

Vote Requirements

Suspending chamber rules. By constitution, state legislatures are granted the ability to set their own rules of procedure. But what happens if an adopted chamber rule acts as an impediment to business? It is usually provided that, under certain circumstances and at certain times, procedural rules may be temporarily lifted. The purpose of suspending the rules is to give a deliberative body a way to expedite the consideration of business in emergency situations. Suspension differs from amendment because it is limited in scope and in time. A suspended rule again becomes effective as soon as the purpose for which it was lifted has been accomplished.

The specific vote requirements to suspend chamber rules vary; the votes range from a simple majority of the members present and voting to unanimous consent. The Arizona Senate, Arkansas Senate and both chambers in Utah require only a majority of the members present and voting to suspend the rules, while another 16 chambers use a majority of the members elected. These chambers are:

California Senate	Michigan Senate
Hawaii Senate and House	Missouri Senate and House
Illinois Senate and House	New Jersey General Assembly
Iowa Senate and House	Pennsylvania Senate and House
Kentucky Senate and House	

Most legislative chambers require an extraordinary vote to suspend chamber rules. Sixty legislative bodies require a two-thirds vote. The Alabama House, Michigan Senate, Nebraska Senate, Ohio Senate and both chambers in Vermont have set other types of super-majority requirements. Unanimous consent is necessary in the Alabama Senate and New York Assembly. Table 96-5.3 highlights the type of vote necessary to suspend chamber rules.

Extraordinary vote requirements. Constitutions, statutes and chamber rules often specify requirements for legislatures to take certain actions or pass specific types of legislation. Many times, one of these requirements is for an extraordinary or super-majority vote.

There are three main actions for which legislative chambers usually require an extraordinary vote (see table 96-5.4). The first is to pass a constitutional amendment. Fifty-seven legislative bodies reported that they insist upon a super-majority vote to adopt legislation recommending a constitutional amendment. The second is to remove a legislator from office. Fifty-four legislative assemblies indicated that it takes an extraordinary vote to expel a member. The third is a veto override. Survey respondents from 74 chambers answered that they must have a three-fifths or greater vote to override a gubernatorial veto.

There are other common practices or issues that call for super-majority votes as well. For example, 10 legislative bodies require an extraordinary vote to pass budget or appropriation bills, and 17 legislative assemblies require such votes to adopt tax bills.

Super-majority votes are needed for the emergency enactment of legislation in 32 chambers. In 26 legislative assemblies, it takes an extraordinary vote to impeach an executive branch official. Twenty-seven legislative bodies must have an extraordinary vote to convene a special session. Table 96-5.5 provides more detailed information.

Table 96-5.3 Vote Required to Suspend Chamber Rules

State (1)	Majority vote of members elected	Majority vote of members present and voting	2/3 vote of members elected	2/3 vote of members present and voting	Other
Alabama					2
Alaska			B		
Arizona		S		H	
Arkansas		S		B	
California	S			H	
Colorado			B		
Connecticut				B	
Delaware					
Florida				B	
Georgia			H		
Hawaii	B				
Idaho			H	S	
Illinois	B				
Indiana			H		
Iowa	B				
Kansas			B		
Kentucky	B				
Louisiana	S			H	
Maine				B	
Maryland			B		
Massachusetts					
Michigan	S				3
Minnesota			B		
Mississippi				H	
Missouri	B		B		4
Montana				B	

Table 96-5.3 Vote Required to Suspend Chamber Rules, cont'd.

State (1)	Majority vote of members elected	Majority vote of members present and voting	2/3 vote of members elected	2/3 vote of members present and voting	Other
Nebraska					5
Nevada			B		
New Hampshire				B	
New Jersey	H			S	
New Mexico			S	H	
New York					6
North Carolina				H	
North Dakota			B		
Ohio			H		7
Oklahoma			B		
Oregon			B		
Pennsylvania	B				
Rhode Island				S	
South Carolina					8
South Dakota			B		
Tennessee			H	S	
Texas				B	
Utah		B			
Vermont					9
Virginia			B		
Washington				B	
West Virginia				B	
Wisconsin				B	
Wyoming			B		

Table 96-5.3 Vote Required to Suspend Chamber Rules, cont'd.

<p>Key:</p> <ul style="list-style-type: none">S=SenateH=House or AssemblyB=Both chambers <p>Notes:</p> <ol style="list-style-type: none">1. The following chambers did not respond to the survey: Delaware Senate, Georgia Senate, Massachusetts Senate and House, Mississippi Senate, North Carolina Senate, Rhode Island House, South Carolina Senate; nor did any legislatures from the U.S. territories respond.2. Alabama Senate and House: The Senate requires a unanimous vote to suspend its rules, while it takes four-fifths of those present and voting in the House.3. Michigan House: Suspension of the rules requires a three-fifths vote of the members elected.4. Missouri Senate and House: To suspend the rules for special purposes, both chambers require a vote of two-thirds of the members elected.5. Nebraska Senate: Suspension of the rules requires a three-fifths vote of the members elected.6. New York Assembly: The Assembly requires a unanimous vote to suspend its rules.7. Ohio Senate: Suspension of the rules requires a three-fifths vote of the members elected.8. South Carolina House: In certain instances, it takes a majority vote to suspend the rules.9. Vermont Senate and House: Both chambers require a three-fourths vote of the members present and voting to suspend the rules.
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Table 96-5.4 Main Actions Requiring Extraordinary Votes**To Adopt a Constitutional Amendment:**

