

**SR108 INTRODUCED**



1 SR108  
2 HG7IE68-1  
3 By Senator Orr  
4 RFD: RULES  
5 First Read: 02-Apr-26



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SR\_\_\_\_\_ AMENDING THE SENATE RULES.

BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, That Rule 1, Rule 4, Rule 11, Rule 18, Rule 33, Rule 47, and Rule 48 of the Senate Rules are amended to read as follows:

RULE 1

(a) The President of the Senate shall take his/her chair at the hour to which the Senate has been previously adjourned, and shall serve as Presiding Officer. If the President of the Senate has not taken the chair by five minutes after the appointed time, the President Pro Tempore may serve as the Presiding Officer. If a quorum appears to be present, the Presiding Officer shall call the Senate to order and call for a prayer to be delivered by the Chaplain of the Day. If a quorum does not appear to be present, the Presiding Officer may delay the call to order for a reasonable time until a quorum does appear to be present.

(b) The Presiding Officer shall then call for recitation of the Pledge of Allegiance to the Flag of the United States of America.

(c) In the absence of the President, the President Pro Tempore shall serve as Presiding Officer. When the President returns, he/she shall reassume the duties of



## SR108 INTRODUCED

29 Presiding Officer. In the absence of both President and  
30 President Pro Tempore, the Senate Majority Leader shall  
31 serve as Presiding Officer. In the absence of the President,  
32 President Pro Tempore, and the Senate Majority Leader, the  
33 Chairperson of the committee as named in order in Senate  
34 Rule 48 shall perform this duty until the President or the  
35 President Pro Tempore returns.

### 36 RULE 4

37 No person shall be admitted to the floor of the  
38 Senate Chamber while the Senate is in session except current  
39 members of the Legislature, former members of the  
40 Legislature, former Governors or Lieutenant Governors,  
41 except registered lobbyists; the officers and employees of  
42 the two houses; up to three employees of the President of  
43 the Senate; up to three employees of the President Pro  
44 Tempore; the Governor and up to two of his or her employees;  
45 representatives of the press; and the Directors and  
46 employees of the Legislative Services Agency. The Director  
47 of the Office of Examiners of Public Accounts, ~~the legal~~  
48 ~~counsel for the Rules Committee Chairperson,~~ and one  
49 employee of the majority and minority caucus shall also be  
50 admitted to the floor in aid of the Senate in its work.  
51 Anyone admitted to the floor of the Senate Chamber shall be  
52 placed by the Secretary of the Senate. The Secretary shall  
53 ensure that the presence of non-members shall not impede the  
54 business of the Senate. On the first legislative day of any  
55 Regular, Special, or Organizational Session, the families of  
56 the members of the Senate shall have the privileges of the



## SR108 INTRODUCED

57 floor, but only for that specific legislative day. This rule  
58 shall be enforced by the Secretary of the Senate without  
59 such enforcement being suggested or requested by a member of  
60 the Senate.

### 61 RULE 11

62 (a) No bills other than local bills, advertised or  
63 otherwise, shall be introduced in the Senate during a  
64 Regular Session after the Senate adjourns on the 24th  
65 legislative day.

66 (b) On motion, as provided in subsection (c), and by  
67 majority vote, a Senate bill may be recommitted by the  
68 ~~Presiding Officer~~ President Pro Tempore to the same or a  
69 different Standing Committee for further consideration at  
70 the discretion of the ~~Presiding Officer~~ President Pro  
71 Tempore, subject to appeal, at any time after its initial  
72 referral. On motion, as provided in subsection (c), and by  
73 majority vote, a House bill may be recommitted by the  
74 President Pro Tempore to the same or a different Standing  
75 Committee for further reconsideration at any time after its  
76 initial referral.

77 (c) Before a bill receives its second reading, only  
78 the committee Chair to which the bill was originally  
79 referred may move to recommit a bill. Thereafter, only the  
80 committee Chair to which the bill was originally referred,  
81 the President Pro Tempore, or the sponsor of the bill, may  
82 move to recommit a bill.

83 (d) On the 24th legislative day bills may be  
84 introduced at any time and will be processed in the same



## SR108 INTRODUCED

85 manner as bills introduced under a unanimous consent order  
86 that allows bills to be introduced any time during the day.

