

Table 3.14
BILL PRE-FILING, REFERENCE AND CARRYOVER

State or other jurisdiction	Pre-filing of bills allowed (b)	Bills referred to committee by:		Bill referral restricted by rule (a)		Bill carryover allowed (c)
		Senate	House/ Assembly	Senate	House/ Assembly	
Alabama	★(d)	(e) (f)	Speaker (f)	L, M	L, M	...
Alaska	★	President	Speaker	L, M	L, M	★
Arizona	★	President	Speaker	L	L	...
Arkansas	★	President (g)	Speaker	L	L	...
California	★(h)	Rules Cmte.	Rules Cmte.	L	L	★(h)
Colorado	★	President	Speaker	(i)	(i)	...
Connecticut	★	Pres. Pro Tempore	Speaker	M	M	...
Delaware	★	Pres. Pro Tempore	Speaker	L	L	★
Florida	★	President	Speaker	M	...	...
Georgia	★	President (f)	Speaker	...	...	★
Hawaii	(j)	(j)	Speaker	...	...	★
Idaho .....	...	President (e)	Speaker	(qq)	(qq)	...
Illinois	★	Cmte. on Assignments	Rules Cmte.	(k)	(k)	★
Indiana	★(l)	Pres. Pro Tempore	Speaker	(m)	...	...
Iowa	★	President	Speaker	M	M	★
Kansas	★	President	Speaker	L (n)	L (n)	★
Kentucky	★	Cmte. on Cmtes.	Cmte. on Cmtes.	L, M	L, M	...
Louisiana	★	President (o)	Speaker (o)	L	L	...
Maine	★	Secy. of Senate	Clerk of House	(p)	(p)	★(rr)
Maryland	★	President (q)	Speaker (q)	L	L	...
Massachusetts	★	Clerk	Clerk	M	M	★
Michigan .....	...	Majority Ldr.	Speaker	(uu)	(uu)	★
Minnesota	★(r)	President	Speaker	L, M	L, M	★(r)
Mississippi	★	President (e)	Speaker	L	L	...
Missouri	★	Pres. Pro Tempore	Speaker	L	L	...
Montana	★	President	Speaker	L (tt)	L (tt)	...
Nebraska	★	Reference Cmte. (s)	U	U	U	★(t)
Nevada	★	President (u)	Speaker (u)	L (v)	...	...
New Hampshire	★	President	Speaker	M	M	★(ss)
New Jersey	★	President	Speaker	L, M	L, M	★
New Mexico	★	(w)	Speaker	L	L, M	...
New York	★	President pro tem in consultation with Independent democratic conference leader	Speaker	L, M	L, M	★
North Carolina .....	...	Rules Chair	Speaker	M	M	★
North Dakota	★	Majority Leader	Speaker	L	L	...
Ohio	★(y)	Reference Cmte.	Rules & Reference Cmte.	L (z)	L, M (aa)	★(bb)
Oklahoma	★	Majority Leader	Speaker	L	L	★(cc)
Oregon	★	President	Speaker	(dd)	(ee)	...
Pennsylvania	(x)	President Pro Tempore	Chief Clerk	M	M	...
Rhode Island	★	President	Speaker	M	M	★
South Carolina	★	President	Speaker	M	M	★(ff)
South Dakota	★	President Pro Tempore	Speaker	L	L	...
Tennessee	★	Speaker	Speaker	L, M	L, M	★(gg)
Texas	★	President	Speaker	L	L	...
Utah	★	President	Speaker	L	L	...
Vermont	(hh)	President	Speaker	L, M	L, M	★
Virginia	★	Clerk	Clerk (ii)	L, M (jj)	(kk)	★(ll)
Washington	★	Speaker	Speaker	L	L	★
West Virginia (nn)	★	President	Speaker	L, M	L, M	...
Wisconsin .....	...	President	Speaker	L, M	L, M	★(oo)
Wyoming	★	President	Speaker	L (vv)	L (vv)	...
American Samoa .....	...	...	...	...	...	...
Guam	★	Committee on Calendar Chairs	U	L, M (pp)	U	★
No. Mariana Islands	★	President	Speaker	L	L	...
Puerto Rico .....	...	President	Secretary	M	M	...
U.S. Virgin Islands .....	...	Senate President in Pro-Forma meeting	U	L	U	★

See footnotes at end of table.

