How a Bill Becomes a Law

New Legislative Staff Training

Ohio Legislative Service Commission

About This Course

- In this course, you will learn the process through which a bill is enacted and becomes law in Ohio.
- If your employer is tracking your course completion, be sure to click on the course completion link at the end of the course.
- Additional reference:
  - *A Guidebook for Ohio Legislators* – Chapter 5: Enacting Legislation (PDF)

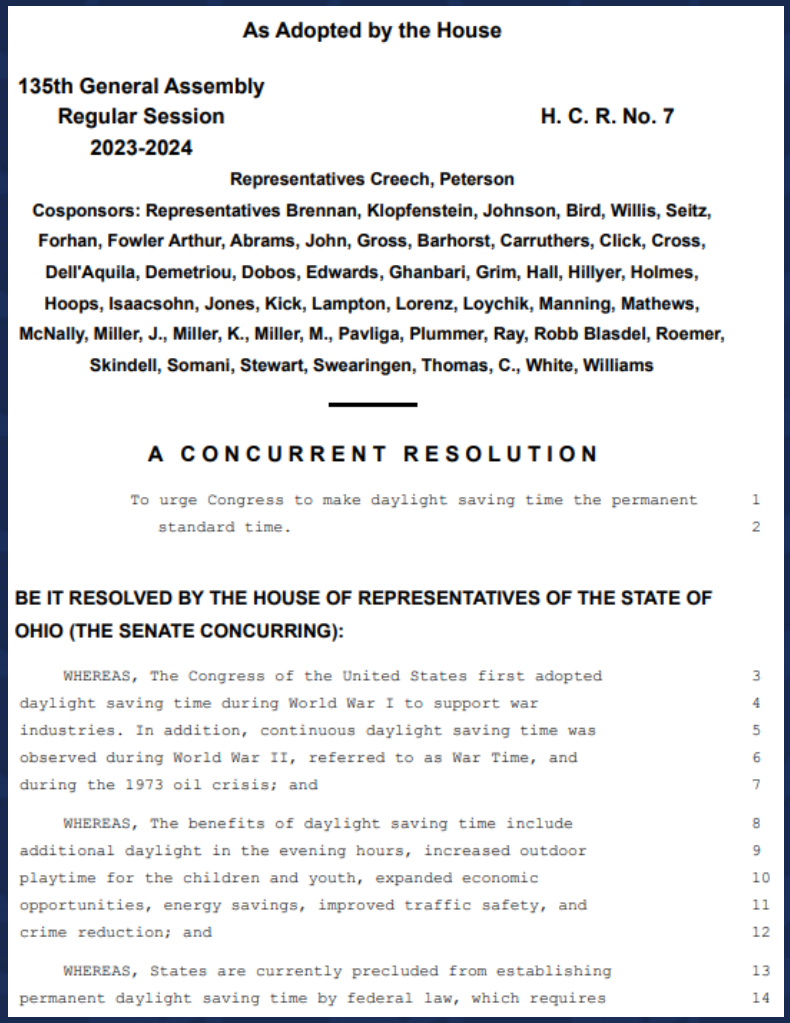
What is a Bill?

- A bill is a formal, written legal document introduced by a member of the General Assembly to change the law.
- The term "bill" refers to the document from the time it is drafted and delivered to the member until it is considered and passed by both the House and the Senate.
- After being enacted (passed) by the General Assembly, the bill becomes an "act."

RESOLUTIONS

The General Assembly also considers and votes on resolutions.

- Simple resolution – H.R. or S.R.
  - Voted on by only one house
- Concurrent resolution – H.C.R. or S.C.R.
  - Voted on by both houses
- Joint resolution – H.J.R. or S.J.R.
  - Voted on by both houses
  - Joint resolutions are only used for certain purposes



As Adopted by the House

135th General Assembly
Regular Session
2023-2024

H. C. R. No. 7

Representatives Creech, Peterson

Cosponsors: Representatives Brennan, Klopfenstein, Johnson, Bird, Willis, Seitz, Forhan, Fowler Arthur, Abrams, John, Gross, Barhorst, Carruthers, Click, Cross, Dell'Aquila, Demetriou, Dobos, Edwards, Ghanbari, Grim, Hall, Hillyer, Holmes, Hoops, Isaacsohn, Jones, Kick, Lampton, Lorenz, Loychik, Manning, Mathews, McNally, Miller, J., Miller, K., Miller, M., Pavliga, Plummer, Ray, Robb Blasdel, Roemer, Skindell, Somani, Stewart, Swearingen, Thomas, C., White, Williams

A CONCURRENT RESOLUTION

To urge Congress to make daylight saving time the permanent standard time.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF OHIO (THE SENATE CONCURRING):

WHEREAS, The Congress of the United States first adopted daylight saving time during World War I to support war industries. In addition, continuous daylight saving time was observed during World War II, referred to as War Time, and during the 1973 oil crisis; and

WHEREAS, The benefits of daylight saving time include additional daylight in the evening hours, increased outdoor playtime for the children and youth, expanded economic opportunities, energy savings, improved traffic safety, and crime reduction; and

WHEREAS, States are currently precluded from establishing permanent daylight saving time by federal law, which requires

Bills vs Resolutions

A bill:

- Creates or changes Ohio's laws;
- Is subject to the Governor's approval or veto; and
- Is subject to the referendum, unless an exception applies.

The General Assembly may make laws only by bill, not by resolution. (Ohio Constitution, Article II, Section 15)

