

THE LEGISLATIVE PROCESS



➤ BILL INTRODUCTION

Anyone may draft a bill; however, only members of Congress can introduce legislation, and by doing so become the sponsor(s). There are four basic types of legislation: bills, joint resolutions, concurrent resolutions, and simple resolutions.

The official legislative process begins when a bill or resolution is numbered - H.R. signifies a House bill and S. a Senate bill - referred to a committee and printed by the Government Printing Office.

➤ REFERRAL TO COMMITTEE(S)

Bills are referred to standing committees in the House or Senate. It is placed on the committee's calendar. A bill can be referred to a subcommittee or considered by the committee as a whole. It is at this point that a bill is examined carefully and its chances for passage are determined.

If the committee does not act on a bill, it is the equivalent of killing it.

➤ COMMITTEE HEARINGS

Often, bills are referred to a subcommittee for study and hearings. Hearings provide the opportunity to put on the record the views of the executive branch, experts, other public officials, supporters and opponents of the legislation. Testimony can be given in person or submitted as a written statement.

After receiving a subcommittee's report on a bill, the full committee can conduct further study and hearings, or it can vote on the subcommittee's recommendations and any proposed amendments. The full committee then votes on its recommendation to the House or Senate. This procedure is called "ordering a bill reported."

➤ COMMITTEE MARK-UP

When the hearings are completed, the subcommittee may meet to "mark up" the bill, that is, make changes and amendments prior to recommending the bill to the full committee. If a subcommittee votes not to report legislation to the full committee, the bill dies.

➤ COMMITTEE REPORT

After a committee votes to have a bill reported, the committee chairman instructs staff to prepare a written report on the bill. This report describes the intent and scope of the legislation, impact on existing laws and programs, position of the executive branch, and views of dissenting members of the committee.

➤ SCHEDULING LEGISLATION:

**HOUSE: SPECIAL RULES, SUSPENSION OF THE RULES, OR PRIVILEGED MATTER;
SENATE: UNANIMOUS CONSENT AGREEMENTS OR MOTIONS TO PROCEED**

After a bill is reported back to the chamber where it originated, it is placed in chronological order on the calendar. In the House there are several different legislative calendars, and the Speaker and majority leader largely determine if, when, and in what order bills come up. In the Senate there is only one legislative calendar.



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➤ FLOOR DEBATE

When a bill reaches the floor of the House or Senate, there are rules or procedures governing the debate on legislation. These rules determine the conditions and amount of time allocated for general debate.

➤ FLOOR AMENDMENT - VOTE ON FINAL PASSAGE

After the debate and the approval of any amendments, the bill is passed or defeated by the members voting.

➤ RECONCILING DIFFERENCES BETWEEN THE HOUSE AND SENATE

If only minor changes are made to a bill by the other chamber, it is common for the legislation to go back to the first chamber for concurrence.

➤ CONFERENCE COMMITTEE NEGOTIATIONS

If major changes are made to a bill by the other chamber that significantly alter the bill, a conference committee is formed to reconcile the differences between the House and Senate versions.

If the conferees are unable to reach agreement, the legislation dies.

➤ FLOOR DEBATE ON CONFERENCE REPORT - FLOOR VOTE ON CONFERENCE REPORT

If the conference committee agrees to reconcile the differences between the House and Senate versions, a conference report is prepared describing the committee members' recommendations for changes.

Both the House and the Senate must approve of the conference report.

➤ CONFERENCE VERSION PRESENTED TO THE PRESIDENT

After a bill has been approved by both the House and Senate in identical form, it is sent to the President.

➤ PRESIDENT SIGNS INTO LAW OR ALLOWS BILL TO BECOME LAW WITHOUT HIS SIGNATURE

If the President approves of the legislation he/she signs it and it becomes law. Or, the President can take no action for ten days, while Congress is in session, and it automatically becomes law.

➤ PRESIDENT VETOES BILL

If the President opposes the bill he/she can veto it; or, if he/she takes no action after the Congress has adjourned its second session, it is a "pocket veto" and the legislation dies.

If the President vetoes a bill, Congress may attempt to "override the veto." This requires a two thirds roll call vote of the members who are present in sufficient numbers for a quorum.