87 RULE 18

88 (a) When a question is under debate, no motion shall  
89 be received except a motion:

- 90 1. to adjourn,
- 91 2. to adjourn to a day certain,
- 92 3. to recess,
- 93 4. to table,
- 94 5. to carry over,
- 95 6. to carry over to the call of the chair,
- 96 7. to recommit,
- 97 8. to substitute, or
- 98 9. to amend,

99 which several motions shall have precedence in the  
100 order they stand arranged. The motions to adjourn, to  
101 adjourn to a day certain, to recess, to table, and to carry  
102 over, shall always be in order, unless the time for debate  
103 on the pending question has expired, and such motions shall  
104 be decided without debate. Approval of a motion to carry  
105 over to the call of the chair is not subject to debate and  
106 requires unanimous consent of the Senate.

107 (b) When a bill or resolution is called for final  
108 passage, committee amendments or substitutes must be  
109 disposed of before floor amendments or substitutes may be  
110 considered. Committee amendments or substitutes are not open  
111 for amendment until adopted.



## SR108 INTRODUCED

112 (c) To the extent necessary, floor amendments shall  
113 be read aloud so the Secretary can determine if the proposed  
114 amendment is in proper form. If the Secretary determines  
115 that the amendment is not in proper form, the Presiding  
116 Officer shall rule it out of order, and it shall not be  
117 considered. Committee amendments need not be read aloud.

118 (d) A bill carried over or carried over to the call  
119 of the chair shall be returned to the Regular Order  
120 Calendar. ~~At the discretion of the Presiding Officer, On~~  
121 motion by the President Pro Tempore, a bill carried over to  
122 the call of the chair ~~may~~ shall be called by the Presiding  
123 Officer ~~on motion by the President Pro Tempore or bill~~  
124 ~~sponsor~~ at any time when other business is not pending. A  
125 bill carried over to the call of the chair may be called by  
126 the Presiding Officer on motion by the bill sponsor at any  
127 time when other business is not pending.

128 RULE 33

129 The final question upon every bill or resolution  
130 requiring three readings shall be put in this form: "The  
131 question is final passage of the bill (or resolution)." At  
132 the conclusion of the debate on any such bill (or  
133 resolution), and prior to the start of the roll call, any  
134 member may request that the bill (or resolution) be read at  
135 length. The member who requested the bill be read at length  
136 must remain at the microphone for the duration of the  
137 reading at length. Any member may move to suspend the  
138 reading at length which shall require unanimous consent.  
139 After a bill (or resolution) is read at length it shall not



## SR108 INTRODUCED

140 be in order to offer any amendments to the bill (or  
141 resolution) except by suspension of the rules. A motion to  
142 recommit the bill (or resolution) after it has been read at  
143 length shall be in order. If such recommitment takes place  
144 then the bill (or resolution) shall be read again a second  
145 time and an amendment may be offered either in committee or  
146 on the floor.

### 147 RULE 47

148 (a) The Senate President Pro Tempore may designate  
149 the Majority Leader to perform the duties of the Senate  
150 President Pro Tempore in his/her absence, with the exception  
151 of signing of bills and resolutions, which only the  
152 President and President Pro Tempore are constitutionally  
153 allowed to do. The President Pro Tempore shall be an  
154 additional voting member of all Senate Standing Committees,  
155 superseding the number of members of each standing committee  
156 as set out in Rule 48, including Local Legislation, but  
157 excluding all other local legislation committees unless  
158 he/she is a member of another local legislation committee by  
159 geographical circumstance. The President Pro Tempore may  
160 designate in writing to the Secretary of the Senate the name  
161 of a member who is not already a member of the committee to  
162 represent him or her as a voting member under this rule.  
163 Such substitution shall be for a term of not less than one  
164 year unless the President Pro Tempore revokes such  
165 substitution in writing or such member so appointed dies or  
166 resigns from the Senate, or resigns from the committee so  
167 appointed under this rule.



## SR108 INTRODUCED

168 (b) There shall be a Senate Committee on Assignments  
169 which shall be composed of the President Pro Tempore, ~~the~~  
170 ~~Presiding Officer,~~ the Senate Majority Leader, and ~~three~~  
171 four additional members appointed by and serving at the  
172 pleasure of the President Pro Tempore ~~who shall serve for~~  
173 ~~the quadrennium unless removed by a four-fifths vote of the~~  
174 ~~committee~~. The Committee on Assignments shall appoint the  
175 Chairperson, Vice Chairperson, and membership of all Senate  
176 Standing Committees and Select Committees. To the extent  
177 feasible, membership of each committee shall reflect the  
178 diversity of the Senate. The Committee on Assignments may  
179 change committee membership, or the Chairperson or Vice  
180 Chairperson thereof, only by a majority vote of the  
181 membership of the Committee on Assignments any time the  
182 Committee deems such changes necessary or expedient. Actions  
183 of this committee shall be reported to the Senate by the  
184 President Pro Tempore or in his/her absence by the Senate  
185 Majority Leader or any other member designated by the  
186 Committee.

