



HOUSE RESOLUTION 20-1002

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CONCERNING THE ADDITION OF A HOUSE RULE AUTHORIZING THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO PROMULGATE REGULATIONS FOR REMOTE PARTICIPATION IN LEGISLATIVE PROCEEDINGS OF THE HOUSE DURING A DECLARED PUBLIC HEALTH DISASTER EMERGENCY.

Be It Resolved by the House of Representatives of the Seventy-second General Assembly of the State of Colorado:

That in the Rules of the House of Representatives, **add** Rule No. 53 as follows:

53. Regulations for Remote Participation in Legislative Proceedings

- (a) (1) PURSUANT TO SECTION 2-2-404 (2), C.R.S., THIS RULE AUTHORIZES THE SPEAKER TO PROMULGATE REGULATIONS TO ENABLE MEMBERS OF THE HOUSE TO PARTICIPATE REMOTELY IN LEGISLATIVE PROCEEDINGS OF THE HOUSE; EXCEPT THAT THE REGULATIONS MUST NOT ENABLE REMOTE PARTICIPATION IN COMMITTEES OF REFERENCE, COMMITTEES CREATED BY STATUTE, OR HOUSE SELECT COMMITTEES. THE SPEAKER SHALL ENSURE THAT REGULATIONS PROMULGATED PURSUANT TO THIS

SUBSECTION (a)(1) ARE DISTRIBUTED TO EACH MEMBER OF THE HOUSE AND TO THE CHIEF CLERK OF THE HOUSE AND POSTED ON THE WEBSITE OF THE HOUSE.

(2) THE SPEAKER, AFTER CONSULTATION WITH THE MAJORITY LEADER AND THE MINORITY LEADER, MAY INVOKE THE REGULATIONS FOR REMOTE PARTICIPATION ONLY IF THE CONDITIONS CONCERNING A DECLARED PUBLIC HEALTH DISASTER EMERGENCY, AS DESCRIBED IN JOINT RULE 44 (a) OF THE JOINT RULES OF THE SENATE AND THE HOUSE OF REPRESENTATIVES, ARE MET AND THE SPEAKER FINDS THAT HOLDING IN-PERSON LEGISLATIVE PROCEEDINGS POSES AN INCREASED HEALTH RISK TO THE MEMBERS OF THE HOUSE OR TO THE PUBLIC. WITHIN TWENTY-FOUR HOURS AFTER INVOKING THE REGULATIONS FOR REMOTE PARTICIPATION, THE SPEAKER SHALL ENSURE THAT WRITTEN NOTICE OF THE INVOCATION IS PROVIDED TO EACH MEMBER OF THE HOUSE AND TO THE CHIEF CLERK OF THE HOUSE AND POSTED ON THE WEBSITE OF THE HOUSE. THE REGULATIONS FOR REMOTE PARTICIPATION MAY REMAIN IN EFFECT ONLY SO LONG AS THE DECLARED STATE OF PUBLIC HEALTH DISASTER EMERGENCY CONTINUES.

(b) THE REGULATIONS THAT THE SPEAKER MAY PROMULGATE PURSUANT TO SUBSECTION (a) OF THIS RULE 53 MUST ADDRESS THE FOLLOWING ISSUES AS THEY PERTAIN TO REMOTE PARTICIPATION AND MAY ADDRESS SUCH ADDITIONAL ISSUES AS THE SPEAKER DETERMINES ARE NECESSARY:

(1) THE EXTENT TO WHICH A MEMBER OF THE HOUSE MAY PARTICIPATE REMOTELY IN LEGISLATIVE PROCEEDINGS OF THE HOUSE, INCLUDING THE TYPE OF LEGISLATIVE PROCEEDINGS IN WHICH REMOTE PARTICIPATION IS ALLOWED AND ANY LIMITATIONS ON A MEMBER'S REMOTE PARTICIPATION;

(2) THE TYPE OF TECHNOLOGY OR SOFTWARE THAT A MEMBER MUST USE TO PARTICIPATE REMOTELY IN A LEGISLATIVE PROCEEDING OF THE HOUSE. AT A MINIMUM, THE TECHNOLOGY OR SOFTWARE MUST BE SUFFICIENT TO VERIFY THE IDENTITY OF A MEMBER WHO IS PARTICIPATING REMOTELY AND AUTHENTICATE THE MEMBER'S ACTIONS.

