

# GOVERNMENT 101: How a Bill Becomes Law

## A. Legislation is Introduced - Any member can introduce a piece of legislation

**House** - Legislation is handed to the clerk of the House or placed in the [hopper](#).

**Senate** - Members must gain recognition of the presiding officer to announce the introduction of a bill during the [morning hour](#). If any senator objects, the introduction of the bill is postponed until the next day.

- The bill is assigned a number (e.g. HR1 or S1)
- The bill is labeled with the sponsor's name
- The bill is sent to the Government Printing Office and copies are made
- Senate bills can be jointly [sponsored](#)
- Members can [cosponsor](#) the piece of Legislation

**B. Committee Action** - The bill is referred to the appropriate committee by the Speaker of the House or the presiding officer in the Senate. Most often, the actual referral decision is made by the House or Senate parliamentarian. Bills may be referred to more than one committee and it may be split so that parts are sent to different committees. The Speaker of the House may set time limits on committees. Bills are placed on the calendar of the committee to which they have been assigned. Failure to act on a bill is equivalent to killing it. Bills in the House can only be released from committee *without* a proper committee vote by a [discharge petition](#) signed by a majority of the House membership (218 members).

### Committee Steps:

1. Comments about the bill's merit are requested by government agencies.
2. Bill can be assigned to subcommittee by Chairman.
3. Hearings may be held.
4. Subcommittees report their findings to the full committee.
5. Finally, there is a vote by the full committee - the bill is "ordered to be reported."
6. A committee will hold a "mark-up" session during which it will make revisions and additions. If substantial amendments are made, the committee can order the introduction of a "clean bill" which will include the proposed amendments. This new bill will have a new number and will be sent to the floor while the old bill is discarded. The chamber must approve, change or reject all committee amendments before conducting a final passage vote.
7. After the bill is reported, the committee staff prepares a written report explaining why they favor the bill and why they wish to see their amendments, if any, adopted. Committee members who oppose a bill sometimes write a dissenting opinion in the report. The report is sent back to the whole chamber and is placed on the calendar.
8. In the House, most bills go to the Rules committee before reaching the floor. The committee adopts rules that will govern the procedures under which the bill will be considered by the House. A "closed rule" sets strict time limits on debate and forbids the introduction of amendments. These rules can have a major impact on whether the bill passes. The rules committee can be bypassed in three ways: 1) members can move rules to be suspended (requires 2/3 vote) 2) a discharge petition can be filed 3) the House can use a [Calendar Wednesday](#) procedure.

## C. Floor Action

### 1. Legislation is placed on the Calendar

**House:** Bills are placed on one of four [House Calendars](#). They are usually placed on the calendars in the order of which they are reported yet they don't usually come to floor in this order - some bills never reach the floor at all. The Speaker of the House and the Majority Leader decide what will reach the floor and when. (Legislation can also be brought to the floor by a [discharge petition](#).)

**Senate:** Legislation is placed on the Legislative Calendar. There is also an Executive calendar to deal with treaties and nominations. Scheduling of legislation is the job of the Majority Leader. Bills can be brought to the floor whenever a majority of the Senate chooses.

### 2. Debate

**House:** Debate is limited by the rules formulated in the Rules Committee. The [Committee of the Whole](#) debates and amends the bill but cannot technically pass it. Debate is guided by the Sponsoring Committee and time is divided equally between proponents and opponents. The Committee decides how much time to allot to each person. Amendments must be [germane](#) to the subject of a bill - no [riders](#) are allowed. The bill is reported back to the House (to itself) and is voted on. A quorum call is a vote to make sure that there are enough members present (218) to have a final vote. If there is not a quorum, the House will adjourn or will send the Sergeant at Arms out to round up missing members.

**Senate:** Debate is unlimited unless [cloture](#) is invoked. Members can speak as long as they want and amendments need not be germane - riders are often offered. Entire bills can therefore be offered as amendments to other bills. Unless cloture is invoked, Senators can use a [filibuster](#) to defeat a measure by "talking it to death."

### 3. Vote

The bill is voted on. If passed, it is then sent to the other chamber unless that chamber already has a similar measure under consideration. If either chamber does not pass the bill then it dies. If the House and Senate pass the same bill then it is sent to the President. If the House and Senate pass different bills, they are sent to Conference Committee. Most major legislation goes to a Conference Committee.

