

the Legislative Process

How a bill becomes law

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- Step 1:** **A bill is written:** This can be done by private organizations, Council members, the Mayor or an Executive Branch agency or a combination.
- Step 2:** **Introduction:** Bills can only be introduced by a member of the Council. The Chair may introduce a bill upon the request of the Mayor. Introductions occur at Legislative Sessions, at Committee of the Whole (COW) meetings or by filing with the Secretary.
- Step 3:** **Bill receives a filing number:** The number is assigned in the Office of the Secretary. The number is used to track the bill through the legislative process. The first number is the Period in which it was introduced, and the second number indicates its place in the numerical sequence of bills introduced. Bills can be found on the Council's web site (<http://dccouncil.us/lims/default.asp>) and searched by member, subject and committee.
- Step 4:** **Bill assignment:** The Chair assigns the bill to one or more standing committees.
- Step 5:** **Committee consideration:** Committee(s) collect data, determine the need for the legislation and may hold a public hearing/roundtable. The committee may **mark up** the bill and vote to recommend that the Committee of the Whole approve or disapprove the bill. Or, the committee may choose to take no action on the bill allowing it to die in committee.
- Step 6:** **Action of the Committee of the Whole:** The COW considers legislation coming out of committee and determines whether the record is complete and in proper legal or technical order. Members of the Council do not debate the bill at this stage, but can ask for clarification or explanations. If the committee clears the legislation, it is agendaized for a vote at a Legislative Session.
- Step 7:** **Legislative Session action:** The bill receives a **first reading**. Members debate the bill and can offer amendments. If a majority of those present and voting approve the bill, it is scheduled for a **second reading** at another legislative session in no fewer than 15 days of the first reading. *The bill must not be substantially altered at this time.* Or, a majority may vote against the bill in which case it dies. Also, the majority could vote to table the bill or return it to committee for reconsideration.
- Step 8:** **Mayoral action:** Following the approval of the bill by the City Council, the Council Chair sends the bill to the Mayor. The Mayor has 10 working days to do one of three things: 1) sign the bill (the bill becomes an Act), 2) take no action (the bill becomes an Act) or 3) veto the bill (returning the bill to the Council). If the Mayor vetoes the bill, the Council may override the Mayor's veto within 30 days with a two-thirds majority. If the Council fails to override the veto, the bill dies. The mayor may also refuse to sign the bill while the Council is in recess; the bill dies by pocket veto.
- Step 9:** **Congressional action:** The Act goes to Congress for review for 30 legislative days (60 for criminal acts).

Sources of information:

1. Council of the District of Columbia's web site, www.dccouncil.us. Specifically used were the pages "how a bill becomes law" and "public participation."
2. R17-1, "Rules for the Council of the District of Columbia, Council Period 17 Resolution of 2007."

What things mean and other important information

Bill versions: The engrossed version is the one after the first reading; the enrolled follows the second reading.

Chairman Pro Tempore: The Chairman Pro Tempore acts in the place of the Chair when absent or recused. The Chair makes the nomination and it is acted upon by resolution.

Committee assignment of legislation: Bills and resolutions may be assigned to two or more committees for sequential consideration of all or part of the measure. The Chair may assign all or part of the measure to other committees for comments.

Committee of the Whole (COW): The COW is the entire Council and is led by the Council Chair. The COW meets the third Tuesday of each month, except during Council recesses, to consider measures which have been reported and for the introduction and referral of legislation.

Council Periods: They are two years long and begin in odd years and end in even years.

Decorum of the public: No signs, posters or attention-getting devices can be carried or displayed at Council hearings and meetings. No demonstrations are permitted in the Chamber or any area in which a Council proceeding or public hearing is being conducted. Items that are not big enough to disturb others may be worn on personal clothing. The Chair may remove a member of the public so as to maintain order. Items used in testimony are permitted.

Fiscal impact statement: This is an analysis of the fiscal ramifications of legislation to the Budget and Financial Plan of the District.

First/Second reading: Readings refer to the review of legislation. Two readings are required for temporary and permanent legislation. The readings must be at least 15 days apart.

Legislative days: A legislative day is any day in which one or both houses of the U.S. Congress are in session.

Legislative meetings: These regular meetings are on the first Tuesday of every month except during recess/holidays.

Mark Up: The process of writing on and changing a measure.

Methods of notice: Notices of hearings, intended actions and meetings may be given by publication in the *DC Register* and newspapers, mailing, faxing or e-mailing notices and in other manners directed by the Council. There are also laws that govern notice.

Public access: All meetings of the Council at which official business action is taken shall be open to the public. No resolution, rule, act or other official action will be effective unless it occurred at an open meeting.

Participation by Members in committee meetings: Members may attend the meeting or public hearing of any committee and may participate in committee/hearing discussions. Only members may make motions and cast votes.

Public hearings: Hearings are required on permanent legislation before the legislation is adopted; hearings require public notice. Roundtables are opportunities for public input but do not require the same public notice as hearings. The Chair and the Council may hold a hearing on any matter relating to the affairs of the District.

Quorum: A majority of members constitutes a quorum for the lawful convening of a Council meeting and for the transaction of business; a lesser number may hold hearings.

Resolutions: A resolution can be a statement of a problem or a decision that is of a special or temporary character. Resolutions also can relate to the Council's internal management and conduct. A **proposed resolution** is treated like a bill except that only one vote of the Council is required and it becomes effective immediately if passed without objection. Resolutions are only referred to committee when they are passed with objection. Resolutions do not require the Mayor's signature or Congressional review. A **ceremonial resolution** is an expression of appreciation for an individual or organization.

Roll call vote: Any member in advance of a vote or promptly thereafter may demand a roll call vote. Generally, roll call votes are not called for; instead, the Chair calls for "Yes", "No" and "Present."

Standing committees: Committee of the Whole; Housing and Urban Affairs; Finance and Revenue; Health; Human Services; Public Safety and the Judiciary; Libraries, Parks and Recreation; Public Works and the Environment; Public Services and Consumer Affairs; Workforce Development and Government Operations; and Economic Development.

Types of legislation: Emergency, temporary and permanent. To pass **emergency legislation**, the Council must pass an emergency declaration resolution stating that emergency exists. Two-thirds of the members must vote for the resolution. Emergency legislation does not go through committee and does not require a public hearing. It is passed on a single reading. Emergency legislation becomes effective for 90 days as soon as the Mayor signs it. Emergency legislation does not go to Congress for review. **Temporary legislation** may be passed on first reading without committee referral if the Council has determined that an emergency exists and approves the emergency bill; the temporary version must be "substantially similar" to the emergency. Temporary legislation is effective for 225 days. It is generally passed in order to ensure that some legislation is in effect while the permanent legislation is before Congress for the 30 or 60 day review. **Permanent legislation** requires public hearings and two readings.