



How a Bill (Really) Becomes a Law in Massachusetts

1 | **FILING.** A bill, accompanied by a petition, is filed for consideration. House bills, filed by members of the House of Representatives, are filed with the House clerk; Senate bills, filed by Senators, are filed with the Senate clerk. Bills all have one primary sponsor, but may have multiple co-sponsors. Bills can be filed by legislators; 'by request' of citizens, usually through their House or Senate member; or by state agencies. The Governor or constitutional officers may also file bills, these being sent initially to the House clerk.

Bills filed 'by request' of a private citizen (a state Constitutional opportunity) are so designated.

Other bills filed by special interest groups may or may not have the group identified when the bill is printed; some groups are shy about this, and try to conceal their identity and association with the bill; others want everyone to know that it is they who is behind the bill.

Bills may be filed at any time during the two-year legislative cycle, but most are filed prior to what's called the 'filing deadline.'

2 | **NUMBERING.** Prior to that filing deadline, the bill is considered a 'docket,' and is given a docket (akin to a log-in) number. After the filing deadline (the third Friday in January), dockets are given bill numbers. Generally, bills filed after the filing deadline are given bill numbers right off the bat. Legislators have two weeks after the filing deadline to sign onto bills as co-sponsors.

3 | **REFERRAL TO COMMITTEE.** The bill is referred to a committee by the chamber it originates in, and the other chamber concurs in that referral. Bills are generally referred to a committee based on primary subject matter. In some cases, after a bill is referred to a committee, the committee may deem the bill to not contain the proper subject matter for that committee. In those instances, the bill is discharged and referred to another committee.

4 | **PUBLIC HEARING.** A public hearing is scheduled by a committee, often grouping matters of similar nature together. Lobbyists, state officials, stakeholders, and any other interested party is invited to orally testify in front of the committee in support or opposition to a bill. Testimony is generally limited to 3 minutes, though many committees allow testifiers to speak for longer. Individuals may also submit written testimony to the committee.

5 | **COMMITTEE REPORTING.** The committee holds an executive session – sometimes at the conclusion of a hearing – to vote on bills. Bills are either reported "ought to pass," "ought NOT to pass," or they accompany a study order, which keeps the bill in committee. Prior to committee reporting, the bill may be amended or

otherwise changed by the committee. In addition, a bill may be reported out of a committee carrying other bills – this means the language of the carried bills is meant to be included in the final version. Bills are also sometimes reported out via informal sessions, also known as ‘polls.’ All bills must be reported out of their respective committees by the third Wednesday in March of the second year of the two-year legislative cycle (unless filed afterward), with the exception of the committee on Health Care Financing.

The majority of bills, at the reporting deadline, are given extension orders (allowing them to remain in committee until a certain date) or are put to study (essentially killing the bills). Bills that proceed as “ought to pass” generally are written by, or have the strong support of, the chairs of that committee. Committees will sometimes redraft bills, as well.

6 | **DEBATE – FIRST CHAMBER.** After being reported out of committee, a bill receives its first reading. It is usually referred to the Committee on Steering, Policy and Scheduling, then placed in the orders of the day for the next session. It is then read a second time, and is up for debate, motions, and amendments.

7 | **ORDERED TO 3rd READING.** Following debate, the bill, if controversial or complex, is sent to the Committee on Bills in the Third Reading for review. The bill is then sent back to chamber and ordered to a third reading. While still eligible for motions, amendments and further debate, such activity is rare once the bill is ordered to 3rd reading.

8 | **ENGROSSMENT.** The bill is engrossed in the initial chamber, and sent to the other chamber.

7 | **DEBATE – SECOND CHAMBER.** The same activity takes place in the second chamber – first reading, placing in the orders of the day, second reading, debate, third reading, and engrossment.

8 | **CONFERENCE COMMITTEE.** In the event the bill is engrossed with differences between the House and Senate versions and the chambers reject concurring in amendment, a conference committee is formed to reconcile the differences prior to enactment. This happens with every budget, as well as with more controversial or complex measures. Three members of each chamber are appointed to the conference committee, with one member from the minority party represented from each chamber. The conference committee may spend several weeks ironing out the difference, then substitute their language prior to enactment. This language cannot be amended or otherwise changed.

10 | **ENACTMENT.** If the bill is time-sensitive, an emergency preamble is adopted in each chamber, which causes the bill to become effective upon passage. The bill is enacted in the House, then the Senate, signed by the Senate President, and laid before the governor.

11 | **PASSED INTO LAW.** The governor will sign the bill, passing it into law. Unless otherwise noted or accompanying an emergency preamble, the bill will go into effect 90 days from signing. The vast majority of bills, however, are written to allow the law to go into effect immediately upon enactment. The governor can also veto the bill, return it with recommended amendment, or allow the unsigned bill to become law. Vetoes require a 2/3 majority to override.