

3. BILLS AND BILL PROCESSING

Mechanisms Used to Streamline Bill Processing

Bill Introduction Limits. State legislators are faced with two conflicting pressures. On the one hand, lawmakers are asked to sponsor a great deal of legislation because constituents and interest groups insist “there ought to be a law” for every public problem. On the other hand, legal provisions specify the length of time that most legislative bodies may remain in session. The ability to consider a steadily increasing volume of bills is not necessarily compatible with restricted session time. In response, many chambers have experimented with ways to curb the amount of legislation that enters the process. The most direct approach is to set a numerical limit on bill introductions.

Twenty-one chambers currently impose a limit on the number of bills that a member may introduce or request to be drafted. Although Nebraska eliminated its restraints on bill filings for individual senators, it retained restrictions for committees.

Chambers that Impose a Limit on Bill Introductions

Arizona House	Nevada Senate and Assembly
California Senate and Assembly	New Jersey Senate and General Assembly
Colorado Senate and House	North Carolina House
Florida House	North Dakota Senate and House
Indiana Senate and House	Tennessee Senate
Louisiana Senate and House	Wyoming Senate
Montana Senate and House	

Bill introduction limits often are designed to encourage early bill preparation. The Arizona House, Indiana Senate, Louisiana Senate and House, Montana Senate and House, Nevada Senate and Assembly, North Dakota Senate and House and Tennessee Senate allow any number of bills to be filed before the session begins; their limits take effect once the pre-filing deadline is passed or session begins.

Proponents of bill introduction limits also feel that the limits reduce the number of “hero bills” going through the system. The idea is not to restrict lawmakers’ work, but to reduce the amount of time spent on superfluous proposals and to allow more time for substantive legislation. Most legislators do not have enough time to read and understand all bills. Bill limits help streamline the legislative process and reduce costs for staff, printing and paper. According to most survey respondents, these limits have successfully reduced the number of bills entering the legislative process.

Opponents feel that bill introduction limits restrict legislators' rights to propose bills and carry out their legislative responsibilities. Bill limits might interfere with lawmakers' abilities to respond to emergencies or the problems of changing times. Numerical limitations require monitoring, so additional staff time is used to track the number of bills introduced by each lawmaker. Limits also may lead to the introduction of bills that are more general in nature and scope, resulting in "Christmas tree" bills rather than ones targeted to specific problems.

Table 96-3.1 provides detailed descriptions of current bill introduction limits. It also includes information about past limits. Both chambers in Hawaii and the Washington House eliminated bill introduction limits in the 1980s.

Deadline systems. In most legislatures, end-of-session logjam is a serious problem. Logjams come about in part because many issues require a good deal of time to resolve because they are complex, controversial or both. There is no reason, however, that the conclusion of the essential bargaining process must be postponed until the end of the session. It can and should occur in stages according to a series of deadlines that offer a reasonable amount of time for both study and compromise.

Since proper planning is absolutely essential for the orderly flow of work, more than three-fourths of legislative bodies have instituted deadline systems. This means that work at critical stages throughout the process must be finished by set dates. Table 96-3.2 illustrates the specific legislative bodies that use deadline systems.

The five most common deadlines are:

- Bill introductions
- Committee action
- Action by the house of origin
- Second house action
- Conference committee action

Seventy-three chambers have set deadlines for bill introductions. In 47 legislative bodies, committee work and first house action must be completed by a set time. Forty legislative assemblies apply deadlines to second house action, and another 33 have adopted timelines for conference committee action.

Other streamlining mechanisms. In addition to deadline systems, legislative bodies have instituted other mechanisms to expedite the processing of legislation (see table 96-3.3). Seventy-eight chambers speed up their process by allowing lawmakers to prefile bills—that is, to file bills for introduction before a regular session officially has convened. Prefiling speeds up the legislative process by making it possible for legislative staff to complete the paper work that must be done before a bill can be officially introduced. This mechanism often allows committees to establish agendas before the first week of session so they can begin work as soon as session starts.

At the end of almost every legislative session, bills remain upon which final action has not been taken. For example, a bill may have passed the house but not have emerged from a senate committee for a final vote. Another way that 43 legislative chambers accelerate bill processing is by allowing bills to carry over from the first year of a biennium to the second. This procedure saves a good deal of time, effort and cost. Carryover bills do not need to be redrafted, and they often retain their place on the floor or in committee.

Some legislatures use proposed, short-form or skeleton bills—that is, measures are introduced in outline form, and their substance is added at a future date. A proposed, skeleton or short-form bill has certain advantages. It permits a member to introduce a statement describing the intent of the proposed legislation, but it is not drafted in legal language. If, after initial consideration, there is interest in pursuing the policies embodied in the skeleton bill, a complete bill is drafted. By using short-form bills, legislatures ease the burden on bill drafters and give committees the opportunity to combine duplicate proposals into a single bill. The following 13 chambers use proposed, skeleton or short-form bills.