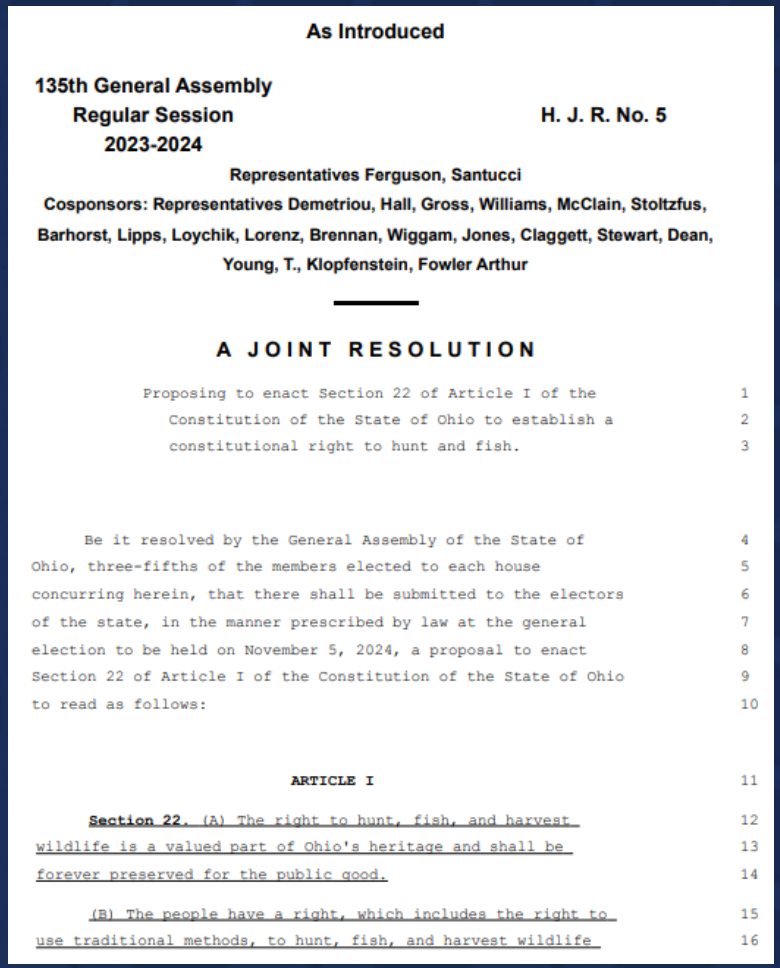
A resolution:

- Typically, expresses the General Assembly's opinion about a matter or adopts internal legislative rules or procedures;
- Is not subject to the Governor's approval or veto; and
- Is not subject to the referendum.

Special procedures apply regarding joint resolutions.

JOINT RESOLUTIONS

- Joint resolutions are used:
  - To propose an amendment to the Ohio Constitution, subject to the approval of the voters;
  - To call for a federal constitutional convention;
  - To ratify proposed amendments to the U.S. Constitution; and
  - When otherwise required by custom or a statute.
- A joint resolution must be approved by both houses and filed with the Secretary of State.



As Introduced

135th General Assembly
Regular Session
2023-2024

H. J. R. No. 5

Representatives Ferguson, Santucci

Cosponsors: Representatives Demetriou, Hall, Gross, Williams, McClain, Stoltzfus, Barhorst, Lipps, Loychik, Lorenz, Brennan, Wiggam, Jones, Claggett, Stewart, Dean, Young, T., Klopfenstein, Fowler Arthur

A JOINT RESOLUTION

Proposing to enact Section 22 of Article I of the Constitution of the State of Ohio to establish a constitutional right to hunt and fish.

Be it resolved by the General Assembly of the State of Ohio, three-fifths of the members elected to each house concurring herein, that there shall be submitted to the electors of the state, in the manner prescribed by law at the general election to be held on November 5, 2024, a proposal to enact Section 22 of Article I of the Constitution of the State of Ohio to read as follows:

ARTICLE I

Section 22. (A) The right to hunt, fish, and harvest wildlife is a valued part of Ohio's heritage and shall be forever preserved for the public good.

(B) The people have a right, which includes the right to use traditional methods, to hunt, fish, and harvest wildlife

Enacting a Bill - The Basics

- The Ohio Constitution requires three separate considerations of a bill in each house of the General Assembly.
- A bill is enacted only after both the House and Senate have passed and agreed on identical versions of the bill.
- Bills not enacted by the end of a General Assembly die.

Three Considerations

Each of these steps must occur in each house:

- First consideration
  - The bill is introduced during session and the Clerk reads the bill's title.
- Second consideration
  - The Rules and Reference Committee refers the bill to a standing committee.
  - If the standing committee recommends the bill's passage, the Rules and Reference Committee schedules the bill for floor debate and a vote by placing the bill on the Calendar.
- Third consideration
  - The bill is heard and debated during a floor session.