187 (c) The Senate Majority Leader shall be elected by  
188 the active members of the majority party represented in the  
189 Senate. The Majority Leader shall have a separate budget  
190 allocation.

191 (d) The Senate Majority Leader shall assist the  
192 Senate President Pro Tempore with the relationship between  
193 the Senate and House leadership, and any other matters which  
194 the President Pro Tempore may deem necessary. The Majority  
195 Leader may appoint a Senator or Senators from the majority



## SR108 INTRODUCED

196 party as he or she deems necessary to serve in the  
197 position(s) of Majority Whip.

198 (e) A Senate conference committee on a Senate bill or  
199 a House bill shall consist of two members appointed by the  
200 President Pro Tempore and one member of the minority party  
201 appointed by the Committee on Assignments, ~~and one member~~  
202 ~~appointed by the Presiding Officer.~~

203 (f) A Senate conference committee on a local bill  
204 shall consist of two members appointed by the President Pro  
205 Tempore and one member of the minority party appointed by  
206 the Committee on Assignments, ~~and one member appointed by~~  
207 ~~the Presiding Officer,~~ each from the political subdivision  
208 affected, if possible.

209 (g) A Senate conference committee on all resolutions  
210 shall consist of three Senate members appointed by the  
211 Committee on Assignments.

212 (h) There shall be the position of the Senate  
213 Minority Leader, also known as the Minority Leader, elected  
214 by the members of the Minority Party. Notification of the  
215 name of the Minority Leader shall be delivered to the  
216 Secretary of the Senate. The Minority Leader shall have a  
217 separate budget allocation. The Minority leader may appoint  
218 a Senator or Senators as he or she deems necessary from the  
219 minority party to serve in the position(s) of Minority Whip.

220 RULE 48

221 (a) There shall be ~~16~~ (17) standing committees. The  
222 Chairperson of each standing committee shall have the power  
223 to appoint subcommittees to aid in the work of the



## SR108 INTRODUCED

224 committee. However, all subcommittee reports shall be  
225 subject to review and approval by the standing committee as  
226 a whole. The Chairperson of each standing committee shall  
227 determine a quorum is present to conduct business, and all  
228 standing committees shall meet formally to consider bills  
229 before it. A Vice Chairperson of a standing committee may be  
230 designated by the Chairperson of his/her committee or the  
231 Committee on Assignments to sign legislation out of their  
232 committees in the Chairperson's absence. The designation  
233 must be in writing, signed by the committee Chairperson or  
234 signed by the Committee on Assignments and presented to the  
235 Secretary of the Senate. There shall be the position of  
236 Ranking Minority Member on each standing committee and  
237 subcommittee thereof. The Ranking Minority Member shall be  
238 the member assigned to the committee who is a member of the  
239 party with the second largest number of members elected to  
240 the Senate and who has served the longest time in the  
241 Senate. In the event more than one member qualifies for  
242 designation as Ranking Minority Member on a committee or  
243 subcommittee, then it shall be determined alphabetically,  
244 unless otherwise specified by the Minority Party. In no  
245 instance shall any committee report for second reading a  
246 bill which was not considered in formal committee meeting.  
247 For purposes of this rule, a formal meeting shall be one in  
248 which all the members of the committee have been notified of  
249 the time and place of the committee meeting, and the  
250 committee meeting so held with a quorum present. The  
251 standing committees of the Senate shall be on the following



## SR108 INTRODUCED

252 subjects:

