

Table 3.16
ENACTING LEGISLATION: VETO, VETO OVERRIDE AND EFFECTIVE DATE

State or other jurisdiction	Governor may item veto appropriation bills		Days allowed governor to consider bill (a)			Votes required in each house to pass bills or items over veto (c)	Effective date of enacted legislation (d)
	Amount	Other (b)	During session	After session			
			Bill becomes law unless vetoed	Bill becomes law unless vetoed	Bill dies unless signed		
Alabama	★ (e)	...	6 (f)		10A	Majority of elected body	Date signed by governor, unless otherwise specified.
Alaska	★	...	15	20P		2/3 elected (g)	90 days after enactment
Arizona	★	★	5	10A		2/3 elected (h)	90 days after adjournment
Arkansas	★	...	5	20A		Majority elected	91st day after adjournment
California	★ (i)	...	12 (j)	30A		2/3 elected	(k)
Colorado	★ (l)	...	10 (m)	30A (m)		2/3 elected	90 days after adjournment (n)
Connecticut	★	...	5	15P	(o)	2/3 elected	Oct. 1, unless otherwise specified.
Delaware	★	...	10	10P	30A	3/5 elected	Immediately
Florida .....	...	★	7 (m)(p)	15P (m)		2/3 present	60 days after adjournment
Georgia	★	★	...	40A		2/3 elected	Unless other date specified, July 1 for generals, date signed by governor for locals.
Hawaii (q)	★ (r)	...	10 (s)	45A (s)(p)	(p)	2/3 elected	Immediately
Idaho	★	...	5	10P		2/3 present	July 1
Illinois	★ (r)	...	60 (m)	60 (m)		3/5 elected (g)	Usually Jan. 1 of next year (t)
Indiana .....	...	...	7	7P		Majority elected	(u)
Iowa	★	★	3	30A		2/3 elected	July 1 (t)
Kansas	★	★	10 (m)	10P		2/3 membership	Upon publication or specified date after publication
Kentucky	★	...	10	90A		Majority elected	90 days after adjournment sine die. Unless the bill contains an emergency clause or special effective date.
Louisiana (q)	★	★	10 (m)	20P (m)		2/3 elected	Aug. 15
Maine	★	...	10		(v)	2/3 elected	90 days after adjournment unless enacted as an emergency.
Maryland	★ (w)	★	6 (x)	30P (y)	(z)	3/5 elected (aa)	June 1 (bb)
Massachusetts	★	★	10	10P	10A	2/3 present	90 days after enactment
Michigan	★	★	14		14P	2/3 elected and serving	90 days after adjournment
Minnesota	★	(i)	3P	14A, 3P	3A, 14P	2/3 elected—90 House; 45 Senate	Aug. 1 (cc)
Mississippi	★	...	5	15P (dd)		2/3 elected	July 1 unless specified otherwise.
Missouri	★	...	15	45A		2/3 elected	Aug. 28 (ee)
Montana (q)	★	★	10 (m)	25A (m)		2/3 present	Oct. 1 (cc)
Nebraska	★	...	5	5A, 5P	(ff)	3/5 elected	90 days following adjournment sine die. Unless bill contains an emergency clause.
Nevada .....	...	...	5 (gg)	10A (gg)		2/3 elected	Oct. 1, unless measure stipulates a different date.
New Hampshire .....	...	...	5	5P		2/3 present	60 days after enactment, unless otherwise noted.
New Jersey	★	...	45			2/3 elected	Dates usually specified
New Mexico	★	★	3 (hh)	20A		2/3 present	90 days after adjournment unless other date specified.
New York	★	...	10 (ii)		30A	2/3 votes in each house	20 days after enactment
North Carolina .....	...	...	10	30A		3/5 elected	60 days after adjournment
North Dakota	★	...	3	15A		2/3 elected	(jj)
Ohio	★	★	10	10P	10A	3/5 elected (kk)	91st day after filing with secretary of state. (ll)

See footnotes at end of table.

