

How a Bill Becomes a Law in Pennsylvania

Article II, Section 1 of the Constitution of Pennsylvania provides, “The legislative power of this Commonwealth shall be vested in a General Assembly, which shall consist of a Senate and a House of Representatives.” Also according to the State Constitution, the Senate consists of 50 members who are elected for a term of four years and the House consists of 203 members who are elected for a term of two years. On average, a State Senator represents approximately 246,000 people and a State Representative represents approximately 60,000 people.

Introduction of a Bill

When a legislator has an idea for a bill, the legislator submits the idea in writing to the Legislative Reference Bureau, which is the bill-drafting agency of the General Assembly. The bill is then drafted and typed in proper legal form. The legislature then files the bill for introduction. *House bills are filed with the Chief Clerk of the House who assigns a number to the bill and delivers it to the Speaker of the House. Senate Bills are filed with the Secretary/Parliamentarian of the Senate who assigns a number to the bill and delivers it to the President Pro Tempore of the Senate.* Only members of the General Assembly can file bills. They can be co-sponsored by any number of members but the first-named sponsor on a House bill must be a Representative, and on a Senate bill a Senator. The first-named sponsor is considered the prime sponsor.

In the House

Referral to Committee: The bill is referred to a standing committee. (They are called “standing” committees because, while their membership changes from legislative session to legislative session, the committees themselves remain in place.) The Speaker of the House decides which bills go to which committee. The bill is copied, distributed, and made available to the public.

Committee Consideration: The committee may hold a public hearing; report the bill as committed (no changes); report the bill as amended (changes); vote not to report the bill; or not consider the bill.

Consideration of Bills: Every bill is considered on three different days in each chamber before the vote on final passage.

First Consideration: The bill reported from committee is considered for the first time when reported. *Bills on first consideration are not subject to amendment, debate or a vote.*

Second Consideration: The bill on second consideration is subject to debate and amendment.

Fiscal Note: Any bill must be referred to the Appropriations Committee for a fiscal note before it can be given third consideration reading on the calendar, unless it is a General Appropriation bill or any amendment to a General Appropriation bill, which may require an expenditure of Commonwealth funds, or funds of any political subdivision, or which may entail a loss of revenues overall or to any separately established fund.

Third Consideration and Final Passage: The bill on third consideration is considered in its calendar order. In the House, the bill is subject to debate, but it is subject to amendment only when an amendment is necessary to make the document internally consistent, to clear up an

ambiguity, to correct grammar, to correct a drafting error, or is necessary for purposes of statutory construction. In the House of Representatives, 102 votes are required for final passage.

In the Senate

Referral to Committee: The Secretary of the Senate receives the bill from the House. The President Pro Tempore refers it to a standing committee.

Committee Consideration: The committee may hold a public hearing; report the bill as committed (no changes); report the bill as amended (changes); vote not to report the bill; or not consider the bill.

Consideration of Bills: Every bill is considered on three different days in each chamber before the vote on final passage.

First Consideration: The bill reported from committee is considered for the first time when reported. *Bills on first consideration are not subject to amendment, debate or a vote.*

Second Consideration: The bill on second consideration is subject to debate and amendment.

Fiscal Note: Any bill must be referred to the Appropriations Committee for a fiscal note before it can be given third consideration reading on the calendar, unless it is a General Appropriation bill or any amendment to a General Appropriation bill, which may require an expenditure of Commonwealth funds, or funds of any political subdivision, or which may entail a loss of revenues overall or to any separately established fund.

Third Consideration and Final Passage: The bill on third consideration is considered in its calendar order. In the Senate, the bill is subject to debate, but it is subject to amendment only when an amendment is necessary to make the document internally consistent, to clear up an ambiguity, to correct grammar, to correct a drafting error, or is necessary for purposes of statutory construction. In the Senate, 26 votes are required for final passage.

What happens if the Senate approves a House Bill without amendments? The bill is then transmitted back to the House and is signed by the Speaker in the presence of the members. It is then returned to the Senate to be signed by the President of Senate (Lieutenant Governor) or the President Pro Tempore, after which the bill is transmitted by the House to the Department of State for recording, and then to the Governor for further action.

What happens if the Senate approves a House bill with amendments? If a House bill is amended in a Senate Committee or on the Senate floor, it is returned to the House where it is automatically referred to the House Rules Committee. When the bill has been favorably reported by the Rules Committee, whether as committed (with the Senate amendments), or in the version last passed by the House (without the Senate amendments), it is placed on the Calendar.

What happens if the House agrees to the Senate amendments? If the majority of the elected members of the House (102 members) agrees to the Senate amendment(s), the bill is transmitted to the Governor for further action. Officially, this action is known as voting “to concur in amendments made by the Senate.”

What happens if the House refuses to agree to the Senate amendments? If the majority of the House members refuse to agree to the Senate amendment(s), the bill usually goes to a conference committee. The committee is made up of three members from each chamber, appointed by the Speaker and the President Pro Tempore. Their duty it is to resolve, if possible, the differences existing between the House and Senate on the bill, and to report to their respective members. A constitutional majority of the elected members of the House (102 members) and Senate (26 members) is required for the adoption of a Conference Committee Report. If both the House and the Senate approve the Report, it is sent to the Governor for further action.

The Governor's Office

What happens after the bill goes to the Governor? The Governor refers the bill to the Office of General Counsel for an opinion as to the legality and constitutionality of the legislation. After the Office of General Counsel's review, the Governor has three options: he may sign the bill into law; he may veto the bill (he may veto specific items in an appropriations bill, this is known as a "line item veto"); or he may allow the bill to become law without his signature.

What happens after the Governor signs the bill into law? The bill is transmitted to the department of State for certification, assignment of an Act number, and filing.

What happens if the Governor vetoes the bill? The bill is returned to the house of origin for possible further action. The bill may be re-passed by two-thirds vote of the members of both the House (136 members) and Senate (34 members).

What happens if the Governor does nothing? If the bill is not signed within ten days when the General Assembly is in session, it becomes law. If the bill is not signed within 30 days when the General Assembly has adjourned sine die, it becomes law. The bill is then transmitted to the department of State for certification, assignment of an Act number, and filing.

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