253 (1) The Committee on Rules shall have supervision  
254 over the Revision of the Journal, Enrolled Bills, and  
255 Engrossed Bills. In addition, the Committee on Rules shall  
256 consider and report on matters required by the Rules of the  
257 Senate, as follows: motions or resolutions to set aside a  
258 regular order of business (Rule 9); motions or resolutions  
259 for a Special Order (Rules 9 and 13); special rules that  
260 debate on a pending measure shall cease at a certain hour  
261 and a vote be taken on the measure (Rule 20); propositions  
262 to suspend, modify, or amend any rule or any part thereof  
263 (Rule 35); all resolutions that may be referred to it (Rule  
264 55). Also, the Committee on Rules shall render advisory  
265 opinions to any lobbyist who seeks advice about the rules  
266 relating to lobbying, and the committee shall make  
267 recommendations regarding the imposition of penalties  
268 prescribed for violations of the rules relating to lobbying.  
269 The Chairperson of the Committee on Rules shall have power  
270 to designate the Vice Chairperson of the Committee to act as  
271 Chairperson. Such designation shall be in writing and shall  
272 be filed with the Secretary of the Senate. The Committee on  
273 Rules shall not exceed 15 members.

274 (2) The Committee on Finance and Taxation Education,  
275 to which committee shall be referred bills and other matters  
276 concerning the Education Trust Fund in regard to revenues,  
277 appropriations, expenditures, state bond issues relating to  
278 projects which fall within the scope of education fund  
279 expenditures, and public debts of the state, and the



## SR108 INTRODUCED

280 administration of the state's taxation and revenue law,  
281 including measures that would require new expenditures or  
282 increases in appropriations of state funds or that would  
283 affect any reductions in state revenue, as well as  
284 comprehensive accountability of all departments and entities  
285 which are funded by the Education Budget, including, but not  
286 limited to, competent expenditures of all monies  
287 appropriated from the Education Budget and performance  
288 accountability at all levels. The Committee on Finance and  
289 Taxation Education shall not exceed 16 members.

290 (3) The Committee on Finance and Taxation General  
291 Fund, to which committee shall be referred bills and other  
292 matters concerning the State General Fund in regard to  
293 revenues, appropriations, expenditures, state bond issues  
294 relating to projects which fall within the scope of general  
295 fund expenditures, and public debts of the state, and the  
296 administration of the state's taxation and revenue law,  
297 including measures that would require new expenditures or  
298 increases in appropriations of state funds or that would  
299 affect any reductions in state revenue, as well as  
300 comprehensive accountability of all departments and entities  
301 which are funded by the General Fund Budget, including, but  
302 not limited to, competent expenditures of all monies  
303 appropriated from the General Fund Budget and performance  
304 accountability at all levels. The Committee on Finance and  
305 Taxation General Fund shall not exceed 16 members.

306 (4) The Committee on Confirmations, to which shall be  
307 referred nominations, appointments by the Governor and all



## SR108 INTRODUCED

308 other appointments requiring confirmation (Rule 32), is  
309 empowered to hold hearings and take testimony regarding  
310 those matters where deemed appropriate. The Committee on  
311 Confirmations shall not exceed 16 members.

312 (5) The Committee on the Judiciary, to which  
313 committee shall be referred bills and other matters  
314 concerning crime and punishment, law enforcement, the  
315 judiciary and other matters affecting the criminal or civil  
316 laws of Alabama. The Committee on the Judiciary shall not  
317 exceed 13 members.

318 (6) The Committee on State Governmental Affairs, to  
319 which committee shall be referred bills and other matters  
320 concerning the organization and operation of state  
321 government, state procurement practices, state bid laws,  
322 state contracts, as well as state agency sunset and  
323 reauthorization. The Committee on State Governmental Affairs  
324 shall not exceed 11 members.

325 (7) The Committee on County and Municipal Government,  
326 to which committee shall be referred all bills and other  
327 matters concerning the organization, operation, and  
328 government of any incorporated municipality in the State of  
329 Alabama and matters relating to the organization, operation,  
330 and government of counties in Alabama. The Committee on  
331 County and Municipal Government shall not exceed 10 members.

332 (8) The Committee on Education Policy, to which  
333 committee shall be referred bills addressing all education  
334 reforms in primary, secondary, post secondary, higher  
335 education and the Department of Education, as well as other



## SR108 INTRODUCED

336 matters relating to the children and youth of Alabama. The  
337 Committee on Education and Youth Affairs shall not exceed 10  
338 members.

339 (9) The Committee on Agriculture, Conservation, and  
340 Forestry, to which committee shall be referred all bills and  
341 matters relating to Alabama's agriculture and forestry, as  
342 well as wildlife, water resources, land, air, environmental  
343 protection, and ensuring the preservation of fish and game  
344 for future generations of Alabamians. The Committee on  
345 Agriculture, Conservation, and Forestry shall not exceed 14  
346 members.