ENACTING LEGISLATION: VETO, VETO OVERRIDE AND EFFECTIVE DATE—Continued

State or other jurisdiction	Governor may item veto appropriation bills		Days allowed governor to consider bill (a)			Votes required in each house to pass bills or items over veto (c)	Effective date of enacted legislation (d)
			During session		After session		
			Amount	Other (b)	Bill becomes law unless vetoed			Bill becomes law unless vetoed	Bill dies unless signed
Oklahoma.....	★	...	5 (mm)	15A (mm)		2/3 elected	90 days after adjournment unless specified in the bill.
Oregon.....	★	...	5	30A (s)		2/3 present	Jan. 1st of following year. (nn)
Pennsylvania.....	★	★	30	30A, 10P		Majority	60 days after signed by governor
Rhode Island.....	...	...	6	10P (oo)	(oo)	3/5 present	Immediately (pp)
South Carolina.....	★	...	5	(qq)		2/3 elected	Date of signature
South Dakota.....	★	...	5 (rr)	15P (rr)		2/3 elected	July 1
Tennessee.....	★	...	10	(ss)		Constitutional majority	40 days after enactment unless otherwise specified
Texas.....	★	...	10	20A		2/3 elected	90 days after adjournment
Utah.....	★	...	10P	20A		2/3 elected	60 days after adjournment of the session at which it passed.
Vermont.....	...	...	5		3A	2/3 present	July 1
Virginia.....	★	★ (tt)	7 (m)	30A (uu)		2/3 present (vv)	July 1 (ww)
Washington.....	★	★	5	20A		2/3 present	90 days after adjournment
West Virginia.....	...	(i)	5	15A (xx)		Majority elected	90 days after enactment
Wisconsin.....	★	...	6	6P		2/3 present	Day after publication date unless otherwise specified
Wyoming.....	★	★	3	15A		2/3 elected	Specified in act
American Samoa.....	★	...	10	30A		2/3 elected	60 days after adjournment (yy)
Guam.....	★	★	10	10P	30P (zz)	10 votes to override	Immediately (bbb)
No. Mariana Islands.....	★	...	40 (m)(aaa)			2/3 elected	Immediately
Puerto Rico.....	★	...	10	30P		2/3 elected	Specified in act
U.S. Virgin Islands.....	★ (ccc)	★ (ccc)	10	10P	30A	2/3 elected	Immediately

Source: The Council of State Governments' survey, January 2009.

Key:

★ — Yes

... — No

A — Days after adjournment of legislature.

P — Days after presentation to governor.

(a) Sundays excluded, unless otherwise indicated.

(b) Includes language in appropriations bill.

(c) Bill returned to house of origin with governor's objections.

(d) Effective date may be established by the law itself or may be otherwise changed by vote of the legislature. Special or emergency acts are usually effective immediately.

(e) The governor may line item distinct items or item veto amounts in appropriation bills, if returned prior to final adjournment.

(f) Except bills presented within five days of final adjournment, Sundays are included.

(g) Different number of votes required for revenue and appropriations bills. Alaska — 3/4 elected. Illinois — 3/5ths members elected to override any gubernatorial change except a reduction in an item, which a majority of the members elected to each house can restore to its original amount.

(h) Several specific requirements of 3/4 majority.

(i) Line item veto.

(j) For a bill to become law during session, if 12th day falls on a Saturday, Sunday, or holiday, the period is extended to the next day that is not a Saturday, Sunday, or holiday.

(k) For legislation enacted in regular sessions: January 1 of the following year. Urgency legislation: immediately upon chaptering by Secretary of State. Legislation enacted in Special Session: 91st day after adjournment of the special session at which the bill was passed.

(l) Must veto entire amount of any item; an item is an indivisible sum of money dedicated to a stated purpose.

(m) Sundays included.

(n) An act takes effect on the date stated in the act, or if no date is stated in the act, then upon signature of the governor. If no safety clause on a bill, the bill takes effect 90 days after sine die if no referendum petition has been filed. The state constitution allows for a 90 day period following adjournment when petitions may be filed for bills that do not contain a safety clause.

(o) Bill enacted if not signed /vetoed within time frames.

(p) The governor must notify the legislature 10 days before the 45th day of his intent to veto a measure on that day. The legislature may convene on the 45th day after adjournment to consider the vetoed measures. If the legislature fails to reconvene, the bill does not become law. If the legislature reconvenes, it may pass the measure over the governor's veto or it may amend the law to meet the governor's objections. If the law is amended, the governor must sign the bill within 10 days after it is presented to him in order for it to become law.

(q) Constitution withholds right to veto constitutional amendments.

(r) Governor can also reduce amounts in appropriations bills. In Hawaii, governor can reduce items in executive appropriations measures, but cannot reduce or item veto amounts appropriated for the judicial or legislative branches.

ENACTING LEGISLATION: VETO, VETO OVERRIDE AND EFFECTIVE DATE—Continued

(s) Except Sundays and legal holidays. In Hawaii, except Saturdays, Sundays, holidays and any days in which the legislature is in recess prior to its adjournment. In Oregon, if the governor does not sign the bill within 30 days after adjournment, it becomes law without the governor's signature, Saturdays and Sundays are excluded.

(t) Effective date for bills which become law on or after July 1. Illinois—Unless specified in the act. Exception: An act enacted by a bill passed after May 31 cannot take effect before June 1 of the following year unless it was passed by 3/5ths of the members elected to each house.

(u) Varies with date of the veto.