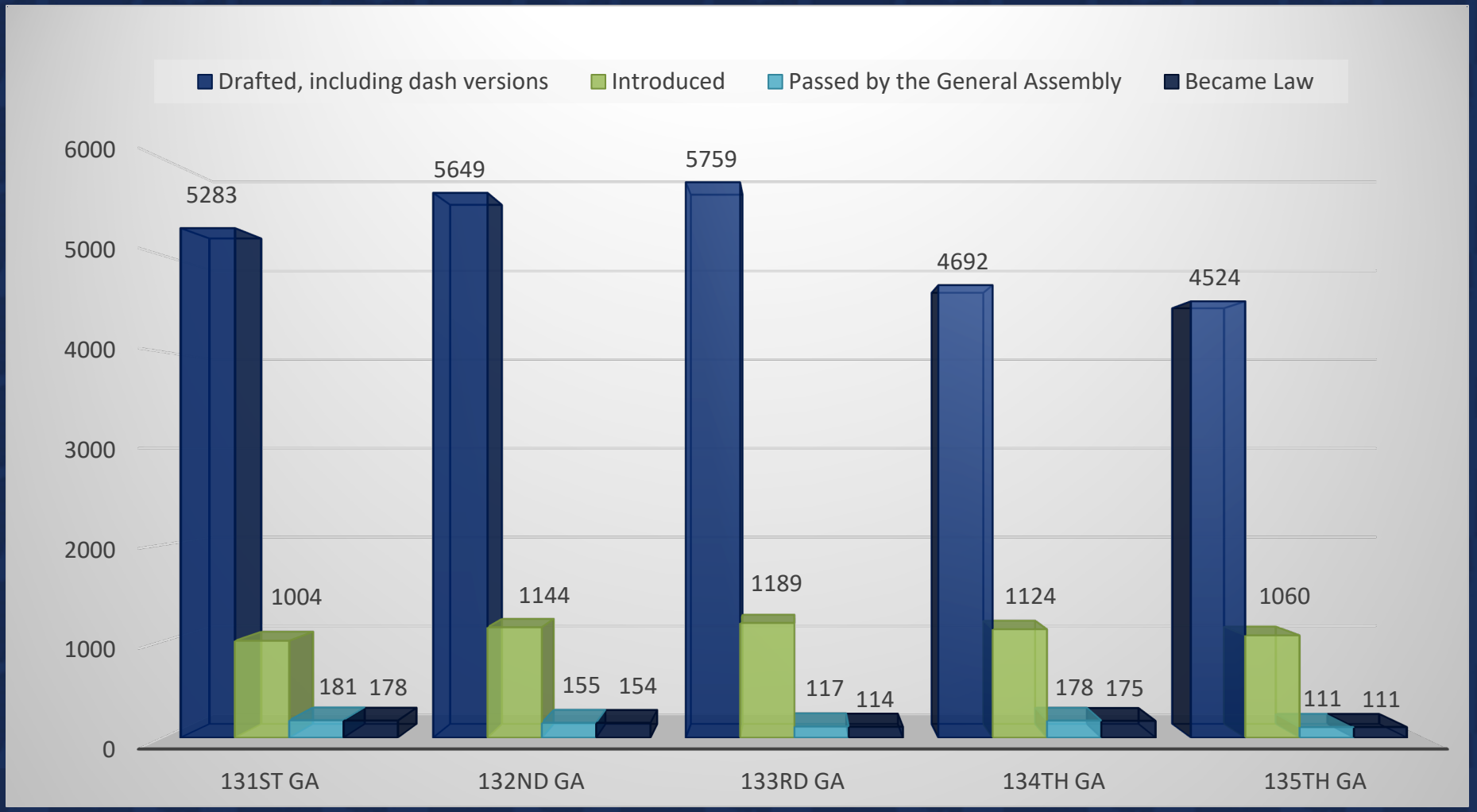
Drafting a Bill for Introduction

- When a legislator becomes aware of the need for legislation, the legislator or the legislator's staff asks LSC to draft a bill.
- Only members of the General Assembly or their staff may submit bill draft requests to LSC.
- LSC drafts the bill and returns it to the legislator for possible introduction. The legislator is not obligated to introduce the bill.
- For more information about requesting and receiving drafts from LSC, see Course 1, LSC and the Services it Provides.
- For more information about the bill drafting process, see Course 8, How to Read a Bill.

Odds of Enactment

- Many of the bills LSC drafts during a General Assembly are never introduced.
- Most bills that are introduced complete only a few of the steps required for enactment, and do not become law.
- The following slide shows the historical odds that a bill draft will make it through the entire process and become a law.

Bills Drafted, Introduced, and Enacted



First Consideration

- A bill has its first consideration when all of the following occur:
  - The bill is filed with the Clerk's office for introduction.
  - The Clerk gives the bill a number.
  - The Clerk reads the bill's title during floor session.
- Bill numbers are assigned by the Clerk consecutively in the order in which bills are introduced. A bill keeps its assigned number throughout that General Assembly.

Second Consideration

The Rules and Reference Committee reviews the bill and reports it back to the full House or Senate, recommending that the bill be assigned to a standing committee.

Referral Report

January 9, 2024

Representative Russo reported for the Rules and Reference committee recommending that the following House Bills and Senate Bills be considered for the second time and referred to the following committees for consideration:

H. B. No. 360 – Representatives Seitz, Brennan
To designate August 24th as "Ukraine Independence Day" in Ohio.
To the committee on Government Oversight

H. B. No. 361 – Representatives Abrams, Santucci
To expand eligibility for a 40-hour teaching permit.
To the committee on Primary and Secondary Education

H. B. No. 362 – Representatives Baker, Robb Blasdel
To revise the law governing the practice of certified registered nurse anesthetists.
To the committee on Health Provider Services

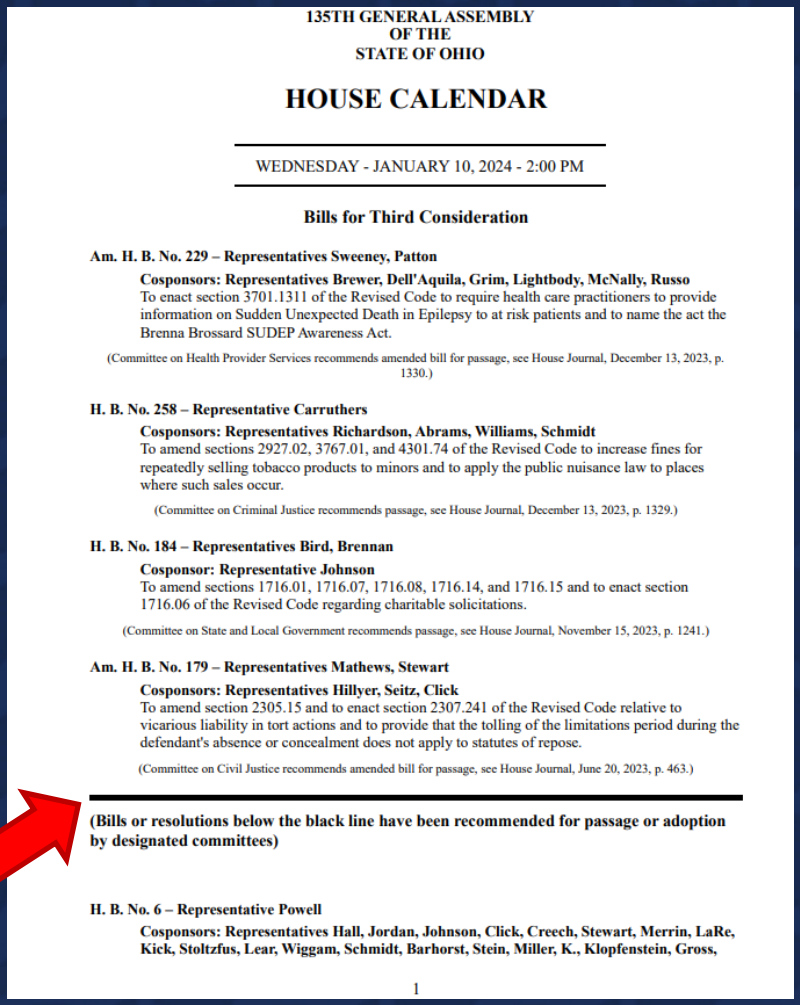
Possible Committee Action

- Committee action occurs between the second and third considerations.
- A committee may do one or more of the following:
  - Hold public hearings (meetings) regarding the bill
  - Refer the bill to a subcommittee
  - Consider and adopt amendments to the bill
  - Consider and adopt a substitute bill
  - Take no action (the bill dies)
  - Vote to report the bill and recommend that the full house pass the bill
- For more details, see Course 6, The Committee System.