Connecticut Senate and House	Indiana Senate
Florida Senate and House	Minnesota House
Hawaii Senate and House	Oklahoma Senate and House
Illinois Senate	Utah Senate and House

Companion measures are identical bills introduced in both houses. The purpose of such bills is to speed their flow through the legislative process. Survey respondents from 31 chambers reported that they allow companion bills.

Another mechanism used to expedite the legislative process is the committee bill. Committee bills are measures offered by committee in lieu of a bill or bills it has considered. Thirty-seven chambers use this mechanism.

Table 96-3.1 Bill Introduction Limits**Arizona House**

First imposed in 1993; set by rule.

Description: Unlimited introductions may occur during prefilings period and the first day of session. Beginning the second day of session, each member can be the prime sponsor of no more than five bills.

California Senate and Assembly

Senate. First imposed in 1991; set by rule.

Description: Member may introduce up to 65 bills during a session. Committee bills and resolutions are exempt from the limit. The rule may be suspended with approval of the Rules Committee.

Assembly: First imposed in 1993; set by rule.

Description: Members may introduce up to 50 bills during a regular two-year session. Committee bills and resolutions are exempt from the limit. The rule may be suspended by the Committee on Rules.

Colorado Senate and House

First imposed in 1977; set by rule.

Description: Originally, the limit was six bills during odd years, and the governor called the session in the even year. In 1984, the limit was amended to six bills during odd years and four during even years.

In 1988, a constitutional amendment passed equalizing the length of the yearly sessions. Now, members may introduce up to five bills per year. Appropriations bills and committee bills are excluded from the limit. The Committee on Delayed Bills may grant permission to exceed the limit.

Florida House

First imposed in 1980. The limit is set by memorandum from the Speaker of the House.

Description: When first implemented, the bill introduction limit was set at eight bills; it has since been reduced. Now, a member may introduce no more than six bills during the legislative session. Three additional bills are allowed if a lawmaker is trying to repeal obsolete laws. Bills that do not count toward the limit include claims bills, local bills and House resolutions. It takes a two-thirds vote to waive the limit.

Hawaii Senate and House

The Hawaii Senate imposed a set limit for bill introductions in 1982; it has been eliminated. Now, in both the Senate and House, members may introduce only five bills per day during the five days before the introduction deadline.

Table 96-3.1 Bill Introduction Limits, cont'd.**Indiana Senate and House**

Senate. Set by rule.

Description. During the prefiling period (30 days before to organization day), members may introduce an unlimited number of bills. From organization day until the deadline for introductions, members may introduce two per day during the first year of the biennium or one per day during the second year. Concurrent, joint or chamber resolutions are exempt from the limit.

House. Imposed in 1973, the year the legislature changed to annual sessions. Set by rule.

Description: Members may introduce an unlimited number of bills during the first year of a biennium (the odd year), but they may author only five bills during the second (even) year.

Louisiana Senate and House

First imposed in 1995. Set by constitutional amendment passed in 1994.

Description: Members may prefile an unlimited number of bills. Once session begins, however, they are limited to five bills each. Appropriations bills are excluded from the limit. There is no escape clause for the limit.

Montana Senate and House

Set by joint rule.

Description: Joint Rule 40-40 allows members of the Montana Legislature to request an unlimited number of bill or resolution drafts before December 5. After that date, a member may request the Legislative Council to prepare no more than seven bills or resolutions. Unused requests by one member may be granted to another member. The limits do not apply to code commissioner bills or committee bills.

Nebraska Senate

A bill introduction limit set in 1971 was eliminated for individual members. Committees may introduce no more than eight bills in a session. Governor's bills and bills introduced upon a motion adopted by three-fifths vote (that traditionally includes appropriation bills) are exempt from the limit.

Nevada Senate and Assembly

Limit was set in 1983 and again in 1989; established by rule.

Description: The limit applies to bill draft requests. No limit is applied to bill drafts requested before session. After session convenes, senators may request drafts for 10 bills and assemblymen for five.

New Jersey Senate and General Assembly

Senate: First imposed in 1992. Set by agreement between the Senate President and the Minority Leader. No description was given.

General Assembly: Established by rule in 1992.

Description: A member may introduce 50 bills during a session. Bills that are withdrawn or that become law and resolutions are excluded from the limit. A member may exceed the limit with approval of the Speaker.

Table 96-3.1 Bill Introduction Limits, cont'd.**North Carolina House**

First established in 1995; set by rule.

Description: Representatives may introduce only 10 public bills. Agency bills, local bills, committee bills, and resolutions are exempt from the limit. The rule limiting introductions may be suspended.

North Dakota Senate and House

Senate. Set by rule.

Description: No member other than the majority and minority leaders may introduce more than three bills as prime sponsor after the 10th legislative day. After the 15th legislative day, no bills may be introduced nor any resolutions after the 18th legislative day. Authorization to exceed the limits takes a majority vote of the Delayed Bills Committee or a two-thirds vote of the full Senate.

House. Set by rule.

Description: No member other than the majority and minority leaders may introduce more than five bills as prime sponsor after the fifth legislative day. After the 10th legislative day, no bills may be introduced nor any resolutions after the 18th legislative day. Authorization to exceed the limits takes a majority vote of the Delayed Bills Committee or a two-thirds vote of the full House.

