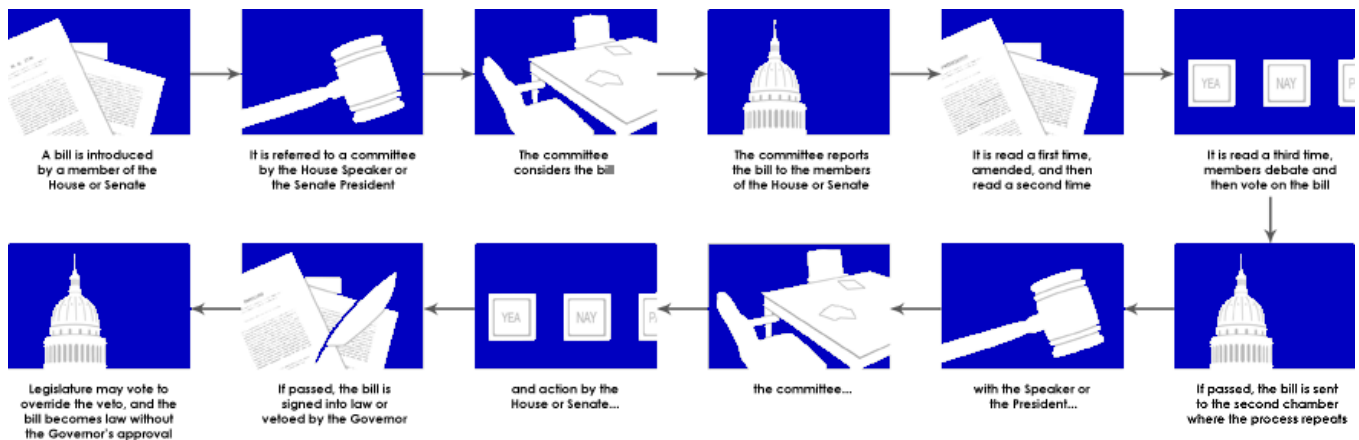


How a Bill Becomes Law



The Idea

Anyone can propose an idea for a bill to a legislator - a private citizen, corporation, professional association, special interest group or even a governmental unit. But all bills must be sponsored by one or more legislators to be considered by the Legislature. In the House, the number of sponsors of a bill or a constitutional amendment is limited to seven while the Senate has no limit on sponsorship.

Preparation

Bills may go through the Office of Legislative Services or legislative staff counsel to assure that they are in proper bill form. To draft a bill on a particular subject, the appropriate portion(s) of West Virginia law are combined with the proposed changes. After the draft legislation is prepared, the legislator reviews it and submits it for introduction to the clerk of the chamber of which he or she is a member.

Introduction

Prior to introduction, the clerk identifies each bill with a separate number. This number is used as a reference for the bill throughout the legislative session.

After the bill is numbered, the President of the Senate or the Speaker of the House of Delegates assigns the bill to a committee or committees to be considered. When the bill is formally introduced on the floor of the chamber, the bill number and the committee reference(s) are announced.

Committee Study

Standing Committees are small groups of senators or delegates assigned to study bills involving a particular subject. This process enables a larger number of bills to receive more detailed study than can be done by the entire House or Senate.

Since a committee represents only part of the membership of either chamber, it only can make recommendations about a bill for the full membership to consider. When a committee has completed work on a bill, it files a written committee report that recommends one of the following:

- the bill “do pass” in its original form, or with amendment(s) offered by the committee, or as a committee substitute bill
- the bill be rejected
- no recommendation at all

Some bills “die in committee”, meaning the committee did not have enough time to take up the issue or the committee members decided the bill should not be recommended to the full membership for action.

Floor Action

Once a bill is out of committee, the committee's recommendation for that legislation is read on the floor of the House or Senate. The Rules Committee of each chamber then determines what bills will be considered and places them on the House or Senate calendar, which is a daily list of bills to be acted on in each chamber. The calendar of bills to be acted on is divided into bills on third reading, bills on second reading and bills on first reading.

Under the State Constitution, a bill is to be read three times. The first reading of the bill is the information stage and alerts membership that the bill will be considered. On second reading, members vote on the committee's amendment(s) and the amendment(s) individual legislators have proposed to the bill. The vote on passage of the bill takes place on third reading.

Action by the Second Chamber

If a bill is passed by one chamber, it is sent to the other body where it will be referred to committee and the process is repeated.

Conference Committees

If changes are made in a bill by the second chamber, it must be sent back to the first chamber for its concurrence. If the first chamber does not agree and the second chamber refuses to remove the changes it made, a conference committee with an equal number of representatives from both chambers is appointed by the Senate President and House Speaker to work on the differences in the bill.

If this committee reaches a compromise and both chambers adopt the conference committee report, the bill is once again voted on for passage. If a compromise is not reached, then another conference committee may be appointed or the measure dies in committee when the Legislature adjourns.

Action by the Governor

After a bill passes both chambers in the same form, it is sent to the governor. While the Legislature is in session, the governor has five days to approve or veto a bill he or she receives. After the Legislature adjourns, the governor has 15 days to act on most bills. However, the budget bill and supplemental appropriations bills must be acted upon by the governor within five days regardless of when they are received. If the governor does not act within these time limits, bills automatically become law without his or her signature.

Overriding a Veto

If the Legislature is still in session when the governor vetoes a bill, a simple majority vote of the members of both legislative bodies is necessary to override the veto. In cases when a budget bill or supplemental appropriation bill is vetoed, a two-thirds vote of the members of both houses is needed to override the veto.

Monitoring Legislation

The West Virginia Legislature's website provides citizens access to bill information. To view a particular bill, the status of certain legislation, who sponsors a measure, to what committee a bill is assigned and to track a bill through the legislative process, please browse: <http://www.legis.state.wv.us>

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