Possible Placement on the Calendar

- After the bill is reported by a committee, it is sent to the Rules and Reference Committee, which decides whether to place it on the Calendar on a particular day for floor debate and a vote.
- On the Calendar, the bills that are scheduled for a vote that day appear **above the black line**. Bills below that line are not yet scheduled for a vote.



135TH GENERAL ASSEMBLY
OF THE
STATE OF OHIO

HOUSE CALENDAR

WEDNESDAY - JANUARY 10, 2024 - 2:00 PM

Bills for Third Consideration

Am. H. B. No. 229 – Representatives Sweeney, Patton
Cosponsors: Representatives Brewer, Dell'Aquila, Grim, Lightbody, McNally, Russo
To enact section 3701.1311 of the Revised Code to require health care practitioners to provide information on Sudden Unexpected Death in Epilepsy to at risk patients and to name the act the Brenna Brossard SUDEP Awareness Act.

(Committee on Health Provider Services recommends amended bill for passage, see House Journal, December 13, 2023, p. 1330.)

H. B. No. 258 – Representative Carruthers
Cosponsors: Representatives Richardson, Abrams, Williams, Schmidt
To amend sections 2927.02, 3767.01, and 4301.74 of the Revised Code to increase fines for repeatedly selling tobacco products to minors and to apply the public nuisance law to places where such sales occur.

(Committee on Criminal Justice recommends passage, see House Journal, December 13, 2023, p. 1329.)

H. B. No. 184 – Representatives Bird, Brennan
Cosponsor: Representative Johnson
To amend sections 1716.01, 1716.07, 1716.08, 1716.14, and 1716.15 and to enact section 1716.06 of the Revised Code regarding charitable solicitations.

(Committee on State and Local Government recommends passage, see House Journal, November 15, 2023, p. 1241.)

Am. H. B. No. 179 – Representatives Mathews, Stewart
Cosponsors: Representatives Hillyer, Seitz, Click
To amend section 2305.15 and to enact section 2307.241 of the Revised Code relative to vicarious liability in tort actions and to provide that the tolling of the limitations period during the defendant's absence or concealment does not apply to statutes of repose.

(Committee on Civil Justice recommends amended bill for passage, see House Journal, June 20, 2023, p. 463.)

(Bills or resolutions below the black line have been recommended for passage or adoption by designated committees)

H. B. No. 6 – Representative Powell
Cosponsors: Representatives Hall, Jordan, Johnson, Click, Creech, Stewart, Merrin, LaRe, Kick, Stoltzfus, Lear, Wiggam, Schmidt, Barhorst, Stein, Miller, K., Klopfenstein, Gross,

1

Third Consideration – Floor Action

The members of the full House or Senate may do any of the following when a bill is heard on the floor:

- Debate the bill
- Offer and adopt amendments to the bill
- Lay the bill or an amendment on the table, meaning no further action will occur on it
- Refer the bill back to committee
- Informally pass the bill, which delays the vote on the bill
- Vote on the bill
- Reconsider the bill

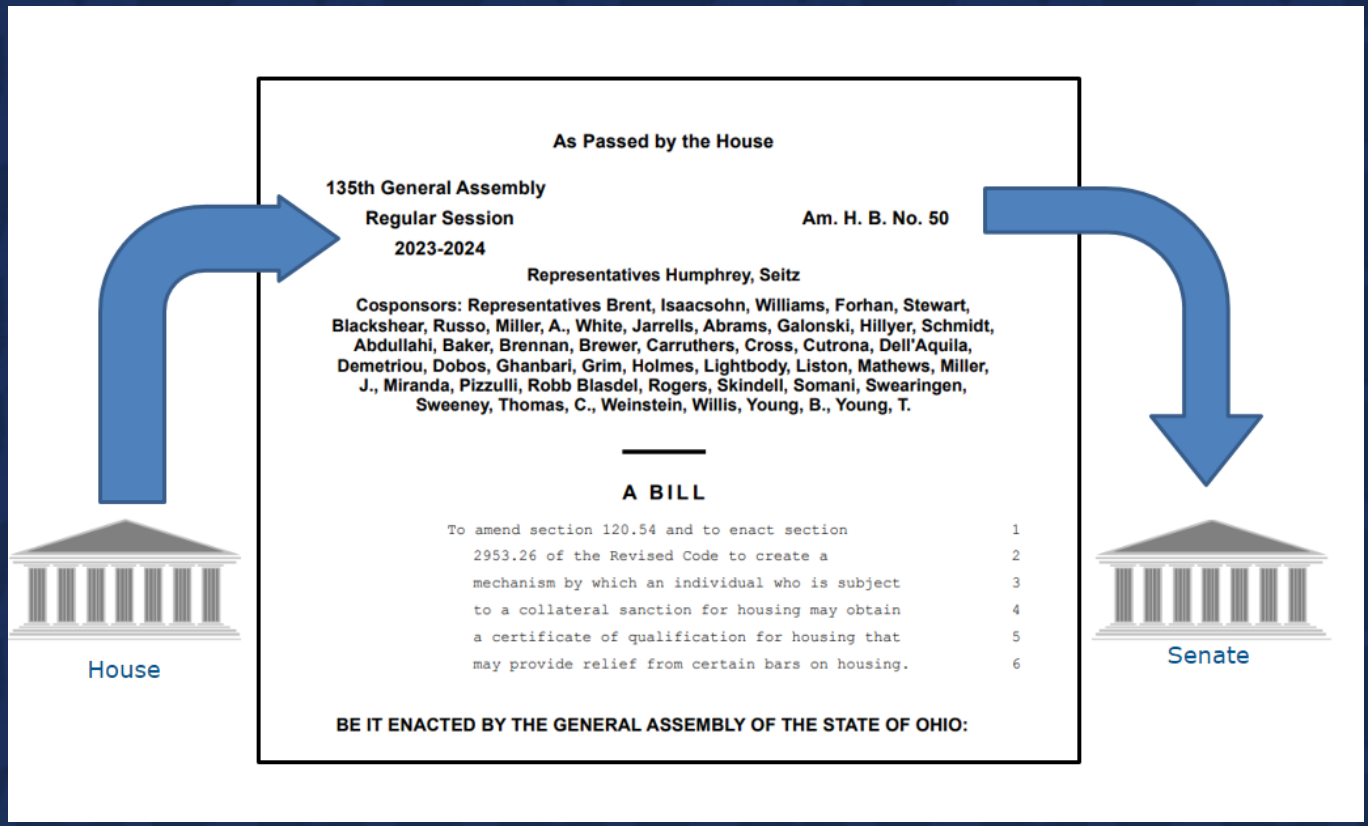
Votes Needed to Pass a Bill

- In general, a bill must pass by a simple majority vote.
- A bill with an emergency clause requires a 2/3 majority vote.
- A joint resolution proposing an amendment to the Ohio Constitution requires a 3/5 majority vote to place the proposal on the ballot.

