

HOW A BILL BECOMES A LAW

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There are many ways a law is born. Each state has its own process, and the U.S. Congress has its very special process. The one important difference between states and Congress is this. In the states, when the lower house passes a bill, it moves to the upper house to be voted on and vice versa.

The Congress is a different animal! All bills originate in the House of Representatives, known as the “Peoples’ House” or “Lower House”. Bills can and do originate in the Senate as “companion” bills. In other words, the exact wording is as a House Bill with a Senator as a patron (confused yet?).

Once the House of Representatives passes a bill, it is moved to the Senate, where it can sit until the Majority Leader of the Senate chooses to bring the bill to the Senate floor. Often bills will die in the Senate if the controlling party decides not to vote on the issue. An example of this would be the Budget. If you are not confused, we will move on....

Here are the basic steps of a Bill becoming a Law. Bear in mind that at each step, the bill can be amended. At the end of the procedure the Bill often does not resemble its original draft.

Step 1: A Bill Is Born. Anyone may draft a bill; however, only members of Congress can introduce legislation, and, by doing so, become the sponsor(s).

The President, a member of the Cabinet, or the head of a federal agency can also propose legislation, although a member of Congress must introduce it.

Step 2: A Committee needs to take Action. As soon as a bill is introduced, it is referred to a committee. At this point, the bill is examined carefully and its chances for passage are first determined. If the committee does not act on a bill, the bill is effectively "dead."

Step 3: A subcommittee may Review. 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 and supporters, as well as opponents of the legislation.

Step 4: Mark up may be necessary. 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. If the committee votes for the bill, it is sent to the floor.

Step 5: Committee takes Action to Report a Bill. After receiving a subcommittee's report on a bill, the full committee votes on its recommendation to the House or Senate. This procedure is called "ordering a bill reported."

Step 6: Voting takes place. After the debate and the approval of any amendments, the bill is passed or defeated by the members voting.

Step 7: The bill is referred to the "Other Chamber". When the House or Senate passes a bill, it is referred to the other chamber, where it usually follows the same route through committee and floor action.

This chamber may approve the bill as received, reject it, ignore it, or change it.

Step 8: Conference Committee takes Action. When the actions of the other chamber 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. If agreement is reached, a conference report is prepared describing the committee members' recommendations for changes. Both the House and Senate must approve the conference report.

Step 9: Final Action is taken. After both the House and Senate have approved a bill in identical form, it is sent to the President. If the President approves of the legislation, he signs it and it becomes law.

Or, if the President takes no action for ten days, while Congress is in session, it automatically becomes law. If the president opposes the bill, he can veto it.

If he takes no action after the Congress has adjourned its second session, it is a "pocket veto" and the legislation dies.

Step 10: Congress can override a Veto. If the President vetoes a bill, Congress may attempt to "override the veto." If both the Senate and the House pass the bill by a two-thirds majority, the President's veto is overruled and the bill becomes a law.

This is a much shortened lesson on legislation. My experience has taught me that every time a bill moves through Congress, there are opportunities for changes. Our job as citizens is to make sure we are not affected in a negative manner.