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Legislative Council
Legislative Council Committee

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HOUSE OF REPRESENTATIVES
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Regulations of the Speaker of the House of Representatives pursuant to House Rule 53 - Regulations for Remote Participation in Legislative Proceedings

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Section 1 – General Provisions for Remote Legislative Proceedings

1.1 – Limited Remote Participation by Members Permitted

House Rule 53 permits the Speaker of the House of Representatives, after consulting with the Majority Leader and the Minority Leader, to promulgate regulations for remote participation for House legislative proceedings, including committee meetings and floor sessions. While these regulations are in effect, members of the General Assembly may participate remotely in House legislative proceedings via Zoom.

1.2 – Approval Criteria for Limited Remote Participation for House Floor Proceedings

The Speaker gives authority to the House Majority Leader to oversee the Remote Participation request and approval process for House floor proceedings. The House Majority Leader may permit a member of the House of Representatives to participate remotely in House floor proceedings, on a limited basis if any of the following conditions are met:

- a. The member has a likely or confirmed case of a highly communicable disease;
- b. Because of birth, adoption, or placement through foster care, the member is caring for a new child;
- c. The member is the primary caregiver for a family member who is experiencing an extended serious health condition;
- d. The member is experiencing an extended health condition that significantly limits the member's ability to participate in person;
- e. To allow the member to attend a funeral or memorial service and during the member's period of bereavement for the death of an immediate family member.

The Majority Leader may also permit members of the House of Representatives to participate remotely if limiting the number of people congregating in person in the House Chambers would assist in protecting the health of members, staff, and the general public.

The authority to permit any member of the House of Representatives to participate remotely rests with the Majority Leader, who may approve requests for remote participation in their sole discretion for any conditions not identified above, after consultation with the Speaker and House Minority Leader.

1.3 – Request Process for Remote Participation for House Floor Proceedings

A member of the House of Representatives seeking to participate in House floor proceedings remotely must request permission from the Majority Leader at least one day in advance of when the member wishes to begin participating remotely, when possible. When providing notice, the member should specify the anticipated duration of their desire to participate remotely. The Majority Leader will approve or deny the request in a timely manner and provide notice to the requesting member, the Speaker, the House Minority Leader, the Chief Clerk of the House, and Legislative Council Information Technology staff. If approving a member's request, the Majority Leader may specify the duration that the requesting member is permitted to participate remotely.

1.4 Approval Criteria for Limited Remote Participation for House Committee Meetings

The Speaker gives authority to House Committee Chairs to oversee the Remote Participation approval process for House committee meetings. A House Committee Chair may permit a member of the House of Representatives to participate remotely in House committee meetings, on a limited basis if any of the following conditions are met:

- a. The member has a likely or confirmed case of a highly communicable disease;

- b. Because of birth, adoption, or placement through foster care, the member is caring for a new child;
- c. The member is the primary caregiver for a family member who is experiencing an extended serious health condition;
- d. The member is experiencing an extended health condition that significantly limits the member's ability to participate in person;
- e. To allow the member to attend a funeral or memorial service and during the member's period of bereavement for the death of an immediate family member.

The authority to permit a member of the House of Representatives to participate remotely rests with the Committee Chair, who may approve requests for remote participation in their sole discretion for any conditions not identified above.

1.5 – Request Process for Remote Participation for Committee Meetings

A member of the House of Representatives seeking to participate remotely in committee meetings must request permission from the appropriate Committee Chair at least one day in advance of when the member wishes to begin participating remotely, when possible. When providing notice, the member should specify the anticipated duration of their desire to participate remotely. The Committee Chair will approve or deny the request in a timely manner and provide notice to the requesting member, the Speaker, the House Minority Leader, the Chief Clerk of the House, and Legislative Council Information Technology staff. If approving a member's request, the Committee Chair may specify the duration that the requesting member is permitted to participate remotely.

1.6 – Payment of Compensation to Legislators Who Participate Remotely

Session per diem may be paid to members participating remotely.

1.7 – Remote Participation Software

Unless otherwise determined by the Speaker, all remote participation shall be conducted via Zoom. The Speaker may identify alternative methods of participation, if necessary.

1.8 – Verifying a Remotely Participating Member's Identity and Authenticating the Member's Actions

The identity of each member participating remotely will be verified through multi factor authentication. This process will be accomplished as follows:

1. The member participating remotely logs into Zoom using a unique password. This process will serve as the initial verification of the member's identity.
2. Zoom's video capabilities will serve as a second method to verify the member's identity. A member who is participating remotely should turn on the Zoom video while they are participating remotely; however, if technical difficulties or insufficient internet bandwidth make it impossible for the remotely participating member's video to be shown, the prior method of authentication is sufficient to authenticate the members' identity and actions and they may still remotely participate in the legislative proceeding.

1.9 – General Technology Procedures

Training and technical capabilities. Members who wish to participate remotely must make themselves available for information technology staff to test equipment and software. Members who have concerns about their ability to participate remotely in legislative proceedings due to their internet network or technology issues should contact Legislative Council Information Technology staff to see if their issue can be resolved.