	Simple majority	3/5 majority	2/3 majority
House	50	60	66
Senate	17	20	22

On to the Next Chamber

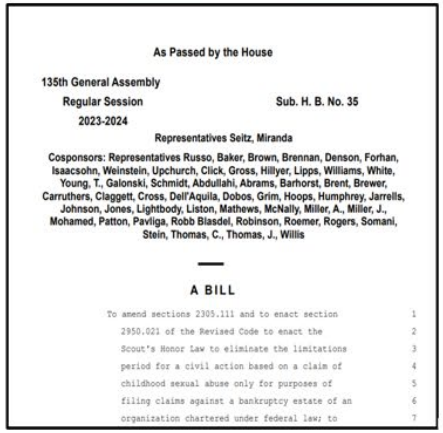
If the bill passes, it is sent to the other house, where the process is repeated.



Second Chamber

A bill that is in the second house must be considered three times, too!

- Introduction
- Assignment to standing committee
- Debate and floor vote



As Passed by the House

135th General Assembly

Regular Session 2023-2024

Sub. H. B. No. 35

Representatives Seitz, Miranda

Cosponsors: Representatives Russo, Baker, Brown, Brennan, Denson, Forhan, Isaacsohn, Weinstein, Upchurch, Click, Gross, Hillyer, Lipps, Williams, White, Young, T., Galonski, Schmidt, Abdullahi, Abrams, Barhorst, Brent, Brewer, Carruthers, Claggett, Cross, Dell'Aquila, Dobos, Grim, Hoops, Humphrey, Jarrells, Johnson, Jones, Lightbody, Liston, Mathews, McNally, Miller, A., Miller, J., Mohamed, Patton, Pavliga, Robb Blasdel, Robinson, Roemer, Rogers, Somani, Stein, Thomas, C., Thomas, J., Willis

A BILL

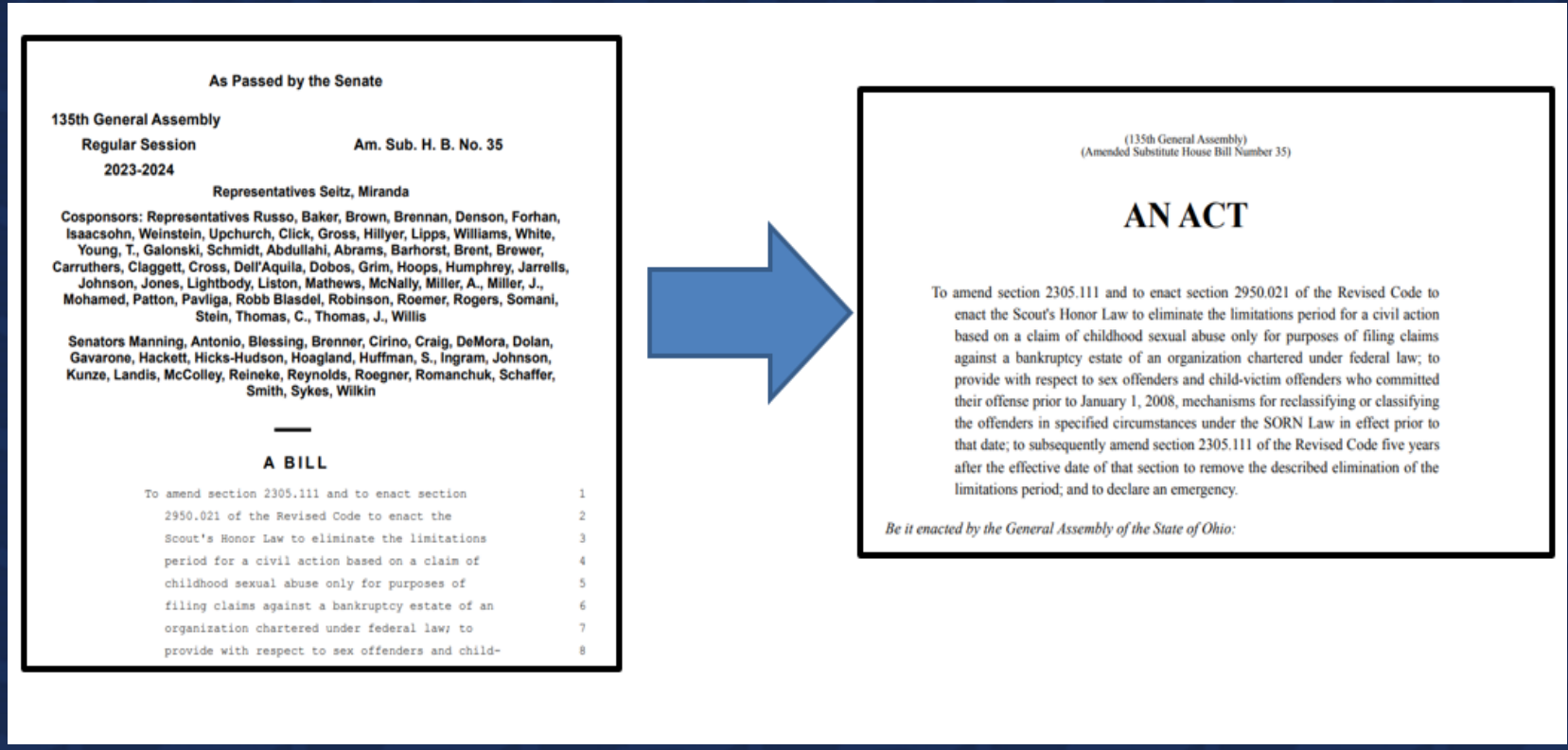
To amend sections 2305.111 and to enact section 2950.021 of the Revised Code to enact the Scout's Honor Law to eliminate the limitations period for a civil action based on a claim of childhood sexual abuse only for purposes of filing claims against a bankruptcy estate of an organization chartered under federal law; to





No Changes in the Second Chamber

If the second house passes the bill with no changes, the bill is enrolled (printed as an act).



