



California's Legislative Process

In a representative form of government such as our Constitutional Republic, it is crucial for Californians to know what laws are being proposed each year “on their behalf” and take the opportunity to weigh in with their state representatives.

In a state as large as California this can be difficult to do. The legislative process is complex and not always easy to follow.

EIPCa developed our Legislative Oversight program to assist citizens in understanding the California legislative process, which can be daunting, so that they can weigh in on the bills being submitted by legislators who claim to represent their constituents.

To begin with, it is important to understand CA's Legislative Process:

- The way bills proposed by State Assembly Members and Senators become laws is called the Legislative Process.
- The California State Legislature is made up of two houses: the Senate and the Assembly.
- There are 40 Senators and 80 Assembly Members representing the people of the State of California.
- A legislative calendar determines the date and time-limits for introducing and processing proposed laws during its two-year regular session.

A bill begins with an Idea

- All legislation begins as an idea or concept. Ideas and concepts can come from a variety of sources. The process begins when a Senator or Assembly Member decides to author a bill.

Every bill has at least one Author

- A legislator sends the idea for the bill to the Office of the Legislative Counsel, where it is drafted into bill form. The draft of the bill is returned to the legislator for introduction.
 - If the author is a Senator, the bill is introduced in the Senate.
 - If the author is an Assembly Member, the bill is introduced in the Assembly.

First Reading of the bill is considered an Introduction

- A bill is introduced or read the first time when the bill number, the name of the author, and the descriptive title of the bill are read on the floor of the house.

- The bill is then sent to the Office of State Publishing. No bill except the Budget Bill may be acted upon until 30 days have passed from the date of its introduction.

Committee Hearings are open to citizen comment.

This is where YOU weigh in.

- After introduction, a bill goes to the rules committee of the house, where it is assigned to the appropriate policy committee for its first hearing.
- Bills are assigned to policy committees according to subject matter. For example, a Senate bill dealing with health care facilities would first be assigned to the Senate Health and Human Services Committee for policy review.
- Bills that require spending taxpayer money must also be heard in the Senate Appropriations and Assembly Appropriations Committees.
- Each committee is made up of a specified number of Senators or Assembly Members.
- During the committee hearing the author presents the bill to the committee, and limited testimony may be heard in support or opposition to the bill.
- The committee then votes on whether to “kill the bill” by refusing to pass it out of committee, to pass the bill out of committee to the next stage of the process, or amend the bill and then pass it out of committee as amended. Bills may be amended several times.
- It takes a majority vote of the committee membership for a bill to be approved and sent to the next committee or to the floor.

Each house maintains a schedule of legislative committee hearings.

- Before a bill's hearing, a bill analysis is prepared that explains the intended effect of the bill on current law, together with background information.
- Typically, the analysis also lists organizations that support or oppose the bill.

Second and Third Reading

- Bills passed by committees are read a second time on the floor in the house of origin and then assigned to third reading. Bill analyses are also prepared before the third reading.
- When a bill is read the third time on the floor of the house of origin, it is explained by the author, discussed by the Members, and voted on by a roll call vote.
- Bills that require spending of taxpayer money or that take effect immediately, ordinarily require 27 votes in the Senate and 54 votes in the Assembly to be passed.
- Other bills generally require 21 votes in the Senate and 41 votes in the Assembly. If a bill is defeated, the Member may ask for the bill to be reconsidered and voted on again.

Repeat the same Process in Other House

- Once the bill has been approved by the house of origin it proceeds to the other house where the entire procedure described above is repeated.

Resolution of Differences

- If a bill is amended in the second house, it must go back to the house of origin for agreement on those amendments.
- If the house of origin does not accept those amendments, the bill is referred to a two-house conference committee to resolve the differences.
- Three members of the committee are from the Senate and three are from the Assembly. If a compromise is reached, the bill is returned to both houses for a vote.

Governor

If both houses approve a bill, it goes to the Governor.

The Governor has three choices:

- 1) sign the bill into law,
- 2) allow it to become law without gubernatorial signature,
- 3) veto it.

A governor's veto can be overridden by a two-thirds vote in both houses.

- Most enacted bills go into effect on the first day of January of the next year.
- Urgency bills, and certain other measures, take effect immediately after they are signed by the governor.

California Law

- Each bill passed by the Legislature and approved by the governor is assigned a chapter number by the Secretary of State.
- These chaptered bills are statutes (official laws), and ordinarily become part of the California Codes. The California Codes are a comprehensive collection of laws grouped by subject matter.

The California Constitution sets forth the fundamental laws by which the State of California is governed.

Amending the California Constitution requires the same committee and floor vote process as regular laws (explained above).

All amendments to the California Constitution passed by the Legislative process must be approved by the voters at a statewide election.

EIPCa's specific purpose is to *defend*, through education, research, and advocacy...the civil rights of U.S. citizens to fully participate in the election process under the Federal and state law.

https://www.eip-ca.com/articles/California_Legislative_Process_4112023.pdf