

How a Bill becomes Law in Illinois

After a bill has been properly drafted, the sponsor introduces it into his or her chamber. In other words, Representatives introduce bills in the House and Senators introduce bills in the Senate. Bills are designated as either House Bills or Senate Bills, depending upon the original sponsor. Even when the bill moves to the other chamber, its original designation remains. This is called the bill's "house of origin."

Bills are also numbered in order from the time of introduction, and the numbering continues throughout the entire General Assembly session. For example, House Bill 25 was introduced in the House and was the twenty-fifth bill introduced in the House during that General Assembly. Once that General Assembly ends (every 2 years), all pending bills die and can no longer be considered. At the start of a new General Assembly, the bill numbering starts over and any legislation from the previous General Assembly must be re-introduced to be considered again.

After the bill is introduced, it is said to be on "first reading." All bills must be "read" to the chamber three times. This does not, however, mean that the actual full text of the bill is literally read out loud. The Clerk of the House or Secretary of the Senate must merely read the bill number and its title aloud. After the bill has been read aloud the first time, it moves on to the next step.

Committee Process

All bills are initially assigned to the Rules Committee in the House and the Assignments Committee in the Senate. The chamber's Rules/Assignments Committee, made up of three members from the majority party and two from the minority party, looks at each bill that is introduced and decides if it will be assigned to a committee and if so, to which committee.

There are 29 standing committees in the Senate and 49 in the House. Standing committees are permanent and last between General Assemblies. Each chamber also has special committees that deal with a specific, more pressing concern, such as the House Pension Investments Committee. Each standing committee concentrates on a specific area, such as pensions or agriculture, and the Rules Committee generally assigns bills based on subject matter. For example, bills impacting SURS will typically be assigned to either the House Personnel and Pensions Committee or the Senate Pensions and Investments Committee.

Although there are bills in other committees that may be of interest, the ones that generally deal with SURS issues are:

House Committees:

- Personnel and Pensions—deals with public pension legislation and bills that affect government employment. Most SURS bills are assigned to this committee.
- Executive—deals with special concerns and major issues. No specific topic assignment, so bills of any type may be assigned.

Senate Committees:

- Investments and Pensions—deals with insurance and public pension legislation. Most SURS bills are assigned to this committee.
- Executive—deals with special concerns and major issues. No specific topic assignment, so bills of any type may be assigned.

During a committee hearing, the bill's sponsor explains the bill to the committee members, who can then ask any questions they may have. The bill's proponent, generally an individual representing the interest group or government agency or the private citizen who asked that the bill be introduced, will often also be present to explain the reason the bill was introduced and to answer questions from the panel. Lobbyists, interest group representatives, and private citizens all have a chance at this time to voice support or opposition to a bill.

After all of the testimony, the committee votes to either recommend or not recommend a bill. A simple majority vote is required in order to pass a bill out of committee. If the bill receives the required number of votes, it goes before the full chamber. For example, if a House Bill is "voted out of committee," it goes before the full House. If the bill does not receive the required votes, it remains in committee where it can either be voted on again at another time, or, more likely, it will remain with no further action taken.

The committee can also choose to defer the bill until a later date. This can allow witnesses or sponsors who may not have been able to attend the meeting to be present or allow opposing parties to work out changes to the bill to which they can both agree.

Amendments to the bill are heard in committee in the same manner. Amendments are legislative proposals that make changes to a bill. They can be as small as making a technical change to correct a spelling error in the original bill. They can also replace everything in the original bill and completely change what the bill does.

Floor Process

After a bill is approved by the committee, it is said to be on "second reading." The title and bill number are again read to the chamber and the clerk or secretary also informs the membership if any amendments have been filed. Bills that are on second reading can still be amended. Regardless of whether there is an amendment, the full chamber must vote to pass the bill to keep it alive and under consideration.

The bill next moves to "third reading." The title and bill number are read for a third time and, at this point, discussion and a vote on the bill (with all amendments) take place in the full chamber.

