple majority vote at all other times)~~ of two‑thirds of those present and voting, the amendments then upon the desk shall be considered, but no further amendments shall be allowed to be offered unless the amendment has at least two‑thirds of the membership of the House as its sponsor. The proponents of an amendment shall be allowed an opportunity to make a short explanation of his amendment for a period not to exceed three minutes, then opponents to the amendment shall be permitted not more than three minutes to oppose the proposed amendment. Then two hours of debate shall be allowed on the bill, the time being equally divided between opponents and proponents with no person to speak more than ten minutes. *Provided*, that after the previous question has been invoked, the primary sponsor of an amendment may withdraw it with unanimous consent without making a motion to table it.

*Provided,* the previous question may be invoked on a motion to reconsider only when the matter to be reconsidered is debatable.

*Provided*, a motion to adjourn debate shall be in order even though the previous question has been invoked.

*Provided*, further, any member who has been recognized by the Speaker and is speaking from the podium, is considered to be debating the issue and a call for the previous question, whether by the member or any other member, requires the necessary fifty percent of those present and voting plus five.”

(3) That Rule 8.11 of the Rules of the House of Representatives is amended to read:

“**8.11** a. The following motions shall be decided by simple majority unless otherwise specified and without debate after any short remarks the Speaker permits:

to adjourn;

to recede;

to continue;

to lay on the table;

~~for the previous question (unless it is made when a member has the floor and then it requires a majority plus five);~~

to adjourn debate;

to commit or recommit;

to resolve the House into a Committee of the Whole;

to proceed to the orders of the day;

to recur to the morning hour;

to fix the hour to which the House shall next meet;

to grant free conference powers;

to divide the question.

b. The following motions shall not be permitted at the same stage of the bill or proposition until one hour of time has elapsed since the same question was negatived:

for the previous question;

to lay on the table;

to adjourn debate;

to continue;

to commit or recommit;

to recur to the morning hour.”

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