

MEMORANDUM REGARDING PROPOSED AMENDMENTS TO NCSL RULES OF PROCEDURE

To: NCSL Members
From: Tim Storey, NCSL CEO
Date: July 14, 2025
Re: Proposed Amendments to NCSL Rules of Procedure

The current NCSL Rules of Procedure, as most recently amended on Aug. 3, 2022, are available at www.ncsl.org/about-us/ncsl-permanent-rules-of-procedure.

Proposed amendments to Rule II, Rule III and Rule VII are presented below for your consideration. Additions are presented in red. Deletions are presented in red with strikethroughs.

Amendments to the NCSL Rules of Procedure are proposed by the NCSL Rules of Procedure Work Group. The amendments will be considered by the Budget Finance and Rules Committee and the full Executive Committee on Aug. 3, 2025.

RULE II

INTRODUCTION, REFERRAL AND DISSEMINATION OF POLICY DIRECTIVES, RESOLUTIONS AND AMENDMENTS

- A) Any legislator may file a policy directive, resolution or amendments to an existing policy directive or resolution designed for consideration at the Annual Business Meeting.
- B) Policy directives and resolutions developed by the Standing Committees shall be directed at Congress, the Administration, or the federal courts, and shall be related to issues that affect the states and shall be consistent with support of state sovereignty and state flexibility and protection from unfunded federal mandates and unwarranted federal preemption.
- C) Resolutions shall be used to (1) bolster a lobbying position; (2) clarify a question of ambiguity in current policy; (3) provide guidance about the specifics of pending regulatory federal decisions; or (4) provide guidance about strategy or tactics regarding a lobbying matter.
- D) There shall be ~~a Memorial~~ ~~Calendar for~~ resolutions that do not comply with Rule II [B]. Members shall file memorial resolutions with the Chief Executive Officer or designee in accordance with other provisions of these Rules. The legislator co-chairs of the standing committees shall refer such resolutions to the appropriate standing committee or the Executive Committee. Memorial resolutions adopted by the Executive Committee shall be placed on the ~~memorial~~ ~~appropriate~~ calendar of the Annual Business Meeting.
- E) Policy directives, resolutions or amendments to existing policy directives or resolutions shall be filed with the Chief Executive Officer or designee at least thirty days prior to the Annual Business Meeting. The overall legislator Co-Chairs of the Standing Committees, in consultation with the Co-Chairs of the appropriate standing committee, may waive the thirty-day deadline under extraordinary circumstances. The legislator Co-Chairs of the Standing Committees shall refer such policy directives, resolutions and amendments to existing policy directives or resolutions promptly to the appropriate standing committee or committees. Each policy directive, resolution and amendment to an existing policy directive or resolutions shall be reviewed and acted upon by the committee to which it is referred.

- F) Policy directives, resolutions and amendments to existing policy directives or resolutions originating in the standing committees shall be submitted to the Chief Executive Officer or designee for referral by the legislator Co-Chairs of the Standing Committees at least thirty days prior to the Annual Business Meeting. The legislator Co-Chairs of the Standing Committees, in consultation with the Co-Chairs of the appropriate standing committee, may waive the thirty-day deadline under extraordinary circumstances. The legislator Co-Chairs of the Standing Committees shall refer such policy directives, resolutions and amendments to existing policy directives or resolutions promptly to the appropriate standing committee or committees.
- G) Standing committees shall disseminate draft policy directives, resolutions and amendments to existing policy directives or resolutions at least twenty days prior to the Annual Business Meetings. Distribution shall be to all standing committee members, members of the NCSL Executive Committee, legislative leaders of the member jurisdictions and others as determined by the legislator Co-Chairs of the Standing Committees. The legislator Co-Chairs of the Standing Committees, in consultation with the appropriate committee Co-Chairs, may waive this deadline under extraordinary circumstances.

**RULE III
POLICY DIRECTIVES AND RESOLUTIONS, AND AMICUS BRIEF ADOPTION PROCESS**

- A) ~~All policy directives and resolutions produced by an NCSL standing committee shall be submitted to the Annual Business Meeting for adoption.~~ All policy directives and resolutions produced by the NCSL standing committees shall be submitted to the Annual Business Meeting for final adoption. ~~Policy directives and resolutions adopted in emergency circumstances shall be placed on the appropriate calendar at the Annual Business Meeting and reported to the NCSL Standing Committee of jurisdiction, with direction. In the interim between Legislative Summits, policy directives and resolutions may be adopted by Committees, but they shall clearly indicate that they are the policy directives and resolutions of that Committee, and not of the Conference as a whole.~~
- B) In emergency circumstances, when there is insufficient time to consider a new policy directive or resolution under normal processes, policy directives or resolutions having the same force and effect as policy directives and resolutions adopted by the full Conference ~~may~~ shall be established by either of the following means:
 - 1) three-fourths vote of the legislator members, present and voting, of the Executive Committee in meeting assembled ~~or~~. Under these circumstances:
 - I. ~~Policies directive, resolutions and amendments to existing policy directives and resolutions for consideration at a meeting of the Executive Committee shall be submitted to the Chief Executive Officer of NCSL or a designee at least 15 days prior to the meeting of the Executive Committee.~~
 - II. ~~NCSL shall disseminate draft policy directives, resolutions and amendments to existing policy directives or resolutions at least 10 days prior to the meeting of the Executive Committee. Distribution shall be to all standing committee members, members of the NCSL Executive Committee, legislative leaders of the member jurisdictions and others as determined by the legislator Co-Chairs of the Standing Committees.~~
 - III. ~~Determination of whether an emergency circumstance exists shall be made by unanimous agreement by the NCSL President, the NCSL President-Elect, the NCSL Vice President, the NCSL President Emeritus, the overall legislator Co-Chairs of the standing committees and the Co-Chairs or Vice Chair of the appropriate standing committee or committees. or~~
 - 2) the unanimous agreement ~~by conference call~~ of the NCSL President, the NCSL President-Elect, the NCSL Vice President, the NCSL President Emeritus, the legislator Co-Chairs or a legislator Vice Chair of the NCSL Standing Committees, and the Co-Chairs or Vice Chair of the appropriate standing committee or committees. Under these circumstances:
 - I. ~~Notification of any adopted policy directive, resolution or amendment to a policy directive or resolution, under Rule III(B)(2), shall be distributed to all standing committee members, members of the NCSL Executive Committee, legislative leaders of the member jurisdictions~~