Technology issues. Staff will make every effort to connect members participating remotely to legislative proceedings. However, if a technological connection is deemed to not be possible, the legislative proceeding may continue without that member's participation, and the presiding officer or committee chair may mark the member as "excused" for roll call and voting.

Best practices. To the extent possible, members participating remotely should participate from a fixed location that appears professional on camera.

Chat and Q&A functions of video software. Zoom’s Q&A function will be disabled during legislative proceedings. The chat feature may be used to distribute amendments and other materials. Members and staff using the chat feature should be aware that they may be creating a public record under the Colorado Open Records Act.

Video and microphones. Members participating remotely are to keep their cameras on while participating remotely via Zoom, but are permitted to leave the view of their camera from time to time. Members should turn on their cameras when voting. Members will be muted by Legislative Council Information Technology Staff during legislative proceedings. When a member is recognized by the Speaker, Legislative Council Information Technology Staff will send a request to the member to unmute for the purposes of voting or presenting a bill of which the member is a Prime Sponsor.

Section 2 – Procedures for Remote Floor Proceedings

2.1 – Remote participation for floor proceedings

Members participating remotely in floor proceedings may:

- be marked as “present” for purposes of attendance and to establish a quorum for the body;
- vote on matters before the House of Representatives;
- move, and speak to, a bill or an amendment to the bill if the member is the bill’s prime sponsor and if recognized by the Speaker or acting chair of the body; and
- observe floor sessions through Zoom.

Members participating remotely may not debate or speak to a bill if they are not the prime sponsor.

2.2 – Quorum for Floor Proceedings

A member is included when calculating a quorum of the House of Representatives if the member is:

- participating in a floor session in person; or
- participating remotely in a floor session and is able to communicate electronically using Zoom. As such, the member is considered present as if physically present in the House chamber. The Chief Clerk of the House shall include in the journal of the day's proceedings the name of each member remotely participating on that day.

2.3 – Ascertaining the Presence of a Quorum

The quorum for convening of the House of Representatives will be ascertained by a verbal roll call, and attendance will be recorded by the House Reading Clerk. Remotely participating members will verbally respond when the member’s name is called.

2.4 – Floor Voting Procedures

Voice votes. Remotely participating members will vote by voice by speaking into their microphone in Zoom, with their camera on.

Recorded votes – remotely participating members in floor proceedings. The Speaker will call the names of all members who are participating remotely and the members will vote on the motion by voice with their cameras on. After each remotely participating member's vote, the Speaker will confirm the member’s vote, and the House Reading Clerk will enter the vote into the House voting system.

2.5 – Standing Division Votes in the House

A remotely participating member may raise their hand to indicate their position on the division vote. During the division vote, the Colorado Channel’s views will temporarily be blocked.

2.6 – Calls of the House

A remotely participating member may sustain a call of the House by raising their hand.

If a call is sustained, a caucus leader will send a text notification to the remotely participating members’ cell phones that there has been a call of the House and members must return to the video conference. If a member does not return to the video conference, the member will be marked absent or excused.

The call may be raised by a majority vote of House members, including those participating remotely.

2.7 – Display of Floor Amendments

Floor amendments will be distributed to remotely participating members through Box and ILegislate.

2.8 – Video and Audio of Floor Sessions

Video of House floor sessions conducted with remotely participating members will be broadcast live via the Colorado Channel. Archived video of floor sessions will be available via the Colorado Channel.

Audio of House floor sessions with remotely participating members will be broadcast live via the Colorado General Assembly's website and archived on the website.

Section 3 – Committee Hearings

3.1 – Remote participation in committee hearings

A member of a committee participating remotely may:

- be marked as “present” for purposes of attendance and to establish a quorum for the committee;
- vote on matters before the committee;
- make motions;
- speak to matters before the committee, including but not limited to bills and amendments, if recognized by the committee chair;
- present bills, if they are a prime sponsor of the bill;
- observe committee meetings through Zoom.

Members of the legislature who are not members of the committee may remotely present bills to the committee, if they are a prime sponsor of the bill and notify the Chair.

Members who are participating remotely are counted towards the quorum of the committee.

3.2 – Ascertaining the Presence of a Quorum - Committee

The quorum for a committee will be ascertained by a verbal roll call at the beginning of the meeting, and attendance is recorded by the committee staff person.

3.3 – Requests to Speak - Members Participating Remotely

Members participating remotely may request to speak by raising their hands and being recognized by the committee chair.

3.4 – Distribution of Amendments

Amendments will be distributed to remotely participating members through Box and ILegislate.

3.5 – Video and Audio of Committee Meetings

Video of committee meetings conducted with remotely participating members will not be broadcast and will only be available to members, staff, members of the public, and other entities who have joined the Zoom. Live and archived audio of committee meetings will be available on the General Assembly's website.