

Amend HR 5 on page 171, line 24, by inserting the following new section:

Sec _____. EXERCISE OF OFFICE OF SPEAKER OR COMMITTEE CHAIR UNDER PROSECUTION. (a) If an indictment is returned or a criminal information is filed charging the speaker with an offense punishable by imprisonment in a federal or state penitentiary or confinement in jail, the speaker shall not exercise the rights, privileges or duties of the office of speaker until the indictment or information is disposed of in any manner provided by the law.

(b) The speaker shall notify the chief clerk of any indictment returned or criminal information filed against the speaker. If a permanent speaker pro tempore has been appointed pursuant to Rule 1, Section 10, the chief clerk shall notify the permanent speaker pro tempore of the fact of indictment or information. The speaker pro tempore shall convene the house to elect a temporary acting speaker:

(1) no later than the day to which the house has adjourned if the house is meeting in regular or special session; or

(2) no later than the 30th day after the date the speaker pro tempore is notified by the chief clerk of the fact of indictment or information if the house is not meeting in regular or special session. If a permanent speaker pro tempore has not been appointed, the chief clerk shall notify the house member with the most cumulative service as a member who is not the speaker. The member shall perform the duties assigned by this Subsection to a permanent speaker pro tempore.

(c) Upon conviction or other admission of guilt, the speaker shall permanently vacate the office of speaker and the temporary acting speaker elected under Subsection (b) serves until the convening of the next regular session of the legislature. If the information or indictment is dismissed without a finding of guilt, the reporting of that fact to the chief clerk terminates the service of the temporary acting speaker.

(d) If an indictment is returned or a criminal information is filed charging a chair of a standing or select committee with an offense punishable by imprisonment in a federal or state penitentiary or confinement in jail, the speaker shall appoint a

temporary acting chair of the committee until the indictment or information is disposed of in any manner provided by law.