As Passed by the Senate

135th General Assembly

Regular Session 2023-2024

Am. Sub. H. B. No. 35

Representatives Seitz, Miranda

Cosponsors: Representatives Russo, Baker, Brown, Brennan, Denson, Forhan, Isaacsohn, Weinstein, Upchurch, Click, Gross, Hillyer, Lipps, Williams, White, Young, T., Galonski, Schmidt, Abdullahi, Abrams, Barhorst, Brent, Brewer, Carruthers, Claggett, Cross, Dell'Aquila, Dobos, Grim, Hoops, Humphrey, Jarrells, Johnson, Jones, Lightbody, Liston, Mathews, McNally, Miller, A., Miller, J., Mohamed, Patton, Pavliga, Robb Blasdel, Robinson, Roemer, Rogers, Somani, Stein, Thomas, C., Thomas, J., Willis

Senators Manning, Antonio, Blessing, Brenner, Cirino, Craig, DeMora, Dolan, Gavarone, Hackett, Hicks-Hudson, Hoagland, Huffman, S., Ingram, Johnson, Kunze, Landis, McColley, Reineke, Reynolds, Roegner, Romanchuk, Schaffer, Smith, Sykes, Wilkin

A BILL

To amend section 2305.111 and to enact section 2950.021 of the Revised Code to enact the Scout's Honor Law to eliminate the limitations period for a civil action based on a claim of childhood sexual abuse only for purposes of filing claims against a bankruptcy estate of an organization chartered under federal law; to provide with respect to sex offenders and child-

(135th General Assembly)
(Amended Substitute House Bill Number 35)

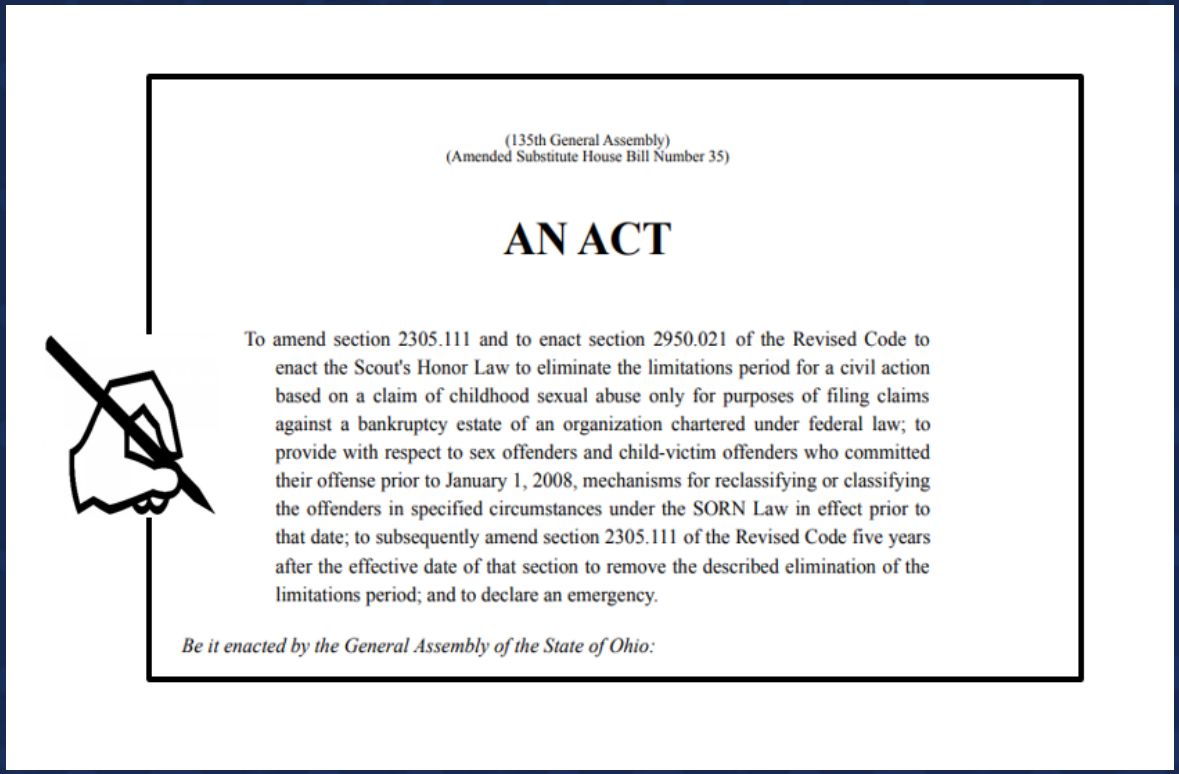
AN ACT

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Be it enacted by the General Assembly of the State of Ohio:

Next Step To Becoming Law

The bill then goes to the presiding officers of the House and Senate for signatures.



(135th General Assembly)
(Amended Substitute House Bill Number 35)

AN ACT

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Be it enacted by the General Assembly of the State of Ohio:

Changes made by the Second House

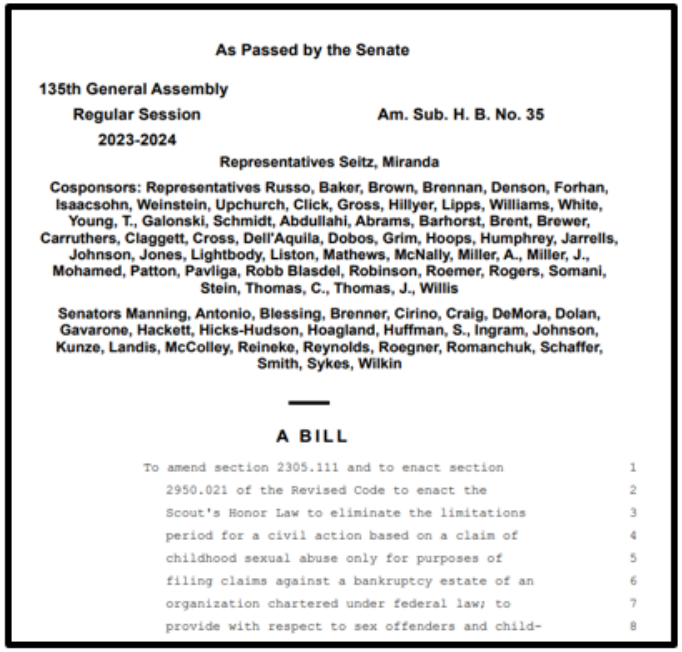
- If the second house passes the bill with amendments, it must ask the first house to agree to those changes.
- If the first house concurs in the amendments made by the second house, the bill is enrolled and goes to the presiding officers for signatures.
- If the first house does not concur in the amendments made by the second house, the bill dies unless a conference committee is appointed.

