

THE LEGISLATIVE PROCESS

Each state has its own legislative process, in terms of when it meets and which committees have jurisdiction over which bills. At the end of this section you will find a list of online resources where you can find additional information about your particular state.

OVERVIEW

Just like the United States Congress, every state except for Nebraska has a bicameral (two chambers) legislature consisting of the Senate and the House of Representatives, Assembly or House of Delegates. In order for a bill to become law, it must pass through both houses. Most states also require a law to be signed into law by the governor.

Each state has some variations in the specific rules of its legislative process. In general, the process consists of the following components.

Sponsors

Every bill must have at least one sponsor. The sponsor is the person who will introduce the bill. It is important to strategize as to which legislator would be best to introduce your bill.

Other members of the legislature can sign onto the bill as cosponsors. This indicates that they support the bill. It is important to show a broad base of support by recruiting cosponsors, who represent different geographic regions of your state, from both political parties, and members who sit on key committees. It is also important to identify members who have important leadership positions within their party or in the House/Assembly and Senate.

Filing

Once a sponsor files a bill, it is given a number. Bills will be debated in the side of the legislature where it has initially been introduced. Once it passes through the first body (either the House/Assembly or the Senate) it will then be taken up in the other body. Occasionally, similar bills can be introduced into both chambers at the same time and move along the same path simultaneously. There is a deadline for filing in each state.

Introduction or First Reading

The first reading is done when the bill is introduced. The bill is then assigned to a committee.

Committee Hearings

The committee hearings and vote may be the most important part of the process. This can determine the fate of your bill. Once a bill is introduced, it is referred to a committee. The committee can vote on the bill and pass it out of committee to the full body for a vote, or the bill may receive no action and is allowed to die in committee. In many states, the committee chair can solely determine if a bill moves out of committee.

The committee will hold hearings where members of the community can come to testify in support of or in opposition to a bill. You will want to work with the member who is your initial sponsor or friendly members of the committee to ensure that you have ample slots to testify. It's important to have someone who has personally faced rejection of prosthetic compensation from an insurance company. Make sure this person is articulate, prepared and fully understands his or her role. Additionally, someone from your coalition group or from ACA should testify on behalf of people with limb loss. This person can share important cost information and statistics on the number of people affected in your state.

It is also important to understand who will testify against the bill and to be prepared to refute any arguments they make on behalf of their interest group.

Typically, the committee will vote on the bill unless the committee chair does not put it up for a vote. If this happens, you can lobby the chair to put it up for a vote.

Referral to the Floor and Amendments

If a bill passes out of committee, it is referred to the floor. This is the point in the process where amendments are considered. It's important that your coalition decides in advance which (if any) amendments are acceptable to your group. There are times that a bill is amended in such a way that your group may pull their support for that bill. It is important to communicate in advance with the bill's sponsor to make the sponsor aware of what concessions will and will not be acceptable to your group.

The Vote

At this point, the bill is voted on by the chamber in which it was introduced (the House or Senate).

Action in the Other Chamber

Once a bill passes one body of the legislature, the bill is sent to the other chamber, and the process is repeated. You will need to go through the same committee process and plan to testify again. Also, you may find that, although the bill passed safely through the first chamber, it may fail in the other chamber. Amendments may also be added in the second chamber that were not attached the first time around.

Conference Committee and Final Vote

Once a bill passes both sides of the legislature, there are often differences between the House/Assembly bill and the Senate version. A conference committee, with members of both bodies of the legislature, meets to hammer out the differences between the two bills. Once they have come to consensus, this group will issue a conference report and the newly created bill will be sent back to be voted on in both the House/Assembly and the Senate. It is important to make sure that your Assembly and Senate sponsors know what concessions your group is willing to make (if any). If the conference committee does not reach consensus, the bill will die.

Governor's Action

Once a bill has been passed by the legislature, the governor can sign the bill, veto it, or take no action at all. If the governor signs the bill, it will become law. If the governor vetoes the bill, it can be returned to the legislature for another vote. Just like the United States Congress, it takes a two-thirds majority to override a governor's veto. If a governor chooses to take no action, the bill may either become law or die, depending on the rules of your state.

Legislative Process

- 1) Identify sponsor
- 2) Filing
- 3) Introduction
- 4) Committee hearing
- 5) Committee vote
- 6) Floor vote
- 7) Referred to committee in the other chamber
- 8) Committee hearing
- 9) Committee vote
- 10) Floor vote
- 11) Governor's signature.

RESOURCES

- **National Conference of State Legislators**
www.ncsl.org/public/leglinks.cfm
NCSL can provide a link to the home page of your specific state legislature. They also have an up-to-date schedule for each legislature.
- **StateScape**
www.statescape.com/Resources
StateScape provides you with background information on the legislative process as well as a calendar as to when your state legislature is in session.