



HOW TO READ A BILL

Types Of Bills

All legislation starts out as a bill but, depending on where the bill is in the process, there are different kinds of bills. The different kinds of bills are explained below.

Proposed Bills and Committee Bills

A proposed bill is introduced by an individual legislator and is submitted to a committee that has responsibility for the proposed bill's subject matter (this is called referring the bill to the committee of cognizance). A proposed bill is not a fully drafted bill but rather a one-sentence statement in non-statutory language expressing what the legislator would like the committee to consider in the way of legislation on a particular subject. In even-numbered year sessions, the state constitution and the legislative rules limit the introduction of proposed bills to budgetary, revenue and financial matters.

Each proposed bill is sent to a committee, based on the bill's subject matter. The committee then screens the proposed bills sent to it. This screening is usually done by the committee chairpersons with input from other legislators. Those proposed bills that survive the screening process are brought before the full committee for consideration and for a vote to have the concept in the proposed bill fully drafted in formal statutory language. Once in this form it becomes a committee bill.

If a proposed bill does not survive the screening process to become a committee bill, it may die (i.e., the legislature never takes it up and nothing becomes of it) or the concept in the bill may get resurrected elsewhere—as a raised bill (discussed below), as part of a raised bill on a related subject or as an amendment to a related bill later in the session.

Raised Bills

A raised bill is also a fully drafted bill in statutory form that a committee has voted to have drafted. Unlike a committee bill, a raised bill originates from a concept that is not based on any proposed bill, but rather the committee votes on its own initiative to have the bill drafted on any subject within the committee's cognizance (the subject matter areas assigned to that committee).

Favorable or JF'ed Bills

If a committee believes a bill should be taken up by the full General Assembly, it votes to give the bill a favorable report. And because the committee is a joint (House and Senate) committee, the vote is a Joint Favorable Report. If the vote is a favorable report but with substitute language, as discussed below, the vote is a Joint Favorable Substitute. The common expression for such a bill is that it is

“JF’ed.” A bill can be JF’ed straight to the floor (sent to the House if a House bill, to the Senate if a Senate bill), or it can be JF’ed to another committee (referred to as a “change of reference”). A bill before the Public Health Committee that created a criminal penalty for contaminating drinking water, for example, would be JF’ed to the Judiciary Committee because it is the Judiciary Committee that deals with criminal matters. In the Judiciary Committee it could be considered and sent on to the floor as is, sent on with changes, sent to the Environment Committee (which also has cognizance over clean water issues) voted against or have no action taken on it.

Substitute Bills

A substitute bill, either a substitute house bill (sHB) or substitute senate bill (sSB), is a bill that the committee votes to favorably report out of committee with changes in the bill’s language. Such substitute language is sometimes merely a minor, technical change and other times is a complete rewriting of the bill.

Parts of a Bill

A bill contains a number, the name of the sponsor(s), a brief but comprehensive title (which may be changed if amendments alter its substance), the sections of proposed legislation, an effective date, and a brief explanation of its purpose.

Bill Number

A bill gets assigned a bill number by the House or Senate clerk after LCO (the drafting office) submits it for filing. That number stays with the bill throughout the process and no other bill will have that number during the legislative session. If the bill started in the House, it will be a House Bill, which is indicated by “HB” before the bill number. If the bill started in the Senate, it will be a Senate Bill, which is indicated by “SB” before the bill number. If the bill later becomes a substitute bill, it will be designated “sSB” or “sHB.”

Senate bills are numbered from 1 to 5000. House bills are numbered from 5001 to 9999.

Title

A title should be a concise statement that puts the reader on notice as to the bill’s subject. It should not proselytize, mislead the reader or conceal the bill’s content.

Body of the Bill

Most bills amend sections of the law or the Constitution. They contain all the sections of law to be amended. Most new wording is underlined. If there is an entire paragraph of new wording, it is not underlined, but preceded by the word “NEW”. Language being omitted or repealed is placed between brackets. To understand a bill, one should read the old language with the new language, skipping over any language between brackets.

Effective Date

October 1

All public acts are effective on October 1 unless they state otherwise. Thus, to be effective October 1, no effective date is needed.

July 1

Budget-related bills and bills containing appropriations are usually given effective dates of July 1, which is the start of the state's fiscal year. The standard wording is "This act shall take effect July 1, 2000."

From passage

Public acts should be effective from passage only in compelling circumstances and with consideration given to fairness in giving people adequate advanced warning of the new law. There are also potential due process problems with acts that are effective upon passage. The standard wording is "This act shall take effect from its passage."

Bills that are effective from passage take effect on the date the Governor signs the bill, not on the date the bill passes both houses. All special acts are effective from passage unless they state otherwise. Thus, for a special act to be effective from passage, no effective date is needed.

Multiple effective dates

Occasionally, different sections of a bill will have different effective dates. They are listed in chronological order. But when submitting informal drafts, consider stating the effective date in plain language or outline form and leave it to the drafting office to put it in the official format.

The effective date section (if any) is always the last section of a bill.

Other Information

Fiscal Impact

A fiscal note is a brief statement of the fiscal impact that a piece of legislation would have on state and local government. The economic or social impact of the legislation is not included. A fiscal note is required on every bill that is approved by a committee or that reaches the floor of the House or Senate. It is also required on all amendments. Fiscal notes are provided by The Office of Fiscal Analysis

Bill Analysis

The Office of Legislative Research analyzes bills, summarizes public acts, and prepares reports summarizing acts affecting particular occupations, industries, and segments of the population. When available a bill summary, legislative history and committee action report are offered as supplemental information.

Excerpts taken from the Office of Fiscal Analysis and Legislative Commissioners' Office.