347 (10) The Committee on Banking and Insurance, to which  
348 committee shall be referred all bills and other matters  
349 concerning: banks, banking, savings and loan associations,  
350 credit unions, and other financial institutions in this  
351 state, including the small loan business; and all bills and  
352 other matters concerning the business of insurance in  
353 Alabama, including bills and other matters relating to  
354 private pension and retirement systems. The Committee on  
355 Banking and Insurance shall not exceed 16 members.

356 (11) The Committee on Fiscal Responsibility and  
357 Economic Development, to which committee shall be referred  
358 bills pertaining to job creation and economic development,  
359 the Alabama Department of Commerce, the Alabama Department  
360 of Labor, the expansion of existing industry, the creation  
361 of small businesses, the maintenance of existing small  
362 businesses, the recruitment of other small businesses, the  
363 economic development of communities, as well as matters



## SR108 INTRODUCED

364 pertaining to real estate, housing, the condition,  
365 development, and interest of the workforce, and other  
366 matters relating to economic growth, and also when  
367 appropriate, all bills and other matters related to bringing  
368 accountability to the use of taxpayer's dollars. The  
369 Committee on Fiscal Responsibility and Economic Development  
370 shall not exceed 14 members.

371 (12) The Committee on Transportation and Energy, to  
372 which committee shall be referred bills and other matters  
373 concerning: motor vehicles; traffic regulation; highways;  
374 railways; airports; air transportation; mining and  
375 reclamation; waste and waste reduction; oil, gas, and all  
376 other energy matters; common carriers or other forms of  
377 transportation; utilities and utility systems; and ports,  
378 harbors, and docks. The Committee on Transportation and  
379 Energy shall not exceed 13 members.

380 (13) The Committee on Healthcare, to which committee  
381 shall be referred all bills and other matters concerning the  
382 health of the people of Alabama; the operation of programs  
383 managed by the Department of Human Resources; the needs of  
384 senior citizens; welfare reform; and any other matters which  
385 affect the health care of the citizens of Alabama. The  
386 Committee on Healthcare shall not exceed 13 members.

387 (14) The Committee on Children and Youth Health, to  
388 which committee shall be referred bills and other matters  
389 relating to the children and youth of Alabama; and all bills  
390 that relate to the operation of programs managed by the  
391 Department of Human Resources; and welfare reform. The



## SR108 INTRODUCED

392 Committee on Children and Youth Health shall not exceed 10  
393 members.

394 (15) The Committee on Tourism, to which committee  
395 shall be referred all bills relating to increasing tourism  
396 from both domestic and international markets and the  
397 maintenance of the tourism-related industries in Alabama and  
398 any general bill providing for or dealing with pari-mutuel  
399 betting, gambling, or games of chance or affecting an  
400 existing facility thereof. The Committee on Tourism shall  
401 not exceed 12 members.

402 (16) The Committee on Veterans, Military Affairs, and  
403 Public Safety, to which committee shall be referred bills  
404 and matters addressing military affairs, the National Guard,  
405 Reserve, veterans, and public safety. The Committee on  
406 Veterans, Military Affairs, and Public Safety shall not  
407 exceed 9 members.

408 (17) The Committee on Economic Expansion and Trade,  
409 to which committee shall be referred bills and matters  
410 pertaining to Alabama's industries, businesses, and trades  
411 affecting Alabama and its goods and services and any other  
412 item requiring action deemed appropriate by the assigning  
413 authority. The Committee on Economic Expansion and Trade  
414 shall not exceed 11 members.

415 ~~(17)~~ (18) There shall be five (5) Local Legislative  
416 Committees described as follows:

417 a. Local Legislation, to which committee shall be  
418 referred all bills and other matters concerning local  
419 legislation in counties other than Jefferson, Mobile,



## SR108 INTRODUCED

420 Madison, and Shelby. Local legislation under this rule shall  
421 consist of any bill that applies to any political  
422 subdivision or subdivisions of the state less than the  
423 whole, exclusive of those counties excepted under this rule.  
424 The Committee on Local Legislation shall consist of 3  
425 members.

426         b. Jefferson County Legislation, to which committee  
427 shall be referred all bills and other matters concerning  
428 local legislation in Jefferson County. Local legislation  
429 under this rule shall consist of any bill that applies to  
430 any political subdivision or subdivisions of the state less  
431 than the whole. The Committee on Jefferson County  
432 Legislation shall consist of all those Senators whose  
433 districts include any part of Jefferson County.