(v) "If the bill or resolution shall not be returned by the governor within 10 days (Sundays excepted) after it shall have been presented to the Governor, it shall have the same force and effect as if the Governor had signed it unless the Legislature by their adjournment prevent its return, in which case it shall have such force and effect, unless returned within 3 days after the next meeting of the same Legislature which enacted the bill or resolution; if there is no such next meeting of the Legislature which enacted the bill or resolution, the bill or resolution shall not be a law." (excerpted from Article IV, Part Third, Section 2 of the Constitution of Maine).

(w) The governor cannot veto the budget bill but may exercise a total veto or item veto on a supplementary appropriations bill. In practice this means the governor may strike items in the annual general capital loan bill. Occasionally the governor will also veto a bond bill or a portion of a bond bill.

(x) If a bill is presented to the governor in the first 83 days of session, the governor has only six days (not including Sunday) to act before the bill automatically becomes law.

(y) All bills passed at regular or special sessions must be presented to the governor no later than 20 days after adjournment. The governor has a limited time to sign or veto a bill after it is presented. If the governor does not act within that time, the bill becomes law automatically; there is no pocket veto. The time limit depends on when the presentation is made. Any bill presented in the last 7 days of the 90-day session or after adjournment must be acted on within 30 days after presentation. Bills vetoed after adjournment are returned to the legislature for reconsideration at the next meeting of the same General Assembly.

(z) The governor has a limited time to sign or veto a bill after it is presented. If the governor does not act within that time, the bill becomes law automatically; there is no pocket veto. The time limit depends on when the presentation is made.

(aa) Vetoed bills are returned to the house of origin immediately after that house has organized at the next regular or special session. When a new General Assembly is elected and sworn in, bills vetoed from the previous session are not returned. These vetoed bills are not subject to any further legislative action.

(bb) Unless otherwise provided, June 1 is the effective date for bond bills, July 1 for budget, tax and revenue bills. By custom October 1 is the usual effective date for other legislation. If the bill is an emergency measure, it may take effect immediately upon approval by the governor or at a specified date prior to June 1. For vetoed legislation, 30 days after the veto is overridden or on the date specified in the bill, whichever is later. An emergency bill passed over the governor's veto takes effect immediately.

(cc) Different date for fiscal legislation. Minnesota, Montana—July 1.

(dd) Bills vetoed after adjournment are returned to the legislature for reconsideration. Mississippi—returned within three days after the beginning of the next session.

(ee) If bill has an emergency clause, it becomes effective upon governor's signature.

(ff) 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 years. 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.

(gg) The day of delivery and Sundays are not counted for purposes of calculating these periods.

(hh) Except bills going up in the last three days of session, for which the governor has 20 days.

(ii) If the legislature adjourns during the governor's consideration of a 10-day bill, the bill shall not become law without the governor's approval.

(jj) August 1 after filing with the secretary of state. Appropriations and tax bills July 1 after filing with secretary of state, or date set in legislation by Legislative Assembly, or by date established by emergency clause.

(kk) The exception covers such matters as emergency measures and court bills that originally required a 2/3 majority for passage. In those cases, the same extraordinary majority vote is required to override a veto.

(ll) Emergency, current appropriation, and tax legislation effective immediately. The General Assembly may also enact an uncodified section of law specifying a desired effective date that is after the constitutionally established effective date.

(mm) During session the governor has 5 days (except Sunday) to sign or veto a bill or it becomes law automatically. After Session a bill becomes a pocket veto if not signed 15 days after sine die.

(nn) Unless emergency declared or date specific in text of measure.

(oo) Bills become effective without signature if not signed or vetoed.

(pp) Date signed, date received by Secretary of State if effective without signature, date that veto is overridden, or other specified date.

(qq) Two days after the next meeting.

(rr) During a session, a bill becomes law if a governor signs it or does not act on it within five days. If the legislature has adjourned or recessed or is within 5 days of a recess or an adjournment, the governor has 15 days to act on the bill. If he does not act the bill becomes law.

(ss) Adjournment of the legislature is irrelevant; the governor has 10 days to act on a bill after it is presented to him or it becomes law without his signature.

(tt) If part of the item.

(uu) The governor has thirty days after adjournment of the legislature to act on any bills. The Constitution of Virginia provides that: "If the governor does not act on any bill, it shall become law without his signature."

(vv) Must include majority of elected members.

(ww) Unless a different date is stated in the bill. Special sessions—first day of fourth month after adjournment.

(xx) Five days for supplemental appropriation bills.

(yy) Laws required to be approved only by the governor. An act required to be approved by the U.S. Secretary of the Interior only after it is vetoed by the governor and so approved takes effect 40 days after it is returned to the governor by the secretary.

(zz) After Legislature adjourns sine die at end of two-year term.

(aaa) Twenty days for appropriations bills.

(bbb) U.S. Congress may annul.

(ccc) May item veto language or amounts in a bill that contains two or more appropriations.