

THE CITIZEN ADVOCACY CENTER'S



Guide to the Legislative Process and Public Participation

(Issued 11/2017)

Introduction

You may have learned about the federal legislative process as a child watching *Schoolhouse Rock*; and if your high school curriculum included civic education, you may have been exposed to the Illinois legislative process. The lessons were probably reduced to the steps of bill introduction in either chamber, a series of readings in each chamber, approval by a simple majority of both chambers, and a signature or veto by the governor. In reality, the process is much more nuanced, and effective civic engagement requires a more detailed background in the legislative process and the opportunities for public participation.

This Citizen Guide provides background on the Illinois legislature, how a bill becomes law, and how to provide testimony in support or opposition of a bill through electronic witness slips.

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The Illinois Legislature

The Illinois legislature, known as the General Assembly, is divided into two chambers: the House of Representatives and the Senate. Members of the House are known as representatives; members of the Senate are known as senators. Each chamber has several committees that consider and decide on bills for passage by the full chamber. Committees are the public forums of legislation.

Like the United States Congress, the Illinois General Assembly proposes bills, which may become laws. A bill becomes a law only if a majority of both houses of the General Assembly vote in favor, and it is signed by the governor. If the governor rejects a bill, it may still become a law if two-thirds of both houses vote in favor. Alternatively, if the governor doesn't sign or reject a bill within 60 days of receiving it from the General Assembly, the bill becomes law. The process from bill to law usually takes months, with committee hearings, floor debates, amendments to the original bill, and all of the work legislators and advocates perform behind the scenes to build support for the new law.

Representatives: Representatives are elected from the 118 representative districts throughout the state. Each representative district sends one representative to the General Assembly. Representatives serve two-year terms and do not face term limits.

Senators: Senators are elected from the 59 legislative districts throughout the state. Each legislative district sends one Senator to the General Assembly. Senators serve two- or four-year terms and do not face term limits.

Note that each senate district nests two house districts.

Governor: The governor is elected by voters throughout the state. Governors serve four-year terms and do not face term limits.

To find your district representative, visit: <http://www.elections.il.gov/DistrictLocator/DistrictOfficialSearchByAddress.aspx>

How a Bill Becomes Law

As a preliminary matter, bills are drafted with the assistance of attorneys at the Legislative Reference Bureau (LRB). The LRB is an agency of the General Assembly with the primary task of drafting and preparing legislation, including bills, amendments, resolutions, and conference committee reports. In addition to drafting services, attorneys employed by the LRB provide legal advice to legislators of both parties and both houses, working on a nonpartisan basis in a confidential lawyer-client relationship.

Representatives and senators may introduce bills to their respective chambers. The Illinois Constitution requires each bill to be read by its title three times on separate days in each chamber. The Illinois Constitution does not require the chambers to read the full text of the bill. However, the full text of each bill and amendment must be printed and delivered to each member before final passage. The Illinois Constitution also requires bills to focus on one subject unless they cover appropriations or "codification, revision or rearrangement of laws" - in other words, cleanup of existing statutes.

First Reading: a bill is introduced in the full chamber, assigned to an initial committee, and possibly assigned to a substantive committee; testimony is heard, legislators may ask questions of the sponsor and those providing

testimony; one or more amendments may be made; the committee makes a recommendation to the the full chamber.

A bill is introduced in the full chamber during first reading, where it is read into the record. After the first reading, a bill is assigned to the Rules Committee in the House and the Assignments Committee in the Senate. These committees may then assign the bill to a substantive committee based on the subject matter of the bill. For example, if a bill is introduced in the House of Representatives on the matter of election administration, it will likely be assigned to the Elections & Campaign Reform Committee. (For a list of all 78 committees, see the Appendix.) A bill that is not re-assigned to a substantive committee is thought to “die” in the Rules or Assignments Committee; it will never receive a second or third reading, or a vote in the chamber. The General Assembly Rules that govern procedures requires that a new bill should be posted for a committee hearing at least six days before the bill will actually be considered by the committee. This attempt at transparency is laudable, but the General Assembly is notable for frequently suspending their own rules by voting on a waiver.