434         c. Mobile County Legislation, to which committee  
435 shall be referred all bills and other matters concerning  
436 local legislation in Mobile County. Local legislation under  
437 this rule shall consist of any bill that applies to any  
438 political subdivision or subdivisions of the state less than  
439 the whole. The Committee on Mobile County Legislation shall  
440 consist of all those Senators whose districts include any  
441 part of Mobile County.

442         d. Madison County Legislation, to which committee  
443 shall be referred all bills and other matters concerning  
444 local legislation in Madison County. The Committee on  
445 Madison County Legislation shall consist of all those  
446 Senators whose districts include any part of Madison County.



## SR108 INTRODUCED

447 e. Shelby County Legislation, to which committee  
448 shall be referred all bills and other matters concerning  
449 local legislation in Shelby County. The Committee on Shelby  
450 County Legislation shall consist of all those Senators whose  
451 districts include any part of Shelby County.

452 (b) Pursuant to the provisions of Section 53 of the  
453 Constitution of Alabama of 2022, there is created a Senate  
454 Ethics and Conduct Committee whose responsibility shall be  
455 to consider and, when necessary, act upon complaints of  
456 misconduct brought against an individual Senator during  
457 his/her participation in a session of the Senate or his/her  
458 participation in a standing or interim committee.

459 (1) The committee shall be composed of five members  
460 of the Senate elected by the Senate at the earliest possible  
461 time after the convening of the first Regular Session of the  
462 quadrennium as designated by the President Pro Tempore and  
463 the members shall serve without compensation. Of the five  
464 members of this committee one member shall be elected from  
465 the minority party of the Senate. Members shall serve for a  
466 quadrennium.

467 (2) The procedure for the election of members to the  
468 committee shall be as herein provided. At the appointed time  
469 of election to be determined by the Presiding Officer there  
470 shall be a call of districts. When his or her district is  
471 called, each Senator desiring to vote shall deliver to the  
472 Secretary of the Senate a list of five names of persons for  
473 whom the Senator votes. After each Senator who wishes to do  
474 so has submitted a list of five names, the Secretary shall



## SR108 INTRODUCED

475 receive the names for counting. The results of the election  
476 shall be tabulated by the Secretary under the supervision of  
477 a committee of three Senators appointed by the President of  
478 the Senate for that purpose. The Secretary shall certify to  
479 the Presiding Officer the names of the five Senators  
480 receiving the most votes. In the event of a tie vote, a  
481 second election shall be held in the same manner as the  
482 initial election was held. Senators shall vote for only the  
483 number of names that equals the number of positions on the  
484 committee to be filled. No ballot shall be counted if it  
485 contains a number of names greater than the number required  
486 to be elected. Any vacancy on the committee shall be filled  
487 in the same manner as the original members were elected.

488 (3) A chair and vice chair of the committee shall be  
489 elected from among the membership of the committee.

490 (4) If a complaint is brought against a member of the  
491 committee, that member shall not participate as a member of  
492 the committee in considering the complaint. The President  
493 Pro Tempore of the Senate shall appoint a temporary  
494 replacement for that member to participate in the review of  
495 the complaint. The temporary member shall possess the same  
496 powers as other members of the committee.

497 (5) The committee shall receive complaints of  
498 misconduct against an individual Senator and recommend such  
499 action as it deems necessary to fulfill the responsibilities  
500 of the committee.

501 (6) For the purposes of this Rule, misconduct means  
502 any of the following:



## SR108 INTRODUCED

503           a. Any conduct constituting a legal wrong that  
504 materially impairs the ability of the member to perform the  
505 duties of his or her office or substantially impairs public  
506 confidence in the Legislature.

507           b. Any conduct by a Senator that intentionally  
508 violates any Senate Rule in the conduct of Senate business,  
509 whether official or unofficial business, and which persists  
510 after instruction or warning in writing by the Presiding  
511 Officer if the Senate is in session, or by the President Pro  
512 Tempore if the Senate is not in session.

