


The Federal Legislative Process

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This presentation will provide a basic overview of the federal legislative process.

Understanding the federal legislative process will provide context for federal research materials.




The Federal Legislative Process

The chief function of Congress is making laws.

Each Congress lasts two years and generally meets for two sessions.

The current Congress is the 112th Congress.



The Bill is Drafted

A bill is the form used for most legislation.

Legislation can be written by anyone.

Only a member of Congress can introduce a bill.



The Bill is Introduced

Bills can originate in either chamber, the House of Representatives or the Senate, except that the Constitution provides that bills for raising revenue shall originate in the House.

By tradition, general appropriation bills originate in the House.

A bill originating in the House is designated "H.R." followed by a number.

A bill originating in the Senate is designated "S." followed by a number.

The Bill is Introduced

After the Chamber's Bill Clerk assigns the bill number, generally the bill gets referred to one or more committees.

The final decision to send a bill to one or more committees is based upon the laws that the bill would create or amend and on the jurisdictions of the committees set by the Chamber's rules.



The Bill Goes to Committee

While a bill is in committee a number of things may happen:

- The committee may seek the input of other governmental departments about the bill. Those governmental departments will draft reports.
- The committee may hold hearings on the bill and invite witnesses to testify.

After the hearings stage, the bill faces a "mark-up" session.

"A mark-up" session is when the committee or subcommittee considers the bill, possibly amends it, and either accepts it or rejects it.

Final Committee Action

- A committee vote will be taken to determine if the committee will report the bill to the Chamber favorably.
- It can report the bill to the Chamber with or without amendments.
- If the committee makes substantial changes to the bill they may introduce and report a "clean bill" which gets introduced as a new bill and when it is sent to the committee, it reports the bill to the Chamber favorably.
- After a committee votes to report on a bill, it drafts a committee report.

The Bill Goes to the Floor

Next, the bill will come up for debate, amendments, and a final vote.

In the House the bill must go to the House Committee on Rules to set a resolution that outlines time limits for debate on the bill. This is done because the House is much larger.

This resolution is called the bill's rule for consideration.

- The rules for debate are not as restrictive in the Senate.
- The Chamber will vote on the bill.

Resolving Differences Between the House and Senate

Once a Chamber has passed its version of the bill, the measure is referred to the other Chamber. At this point the bill is officially an Act.

The second Chamber can:

- Accept the first Chamber's bill without changes and send to the President
- Amend the bill and return it to the first Chamber

The first Chamber must then:

- Accept the second Chamber's amendment and send to the President
- Amend the second Chamber's amendment and return it
- Insist on its original language and request a conference to resolve the differences

The Bill Goes to Conference

If a conference is requested, conferees from both chambers are appointed and a committee is formed.

A resolution is negotiated between the two versions of the bill and the compromised version is presented to both Chambers.

The conference committee drafts a conference report.

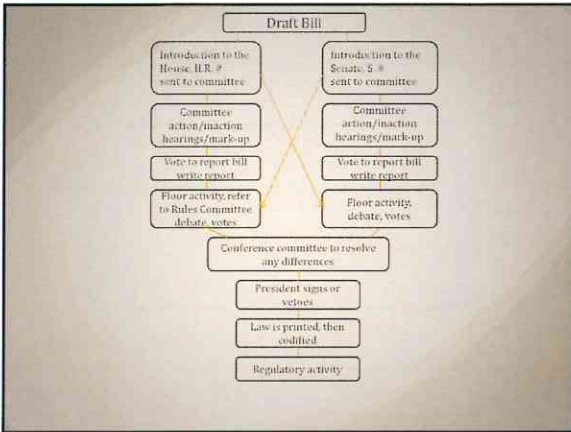


The President Signs the Bill

After receiving a bill passed by Congress the President has 10 days, excluding Sundays and Holidays to decide:

- Sign it into public laws
- Veto the bill
- Choose not to take any action

If the President vetoes the bill it is returned to Congress who accepts the veto or tries to override it.



Additional Resources

For more information on the legislative process check out the House or Senate Parliamentarian's description of the legislative process:

http://thomas.loc.gov/home/laws_made.html

LexisNexis Congressional, a database you have access to through the library provides a good overview. Click on "About the Legislative Process" link near the bottom of the opening screen of LexisNexis Congressional.

Questions ?

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