- (3) THE PROCEDURE FOR ASCERTAINING THE PRESENCE OF A QUORUM FOR A LEGISLATIVE PROCEEDING OF THE HOUSE WHEN ONE OR MORE MEMBERS IS PARTICIPATING REMOTELY;
 - (4) THE PROCEDURE FOR CONDUCTING A CALL OF THE HOUSE WHEN ONE OR MORE MEMBERS IS PARTICIPATING REMOTELY; AND
 - (5) THE PAYMENT OF COMPENSATION FOR A MEMBER WHO PARTICIPATES REMOTELY IN LEGISLATIVE PROCEEDINGS OF THE HOUSE.
- (c) ANY REGULATIONS THAT THE SPEAKER MAY PROMULGATE PURSUANT TO SUBSECTION (a) OF THIS RULE 53 SUPERSEDE ANY PROVISIONS IN THE RULES OF THE HOUSE THAT MAY BE INTERPRETED AS PROHIBITING A MEMBER FROM PARTICIPATING REMOTELY IN LEGISLATIVE PROCEEDINGS OF THE HOUSE OR LIMITING OR OTHERWISE CONFLICTING WITH A MEMBER'S ABILITY TO PARTICIPATE REMOTELY IN LEGISLATIVE PROCEEDINGS OF THE HOUSE.
- (d) A MEMBER OF THE HOUSE WHO IS NOT PHYSICALLY PRESENT BUT IS PARTICIPATING REMOTELY IN A LEGISLATIVE PROCEEDING OF THE HOUSE PURSUANT TO THE REGULATIONS PROMULGATED BY THE SPEAKER PURSUANT TO SUBSECTION (a) OF THIS RULE 53 IS DEEMED TO BE:
- (1) PARTICIPATING IN THE LEGISLATIVE PROCEEDING AT THE SEAT OF GOVERNMENT AND THE LEGISLATIVE PROCEEDING IS DEEMED TO BE TAKING PLACE AT THE SEAT OF GOVERNMENT; AND
 - (2) PRESENT AND IN ATTENDANCE AS IF PHYSICALLY PRESENT, INCLUDING FOR PURPOSES OF ASCERTAINING THE PRESENCE OF A QUORUM. THE CHIEF CLERK OF THE HOUSE SHALL INCLUDE IN THE JOURNAL OF THE DAY'S PROCEEDINGS THE NAME OF EACH MEMBER PARTICIPATING REMOTELY IN THE LEGISLATIVE PROCEEDINGS OF THE HOUSE ON THAT DAY.
- (e) ACTION TAKEN BY A MEMBER OF THE HOUSE WHO IS PARTICIPATING REMOTELY IN LEGISLATIVE PROCEEDINGS OF THE HOUSE PURSUANT TO THE REGULATIONS PROMULGATED BY THE SPEAKER PURSUANT TO SUBSECTION (a) OF THIS RULE 53 HAS THE SAME LEGAL EFFECT AS IF

THE MEMBER WERE PHYSICALLY PRESENT FOR THE LEGISLATIVE PROCEEDINGS WHEN THE ACTION IS TAKEN. THE CHIEF CLERK OF THE HOUSE SHALL INCLUDE IN THE JOURNAL OF THE DAY'S PROCEEDINGS ANY RECORDED VOTE CAST BY A MEMBER WHO IS PARTICIPATING REMOTELY IN LEGISLATIVE PROCEEDINGS OF THE HOUSE.

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OF REPRESENTATIVES

KC Becker
SPEAKER OF THE HOUSE
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