Tennessee Senate

First adopted about 1980; set by rule.

Description: An unlimited number of bills may be prefiled. From the third legislative day until the tenth, each member may introduce only nine general bills. After the tenth legislative day, no general bills may be introduced without suspension of the rules. The limit may be exceeded upon approval from the Delayed Bills Committee or upon two-thirds vote to suspend the rules.

Washington House

The 10-bill introduction limit set for the 1981-82 biennium has been eliminated.

Wyoming Senate

First adopted in 1994; set by rule.

Description: Senators may introduce seven bills during the first session of the biennium and three during the second. Appropriations bills are excluded from the limit. The limit may be suspended by two-thirds vote.

Table 96-3.2 Legislative Deadline Systems

State (1)	Deadline systems used	For bill introductions	For committee action	For first house (house of origin) action	For second house action	For conference committee action
Alabama	S	S		S		
Alaska	B	B				
Arizona	B	B	B	B	B	B
Arkansas	S	S				
California	B	B	B	B	B	H
Colorado	B	B	B	B	B	
Connecticut	B	B	B			
Delaware	H		H			
Florida	B	B	H			H
Georgia	H	H				
Hawaii	B	B	S	B	B	B
Idaho	B	B				
Illinois	B	B	B	B	B	B
Indiana	B	B	S	B	B	B
Iowa	B	B	B	B	B	
Kansas	B	B	B	B	B	
Kentucky	B	B				
Louisiana	B	B	S	S	B	S
Maine	B	B	B			B
Maryland	B	B	B	B	B	
Massachusetts						
Michigan	S	S	S	S	S	S
Minnesota	S		B	B	B	B
Mississippi	H	H	H	H	H	H
Missouri	B	B				
Montana	B	B		B	B	

Table 96-3.2 Legislative Deadline Systems, cont'd.

State (1)	Deadline systems used	For bill introductions	For committee action	For first house (house of origin) action	For second house action	For conference committee action
Nebraska	S	S	S			
Nevada	B	S				
New Hampshire	B	B	B	B	B	B
New Jersey						
New Mexico	B	B				S
New York	B	B				
North Carolina	H	H		H		
North Dakota	B	B	B	B		
Ohio						
Oklahoma	B	B	B	B	B	B
Oregon	B	B	H	H	H	H
Pennsylvania	H					
Rhode Island	S	S	S			
South Carolina	H	H				
South Dakota	B	B	B	B	B	B
Tennessee	B	B				
Texas	H	H		H	H	H
Utah	B	B	S			
Vermont	B	B	S	B		
Virginia	B	B	B	B	B	B
Washington	B		B	B	B	S
West Virginia	B	B	H	B		B
Wisconsin						
Wyoming	B	B	B	B	B	B

Table 96-3.2 Legislative Deadline Systems, cont'd.**Key:**

S=Senate

H=House or Assembly

B=Both chambers

Note:

1. The following chambers did not respond to the survey: Delaware Senate, Georgia Senate, Massachusetts Senate and House, Mississippi Senate, North Carolina Senate, Rhode Island House, South Carolina Senate; nor did any legislatures from the U.S. territories respond.

Table 96-3.3 Other Common Streamlining Mechanisms

State (1)	Prefiling of bills	Proposed, short-form or skeleton bills	Companion bills	Committee bills	Carryover of bills from first year of biennium to second
Alabama	B				
Alaska	B				B
Arizona	B		B	S	
Arkansas	B		B	B	
California	H			B	B
Colorado	B			H	
Connecticut	B	B		B	
Delaware	H				H
Florida	B	B	B	B	
Georgia	H				H
Hawaii	B	B	H		B
Idaho	H			S	
Illinois	B	S	S	S	S
Indiana	S	S		H	
Iowa	B		B	S	B
Kansas	B		S	B	B
Kentucky	B		B	H	
Louisiana	B				
Maine	B			H	B
Maryland	B		S	B	
Massachusetts					
Michigan	S				B
Minnesota	S	H	B	B	B
Mississippi	H				
Missouri	B		H	H	
Montana	B				

Table 96-3.3 Other Common Streamlining Mechanisms, cont'd.

State (1)	Prefiling of bills	Proposed, short-form or skeleton bills	Companion bills	Committee bills	Carryover of bills from first year of biennium to second
Nebraska	S		S	S	S
Nevada	B				
New Hampshire			H	H	B
New Jersey	B		H	H	H
New Mexico	H				
New York	B		B		B
North Carolina			H	H	H
North Dakota	B				
Ohio	B				B
Oklahoma	B	B	H	B	B
Oregon	B			H	
Pennsylvania	B				S
Rhode Island	S				S
South Carolina	H		H	H	
South Dakota	B				
Tennessee	B		B		B
Texas	B		H		
Utah	B	B	S	H	
Vermont			S	B	B
Virginia	B		H		B
Washington	B				B
West Virginia	B			H	H
Wisconsin					B
Wyoming	B			B	

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