Once a bill has reached a substantive committee, it may be called during a hearing of that committee. Representatives and senators are assigned to one or more committees for their respective chambers. At a hearing, the committee members can ask questions, offer amendments, and debate a bill. Typically the legislative sponsor of the bill is present to support the bill and answer questions. It should be noted that amendments need only be posted one hour before a committee hearing.¹

¹ Commonly, a “shell bill” with virtually no substantive content is filed by its legislative sponsor within the required timeline, and an amendment to the shell bill is later filed but only within the requisite one hour notice before the committee hearing. This last-minute notice of a

Other interested parties, including lobbyists, public interest groups, and individual citizens, may testify in person at a committee hearing. If a party does not want to give oral testimony, they may file a witness slip that tells legislators where they stand on the bill: proponent, opposed, or neutral. The General Assembly now allows interested parties to file witness slips electronically, including written testimony. (To learn how, see page 4)

Bills may be amended while under consideration in the substantive committee. Testimony offered by private interested parties may influence the content of an amendment.

After testimony is heard on a particular bill and amendments, if any, are made, the committee votes on whether to pass the bill back to the full chamber. The bill needs a simple majority vote to pass out of committee. Additionally, any amendment needs a simple majority vote to be adopted. Thus, the chamber may recommend a “do pass” or a “do pass as amended.” Alternatively, the chamber may propose a “do not pass” or in other words, not recommend the bill.

If the bill does not receive a majority in substantive committee, it will likely remain in the committee where it may be voted on later, but most likely will die for the current legislative session. The committee can also defer the bill until a later date. This allows witnesses or sponsors who may not have been able to attend the meeting to present or allow opposing parties to consider changes to the bill. Alternatively, if the bill does not receive a majority vote in substantive committee, the

bill’s content avoids the transparency measure of 6 days posted notice and negatively affects public participation in the legislative process.

chamber may vote to “discharge” and send the bill for a second reading.

Second Reading: the bill is heard by the full chamber, possibly amended, and possibly scheduled for a third reading.

Once a committee passes a bill, it heads back to the full chamber, where it may be scheduled for a second reading. Sometimes, chamber leadership chooses not to schedule additional readings, ending the bill for that session. At the second reading, members of the chamber may propose one or more amendments to the bill. The full chamber must vote on any proposed amendment, with a simple majority required for passage.

Third Reading: the bill is heard for a final time by the full chamber, and possibly sent to the second chamber of the General Assembly; if amended, it heads back to substantive committee.

Next, the bill may be scheduled by leadership for a third and final reading, followed by a vote of the entire chamber. If a majority votes in favor of the bill, it is sent to the second chamber, where it will repeat the entire committee and reading process.

If the second chamber passes the bill without any changes or amendments, the bill is sent to the governor.

If the second chamber amends the bill, it must return to the chamber of origin for another vote. If the chamber of origin votes in favor of the second chamber’s version of the bill, the bill will be sent to the governor. If the chamber of origin votes against the second chamber’s version, the bill is returned to the second chamber for a vote on the version from the chamber of origin. Alternatively, if the chambers still do not agree, a “conference committee” is appointed and comprised of an even number of legislators, five

from the Senate and five from the House of Representatives.

The conference committee’s task is to compile a report that reconciles the differences between the bills in each chamber. The conference committee reports recommendations back to the General Assembly for further action. Recommendations pass with a majority of all conference members. Once a report is issued, both chambers will vote to adopt or reject the report. If both chambers adopt the report, the conference committee bill will head to the governor.

