

# How a Bill Becomes Law in NY



## The Idea

- This is the starting point in the process
  - First point at which the citizen has a chance to have a say in the writing or rewriting of law
- Ideas for legislation come from many sources
  - People telling their story to their legislator
  - A Senator or Assembly member may have an idea
  - A State official may propose a change
  - An organization may espouse a cause that requires a change in the law
- Often, one person's idea on how to solve a problem has resulted in legislation that helps solve the problems of many people

## Drafting Process & Introduction

- The actual drafting of legislation is usually done by the staff of the Legislative Bill Drafting Commission
  - Requires a specialized type of legal training
- Bills can only be introduced by legislators or by standing committees of the Senate and Assembly
  - One exception: the Executive Budget, submitted directly by the Governor

## Committee Action

- The Standing Committee evaluates a bill and decides whether to send it to the floor for a final decision by the full membership
- A committee agenda is issued each week listing the bills and issues each Committee will handle the following week
- The committee may report the bill to the full Senate/Assembly for consideration, amend the bill, or reject it

## Passing a Bill

- After explanation, discussion or debate, a vote is taken
- If a majority of the Senators approves, the bill is sent to the Assembly or vice versa
- If a bill is approved in the opposite chamber without amendment it goes on to the Governor
  - However, if it is changed, it is returned to the original chamber for concurrence in the amendments

## Conference Committees

- Sometimes the Senate and Assembly pass similar bills, but cannot easily reconcile the differences between them in a reasonable time frame
  - A conference committee can be used to iron out the differences
- The Senate Majority Leader and Assembly Speaker each appoint five members from their respective houses to serve on this committee
- After agreement is reached, a bill is printed and processed like any other bill

## The Governor

- While the Legislature is in session, the Governor has 10 days (not counting Sundays) to sign or veto bills passed by both houses
- The Governor's failure to sign or veto a bill within the 10-day period means that it becomes law automatically

- Vetoed bills are returned to the house that first passed them, together with a statement of the reason for their disapproval
- If a bill is sent to the Governor when the Legislature is out of session, the rules are different
  - The Governor has 30 days in which to make a decision, and failure to act ("pocket veto") has the same effect as a veto

### **Some Additional Facts...**

- A bill does not have to be introduced in both houses before it can become law
- According to the State Constitution, a bill cannot become law "except by the assent of a majority of the members elected to each branch of the Legislature"
- A bill vetoed by the Governor cannot become law without two-thirds of the members elected to each house
- The Legislature does not prepare the State Budget
  - The Governor must present it to the Legislature annually in the middle of January