and others as determined by the legislator Co-Chairs of the Standing Committees. The actions shall be reported on at the next meeting of the Executive Committee.

II. Determination of whether an emergency circumstance exists shall be made by unanimous agreement by the NCSL President, the NCSL President-Elect, the NCSL Vice President, the NCSL President Emeritus, the overall legislator Co-Chairs of the standing committees and the Co-Chairs or Vice Chair of the appropriate standing committee or committees.

- C) All policy directives of the Conference shall not expire but must be reviewed by the standing committee of jurisdiction at least once every four years and can be updated or amended by a standing committee at any time, adhering to the NCSL By-Laws and Rules of Procedure. All resolutions of the Conference shall automatically terminate one year after the Annual Business Meeting at which they are adopted, unless reaffirmed in the normal policy process.
- D) The decision to name NCSL as an amicus curiae on briefs filed before the U.S. Supreme Court shall be by unanimous agreement of the NCSL President, the NCSL President Emeritus, the NCSL President-Elect, the NCSL Vice President, the legislator Co-Chairs of the NCSL Standing Committees, the legislator Co-Chairs of the Law, Criminal Justice and Public Safety Committee and legislator Co-Chairs of other standing committees that have jurisdiction over the question to be resolved by the amicus brief. In the event any person voting indicates a veto, the President may initiate a conference call to allow for discussion and to confirm each person's vote.

RULE VII

VOTING AT ANNUAL BUSINESS MEETINGS

- A) All action in the Annual Business Meeting shall be by voice vote except when a roll call vote is requested by not less than five member jurisdictions or is ordered by the chair.
- B) As provided in the Bylaws, on any vote that places the Conference on record in a matter of public policy, an affirmative vote of three quarters (3/4) of the member jurisdictions who respond to the most recent quorum call shall be required. A state not present for the most recent quorum call can, before the start of the next roll call vote, request recognition from the presiding legislator chair and be recorded as present for purposes of the quorum. New quorum calls shall be conducted at the request of not less than five (5) member jurisdictions. On all other matters, action is final by majority vote of the member jurisdictions who responded to the most recent quorum call. On any vote that places the Conference on record in a matter of public policy, legislative staff shall not be entitled to vote.
- C) In the event of a roll call vote, each member jurisdiction shall be entitled to cast one undivided vote. Prior to the Annual Business Meeting, each member jurisdiction shall select the spokesperson who will announce the vote.
- D) When a roll call is being taken, the member jurisdictions shall be called in alphabetical order by the Chief Executive Officer or designee. The spokesperson for the delegation shall reply by giving his or her name and then announcing the vote of the delegation.
- E) If there is a challenge by a member of a delegation as to who shall be its spokesperson or as to the announced vote, the jurisdiction shall be called upon again. If the challenger continues the challenge, the chair shall poll the delegation and shall declare that the majority of said delegation prevails.
- F) Until the chair announces the results of a vote, a jurisdiction has the right to change its vote, or to have its vote recorded if it was not recorded during the initial call of the vote, based on the most recent quorum call.
- G) Consideration of policy directives and resolutions shall be by calendar. The consent calendar shall be limited to policy directives and resolutions approved unanimously by an NCSL standing committee at the Annual Meeting. The debate calendar shall include all policy directives and resolutions passed by the NCSL standing committees without unanimity; policy directives and resolutions removed from the consent calendar by majority vote of the Steering Committee; and policy directives and resolutions removed from the consent calendar at the Annual Business Meeting at the request of three (3) member jurisdictions. ~~The memorial calendar shall include all resolutions that do not comply with Rule II [D] and approved according to rules governing consideration of policy directives and resolutions.~~
- H) All policy directives, resolutions and amendments shall be submitted in writing, adhering to the NCSL By-Laws and Rules of Procedure, and available prior to the vote of member jurisdictions.

- 1) Policy directives and resolutions that have been tabled or postponed by a committee may be brought for consideration following disposition of the debate calendar by a vote of two thirds (2/3) of the member jurisdictions who respond to the most recent quorum call on a motion to discharge the committee from further consideration. If thus brought up for consideration, the policy directives and proposed resolutions shall be voted upon under the rules governing consideration of policy directives and resolutions.