Conference Committee

- A conference committee generally consists of **three** members from each house (appointed by the Speaker and the President).
- The committee works to adopt a compromise between the first house's version of the bill and the second house's version of the bill.
- If the committee reaches a compromise, it reports back to both houses in the form of a conference committee report.
- Each house must vote on whether to agree to the report. This is an up or down vote – no changes may be considered at this point.
- If the report is accepted, the bill is enrolled and goes to the presiding officers for signatures.
- If it is not accepted, the bill dies unless a new conference committee is appointed.

Once Agreement is Reached

When both houses agree to the same version of the bill, the bill is enrolled (printed as an act).



As Passed by the Senate

135th General Assembly
Regular Session 2023-2024

Am. Sub. H. B. No. 35

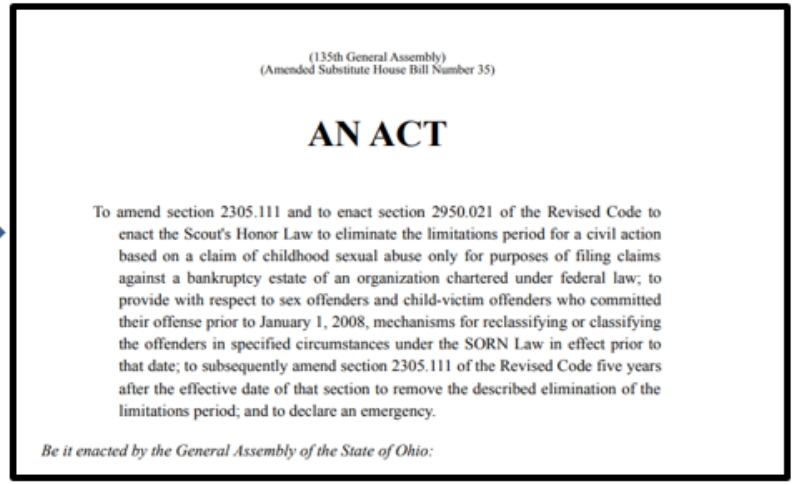
Representatives Seitz, Miranda

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A BILL

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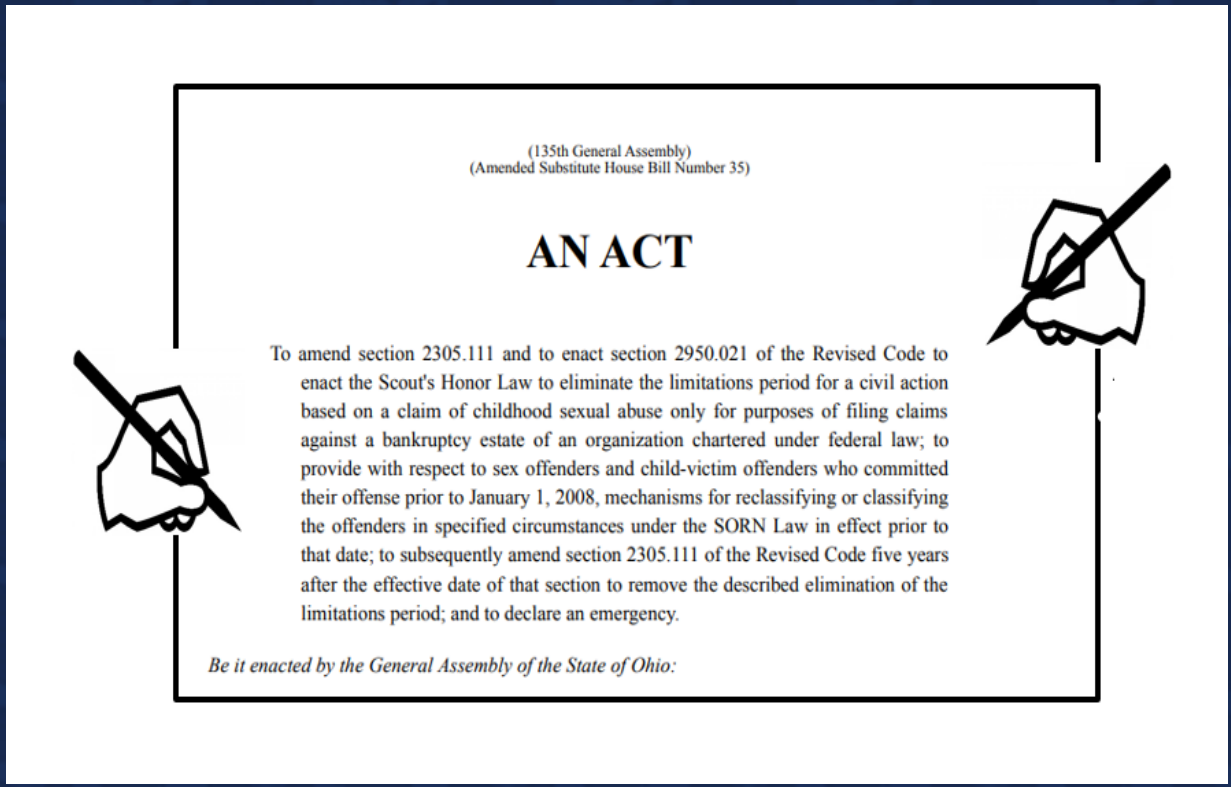
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Be it enacted by the General Assembly of the State of Ohio:

AND THEN…

. . . and signed by the Speaker of the House and the President of the Senate.



(135th General Assembly)
(Amended Substitute House Bill Number 35)

AN ACT

To amend section 2305.111 and to enact section 2950.021 of the Revised Code to enact the Scout's Honor Law to eliminate the limitations period for a civil action based on a claim of childhood sexual abuse only for purposes of filing claims against a bankruptcy estate of an organization chartered under federal law; to provide with respect to sex offenders and child-victim offenders who committed their offense prior to January 1, 2008, mechanisms for reclassifying or classifying the offenders in specified circumstances under the SORN Law in effect prior to that date; to subsequently amend section 2305.111 of the Revised Code five years after the effective date of that section to remove the described elimination of the limitations period; and to declare an emergency.

