Wednesday, March 23, 2022

Understanding the Legislative Process
Agenda

• Three Types of Measures (Bills, Constitutional Amendments, and Resolutions)
• Overview of California’s Legislative Process
• How to Read a Bill
• Tips on Writing Letters and Testifying in Committee
• Resources
• Questions
Glossary of Legislative Terms

- These are the different types of measures that legislators can introduce in the Assembly or Senate.
  - AB – Assembly Bill
  - SB – Senate Bill
  - ACA – Assembly Constitutional Amendment
  - SCA – Senate Constitutional Amendment
  - AJR – Assembly Joint Resolution
  - SJR – Senate Joint Resolution
  - ACR – Assembly Concurrent Resolution
  - SCR – Senate Concurrent Resolution
  - HR – House Resolution (Assembly)
  - SR – Senate Resolution
Bills (AB and SB)
  - A proposed law introduced in the Assembly or Senate and identified with a number. Can be majority or 2/3 vote. Requires Governor’s signature

Constitutional Amendments (ACA and SCA)
  - A resolution affecting the Constitution, adopted by the Legislature or presented by initiative, requiring an affirmative vote of the electorate to become effective. Needs 2/3 vote and does not require Governor’s signature
Glossary of Legislative Terms

• Joint Resolutions (AJR and SJR)
  – Expresses an opinion about an issue pertaining to the federal government; forwarded to Congress for its information. Requires the majority approval of both Assembly and Senate but does not require the signature of the Governor to take effect

• Concurrent Resolutions (ACR and SCR)
  – A measure introduced in one house which, if approved by majority vote, must be sent to the other house for approval. The Governor’s signature is not required. These measures usually involve the business of the Legislature

• Resolutions (HR and SR)
  – An opinion expressed by one or both houses which does not have the force of law. Concurrent resolutions and joint resolutions are voted on by majority of both houses but do not require the Governor’s signature
Glossary of Legislative Terms

• These are some commonly referred to legislative terms. There are many more!
  ▪ Legislative Session – period during which the Legislature meets:
    ▪ Regular - the biennial session (2021-22) at which all classes of legislation may be considered;
    ▪ Extraordinary – special session, called by and limited to matters specified by the Governor;
    ▪ Daily – each day’s meetings;
    ▪ Joint – meeting of the two houses together.
  ▪ Two-Year Bill – A bill that has been held in a committee for the first year of a two-year session for further study and debate. Can be acted on to leave the house of origin in January of the second year of the two-year session.
  ▪ Spot Bill – A measure introduced without substance, to be amended later.
  ▪ House of Origin – The legislative house (Assembly or Senate) that the bill was introduced in.
  ▪ Second House – The other legislative house; not the legislative house where the bill was introduced.
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In California, the legislative body is called the State Legislature and is divided into two houses (bicameral) - the State Assembly and the State Senate.

There are 40 members of the State Senate and 80 members of the State Assembly, for a total of 120 legislators.

Assembly Members are elected or re-elected every two years, and one-half of Senators are elected or re-elected every two years. Term limits apply.
The Assembly has 33 standing committees, the Senate has 22. They range from agriculture to labor, public employment and retirement, and everything in between!

Both houses have budget subcommittees and a litany of special, select, joint and other committees.

Committees play a critical role in the fate of a bill and how it is analyzed.
Assembly and Senate Standing Committees

Assembly Committees

Standing Committees

- Accountability and Administrative Review
- Aging and Long-Term Care
- Agriculture
- Appropriations
- Arts, Entertainment, Sports, Tourism, and Internet Media
- Banking and Finance
- Budget
- Business and Professions
- Communications and Conveyance
- Education
- Elections
- Emergency Management
- Environmental Safety and Toxic Materials
- Governmental Organization
- Health
- Higher Education
- Housing and Community Development
- Human Services
- Insurance
- Jobs, Economic Development and the Economy
- Judiciary
- Labor and Employment
- Local Government
- Military and Veterans Affairs
- Natural Resources
- Privacy and Consumer Protection
- Public Employment and Retirement
- Public Safety
- Revenue and Taxation
- Rules
- Transportation
- Utilities and Energy
- Water, Parks, and Wildlife

Senate Standing Committees

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Rooms are in the State Capitol unless otherwise indicated, and subject to change.
How Does a Bill Become a Law in California?

State Legislative Process

1. IDEA → BILL DRAFTED
2. Introduced in the chamber of origin
3. 1ST CHAMBER
   - COMMITTEE HEARINGS
   - FLOOR DEBATE
4. 2ND CHAMBER
   - COMMITTEE HEARINGS
   - FLOOR DEBATE
5. GOVERNOR
6. LAW

- If changed, the bill is sent back to the chamber of origin for approval or further consideration.
- A vetoed bill goes back to the chamber of origin. If the veto is overridden, the bill moves to the second chamber for reconsideration. If not, the bill dies.