The chamber can vote to approve or not to approve a bill. In general, a simple majority vote is required to pass the bill.

After May 31, however, bills that are to take effect before June 1 of the following year (this means virtually all legislation) must receive a three-fifths majority vote in order to pass. Due to this increase in the voting requirement, the legislature generally attempts to adjourn its spring session by the end of May. If the bill is approved, all amendments, if any, that were adopted are incorporated into the text of the bill. This version, called an “engrossed” bill, is then sent to the second chamber. For example, if the House approves a House bill, it then moves to the Senate.

Bill goes to second chamber

In the second chamber, the engrossed bill needs to go through the same process as it did in the house of origin, including finding a sponsor in that chamber.

If the second chamber passes the same version of the bill as the engrossed bill (meaning, no amendments were adopted in the second chamber), then the bill has passed the General Assembly and is sent to the Governor for his signature to sign the bill into law. If, however, the second chamber added any amendments to the bill, it must return to the house of origin because the bill must pass both houses in the exact same form in order to be sent to the Governor.

If the second chamber added any amendments to the bill, the house of origin then has two options:

First, it can vote to concur on (i.e., agree with) one or more of the second chamber’s amendments, meaning it agrees to add the amendments that the second chamber added. If it concurs on all of amendments, then the same bill has passed both houses, it is “enrolled” (incorporating the amendments into the engrossed bill), and then sent to the Governor.

Second, it can also vote not to concur on one or more of the amendments. If this occurs, the bill returns to the second chamber. Again, two options are possible. The second chamber can decide:

1. To “recede” from the amendments it added, meaning it agrees to remove the amendments that are in disagreement. In this case, the bill has passed both houses in the same form; it is enrolled (in this case, the enrolled bill is identical to the engrossed bill) and sent to the Governor.
2. Not to recede from its amendments. In this case, a conference committee, made up of members from each chamber, is formed in an attempt to resolve the differences. The conference committee then issues a conference committee report, which is generally a compromise between the two chambers. The report may recommend one of the following three options or any combination of them:
 1. The house of origin should concur on the second chamber’s amendments,
 2. The second chamber should recede from its amendments,
 3. And/or the bill should be further amended in a specified manner.

The legislature must send the bill to the Governor within 30 days after it has passed both chambers. Once the bill reaches the Governor's desk, he or she has three options.

First, the Governor can choose to do nothing. If no action is taken within 60 days after the bill reaches the Governor, it automatically becomes law.

Second, the Governor can sign the bill into law exactly as it is. When a bill becomes law, by whatever means, it is called a Public Act and is assigned a Public Act number. All Public Act numbers are in the form XX-YYYY. The Xs denote the General Assembly in which the bill became law. The Ys are assigned in the order in which the bill is signed or otherwise becomes law. So, Public Act 97-0021 was enacted by the 97th General Assembly and was the twenty-first bill to become law during that General Assembly.

Third, the Governor can veto the bill. The Governor has two types of vetoes which are applicable to SURS. The first type is the total veto. In this case, the Governor vetoes the entire bill. The second type is an amendatory veto. In this case, the Governor makes specific recommendations for changes to the bill. With an amendatory veto, the Governor is saying that he or she would sign the bill into law if the changes were made. In either case, the Governor issues a "veto message."

In the veto message, the Governor tells what type of veto it is and, for an amendatory veto, the specific changes he or she is recommending. The veto message is then forwarded to the General Assembly. The General Assembly has a few options:

- It can do nothing. If so, the bill is considered dead, even in the case of an amendatory veto.
- It can override the veto. If three-fifths of the members in each of the chambers votes to override the veto, then it becomes law in the form in which the bill was originally sent to the Governor.
- In the case of an amendatory veto, the legislature may agree with the recommendations made by the Governor by a simple majority vote in each of the chambers. If this happens, the bill becomes law.