

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	L, M (i)	L (i)	...
Connecticut .....	...	Pres. Pro Tempore	Speaker	M	M	...
Delaware	★	Pres. Pro Tempore	Speaker	L	L	★
Florida	★	President	Speaker	L, M	M	...
Georgia	★	President (f)	Speaker	...	...	★
Hawaii	(j)	(j)	Speaker	...	...	★
Idaho .....	...	President (e)	Speaker	L	L	...
Illinois	★	Rules Cmte.	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)	★
Maryland	★	President (q)	Speaker (q)	L	L	...
Massachusetts	★	Clerk	Clerk	M	M	★
Michigan .....	...	Majority Ldr.	Speaker	...	...	★
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	...	...	...
Nebraska	★	Reference Cmte. (s)	U	L	U	★ (t)
Nevada	★	President (u)	Speaker (u)	L (v)	...	...
New Hampshire	★	President	Speaker	L	M	★
New Jersey	★	President	Speaker	L, M	L, M	★
New Mexico	★	(w)	Speaker	L, M	M (x)	...
New York	★	Pres. Pro Tempore	Speaker	M	M	★
North Carolina .....	...	Rules Chair	Speaker	M	M	★
North Dakota	★	President	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	★	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	M	M	★
Virginia	★	Clerk	Clerk (ii)	L, M (jj)	(kk)	★ (ll)
Washington	★	(mm)	Speaker	L	L	★
West Virginia (nn)	★	President	Speaker	L, M	L, M	...
Wisconsin .....	...	President	Speaker	...	...	★ (oo)
Wyoming	★	President	Speaker	M	M	...
American Samoa .....	...	...	...	...	...	...
Guam	★	Cmte. on Calendar Chairs	U	L, M (pp)	U	★
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

Source: The Council of State Governments' survey, January 2009 with March 2010 update.

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 special sessions.

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

(f) Senate bills by president with concurrence of president pro tem. House bills by president pro tem with concurrence of president, if no concurrence, referred to Majority Leader for assignment.

(g) Senate Chief Counsel makes recommendations to the Presiding officer.

(h) Bills drafted prior to session. Introduction on the first day. 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 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 only in the House, seven calendar days before the commencement of the regular session, in even-numbered years. Senate bills are referred to committee by the members of the majority leadership appointed by the President.

(k) In even-numbered years, the Rules Committee is to refer to substantive committees only appropriation bills implementing the budget, and bills deemed by the Rules Committee 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 Refer-

ence 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 and members.

(x) Speaker has discretion.

(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: 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) Senate Rule 35: Unless a motion or order to the contrary, bills are referred to the proper standing committee. 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 for a minimum of one public hearing.

(aa) House Rule 37: All House bills and resolutions introduced, in compliance with House Rules, on or before the fifteenth day of May in an even-numbered year shall be referred to a standing select, or special committee, and shall be scheduled for a minimum of one public hearing. House Rule 65: All bills carrying an appropriation shall be referred to the Finance and Appropriations 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. 2007 will begin a new Legislature, the 51st, and no bills will carry over to 2007.

(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.