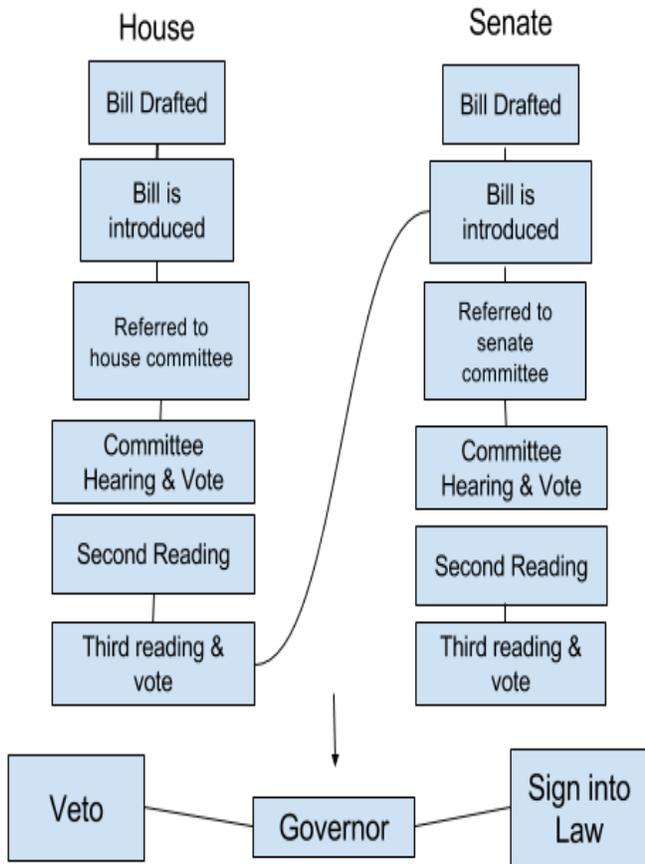
Governor’s Desk: the bill may be signed (and become law), vetoed (rejected, but possibly reconsidered by the General Assembly), or ignored (and become law).

After the legislature passes a bill, it must send the bill to the governor within 30 days. The governor has several options. The bill will become law with either the signature of the governor or after 60 days with no action from the governor.

Additionally, the governor can veto the full bill (full veto), issue an amendatory veto with recommendations for changes to the bill, or issue an item or reduction veto that changes the amount of spending. Any type of veto returns the bill to the General Assembly.

The general assembly may override any type of veto by a vote of three-fifths of the members in each chamber. At that point, the bill becomes a law, and it will be assigned a Public Act (P.A.) number. If the General Assembly fails to act on a full or amendatory veto, the bill is dead; if the General Assembly fails to act on an item veto, the bill becomes law with the governor’s changes. In the case of an amendatory veto, the General Assembly can agree with the governor’s changes by a simple majority vote in both chambers.

Legislative process



For a more detailed graph of the legislative process visit this link:

http://www.ilga.gov/commission/lis/98bill_law.pdf

How can citizens participate?

During a committee hearing citizens, lobbyists, and interest groups have a chance to voice support or opposition to a bill. In Illinois anyone can submit a witness slip and testimony online. This way citizens do not have to go to the state's capital, Springfield, to give testimony. Citizens may also request to deliver testimony in person at the hearing. Additionally, anyone can write lawmakers to argue for or against a bill.

Each bill has at one primary legislative sponsor, and possibly one or more co-sponsors. Each is

numbered in order from the time that it is introduced. A bill receives a designation indicating its house of origin: HB for "House Bill" or SB for "Senate Bill."

How to File a Witness Slip and Give Testimony

- Go to the General Assembly Website: <http://www.ilga.gov/>
- [First, you need to know when the bill you are interested in is going to be heard and in which committee.](#) Go to the status page for the bill you are interested in. You will need to know the bill's designation, such as "SB 100" in order to find the bill status page. The bill status page provides the substantive committee's name to which the bill was assigned, and the date and time of the hearing at which it will be heard. You must file your witness slip before the bill is heard.
- On the General Assembly homepage, you have the option of clicking on "My Legislation" which appears along the top menu on the homepage, and register to streamline the witness slip filing process when you file more than one witness slip. This option allows you to sign in each time you wish to file one or more witness slips. If you choose to register, a confirmation screen will be displayed. You will then receive an email to verify your email address.
- If you choose not to register, you may click directly "GA Dashboard"; this is a red link under "Reports & Inquiry."
- On the left hand menu, select and click on either 'House' or 'Senate', depending on where the bill is under consideration.
- A drop down menu will appear; click on "Committee Hearings": View committee hearings posted for today, the week, the month or previous hearings posted by

clicking on the appropriate tab that appears above the list of hearings.