513           c. Any conduct by a Senator which, during his or her  
514 term of office, sexually harasses any other person of either  
515 sex including, but not limited to, Senate Pages. For  
516 purposes of this Rule, unwelcome sexual advances, requests  
517 for sexual favors, and other verbal or physical conduct of a  
518 sexual nature constitute sexual harassment when:

519           d. submission to such conduct is made either  
520 explicitly or implicitly a term or condition of an  
521 individual's employment,

522           e. submission to or rejection of such conduct by an  
523 individual is used as the basis for employment decisions  
524 affecting such individual, or

525           f. such conduct has the purpose or effect of  
526 unreasonably interfering with an individual's work  
527 performance or creating an intimidating, hostile, or  
528 offensive working environment. In determining whether  
529 alleged conduct constitutes sexual harassment, the committee  
530 will look at the record as a whole and the totality of the



## SR108 INTRODUCED

531 circumstances, such as the nature of the sexual advances and  
532 the context in which the alleged incidents occurred. The  
533 determination of the legality of a particular action will be  
534 made from the facts, on a case-by-case basis.

535 g. Any conduct by a Senator which violates any  
536 provision of the State Ethics Law, Chapter 25 of Title 36 of  
537 the Code of Alabama 1975.

538 h. Any conduct prohibited by the Constitution of  
539 Alabama.

540 i. The intentional filing of a false complaint with  
541 the committee or the filing of a complaint in reckless  
542 disregard of the truth.

543 (7) The procedure to be followed by the committee is  
544 as follows:

545 a. Only a member of the Senate may file a written  
546 complaint with the committee. The complaint shall include  
547 all of the following information:

548 b. The name of the Senator alleged to have committed  
549 the violation.

550 c. The name of the Senator filing the complaint.

551 d. The nature of the alleged violation.

552 e. Facts that support the complaint.

553 f. The date of the alleged violation. The complaint  
554 shall be in writing, signed by the Senator filing the  
555 complaint, and specify in detail the conduct in question. No  
556 complaint alleging a violation shall be filed more than one  
557 year after the date the alleged violation occurred. The  
558 Senator against whom the complaint has been brought shall be



## SR108 INTRODUCED

559 notified in writing by the committee and provided a copy of  
560 the complaint. Within 15 days after receipt of the  
561 complaint, the Senator may file a written answer to the  
562 complaint with the committee. Failure to file a written  
563 answer shall not be deemed to be an admission or create an  
564 inference or presumption that the complaint is true.

565 g. At all times during any proceeding conducted  
566 pursuant to this Rule, the Senator accused of misconduct  
567 shall be given such notice and hearing as is requisite to  
568 due process of law guaranteed under the United States  
569 Constitution and the Constitution of Alabama. Prior to  
570 taking any action, the committee shall notify the Senator  
571 accused of misconduct and shall grant the Senator an  
572 opportunity to respond at a hearing on the complaint. Since,  
573 by the very nature of a hearing on a complaint filed  
574 pursuant to this rule, the character or good name of a woman  
575 or man will be involved in the hearing, the filing of the  
576 complaint shall be confidential and the committee shall meet  
577 in Executive Session for purposes of hearing and deciding  
578 complaints filed.

579 h. After thorough investigation, by a majority vote,  
580 the committee may determine that no misconduct has occurred.

581 i. The committee, in Executive Session, may address  
582 the accused Senator by issuing a warning.

583 j. The committee by a four-fifths vote may recommend  
584 to the Senate as a whole that further action against the  
585 accused Senator be initiated. Such action may include, but  
586 is not limited to, censure, removal from committee



## SR108 INTRODUCED

587 assignments, barring from recognition to hold the floor,  
588 suspension, or in extreme cases, expulsion from the Senate,  
589 or referral of the complaint to the Ethics Commission or  
590 Attorney General, all of which actions require the vote of  
591 two-thirds of the elected Senators. The committee may adopt  
592 rules of procedure, not inconsistent with this rule, for the  
593 orderly conduct of its affairs, investigations, hearings,  
594 and meetings.

595 (c) If a law or executive order refers to the Chair  
596 of the Finance and Taxation Committee as a member or ex  
597 officio member of a committee, council, task force, or  
598 commission, both the Chair of the Finance and Taxation  
599 Education Committee and the Chair of the Finance and  
600 Taxation General Fund Committee shall serve.

601 (d) If a law or executive order imposes duties or  
602 responsibilities on a standing committee or standing  
603 committee chairmanship which no longer exists under these  
604 rules, the Committee on Assignments shall designate a  
605 substitute when necessary, and shall notify the Secretary in  
606 writing.