STATE LEGISLATURES

BILL PRE-FILING, REFERENCE AND CARRYOVER — Continued

Sources: The Council of State Governments' survey, November 2015 and update from state websites 2016.

Key:

★ — Yes

... — No

L — Rules generally require all bills be referred to the appropriate committee of jurisdiction.

M — Rules require specific types of bills be referred to specific committees (e.g., appropriations, local bills).

U — Unicameral legislature.

(a) Legislative rules specify all or certain bills go to committees of jurisdiction.

(b) Unless otherwise indicated by footnote, bills may be introduced prior to convening each session of the legislature. In this column only: ★ — pre-filing is allowed in both chambers (or in the case of Nebraska, in the unicameral legislature); ... — pre-filing is not allowed in either chamber.

(c) Bills carry over from the first year of the legislature to the second (does not apply in Alabama, Arkansas, Montana, Nevada, North Dakota, Oregon and Texas, where legislatures meet biennially). Bills generally do not carry over after an intervening legislative election.

(d) Except between the end of the last regular session of the legislature in any quadrennium and the organizational session following the general election and for special sessions.

(e) Lieutenant governor is the president of the Senate.

(f) Senate bills referred by president with concurrence of president pro tem. House bills referred by president pro tem with concurrence of president, if no concurrence, referred to majority leader.

(g) Senate chief counsel makes recommendations to the presiding officer.

(h) Bills may be drafted prior to session, but may not be introduced until the first day of session. Bills introduced in the first year of the regular session and passed by the house of origin on or before the January 31st constitutional deadline in the second year are carryover bills.

(i) In either house, state law requires any bill which affects the sentencing of criminal offenders and which would result in a net increase of imprisonment in state correctional facilities must be assigned to the appropriations committee of the house in which it was introduced. In the Senate, a bill must be referred to the Appropriations Committee if it contains an appropriation from the state treasury or the increase of any salary. Each bill which provides that any state revenue be devoted to any purpose other than that to which it is devoted under existing law must be referred to the Finance Committee.

(j) Prefiling allowed in the House by rule, seven calendar days before the commencement of the regular session, in even-numbered years. Senate allows prefiling of bills as determined on a year-to-year basis. Senate bills are referred to committee by the members of the majority leadership appointed by the President.

(k) In even-numbered years, the Committee on Assignments (Senate) or Rules Committee (House) is to refer to substantive committees only appropriation bills implementing the budget, and bills deemed by the Committee on Assignments (Senate) or Rules Committee (House) to be of an emergency nature or of substantial importance to the operation of government.

(l) Only in the Senate.

(m) At the discretion of President Pro Tempore.

(n) Appropriation bills are the only "specific type" mentioned in the rules to be referred to either House Appropriation Cmte. or Senate Ways and Means.

(o) Subject to approval or disapproval. Louisiana—majority members present.

(p) Maine Joint Rule 308 sections 1,2,3, "All bills and resolves must be referred to committee, except that this provision may be suspended by a majority vote in each chamber."

(q) The President and Speaker may refer bills to any of the standing committees or the Rules Committees, but usually bills are referred according to subject matter.

(r) Pre-filing of bills allowed prior to the convening of the 2nd year of the biennium. Bill carryover allowed if in second year of a two-year session.

(s) The Nebraska Legislature's Executive Board serves as the Reference Committee.

(t) Bills are carried over from the 90-day session beginning in the odd-numbered year to the 60-day session, which begins in even-numbered year. Bills that have not passed by the last day of the 60-day session are

all indefinitely postponed by motion on the last day of the session. The odd-numbered year shall be carried forward to the even-numbered year.

(u) In the Senate any member may make a motion for referral, but committee referrals are under the control of the Majority Floor Leader. In the House any member may make a motion for referral, and a chart is used to guide bill referrals based on statutory authority of committee, but committee referrals are under the control of the Majority Floor Leader.

(v) Rules do not require specific types of bills be referred to specific committees.

(w) Sponsor subject to approval of the body.

(x) Only in the Senate.