Alabama Senate and House	Mississippi House
Alaska Senate and House	Montana Senate and House
Arkansas Senate	Nebraska Senate
California Senate and Assembly	New Hampshire Senate and House
Colorado Senate and House	New Jersey General Assembly
Connecticut Senate and House	New York Senate
Delaware House	North Carolina House
Florida Senate and House	Ohio Senate and House
Georgia House	Oklahoma Senate
Hawaii Senate and House	South Carolina House
Idaho Senate and House	Tennessee Senate
Illinois Senate and House	Texas Senate and House
Kansas Senate and House	Utah Senate and House
Kentucky Senate and House	Vermont Senate
Louisiana Senate and House	Washington Senate and House
Maine Senate and House	West Virginia Senate and House
Maryland Senate and House	Wyoming Senate and House
Michigan Senate and House	

To Expel a Legislator:

Alabama Senate and House	Mississippi House
Alaska Senate and House	Missouri Senate and House
Arizona Senate and House	Montana Senate and House
Arkansas Senate and House	Nebraska Senate
California Senate and Assembly	Nevada Senate and Assembly
Colorado Senate and House	New Jersey Senate and General Assembly
Delaware House	New Mexico Senate and House
Florida Senate and House	North Dakota Senate and House
Georgia House	Ohio Senate and House
Hawaii Senate and House	Oklahoma Senate and House
Idaho Senate and House	Oregon Senate and House
Illinois Senate and House	Pennsylvania Senate and House
Indiana Senate and House	Rhode Island House
Iowa Senate and House	Tennessee Senate and House
Kansas Senate and House	Texas Senate and House
Kentucky Senate and House	Utah Senate and House
Louisiana Senate and House	Virginia Senate and House
Maine Senate and House	Washington Senate and House
Maryland Senate and House	West Virginia Senate and House
Michigan Senate and House	Wisconsin Senate and Assembly
Minnesota Senate and House	Wyoming Senate and House

Table 96-5.4 Main Actions Requiring Extraordinary Votes, cont'd.

To Override a Gubernatorial Veto:	
Alaska Senate and House	Nevada Senate and Assembly
Arizona Senate and House	New Hampshire Senate and House
California Senate and House	New Jersey General Assembly
Colorado Senate and House	New Mexico Senate and House
Connecticut Senate and House	New York Senate
Delaware House	North Dakota Senate and House
Florida Senate and House	Ohio Senate and House
Georgia House	Oklahoma Senate and House
Idaho Senate and House	Oregon Senate and House
Illinois Senate and House	Pennsylvania Senate and House
Iowa Senate and House	South Carolina House
Kansas Senate and House	South Dakota Senate and House
Louisiana Senate and House	Texas Senate and House
Maine Senate and House	Utah Senate and House
Maryland Senate and House	Vermont Senate and House
Michigan Senate and House	Virginia Senate and House
Minnesota Senate and House	Washington Senate and House
Mississippi House	West Virginia Senate
Missouri Senate and House	Wisconsin Senate and Assembly
Montana Senate and House	Wyoming Senate and House
Nebraska Senate	

Table 96-5.5 Other Common Issues Requiring Extraordinary Votes

State (1)	Budget or appropriation bills	Tax bills	Banking laws	State borrowing	Local acts	Emergency enactment of a bill	To raise or lower retirement benefits	To censure a legislator	To remove a judge	To impeach executive branch official	To confirm governor's appointments	To extend a regular session	To convene a special session	To extend a special session
Alabama								H						
Alaska								B		B		B	B	
Arizona		B				B				S			S	
Arkansas	B	B				B						B		B
California	B	B				B	H			S	S			
Colorado														
Connecticut	H				H				H					
Delaware		H		H	H				H			B		B
Florida					H				H	H				
Georgia														
Hawaii										H			B	S
Idaho														
Illinois			B	B	B	H		H	S	S				
Indiana										H				
Iowa											S		H	
Kansas						B	H	S	S	S		B	B	H
Kentucky										H				

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Louisiana		B		H						S				
Maine				B		B				S	S	B	B	
Maryland						B			B			B		
Massachusetts														
Michigan			B	B	B	B			B					
Minnesota			B											
Mississippi		H		H						H		H		
Missouri						B								
Montana				B										
Nebraska						S						S	S	
Nevada								B						
New Hampshire													H	
New Jersey						H								
New Mexico						B		H					B	
New York	S	B	S	S	S	S	S		S		S	S	S	S
North Carolina														
North Dakota														

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State (1)	Budget or appropriation bills	Tax bills	Banking laws	State borrowing	Local acts	Emergency enactment of a bill	To raise or lower retirement benefits	To censure a legislator	To remove a judge	To impeach executive branch official	To confirm governor's appointments	To extend a regular session	To convene a special session	To extend a special session
Ohio						B								
Oklahoma	S	B	S	S	S	B	S	B	B	B	S		B	
Oregon														
Pennsylvania									S	S	S			
Rhode Island														
South Carolina	H											H		
South Dakota	B	B				B							B	
Tennessee									H					
Texas						B			B	S	S			
Utah						H		S	S	S				
Vermont									B	B				
Virginia				S	B	S				S		B	B	H
Washington		S		B					S	S			B	
West Virginia									S	S		B	B	
Wisconsin							B		B	S				
Wyoming										S				

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cont'd.**

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Note:

1. The following chambers did not respond to the survey: Delaware Senate, Georgia Senate, Massachusetts Senate and House, Mississippi Senate, North Carolina Senate, Rhode Island House, South Carolina Senate; nor did any legislatures from the U.S. territories respond.

