

How a Bill Becomes Law

Definitions: Here are some terms that you should know to understand the how a bill becomes law:

Speaker of the House: The leader of the House of Representatives. This person does NOT have to be of the majority party, but because members determine who holds this position, it nearly always is.

Majority Leader: The leader of the party holding the majority of seats in Congress.

Minority Leader: The leader of the party holding the minority of seats in Congress.

Rules Committee: A committee unique to the House of Representatives that is responsible for assigning each bill introduced in the House a “rule” determining how much debate will be allowed on the measure.

Motion to Suspend the Rules: When 2/3 of voting members in the House of Representatives vote to override the rule attached to a bill, or to allow it to be brought to the House floor without a rule.

Quorum: The number of members who must be present in order for the House, Senate, or their committees to do business.

Cloture: A procedure in the Senate that allows the Majority leader to stop all debate on a bill. This requires 2/3 of the Senate to approve.

Riders: A legislative amendment or measure attached to a bill that is non-related. This can happen in the Senate because amendments are not required to be germane (related) to the measure being debated or voted on.

Filibuster: A procedure unique to the Senate that allows any Senator to speak on a bill for as long as they would like, as long as they continue without stopping or sitting down. This is used to halt debate or block measures from being voted on.

Conference Committee: A committee called with a set number of members from the House and Senate that are tasked with reconciling differences between different versions of legislation passed by each chamber. The conference committee is usually composed of the senior Members of the standing committees of each House that originally considered the legislation. Each house determines the number of conferees from its house. The number of conferees need not be equal from the two houses of Congress. In order to conclude its business, a majority of both House and Senate delegations to the conference must sign the conference report.

Introducing the Bill and Referral to a Committee

Any member of Congress may introduce legislation. Each bill that is introduced by a member of Congress is assigned a number - H.R. # for bills originating in the House of Representatives and S. # for bills originating in the Senate. After a bill has been introduced and assigned a number, it is referred to the committee, which has jurisdiction over the issue. For example, an education bill would be referred to the U.S. House Committee on Education and the Workforce or the U.S. Senate Committee on Health Education Labor and Pensions.

Committee Action

After the bill has been referred to the appropriate committee, the chairman of the committee will decide whether or not to hold a hearing or a “mark- up” on the bill. If there is a hearing, members of the committee gather information about the bill and its effects from a number of people who are knowledgeable about the issue and invite individuals to provide expert testimony during the hearing. If there is a mark-up, members of the committee will make changes (called amendments) to the original text of the bill. After the mark-up is complete, the committee will vote the bill out.

Floor Debate and Votes

In the House of Representatives, the Speaker of the House determines if and when a bill will come before the full body for a vote. In the Senate, this is the function of the majority leader. Each chamber of the legislative branch has a different process for voting on and amending bills after they are introduced.

- In the House, the Rules Committee sets the time allotted for debate and rules for offering amendments (in the House, all amendments offered must be relevant to the bill). After proponents and opponents debate a bill, the bill is reported back to the House for a vote. A quorum must be present (218 Representatives) to have a final vote. If a quorum is not present, the Sergeant at Arms is sent out to round up missing members. For non-controversial bills, the Speaker of the House may make a motion to suspend the rules and pass the bill.

- In the Senate, there are no time restrictions for debate, unless cloture is invoked. Senators can offer amendments, even if amendments are not relevant to the bill, such as riders. Bills pass the Senate by a majority vote or unanimous consent. Senators can obstruct passage of a bill by prolonging the debate called a filibuster or by placing a hold on the bill. A majority of non-controversial bills passed by the Senate are “hotlined,” meaning they pass without an actual voice or recorded vote, but by unanimous consent, without any debate or amendments. “Holds” are placed when a Senator wants to object to a unanimous consent request or to simply review and negotiate changes to the bill.

Referral to the Other Chamber

After a bill has been passed by one chamber of Congress; it is then referred to the other chamber. Upon receiving a referred bill, the second chamber may consider the bill as it was received, reject it, or amend it.

Conference on a Bill

If the House and Senate versions of a bill vary after passing both chambers, a conference committee is created to reconcile the two different versions of the bill. If no agreement can be reached, the bill dies. If the conference committee is able to come to a consensus, both the House and Senate must pass the new version of the bill. If either house does not pass this version, the bill dies. Often, the House and the Senate committees of jurisdiction will negotiate provision of non-controversial bills to avoid conference.

Action by the President

After the final version of the bill is passed in both chambers of Congress, it is sent to the president to be signed into law. If the president does not agree with the bill, they may veto it. The president may also “pocket-veto” a bill by taking no action on it for ten days after Congress has adjourned. If the president vetoes a bill, Congress may override it by a two-thirds roll call vote. If they succeed, the bill becomes a law.



PTA National Headquarters

1250 N. Pitt St.
Alexandria, VA 22314
Toll-Free: (800) 307-4PTA (4782)
Fax: (703) 836-0942
E-mail: govtaffairs@pta.org
PTA.org