## D. Conference Committee

1. Members from each house form a conference committee and meet to work out the differences. The committee is usually made up of senior members who are appointed by the presiding officers of the committee that originally dealt with the bill. The representatives from each house work to maintain their version of the bill.
2. If the Conference Committee reaches a compromise, it prepares a written conference report, which is submitted to each chamber.
3. The conference report must be approved by both the House and the Senate.

## E. The President - the bill is sent to the President for review.

1. A bill becomes law if signed by the President or if not signed within 10 days and Congress is in session.
2. If Congress adjourns before the 10 days and the President has not signed the bill then it does not become law ("Pocket Veto.")
3. If the President vetoes the bill it is sent back to Congress with a note listing his/her reasons. The chamber that originated the legislation can attempt to override the veto by a vote of two-thirds of those present. If the veto of the bill is overridden in both chambers then it becomes law.

**F. The Bill Becomes A Law** - once a bill is signed by the President or his veto is overridden by both houses it becomes a law and is assigned an official number.

# GLOSSARY OF TERMS

## House Legislative Calendars

**The Union Calendar** - Deals with bills that would raise revenues and spending bills (appropriations).

**The House Calendar** - Deals with public bills that do not raise revenue or appropriate any money or property.

**The Consent Calendar** - Deals with bills that are not controversial and are passed without debate. This calendar is called on the first and third Monday of each month.

**The Private Calendar** - Deals with claims against the U.S.

## Types of Legislation

**Bills** - Denoted with HR in the House and S in the Senate and then followed by an assigned number. This is the most common form of legislation.

**Private Bill** - A bill that deals only with specific private, personal, or local matters other than with general legislative affairs. The main kinds include immigration and naturalization bills (referring to particular individuals) and personal-claim bills.

**Public Bill** - A legislative bill that deals with matters of general concern. A bill involving defense expenditures is a public bill.

**Resolution** - HRes or SRes. This type of legislation is adopted only by the house that introduces it, and deals with issues concerning the operation of that house only.

**Concurrent Resolutions** - H Con Res or S Con Res. This type of legislation does not become law. It deals with issues that relate to internal matters in both the House and the Senate.

**Joint Resolutions** - HJ Res or SJ Res. These treated much the same as bills with the exception of joint resolutions which propose amendments to the Constitution. A two-thirds majority in both the House and the Senate must approve proposed amendments, and then the Joint Resolution is sent to the states for ratification instead of the President.

## Other Terms

**Calendar Wednesday** - A procedure of the House of Representatives whereby Wednesdays may be used to call the roll of the standing committees for the purpose of bringing up any of their bills for consideration from the House or Union Calendar.

**Cloture** - Is a motion in the Senate to limit debate. It takes 60 votes to invoke cloture. Invoking cloture will end a filibuster.

**Committee of The Whole** - The members of the House of Representatives organized into a committee for the consideration of bills and other matters. Most House business is transacted in the Committee of the Whole so that the formal requirements of its regular sessions, such as having a quorum of one-half the membership, can be avoided.

**Co-Sponsor** - Additional members (after the original sponsor) who join on to support a bill.

**Discharge Petition** - In the House, if a committee does not report a bill within 30 days after the measure is referred to it, any member may file a discharge motion. Once offered, the motion is treated as a petition needing the signatures of a majority of members (218 if there are no vacancies). After the required signatures have been obtained, there is a delay of seven days. Thereafter on the second and fourth Mondays of each month, except during the last six days of a session, any member who has signed the petition must be recognized, if he/she so desires, to move that the committee be discharged. Debate on the motion to discharge is limited to 20 minutes, and, if the motion is carried, consideration of the bill becomes a matter of high privilege.

**Filibuster** - An attempt to defeat a bill in the Senate by talking indefinitely, thus preventing the Senate from doing any other work. From the Spanish *filibustero*, which means a "freebooter," a military adventurer.

**Germane** - Pertaining to the subject matter of the measure at hand.

**Hopper** - Box on House Clerk's desk where members deposit bills and resolutions to introduce them.

**Morning Hour** - The time set aside at the beginning of each legislative day for the consideration of regular, routine business. The "hour" is of indefinite duration in the House, where it is rarely used.

**Rider** - A provision, unlikely to pass on its own merits, added to an important bill so that it will "ride" through the legislative process.

**Sponsor** - The original member who introduces a bill.

**Veto** - The power of a president, governor, or mayor to kill a piece of legislation by not signing it into law. From Latin term *veto* - "I forbid."

*Courtesy of Project Vote Smart*