

How a Bill Is Passed



Initial Steps by the Author

- **Idea**
Ideas for legislation come from government, elected officials, businesses, organizations, and citizens.
- **Drafting**
Requests for drafting may be made by legislators, legislative committees, the Governor, state agencies, and local governments. A staff attorney for the Legislature prepares a formal draft of a bill.
- **Introduction and First Reading**
A bill is submitted by a Senate or Assembly member, numbered and read for the first time, assigned to committee, and printed. A bill or resolution may be introduced in either the Senate or the Assembly and cosponsors in the other house may be listed on the front of the measure.

Action in the House of Origin

- **Committee**
A committee holds a hearing to take testimony and gather information about the bill. It may recommend that the legislative house pass a bill as it is written or pass it with amendments. If a committee thinks that a bill requires further committee consideration, it may recommend that the legislative house amend the bill and re-refer it to the same committee or to another committee. Finally, a committee may vote to "Indefinitely Postpone" consideration of a bill, effectively killing it, or may take no action at all.
- **Second Reading Before the Full House**
A bill given a "Do Pass" recommendation is read a second time and placed on General File for debate and vote. A bill that is given an "Amend and Do Pass" recommendation is read a second time, amended and reprinted before being placed on the General File for action.
- **Floor Debate and Vote by the Full House**
Bills are read a third time and debated. A roll-call vote follows. For passage of bills that require a constitutional majority, 11 votes are needed in the Senate and 22 in the Assembly. Bills with tax or fee increases require a two-thirds majority (14 votes in the Senate and 28 in the Assembly). A measure that does not receive at least the required number of votes is defeated. Any member who casts a vote on the prevailing side may serve notice of reconsideration to request a second vote. All bills that are passed by the first legislative house are then forwarded to the second legislative house where the process begins again.

Action in the Second House

- **First Reading**
Bill is read for the first time and referred to committee.
- **Committee**
Procedures and possible actions are identical to those in the first legislative house.
- **Second Reading Before the Full House**
If passed by committee, the bill is read a second time and placed on the daily file (agenda) for debate and vote.
- **Floor Debate and Vote by the Full House**
The procedure is identical to that in the first house. If the second house to consider a bill passes it without amendment, it is returned to the first legislative house for enrollment and transmittal to the Governor. Resolutions that are passed are sent to the Secretary of State. If the second house amends a measure, it is returned to the house of origin for consideration of the amendments.

Resolution of Differences (if necessary)

- **Consideration of Amendments**
The house of origin decides whether to accept the second house's amendments. If it accepts the amendments, the bill goes to the Governor. If it rejects the amendments, the bill goes to the second house for a decision whether to withdraw the proposed changes (recede). If the second house does not recede, the bill is referred to a conference committee that includes members of both houses.
- **Conference**
The conference committee attempts to reconcile the differences and presents its recommendation in the form of a conference report. If both houses accept the report, the bill goes to the Governor. The bill dies if the members of the conference committee fail to agree.

Role of the Governor

- Generally, the Governor must act on a bill within 5 days after he receives it if the Legislature is still in session (Sundays excepted). However, if there are fewer than 5 days remaining in session, or if the bill is delivered after the session has ended (adjourned sine die), the Governor has until 10 days after sine die to act. The Governor may sign the bill into law, allow it to become law without a signature, or veto it. A vetoed bill returns to the house of origin for a possible vote on overriding the veto. An override requires a two-thirds majority of both legislative houses. If the Governor vetoes a bill after session ends, it returns to the next legislative session. Measures become effective on October 1st following the end of the legislative session, unless otherwise specified in the bill.