

THE LEGISLATIVE PROCESS

The legislative process, the mechanism through which the laws of Maryland are passed, is dynamic and complex. One hundred and eighty-eight individuals are elected every four years to serve in the State's legislative branch to pass laws that protect the interest of Marylanders.

Legislation introduced in the General Assembly is a legislator's response to the needs or desires of their constituency. In Maryland, an idea or concept must pass through many processes before it can become law. Constituents must approach their legislators to introduce a bill. If the legislator agrees to sponsor the legislation, the bill is drafted by the Department of Legislative Services, reviewed by the legislator, and prepared for introduction.

First Reading: When the session convenes each day, the Reading Clerk reads the numbers and titles of the bills being introduced and indicates the committee to which they have been referred.

Referral to Committee: Committees meet daily during the session to receive testimony and take action on bills. Since the legislature is instrumental in integrating public demands with public policy, individuals are encouraged to present their views on the proposed bills. Lobbyists representing organized interest groups, representatives from State agencies and local governments, and other interested individuals speak at these hearings to support or oppose the proposed legislation.

The Department of Legislative Services prepares a fiscal and policy note for each bill and racial equity impact notes for certain criminal justice legislation which are considered during the committee deliberations.

Second Reading and Floor Consideration: The bill is reported back to the floor by the committee with its recommendation (favorable, unfavorable, favorable with amendment, or rarely, no recommendation). If the bill is amended by the committee, a vote is taken on the amendment, and if passed, another vote is taken on the bill as amended. Committee action may be reversed, but this is infrequent.

Amendments can then be offered from the floor by any member. After debate on all amendments is complete, the presiding officer orders the amended bill to be printed for its third and final reading.

Third Reading: The bill must be printed in its final version with all amendments included for third reading. No amendments may be presented on third reading in the bill's chamber of origin, and, except for constitutional amendments, the bill must be passed by a majority of the elected membership. Constitutional amendments require a three-fifths vote of the elected membership to pass.

Second Chamber: The procedure follows a pattern identical to that of the chamber in which the bill originated, except that amendments may be proposed during either second or third reading. If not amended in the second chamber, final passage may occur without reprinting.

Consideration of Bills Originating in One Chamber and Amended in the Second Chamber: If amended in the second chamber, the bill is returned to the chamber of origin where a vote is taken on a motion to concur with or reject the amendments. If concurrence is voted, a final vote is taken on the bill as amended, and action is complete. The bill is reprinted, or enrolled, to include the added amendments before it is presented to the Governor. If the amendments are rejected, the amending chamber may be requested to withdraw its amendments or, upon refusal to withdraw the amendments, either chamber may request a conference committee to resolve the differences.

Conference Committee: Three members from each chamber are appointed to a conference committee by the presiding officers to reach a consensus on the proposed legislation. A report of a conference committee goes back to both chambers to be adopted or rejected without amendment. If the conference committee report is adopted, the bill is voted upon for final passage in each house. If the conference committee report is rejected by either house, the conference committee may be directed to reconvene, new members may be appointed, or the bill fails.

Vetoes and Overrides: Bills that pass both houses of the legislature, except constitutional amendments, are presented to the Governor for consideration. Bills must be presented to the Governor within twenty days after adjournment of a session, and in the case of such bills, the Governor may veto within thirty days after presentation. For the operating budget bill, the Governor may exercise a line-item veto of items that were added or increased by the General Assembly. The Governor may also exercise a total veto of or line-item veto in a supplementary appropriations bill.

The power to override a veto rests with the legislature. If a bill is vetoed during a regular session, the veto message is considered immediately. If a bill presented after the session is vetoed, the veto message must be considered immediately at the next regular or special session of the legislature. If the Governor exercises line-item veto authority for the operating budget bill, the General Assembly may convene a special session within 30 days after the veto to consider an override. The legislature during the first year of a new term may not override a veto. A three-fifths vote of the elected membership in each house is necessary to override a veto.

The Progress of a Bill

