

HOW A BILL BECOME A LAW



Making Kentucky's Laws

- Only a member of the General Assembly can introduce legislation.
- Bills can vary in length from only a single line to hundreds of pages.
- The Constitution requires that each bill relates to only one subject, which must be stated in the title.

DRAFTING OF THE BILL

- A bill is drafted by Legislative Research Commission (LRC) staff, only at the request of a legislator
- The drafting process is confidential; only the sponsoring legislator can disclose it
- While it is being drafted and before it is introduced, it is given a Bill Request (BR) number; once introduced, the bill is referred to by its House or Senate number

Introduction of The Bill

- All bills are introduced by delivering them to the House or Senate Clerk
- If a bill begins in the House, it will have a bill number that begins with “HB__” and then a number, and “SB__” if it begins in the Senate
- A bill will keep the same number all the way through the process – whether it is in the House or in the Senate

COMMITTEE REFERRAL

- Each bill is assigned a number, read by title only and sponsor, then referred to a standing committee by the Committee on Committees
- The Committee on Committees in each chamber is dominated by the majority party and is made up of all elected majority party leaders and some minority party leaders

COMMITTEE CONSIDERATION

- Committee meetings are open to the public, with a set committee schedule for the session
- Additional committee meetings may be called to hear public testimony or to move a bill quickly through the process
- A bill may be reported out of committee with one of the following expressions: favorable; favorable with amendment; favorable with committee substitute; unfavorable; or in the Senate, without opinion

Committee Consideration

- It is critical to educate the Committee about the bill **BEFORE** the hearing to encourage its passage – or defeat
- The Committee Chair sets the date for a hearing and vote by posting the bill
- A committee can **KILL** a bill by failing to act on it!

FIRST READING

- When a committee reports a bill favorably it goes to the full chamber for a 1st reading
- After the 1st reading it is placed on the Calendar for the following day



SECOND READING

- The next day, the bill has a second reading
- During this time, members of the chamber may file Floor Amendments to the bill
- After the second reading, the bill is sent to the Rules Committee (very powerful, controlled by the majority party)

Second Reading (con't)

- The Rules Committee decides whether the bill will go to the floor for a vote by placing it in the Orders of the Day for a specific day, or be assigned to another committee
- If a bill is assigned to another committee, it usually means that leadership (majority party) has a problem with the bill and that it is headed for defeat

THIRD READING



- “I move that Senate Bill__ be taken from the Orders of the Day, read for the third time by title only and placed upon its passage.”
- This motion is made by the Majority Floor Leader and initiates debate on the bill
- The bill’s sponsor speaks about the bill, others speak for or against it, and any amendments which are filed will be debated and voted on individually

Passage of The Bill

- To pass, a bill must be approved by a majority of the members present and voting, with at least 2/5 present (40 Representatives or 16 Senators)
- If a bill contains an appropriation or emergency clause, it must be approved by a majority of the members elected to each chamber (51 Representatives and 20 Senators)
- Proposed amendments to the Kentucky Constitution require a 3/5 vote of each chamber (60 Representatives and 23 Senators)

WHAT NEXT?



- If a bill is defeated, that is the end of it unless two members who voted against it request reconsideration and a majority approves it
- **If a bill passes in one chamber, it is sent to the other chamber where it follows the same process through committee to the floor**

After Passage in Both Chambers

- Both chambers **MUST AGREE** on the **final** form of each bill.
- If either chamber fails to concur in amendments made by the other, the differences must be reconciled by a Conference Committee of Representatives and Senators
- The compromises agreed upon by the Conference Committee are then subject to approval by both chambers

ENROLLMENT

- After passage by both chambers, a bill is read carefully to make sure the wording is correct
- The bill is signed by the Speaker of the House and President of the Senate and then sent to the Governor



GOVERNOR'S ACTION

- The Governor may sign a bill, permit it to become law without signing it, or veto it
- A veto may be overridden by a simple majority of the members of each chamber (51 Representatives and 20 Senators)
- The Governor has 10 days (excluding Sundays) to act on a bill after it has been received or it becomes law automatically

BECOMING LAW

- The Constitution specifies that an act becomes law 90 days after the General Assembly adjourns, unless it contains a late effective date or an emergency clause
- Bills with an emergency clause must be approved by a constitutional majority (half the members plus one) and become effective immediately upon approval of the Governor



Timeframes

- The even-year sessions are 60 days in length and consider the biennial budget; the odd-year sessions are 30 days long.
- The fastest a bill can pass through both chambers of the legislature is 5 days, which is the minimum time required for 3 readings in each chamber. Most bills take much longer to complete the process!