(y) Senate Rule 33: Between the general election and the time for the next convening session, a holdover member or member-elect may file bills for introduction in the next session with the Clerk's office. Those bills shall be treated as if they were bills introduced on the first day of the session. House Rule 61(d): Bills introduced prior to the convening of the session shall be treated as if they were bills introduced on the first day of the session. Between the general election and the time for the next convening session, a member-elect may file bills for introduction in the next session with the Clerk's office. The Clerk shall number such bills consecutively, in the order in which they are filed, beginning with the number "1."

(z) Rule 35. (Bills, Second Consideration and Committee on Reference, Public Hearing.) On the second reading of a bill, the Committee on Reference shall, if no motion or order be made to the contrary, refer the bill to the proper standing committee in regular order. Further, no bill shall be reported for a third reading and passage unless the same shall have been considered at a meeting of the committee to which the same has been referred. All Senate bills and resolutions referred by the Committee on Reference on or before the first day of April in an even-numbered year shall be scheduled by the chairperson of the committee to which the same has been referred for a minimum of one public hearing.

(aa) House Rule 37: (a) All House bills and resolutions introduced on or before the fifteenth day of May in an even-numbered year, and in compliance with the rules of the House, shall be referred to a standing, select, or special committee or standing subcommittee, and shall be scheduled by the chairman of the committee for a minimum of one public hearing. (b) The sponsor of a bill or resolution shall appear at least once before the committee that is considering the bill or resolution unless excused by the chairman of the committee or the Speaker. It is not in order for the committee to report the bill or resolution unless its sponsor has appeared or has been excused from appearing before the committee. Rule 65. (Bills carrying appropriations.) All bills carrying an appropriation shall be referred to the Finance Committee for consideration and report before being considered the third time.

(bb) Bills carry over between the first and second year of each regular annual session, but not to the next biennial 2-year General Assembly.

(cc) A legislature consists of two years. Bills from the first session can carry over to the second session only.

(dd) The President can refer bills to any standing or special committee and may also attach subsequent referrals to other committees following action by the first committee.

(ee) Rules specify bills shall be referred by the Speaker to any standing or special committee and may also attach subsequent referrals to other committees following action by the first committee.

(ff) Allowed during the first year of the two year session.

(gg) Bills and resolutions introduced in the First Regular Session may carry over to the Second Regular Session (odd-numbered year to even-numbered year) only.

(hh) Bills are drafted prior to session but released starting first day of session.

(ii) Under the direction of the speaker.

(jj) Jurisdiction of the committees by subject matter is listed in the Rules.

(kk) The House Rules establish jurisdictional committees. The Speaker refers legislation to those committees as he deems appropriate.

(ll) Even-numbered year session to odd-numbered year session.

(mm) By the floor leader.

(nn) Prefiling allowed only in the house in even-numbered years.

(oo) From odd-year to even-year, but not between biennial sessions.

(pp) Substantive resolutions referred to sponsor for public hearing.

(qq) Bills may be referred to any appropriate committee (Senate Rule 14). Bills may be referred to any standing committee (House Rule 43).

(rr) Allowed between session in a biennium, not to subsequent legislatures.

BILL PRE-FILING, REFERENCE AND CARRYOVER — Continued

(ss) Referred bills may be held in committee and acted on during second year session.

(tt) President and Speaker have broad discretion.

(uu) Senate Rule 3.203 a) The Senate Majority Leader shall refer all bills and joint resolutions to a standing committee no later than one (1) Senate legislative day after being submitted to the Secretary of the Senate. The presiding officer shall announce the reference of all bills and joint resolutions. ... c) The Senate Majority Leader may change the original referral of a bill or resolution by oral notice to the Senate or written communication submitted to the Secretary of the Senate before the end of session on the next Senate legislative day following the day of the original referral. Notices of the written communication shall be

announced by the Secretary of the Senate during session and both oral and written notifications shall be printed in the Journal. House Rule 41: (4) The Speaker shall refer all bills and joint resolutions to a standing committee no later than one House legislative day after being submitted to the Clerk. (5) The Speaker may change the original referral of a bill or resolution by written communication submitted to the Clerk before the end of session on the next House legislative day following the day of the original referral. Notice of the referral shall be announced by the Clerk and printed in the Journal.

(vv) Bills containing an appropriation are rereferred to the Appropriations Committee.