Get Involved

The colors indicate how the public can affect legislation at different points in the legislative process above:

Ways to Contact Legislators
- Legislature’s website
- Letters
- Emails
- Social media
- Phone calls
- Town halls
- Face-to-face meeting

Ways to Participate
- Learn the process
- View livestream of hearing or floor session
- Attend Committee hearing/floor session
- Committee testimony
- Contact your legislator
How Does a Bill Become a Law in California?

THE LIFE CYCLE OF LEGISLATION
From Idea into Law

THE CALIFORNIA LEGISLATURE
Assembly Rules Committee

Although the procedures can become complicated, this chart shows the essential steps for passage of a bill. Typical committee actions are used to simply chart the course of legislation.

Some bills require hearings by more than one committee, or what is known as a committee of the whole. Committee report and vote on a bill in the full Senate or Assembly before it is re-referred to the appropriate committee in the second house before it is sent to the second reading file and final action.

A bill may be amended at various times as it moves through the House. The bill must be reported back from any committee, as adopted on the floor. An amendment offers the same rights of roll call and debate as the original bill.

If a bill is amended in the Senate, it is returned to the House of Origin for consideration. If a House of Origin has not concurred, a Conference Committee Report must be adopted by each House before the bill can be sent to the Governor.

BECOMES LAW WITHOUT SIGNATURE

SIGN

GOVERNOR

RETURN TO CONSTITUENCY
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How to Read a Bill

• **Enacting Clause** – At the start of the bill and says what code section is being affected or added, and regarding what.

• **Legislative Digest** – Summary of the bill prepared by the Legislative Counsel’s Office. Gives an overview of relevant existing law and what changes the bill will make.

• **Body or Bill Language** – The actual language that adds, amends, or repeals the law. This is the language that will be codified. Strikeout language means words being deleted, and italic language means words being added.
Committee Process

• After a bill is introduced, it goes to the Senate or Assembly Rules Committee, where it is referred to at least one policy committee. A bill with a fiscal impact may also be referred to a fiscal committee.
• Bills cannot be not heard in policy committee until 30 days after they have been introduced and printed.
• Each bill must appear in the Daily File prior to being heard in a committee.
• The Daily File is the agenda of the day's business, together with public notice of bills set for committee hearings. It can be found at:
  – https://www.senate.ca.gov/dailyfile
  – https://www.assembly.ca.gov/dailyfile
The policy committee completes an analysis with a summary of the bill, background, staff comments, suggested amendments, and a list of support and opposition.

The author presents the bill to the committee, typically accompanied by the sponsors of the bill.

Then supporters and opponents testify before the committee.

If the bill passes, it heads to either the next committee or to the Senate or Assembly Floor.
• Consider bills with any fiscal impact after passage by a policy committee
• Due to the high volume of bills reviewed by the committee, Appropriations Committees operate a little differently than policy committees
• Suspense File is unique to the Appropriations Committees
• Committees sends bills with a price tag that meet the thresholds below to the Suspense file:
  – Assembly: $150,000 (any fund)
  – Senate: $50,000 (general fund) or $150,000 (special fund)
• Suspense File bills are then considered at one hearing. No testimony is presented by the author or witnesses at the Suspense File hearing. Bills will either move on to the Senate Floor for further consideration or be in held in committee and under submission.
The Committee Analysis

- **Summary** – Briefly describes what the bill does.
- **Background and Staff Comments** – Includes relevant existing law, regulations, or court cases, and poses questions or concerns from the committee staff.
- **Support and Opposition** – Most committee analyses list the support and opposition to a bill. You must send in a formal position letter in advance of the committee to be listed in the analysis.
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Sample Position Letter

1. Include the bill number, title, and your position in the subject line
2. One bill per letter
3. State the facts
4. Think about the message
5. Check for amendments
6. Send follow-up letters to appropriate committees as a bill Moves Along
7. Provide a contact
8. Know the committees on which your legislator serves
9. Copy the correct people
10. Submit your letter to the California Legislative Position Letter Portal
1. Become engaged in the state level political process by appointing a legislative liaison within your jurisdiction to track key legislation and work with your regional public affairs manager or with Cal Cities or CSAC staff. Visit the Cal Cities regional division webpage to locate contact information for your regional public affairs manager or the CSAC advocacy page for staff contact information.

2. Use Cal Cities and CSAC as a resource. Visit the Cal Cities and CSAC advocacy pages to access priority bills, position letters, legislative contacts, and use our online bill search feature to track bills’ progress.

3. Read and subscribe to the Cal Cities Advocate or the CSAC Bulletin, our newsletters, to stay current on important legislation and stories.

4. Develop relationships with your Senate and Assembly representatives as well as their Capitol and district office staff. Make sure to look up who your local state elected official is.

