

# How Virginia's legislative process works

## The basics

The laws in the Code of Virginia must be passed by both bodies of the Virginia General Assembly: the House of Delegates and the Senate. The House of Delegates has 100 members, who serve for two years and come up for election every odd-numbered year. The Senate has 40 members, who have larger districts and come up for election every four years. You and every other Virginian are represented by both a Delegate and a Senator.

Bills can be introduced in either body. A bill introduced in the House is known as a House bill throughout the process, and its number begins with H. Bills introduced in the Senate begin with S. Sometimes the same bill will be introduced in both bodies.

## How a bill is made

Once introduced, each bill goes through the same basic process. This explanation is based on Virginia's legislative web site, <http://www.legis.state.va.us>, which is an excellent resource:

- \* **A delegate or senator has an idea for a bill**, often from a constituent, a lobbyist, or an organization working on an issue.
- \* **He or she presents the idea to the Division of Legislative Services and requests that it be drafted into a bill** — that is, put into the right kind of legal language.
- \* **The bill is signed by the chief patron, introduced, and printed.** Other legislators may sign on the bill at any time as co-patrons, meaning that they also support it as written.
- \* **The bill is referred to an appropriate committee.** (There are 14 House committees, and 12 in the Senate.) **Almost always in the House of Delegates and sometimes in the Senate, the bill is assigned to a subcommittee of the full committee.** This subcommittee is typically made up of 6-8 members of the full committee. **They hear the bill first and make a recommendation to the full committee.** During the subcommittee meeting, citizens are given a brief opportunity to speak. Many subcommittees meet early in the morning and in the evening, and often there are few citizens there to speak up, so if you can speak at a subcommittee, you should definitely take the opportunity to do it.
- \* **The members of the full committee then consider the bill and decide what action to take.** At this time the public may speak as well, although bills heard in subcommittee first typically are given less opportunity for public input. **If the full committee acts favorably on the bill (reports the bill by a majority vote in**

**favor), the bill then moves forward** as explained below. **If defeated by the committee (passed-by-indefinitely), the bill is then dead for the session,** unless a member who voted to kill it moves that the vote be reconsidered.

\* **First Reading:** The bill title is printed in the daily calendar of the full House of Delegates or the Senate (wherever the bill was first introduced) or is read by the Clerk of the House or Senate, and the bill advances to second reading.

\* **Second Reading:** The next day the bill title appears in the printed Calendar on second reading. The Clerk reads the title of the bill a second time. **A bill on second reading is amendable and debatable.** A bill that has passed second reading with or without an amendment is engrossed. If an amendment is adopted, the bill is reprinted in its final form for passage.

\* **Third Reading:** The next day, the engrossed bill title appears in the Calendar on third reading. The title is read a third time by the Clerk. **By recorded vote by all the members of the House or Senate, the bill is passed or killed. If passed, the bill is communicated to the other body.**

\* **In the other body:** The bill goes through essentially the same procedure as it did in the house of origin. The bill title is printed in the Calendar or is read by the Clerk. The bill is referred to a standing committee, considered, and reported (or passed-by-indefinitely) by the committee. If reported/passed by the committee, the title is read a second and a third time on the floor before passage.

\* **Committee of Conference:** If the House amends a Senate bill, or the Senate amends a House bill, and the house of origin disagrees with the amendment, a conference committee, usually three members from each legislative body, may be formed to resolve differences.

\* **Enrollment:** After being passed by both houses of the General Assembly, the bill is printed as an enrolled bill, examined, and signed by the presiding officer of each chamber.

\* **Governor:** The bill is then sent to the Governor for his approval. **If it is signed by the Governor, the bill is sent to the Clerk of the House and is assigned a chapter number.** All chapters of a session are compiled and bound as the Acts of Assembly. (See below for the Governor's other choices.)

### **The Governor's alternatives and General Assembly responses**

**When a bill is sent to him and he disagrees with it in some way, the Governor has two options. He can veto the bill or he can recommend that the General Assembly amend the bill. In either case, the General Assembly must then act once more on the bill, typically at the reconvened session that occurs a little more than a month after the main session. If the Governor**

**vetoed the bill, it can only become law if both the House and the Senate approve the bill with a two-thirds majority. Otherwise, the bill dies.**

**If the Governor sends the bill back to the General Assembly with amendments, both the House and Senate must approve the amendments for them to be adopted. If either body does not approve the amendments, the bill then goes back to the Governor in its original form for his final consideration, when he can either sign the bill into law or veto it.**

**If both the House and Senate reject the amendments and support the bill as originally passed with a two-thirds majority, the bill does not have to be returned to the Governor and it becomes law in its originally passed form.**

The reconvened session takes place approximately five and a half weeks following the conclusion of the regular session, always on a Wednesday.