**A** **SENATE RESOLUTION**

TO AMEND THE RULES OF THE SENATE BY ADDING RULE 54 RELATING TO EARMARKS, TO PROVIDE FOR THE DISCLOSURE OF INFORMATION SURROUNDING EARMARKS REQUESTED BY MEMBERS OF THE SENATE FOR INCLUSION IN AN APPROPRIATIONS BILL, TO PROVIDE DEFINITIONS APPLICABLE FOR THIS DISCLOSURE, AND TO PROVIDE FOR THE ENFORCEMENT OF THESE DISCLOSURE REQUIREMENTS.

Be it resolved by the Senate:

That the Rules of the Senate are amended by adding:

“RULE 54

Earmarks

(A) For purposes of this rule:

(1) ‘Appropriations bill’ means the annual general appropriations bill, a supplemental appropriations bill, the joint resolution appropriating revenues of the capital reserve fund, a bill appropriating contingency reserve fund revenues, or any other bill appropriating state revenues while these bills are under consideration by the Senate Finance Committee, or any subcommittee thereof, and any free conference committee on an appropriations bill. For purposes of this definition, a bill includes a joint resolution.

(2) ‘Earmark’ means:

(a) an appropriation for a specific program or project requested by a member not originating in a written agency budget request; or

(b) language in an appropriations bill requested by a member directing or steering the expenditure of funds appropriated to an agency for a purpose or to a county or municipality not included in the agency’s budget request.

(B)(1) A member requesting an earmark in an appropriations bill shall make the request in writing on a form designed by the Senate Finance Committee. Minimally, the form must include the member’s name, the specifics of the earmark request, including the county or municipality to which the earmark is steered if not statewide, the purpose to be accomplished by the earmark request, and such other information as the form may require. The form must be filed with the Senate Finance Committee. All earmark requests must be date and time stamped at the time of filing. The committee shall maintain for public inspection during normal business hours a register containing a copy of each earmark request filed in order of filing and a copy of the earmark request must be published on the General Assembly’s website within three business days of filing. In the case of an earmark request while an appropriations bill is under consideration by a committee of free conference, the form must be filed with the chairman of the committee of free conference or the senior Senator serving on the committee, whichever is applicable, and this filing applies, mutatis mutandis, in the manner of filing with a committee for purposes of consideration of the earmark request in a committee of free conference. An earmark may not be considered in the Senate Finance Committee or any subcommittee thereof by the Senators serving on a free conference committee for inclusion in an appropriation bill before the filing of the earmark request form required pursuant to this subsection.

(2) The chairman of the Senate Finance Committee, the chairman of a subcommittee of those committees, and the chairman of a committee of free conference or senior Senator serving on the committee, while these committees are considering an appropriations bill, shall enforce the requirements of this section.”

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