- Each listed hearing has an icon to its right that looks like a piece of paper with a fold in its lower right corner. Click on it to “View Hearing Details.”
- There will be three types of committee hearings:
 - Legislation only Committee Hearings
 - Subject Matter only Committee Hearings
 - Subject Matter with Legislation
- Click “Create Witness Slip”; note that there is also the option to “View Witness Slips” already filed by others.
- If you are already logged in, your profile information automatically displays your identification and representation.
- If you are not registered and logged in, you will need to complete this information manually.
- Complete the following fields: Position and Testimony. Note that you may also upload a document of written testimony, if you so choose.
- Once your witness slip has been submitted, you will see a confirmation screen displayed. You should receive email confirmation that you filed the witness slip.
- You will have an option to create another one or finish your witness slip.

ILGA Dashboard: Witness Slip User Guide can be found at the link below.

<http://my.ilga.gov/Documents/ILGA%20Dashboard%20User%20Guide.pdf>

With this link you can seek help with:

- User Registration

- Logging On
- Entering Witness Slips
- Editing Slips
- Viewing Witness Slips
- Viewing Previous Committee Hearings

Appendix

There are a total of **78 committees** in Illinois state government.

- The Illinois Senate has 27 standing committees.
- The Illinois House has 47 standing committees.
- There are 4 joint standing committees of the Illinois Legislature.

Senate committees

- [Agriculture Committee,](#)
- [Appropriations Committee, e](#)
- [Appropriations II Committee,](#)
- [Assignments Committee,](#)
- [Commerce Committee, Illinois State Senate](#)
- [Committee of the Whole](#)
- [Criminal Law Committee](#)
- [Education Committee](#)
- [Energy Committee](#)
- [Environment and Conservation Committee](#)
- [Executive Committee](#)
- [Executive Appointments Committee](#)
- [Financial Institutions Committee](#)
- [Gaming Committee](#)
- [Higher Education Committee](#)
- [Human Services Committee](#)
- [Insurance Committee](#)
- [Judiciary Committee](#)
- [Labor Committee](#)
- [Licensed Activities Committee](#)
- [Local Government Committee](#)
- [Pensions and Investments Committee](#)
- [Public Health Committee](#)
- Redistricting Committee, Illinois State Senate
- [Revenue Committee](#)
- [State Government Committee,](#)
- [Transportation Committee](#)

- [Veterans Affairs Committee](#)

- [Legislative Ethics Commission, Illinois General Assembly](#)

House Committees

- [Aging](#)
- [Agriculture & Conservation](#)
- [Appropriations-Elementary & Secondary Education](#)
- [Appropriations-General Service](#)
- [Appropriations-Higher Education](#)
- [Appropriations-Human Services](#)
- [Appropriations-Public Safety](#)
- [Business & Occupational Licenses](#)
- [Cities & Villages](#)
- [Consumer Protection](#)
- [Counties & Townships](#)
- [Elections & Campaign Reform](#)
- [Executive](#)
- [Financial Institutions](#)
- [Health & Healthcare Disparities](#)
- [Health Care Availability Access](#)
- [Health Care Licenses](#)
- [Higher Education](#)
- [Human Services](#)
- [International Trade & Commerce](#)
- [Judiciary I - Civil Law](#)
- [Judiciary II - Criminal Law](#)
- [Labor](#)
- [Mass Transit](#)
- [Personnel & Pensions](#)
- [Public Utilities](#)
- [Revenue & Finance](#)
- [Rules](#)
- [State Government Administration](#)
- [Tollway Oversight](#)
- [Tourism & Conventions](#)
- [Transportation: Vehicles & Safety](#)
- [Transportation: Regulation, Roads & Bridges Committee](#)
- [Veterans' Affairs](#)

Joint Legislative Committees

- [Administrative Rules Committee, Illinois General Assembly](#)
- [Commission on Government Forecasting and Accountability, Illinois General Assembly](#)
- [Legislative Audit Commission, Illinois General Assembly](#)

About the Citizen Advocacy Center

The Citizen Advocacy Center, a nonpartisan, 501(c)(3), not-for-profit organization, is dedicated to building democracy for the 21st Century by strengthening the public's capacities, resources, and institutions for self government. If you are interested in more information, becoming a volunteer, or making a tax-deductible contribution to the Center, please feel free to contact us at:

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