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As you may be aware, the California Legislature operates during two-year legislative sessions. At the commencement of the two-year session, the Legislature must organize itself.

In that regard there are several provisions related to organizing the Legislature. The first is found in the California Constitution, and the other provisions in the California Government Code. According to Article IV, Section 3a of the state constitution, "The Legislature shall convene in regular session at noon on the first Monday in December of each even numbered year, and each House shall immediately organize."

This date falls every two years, roughly three weeks - perhaps four on occasion - after the statewide General Election has taken place. The two houses convene that first session at noon and it generally lasts about two hours.

The Government Code: pursuant to Section 9020 of the Government Code, the Legislature shall convene in Regular Session at the City of Sacramento at noon on the first Monday in December of each even-numbered year, and each House shall immediately organize. This provision is essentially a restatement of the constitutional provision found earlier.

Now, according to Section 9021, a Certificate of Election is prima facie evidence of the right to membership. So the California Secretary of State prepares this document that certifies that each individual has been elected to either the Assembly or the Senate.

Per Section 9022, at the day and hour appointed for the assembling of any Regular Session of the Legislature, the President of the Senate, or in case of his absence or ability the Senior Member present, shall take the chair and call the members and members-elect to order and then have the Secretary of the Senate call open the Senatorial Districts in their order from which members have been elected at the preceding election.

As the district numbers are called for the members-elect, they'll present their Certificates, they'll take their constitutional Oath of Office, and they assume their seats in the Senate. If a quorum is present, then the Senate elects its Officers.

This provision has several key components. Either the Lieutenant Governor, as the President of the Senate, or the most senior member of the Senate opens this organizing session. The Senators - the 20 who were elected as well as the 20 carry over Senators - respond to the calling of the Senate District in numeric order from SD 1 through SD 40.

Once the new Senators take their seats, then they elect the Officers of the Senate for that new two-year term.

Under Section 9023 of the Government Code at the day and hour appointed for the assembling of any regular session of the Legislature the Chief Clerk of the Assembly or in the case of his

absence or inability, the Senior Member-elect present, shall take the chair, call the members-elect to order, and call open the roll of counties in alphabetical order. As the counties are called, the members-elect present their Certificates of Election, they take the Constitutional Oath of Office, and they assume their seats in the Assembly.

If there's more than one Senior Member-elect present, and the senior members are unable to agree as to who shall call the session to order, then the Attorney General or one of his or her deputies shall call the session to order. If a quorum is present, the Assembly elects its Officers and there shall be no other business, motion, or resolution considered before the election of the Speaker.

This provision has several key components as well. Either the Assembly Chief Clerk, or the most Senior Member of the Assembly opens the session, and the Assembly Members - all 80 of them - respond to the calling of the 58 counties. Once the new Assembly Members take their seats, then they elect the Officers of the Assembly, with the first order of business being to elect the Speaker of the State Assembly.

Section 9024 of the Government Code provides that members of the Legislature who did not take the Oath of Office at the assembling of the Legislature may take the Oath at any time during the term for which they were elected. This provision allows individuals elected to either house to take their Oath of Office at any time during their term, such as those who are elected during a special election to fill a vacancy.

And under Section 9025 an entry at the Oath taken by the members of the Legislature shall be made in the Journals of each House. As such, this provision requires the Assembly Daily Journal and the Senate Daily Journal to publish all the Oaths of Offices by their respective members.

At these organizing sessions, both the elected officials and their families and supporters are in attendance. They rarely engage in regular business other than introducing their first bills, which not all legislators do on that first day in session.

They'll often visit with colleagues and former legislators, and attend and enjoy the pomp and circumstance of that organizing session. Thereafter, in the first week of January when they reconvene, that's when legislators commence the serious work ahead that will last for the following two years.

Thanks for joining our podcast.