

Leroy M. Garcia

State Senator
200 E. Colfax Avenue
Denver, Colorado 80203
Capitol: (303) 866-4878
Email: leroy.garcia.senate@state.co.us
Senate District 3



COMMITTEES

Executive Committee of the
Legislative Council
Legislative Council Committee

President of the Senate

Senate Regulations for Remote Participation in Senate Floor Proceedings

Section 1 -- General Provisions

1.1 Remote participation by Senators permitted

These regulations are authorized by the provisions of Senate Rule 44, which permits the President to promulgate regulations allowing remote participation by Senators and other regulations related to creating a safe and healthy work environment during a declared public health disaster emergency. These regulations do not authorize remote participation in committees of reference.

1.2 Approval criteria for remote participation

The President may permit a Senator to participate remotely during a declared public health disaster emergency if any of the following conditions are met by the requesting Senator:

- a. The Senator, according to official Colorado Department of Public Health, Center for Disease Control, or local public health department guidance, is in an increased risk group for COVID-19, which may include individuals who have preexisting health conditions or who are 65 years of age or older.
- b. The Senator has a member in the Senator's household who is in an increased risk group for COVID-19, which may include individuals who have preexisting health conditions or who are 65 years of age or older, and the Senator cannot reasonably avoid coming in contact with that individual during the time period the Senator would be coming to the Capitol.
- c. The Senator is exhibiting symptoms of COVID-19 or is in quarantine for possible exposure to an individual who has tested positive for COVID-19.

1.3 Notice of intent to participate remotely

Unless an unexpected health emergency or similar incident arises, and to the extent possible, a Senator seeking to participate remotely must provide notice of intent to participate remotely to the President, the Majority Leader, and the Minority Leader at least one day in advance of when the member wishes to begin participating remotely. The President will approve or deny the requesting Senator within 24 hours and provide notice to the requesting Senator, the Majority

Leader, the Minority Leader, and the Senate Secretary. If approving a Senator's request, the President may specify the duration that the requesting Senator is permitted to participate remotely.

1.4 Rights, privileges, and responsibilities

Senators who are participating remotely may participate in the following ways:

- a. Vote on motions during third reading and when the body is seated as the Senate
- b. Vote on motions when the Senate is seated as the Committee of the Whole
- c. Move, and speak to, a bill or an amendment to a bill if the senator is the sponsor of the bill, only if the Senator has been recognized to speak by the presiding officer

As much as possible, Senators who are participating remotely are expected to be in communication with the Senator's caucus floor leader, or other designated member, to stay informed about floor activities.

Senators who are participating remotely may speak through the audio feed that is being broadcast into the chamber only after being recognized by the Presiding Officer. A Senator who is participating remotely who wishes to be recognized for speaking through the audio feed, should make that request through the Senator's caucus leadership.

Senators participating remotely are expected to be visually present through the remote participation software while participating in legislative proceedings, unless the President has approved an alternative method. Senators participating remotely are permitted to leave the view of their camera from time to time just like a Senator can leave the floor of the Senate from time to time to use the restroom, etc.

Front desk staff will provide Senators who are participating remotely with access to floor amendments as they become available on iLegislate. It will be the responsibility of the Senator to obtain COW amendments from their caucus leadership.

1.5 Authentication

Legislative Council Information Technology Staff will establish a method for authenticating the identity of Senators who are participating remotely.

Section 2 -- Technology

2.1 Remote Participation Software

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

2.2 Recording of Proceedings

All streams of the proceedings conducted remotely shall be recorded and available as part of the public record.

Section 3 -- Floor Procedures

3.1 Ascertaining quorum

A Senator is included when calculating a quorum if the President has approved that the Senator may participate remotely and if the Senator is participating using approved remote participation technology. During a roll call to ascertain a Senate quorum, the remotely participating Senator must raise his or her hand into the camera to signal the Senator's presence when the Senator's name is called or the Senator may simply respond verbally.

3.2 Recorded Votes

For recorded votes, a Senator participating remotely must raise his or her hand into the camera to signal the Senator's vote at the appropriate time. If video is unavailable, or if a roll call vote is requested, the President will conduct a roll call for those Senators participating remotely and the Senators will speak into the audio through the remote participation technology. In unforeseen circumstances, such as when the remote participation technology is no longer available, a remotely participating Senator may submit the Senator's vote in writing to the Senator's caucus floor leader, or another caucus member designated by the caucus floor leader, to be provided to the President and entered into the record.

3.3 Committee of the Whole

For standing division votes or votes on motions during the Committee of the Whole, a Senator participating remotely will signal the Senator's position through the remote participation technology. An affirmative vote shall be cast by raising their hand into the camera. If video is unavailable, the Senator participating remotely may submit the Senator's vote in writing to the Senator's caucus leader, or another caucus member designated by the caucus leader, to be provided to the presiding officer.

3.4 Call of the Senate

A call of the Senate cannot be made by Senators who are participating remotely. However, a Senator who is participating remotely can be included in sustaining the call by raising his or her hand into the video screen and being recognized by the President. If video is unavailable, the Senator may submit his or her action of sustaining a call of the Senate by speaking verbally into the audio feed after being called on by the Senate President.