5. Get to know members of your local press and educate them on legislative issues affecting your jurisdiction.
6. Understand how state decisions impact your jurisdiction’s budget by attending educational conferences, policy committee meetings, regional events, and webinars hosted by Cal Cities and/or CSAC.

7. Build networks and collaborate with other stakeholders, such as non-profits, businesses, or other local agencies in your community on key legislative issues.

8. Organize an internal process within your jurisdiction for developing and proposing changes to both state and federal laws that will help your city or county.

9. Adopt local policies on legislation that enable your city to react quickly to the legislative process and respond to Cal Cities and CSAC action alerts.

10. Write letters on legislation featured in the Cal Cities Advocate. City sample support and opposition letters can be found using the Cal Cities bill search feature and entering the bill number or bill author.
Testimony Tips

• Be prepared
• Be flexible
• Be concise
• Be polite and respectful
• Speak to the facts and how the bill will affect your community/job responsibilities
• Be prepared to answer questions about your testimony
• Communicate with author’s office and Cal Cities and CSAC staff
The Floor

• After bills are considered by policy committees and fiscal committees, they are referred to the floor.
• Once a bill reaches the floor, Third Reading is the last stage that a bill goes through in the house of origin before it passes to the second house to go through the committee process all over again.
• On Third Reading, the author presents the bill for passage by the entire house. Most bills require a majority vote, while urgency measures, general fund appropriations, tax increases, and bond acts require a two-thirds vote.
Process in the Second House

• Once the bill has been approved by the house of origin, it proceeds to the second house and follows the same process.

• If a bill is amended in the second house, it must go back to the house of origin for a concurrence vote, or to establish agreement on the amendments.

• Bills approved by both houses of the legislature go to the Governor’s desk for action.
The Governor

• The Governor has 12 days to sign, approve without signing, or veto a bill.
• If the bill is presented to the Governor less than 12 days before the recess, the Governor has 30 days to sign the legislation.
• If the bill is signed or approved without a signature, it goes to the Secretary of State to be chaptered. If the Governor vetoes the bill, a two-thirds vote in each house is needed to override the veto.
• Most bills go into effect on the first day of January of the following year.
• Urgency measures take effect immediately after they are signed or allowed to become law without signature.
1. SB 277 is introduced on 1/29 by Sen. Archuleta;
2. Is referred to the Senate Governmental Organization Committee on 2/10;
3. Is set for a hearing in Senate GO on 4/20;
4. Passed out of Senate GO and referred to the Senate Appropriations Committee;
5. Placed on the ‘Suspense File;’ then passed out of Senate Appropriations on 5/20
6. Voted on by full Senate on 5/28 – passes; Then sent to the Assembly
7. Referred to the Assembly Governmental Organization Committee on 6/3
8. Made a ‘two-year bill’ and was not set for a hearing in Assembly GO; Must be acted on between Jan 1-31, 2022, or is dead
‘Typical' Process for a Bill – SB 109 (Dodd)

1. SB 109 is introduced on 1/6 by Senator Dodd;
2. Referred to the Senate Governmental Organization committee on 1/28;
3. Set for a hearing in Senate GO on 3/9; Passed and referred to Senate Appropriations Committee;
4. Placed on the ‘Suspense File;' then passed out of Senate Appropriations on 5/20;
5. Voted on by full Senate on 6/1 – passes; Then sent to the Assembly;
6. Referred to the Assembly Emergency Management on 6/10; set for hearing on 7/5 - passes and referred to Assembly Appropriations; referred to suspense file, then passed on 8/26;
7. Voted on by full Assembly on 9/1 - passed; then back to Senate for concurrence vote on 9/2 – passed;
8. Presented to the Governor on 9/9 and signed by Governor on 9/23; Becomes law Jan 1., 2022.
Budget Process

• **January:** The Governor submits a proposed spending plan to the Legislature by a constitutional deadline of January 10.

• **May:** The Governor refines the budget proposal using clearer revenue numbers provided by the Department of Finance. This is known as the “May Revise.”

• **June:** Lawmakers have until June 15 to pass a budget. The spending plan is generally spread out across multiple bills, including “trailer bills,” or smaller appropriations that can be passed after the June 15 deadline. The Governor must sign the budget by June 30.
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Helpful Legislative Resources

• Assembly:
  – Daily File: https://www.assembly.ca.gov/dailyfile
  – Legislative Deadlines: https://www.assembly.ca.gov/legislative deadlines
  – Office of the Chief Clerk: https://clerk.assembly.ca.gov/content/process

• Senate:
  – Daily File: https://www.senate.ca.gov/calendar
  – Media Archive: https://www.senate.ca.gov/media-archive
  – Office of Secretary of the Senate: https://secretary.senate.ca.gov/home
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Questions?
Thank You!

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