

§ 282a. Staff; Deputy Legislative Counsel; delegation of functions

(a) With the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker, the Legislative Counsel shall appoint such attorneys and other employees as may be necessary for the prompt and efficient performance of the functions of the Office. Any such appointment shall be made without regard to political affiliation and solely on the basis of fitness to perform the duties of the position. Any person so appointed may be removed by the Legislative Counsel with the approval of the Speaker, or in accordance with policies and procedures approved by the Speaker.

(b)(1) The Legislative Counsel shall designate one or more of the attorneys appointed under subsection (a) as a Deputy Legislative Counsel. During the absence or disability of the Legislative Counsel, or when the office is vacant, the functions of the Legislative Counsel shall be performed by a Deputy Legislative Counsel. If there is more than one Deputy Legislative Counsel, the Deputy Legislative Counsel who shall perform such functions shall be determined in accordance with the order specified in a notice filed with the Speaker and the Minority Leader of the House by the Legislative Counsel.

(2) The Legislative Counsel may delegate to the Deputy Legislative Counsels and to other employees appointed under subsection (a) such of his functions as he considers necessary or appropriate.

(Pub. L. 91-510, title V, §522, Oct. 26, 1970, 84 Stat. 1203; Pub. L. 92-51, §101, July 9, 1971, 85 Stat. 132; Pub. L. 118-263, §2, Jan. 4, 2025, 138 Stat. 2978.)

Editorial Notes

AMENDMENTS

2025—Subsec. (b)(1). Pub. L. 118-263, §2(a), substituted “The Legislative Counsel shall designate one or more of the attorneys appointed under subsection (a) as a Deputy Legislative Counsel.” for “One of the attorneys appointed under subsection (a) shall be designated by the Legislative Counsel as Deputy Legislative Counsel.” and “the functions of the Legislative Counsel shall be performed by a Deputy Legislative Counsel. If there is more than one Deputy Legislative Counsel, the Deputy Legislative Counsel who shall perform such functions shall be determined in accordance with the order specified in a notice filed with the Speaker and the Minority Leader of the House by the Legislative Counsel.” for “the Deputy Legislative Counsel shall perform the functions of the Legislative Counsel.”

Subsec. (b)(2). Pub. L. 118-263, §2(b), substituted “Deputy Legislative Counsels” for “Deputy Legislative Counsel”.

1971—Subsec. (b). Pub. L. 92-51 substituted provisions for designation of one attorney as Deputy Legislative Counsel to perform functions of Legislative Counsel during his absence or disability or when office is vacant and for delegation of functions to Deputy Legislative Counsel and other employees for former provisions for appointment of full-time Office Administrator to exercise management, supervisory, and administrative functions of the Office as delegated to him by the Legislative Counsel.

§ 282b. Compensation

(a) The Legislative Counsel shall be paid at a per annum gross rate equal to the greater of

\$173,900 or the rate of pay in effect for such position under an order issued by the Speaker of the House of Representatives pursuant to the authority of section 4532 of this title.

(b) Members of the staff of the Office other than the Legislative Counsel shall be paid at per annum gross rates fixed by the Legislative Counsel with the approval of the Speaker or in accordance with policies approved by the Speaker, but not in excess of the applicable rate of pay in effect under an order issued by the Speaker of the House of Representatives pursuant to the authority of section 4532 of this title.

(Pub. L. 91-510, title V, §523, Oct. 26, 1970, 84 Stat. 1203; Pub. L. 95-94, title I, §115, Aug. 5, 1977, 91 Stat. 668; Pub. L. 116-94, div. E, title II, §212(b)(3)(A), Dec. 20, 2019, 133 Stat. 2776.)

Editorial Notes

CODIFICATION

Amendment by Pub. L. 95-94 is based on par. (2) of House Resolution No. 8, Ninety-fifth Congress, Jan. 4, 1977, which was enacted into permanent law by Pub. L. 95-94.

PRIOR PROVISIONS

House Resolution 312, 89th Congress, Mar. 31, 1965, which was enacted into permanent law by section 103 of Pub. L. 89-90, July 27, 1965, 79 Stat. 281, provided that effective Apr. 1, 1965, the compensation of the Legislative Counsel of the House of Representatives shall be at a gross per annum rate which is equal to the gross per annum rate of compensation of the Legislative Counsel of the Senate, and that the additional sums necessary to carry out this resolution shall be paid out of the contingent fund of the House until otherwise provided by law.

AMENDMENTS

2019—Subsec. (a). Pub. L. 116-94, §212(b)(3)(A)(i), substituted “equal to the greater of \$173,900 or the rate of pay in effect for such position under an order issued by the Speaker of the House of Representatives pursuant to the authority of section 4532 of this title.” for “equal to the rate of basic pay, as in effect from time to time, for level III of the Executive Schedule of section 5314 of title 5.”

Subsec. (b). Pub. L. 116-94, §212(b)(3)(A)(ii), substituted “in excess of the applicable rate of pay in effect under an order issued by the Speaker of the House of Representatives pursuant to the authority of section 4532 of this title.” for “in excess of the rate of basic pay for one pay level above the maximum pay level for employees of the House of Representatives provided under clause 6(c) of Rule XI of the Rules of the House of Representatives.”

1977—Subsec. (b). Pub. L. 95-94 substituted provisions authorizing compensation at a rate not in excess of the rate of basic pay for one pay level above the maximum pay level for House employees provided under cl. 6(c) of Rule XI of the Rules of the House of Representatives, for provisions authorizing compensation at per annum gross rates not in excess of a per annum gross rate equal to the rate of basic pay for level V of the Executive Schedule of section 5316 of title 5.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2019 AMENDMENT

Pub. L. 116-94, div. E, title II, §212(c), Dec. 20, 2019, 133 Stat. 2778, provided that: “This section [see Tables for classification] and the amendments made by this section shall take effect on the later of—

“(1) the first day of the first applicable pay period beginning on or after January 1, 2020; or