Be it enacted by the General Assembly of the State of Ohio:

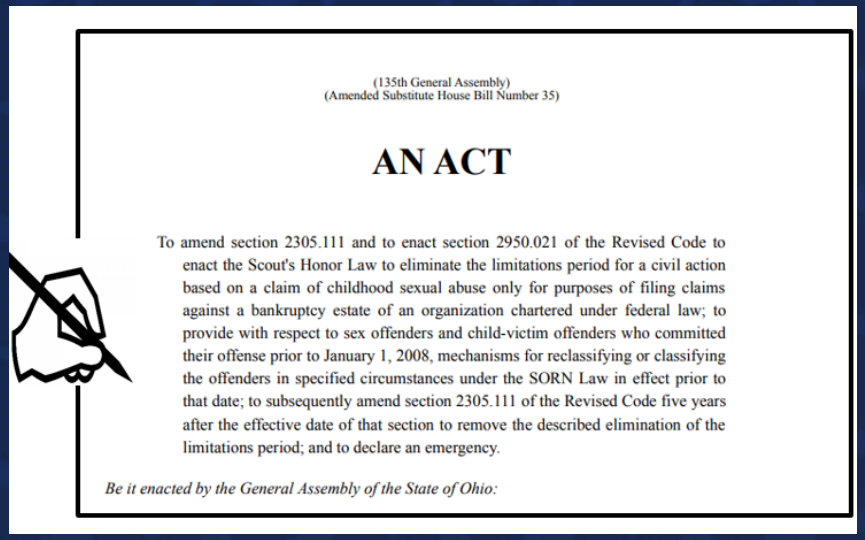
Governor's Action

- Each act passed by the General Assembly must be presented to the Governor for approval before it becomes law.
- The Governor may do one of three things:
  - Sign the act;
  - Take no action and allow it to become law without signing it; or
  - Veto the act.



If the Governor Takes Action...

- If the Governor **signs** the act, it becomes law upon the Governor's signature and is filed with the Secretary of State.
- However, the law **takes effect** on its effective date.



(135th General Assembly)
(Amended Substitute House Bill Number 35)

AN ACT

To amend section 2305.111 and to enact section 2950.021 of the Revised Code to enact the Scout's Honor Law to eliminate the limitations period for a civil action based on a claim of childhood sexual abuse only for purposes of filing claims against a bankruptcy estate of an organization chartered under federal law; to provide with respect to sex offenders and child-victim offenders who committed their offense prior to January 1, 2008, mechanisms for reclassifying or classifying the offenders in specified circumstances under the SORN Law in effect prior to that date; to subsequently amend section 2305.111 of the Revised Code five years after the effective date of that section to remove the described elimination of the limitations period; and to declare an emergency.

Be it enacted by the General Assembly of the State of Ohio:

If the Governor Does Not Take Action…

- If the Governor **takes no action**, the act becomes law ten days after the Governor receives the act, excluding Sundays, and is filed with the Secretary of State. The law takes effect on its effective date.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2	3	4
5	6	7	8	9	10	11

If the Governor Vetoes the Act…

- If the Governor vetoes the act, it does not become law unless members of both houses vote to override the veto by a 3/5 vote (20 senators, 60 representatives).



Effective Dates

- A law usually takes effect on the 91st day after filing with the Secretary of State in order to give the people time to circulate a referendum petition. (See Course 4, Legislative Branch Functions.)
- However, under the Ohio Constitution, certain laws take effect immediately and are not subject to the referendum:
  - Laws providing for tax levies;
  - Appropriations for the current expenses of state government and state institutions; and
  - Emergency laws necessary for the immediate preservation of the public peace, health, or safety.
- In addition, some acts have a delayed effective date.

Time for a pop quiz!

Question 1

True or false?

Most bills that are drafted eventually become law.

Question 1 – Answer

False.

Many bills that are drafted are never introduced. And, in recent sessions, approximately 25% or fewer of the bills that were introduced became law.

Question 2

True or false?

A bill must be heard in committee three times before it can be considered on the floor.

Question 2 – Answer

False.

A bill must have three considerations in each house, but it does not have to be heard three times in committee. Committees may schedule a bill for meetings to hear sponsor testimony, proponent testimony, and opponent testimony, but all of the testimony may be heard at one, two, or several meetings.

Question 3

True or false?

A bill's introduction is its "first consideration."

Question 3 – Answer

True.

Introduction is the first consideration of a bill, as required by the Ohio Constitution.

Question 4

True or False?

The clerk assigns a bill its official number.

Question 4 – Answer

True

The Clerk of the House or Senate assigns official numbers to bills in the order in which the bills are presented to the Clerk for introduction.

Question 5

What entity or entities assign a bill to a standing committee?

1. House Clerk
2. Senate Clerk
3. House Rules and Reference Committee
4. Senate Rules and Reference Committee
5. House Clerk and Senate Clerk
6. House Rules and Reference Committee and Senate Rules and Reference Committee
7. All of the above

Question 5 – Answer

#6 is the correct answer

The House Rules and Reference Committee and the Senate Rules and Reference Committee.

These committees assign bills to standing committees where the bills receive public hearings.

Question 6

A bill must pass by a ____ vote unless it meets the criteria for an exception.

1. 3/5
2. Simple majority
3. 2/3
4. Super majority

Question 6 – Answer

#2 is the correct answer.

Simple majority

A bill must pass by a simple majority vote (the next whole number over one half) unless it is an emergency measure, which requires a 2/3 majority vote.

Question 7

True or false?

A conference committee is composed of two members from each house.

Question 7 – Answer

False

The Speaker of the House and the President of the Senate each appoint three members to a conference committee.

Question 8

True or false?

Conference committee reports must be accepted by the full House and Senate in an “up or down” vote.

Question 8– Answer

True

Conference committee reports that are up for a floor vote cannot be amended. If not agreed on, the bill's house of origin may request that another conference committee be appointed.

Question 9

True or False?

If the Governor takes no action on a bill enacted by the General Assembly, it does not become law.

Question 9 – Answer

False

If the Governor takes no action, the act becomes law ten days after the Governor receives the act, excluding Sundays, and is filed with the Secretary of State.

Question 10

True or False?

To override the Governor's veto, each house of the General Assembly must vote to do so by a 2/3 majority vote.

Question 10 – Answer

False

A 3/5 majority vote is required to override the Governor's veto.

Thank you for completing this course.

- Report your completion of this course
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