

POLITICOCALIFORNIA PRO

THE ESSENTIAL GUIDE TO CALIFORNIA LEGISLATION





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Over the course of a year, hundreds of bills are enacted into California state law — but initial legislation proposed by lawmakers in the Assembly and Senate can number in the thousands. With California's bicameral legislative process consisting of two houses, bills can originate from either the Assembly or Senate. With so much proposed legislation flowing through the standard processes in both houses, tracking bills can become difficult and time-consuming.

Our guide breaks down **each step of the legislation proposal process** in the Assembly and Senate, the steps that can result in changes to the legislation before it becomes law, as well as how the two houses resolve legislative differences.

WHO MAKES UP THE CALIFORNIA ASSEMBLY AND SENATE?

The California State Assembly is comprised of 80 members, each elected to serve two-year terms. Assembly members are only allowed to serve a lifetime maximum of six years or three terms. The California State Senate has 40 members, each elected to serve a four-year term. A senator can serve a maximum of two terms or eight years.

HOW LEGISLATION IS PASSED

In California, the process by which bills are considered, passed and enacted into law is commonly referred to as the legislative process. California legislature can originate in either the Assembly or the Senate, and a legislative calendar tracks the introduction and processing of measures during a regular two-year session.

01

AN IDEA IS BORN

All legislation starts with a concept or idea. These ideas can come from anyone and can be presented by either an individual or a group. The legislative process officially begins when a member of the Legislative decides to author a bill.

If the author is a Senator, the bill is introduced in the Senate. If the author is an Assemblymember, the bill is introduced in the Assembly.

02

LANGUAGE IS PERFECTED

The member who wishes to introduce the bill sends the idea and draft language to the Legislative Counsel's office, where it is drafted into bill form. The drafted bill is returned to the legislator for review. If the draft bill is correct in form, it is then introduced at either the Senate or Assembly Desk, assigned a number and read aloud for the first time.

To easily reflect where the bill originated, a title and number will be assigned to said bill. For example, Senate Bill 27 will be shortened to SB 27 and Assembly Bill 1170 shortened to AB 1170.

03

THE BILL IS INTRODUCED

A bill is officially introduced once it is read aloud on the floor of the house. The reading must include the bill number, author name and descriptive title. Once read, the bill is sent to the Office of State Publishing and printed. Any bill, excluding the Budget Bill, can't be acted upon until 30 days after it has been introduced.

HOW LEGISLATION IS PASSED *cont.*



04

COMMITTEE REVIEWS

The bill is sent to either the Senate or Assembly Rules Committee. Once there, it will be designated to a particular policy committee. Every bill must appear in the Daily File four days prior to being heard in a policy committee. The Senate File and the Assembly File contain information including measures ready for floor action, committee hearing notices and regular session calendars.

Once in committee, the author must present the bill to the committee and allow for testimony to be heard in support or opposition of the bill. Next, the committee will vote to pass the bill as is, amend the bill or defeat the bill. Bills can be amended several times before passing out of committee. Note, a majority is needed for a bill to be passed and sent to the next committee or to the floor. Fiscal committees must also hear bills that involve the expenditure of funds.

05

READ A SECOND & THIRD TIME

Once passed by committee, the bill is read for the second time in its house of origin and then placed in the Daily File for a third reading. Prior to the third reading, a bill analysis is prepared. During the third reading, the bill is explained by the author, debated by members and put to a roll call vote by the entire house.

Most bills must pass with a majority vote—21 in the Senate and 41 in the Assembly. However, bills that are proposed to take effect immediately or require an appropriation ordinarily require 27 votes in the Senate and 54 votes in the Assembly to be passed.

06

THE NEXT HOUSE REPEATS

Once a bill has been approved in its house of origin, it will then proceed to the other house where it will move through the same process outlined above. If the bill is amended by the second house, it must travel back to its house of origin for concurrence. If an agreement is not reached during concurrence, the bill will move to a two-house conference committee to resolve differences.

The two house conference committee is made up of three members of the Assembly and three members of the Senate. These members work on a compromise report that will be voted upon by houses.

HOW LEGISLATION IS PASSED *cont.*

07

THE GOVERNOR

Now approved by both houses, the bill is sent to the Governor. The Governor has three choices: sign the bill into law, allow it to become law without his or her signature, or veto the bill.

A Governor's veto can be overridden with a two-thirds vote by both the Assembly and the Senate.

08

A LAW IS BORN

Once approved by the Governor, the bill is signed, dated, and sent to the Secretary of State. This copy of the bill is the official record and now a law of the state of California.

Each approved bill is stamped with the Great Seal of the State of California.



Sources: California State Senate, Citizens' Guide and California State Capitol Museum.

At a glance:

HOW A BILL BECOMES A LAW

This chart portrays the typical process of a bill originating in the Senate. Except for a few minor differences, the process for bills originating in the Assembly follows the same flow.



Sources: California State Senate

A LEGISLATIVE GLOSSARY

Tracking legislation means you'll come across all different types of congressional jargon. Keep reading for clarity around some of the legislative terms you might encounter.

ACROSS THE DESK

The act of introducing a bill or resolution. In the Assembly, this happens by a measure being given to the Chief Clerk or the representative at the Assembly desk in the Assembly Chamber. In the Senate, a measure is given to the Secretary of the Senate or the representative in the Senate Chamber.

AMENDMENT

A proposal to alter the text of the bill after it has been introduced.

AUTHOR

A member of the legislature who initially proposes a legislative measure.

BILL ANALYSIS

Prior to a bill being heard in committee, an analysis staff must prepare a document that explains the content purpose and effect of a proposed measure.

BLUE PENCIL

Also known as "line item veto" gives the California Governor the right to reduce or eliminate any item of appropriation in any bill.

CASTING VOTE

The Lieutenant Governor can cast the deciding vote in case of a tie vote in the Senate.

CHECK-IN SESSION

Weekdays in which formal legislative sessions do not occur, but legislators are required to "check-in" with the Chief Clerk of the Assembly or Secretary of State. Check-in days typically occur on Tuesdays and Wednesdays.

CONCURRENCE

When a bill is approved by the house of origin after it has been amended by the other house.

ENROLLMENT

After a bill passes both houses of Legislature, it is then ordered: "enrolled." During this process, the bill is reread for accuracy and sent to the Governor.

QUORUM

Simple majority of the Assembly, Senate or membership of a committee. This is the minimum number of legislators needed to conduct official business.

SESSION

The time period when Legislature meets.

STATUTES

A compilation of bills in the order by which they become law, chaptered by the Secretary of State.

Sources: California State Senate

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