

Hello, my name is Erinn Ryberg, and I'm the Legislative Director for Assembly Woman Cristina Garcia. She represents the 58th Assembly District in California, and I'm also an alumna of the McGeorge School of Law in Sacramento. This Brief will cover the actions the Governor can take on legislation.

Typically, during the normal legislative cycle, the Governor has 12 days to sign or veto a bill. Or, I guess, he can choose to do nothing, but this is very rare. Normally, he'll either sign or veto. This 12-day signing period applies to every bill, all year long, with the exception of the end of session. When we reach the end of our legislative year in August or September, there's a huge influx of bills, and we'll pass hundreds of bills off the Assembly and Senate floor every day - all of which are headed to the Governor. Therefore we give the Governor more time towards the end of the year to sign or veto legislation.

If he has a bill in his possession September 15 or before, then he has the normal 12 days to sign, any bill that he receives after September 15th, then he actually has until October 15th to sign or veto the legislation. The September 15 deadline, this year that was the last day of our legislative year, and so that is why that was the last day for us to send bills to the Governor. It does change each year, but this year was September 15, so just in this year, the Governor has until October 15 to actually sign or veto the legislation.

If a bill is signed by the Governor, then the bill will go into effect, typically January 1st the next year. Sometimes we give bills some extra time if they have more implementation issues and in those cases they'll go into effect July 1st of the next year. But most bills go into effect, if they're signed by the Governor, January 1st of 2018. There is another exception and that's any bill that contains an urgency clause.

An urgency clause basically means the bill is so important, and the effects of the bill are so important, that it must take effect immediately. This doesn't happen very often because any bill that contains an urgency clause has to get a 2/3 vote in each house in order to be passed. Most bills only require a simple majority. These urgency clauses do require a 2/3 vote. It's a harder feat for the author's office to deal with, so you only add an urgency clause if it's necessary.

So that's if a bill is signed. The other option the Governor has is, of course, vetoing the bill. If the bill is vetoed, he'll return it back to the house of origin with his veto message. The Legislature can override the veto with another 2/3 vote, but this hasn't been done, actually, since 1979. The Legislature does not take this route because we're all about separation of powers in politics and we don't want to override a Governor's veto of a bill knowing that we're sending him other bills. It will affect the relationship between the Executive and the Legislative branch if we go around overriding the Governor's vetoes, so it's not done very often in California.

If the Governor does veto a bill, then he includes a message, and that is sent to the Legislature. The message says why he vetoed the bill. He does have some common messages that he tends to include. For example, he tends to veto any legislation that will give a tax break or expand a tax break. He considers this the same as new spending, and therefore he thinks that it should be considered in the budget, and not as a standalone bill. Anything that takes money out of the general fund affects the money that's available, so he feels that all of these discussions should be considered during the budget negotiations that

happen around May and June. It all comes down to weighing priorities. If a bill is going to take money out of the General Fund, if multiple bills, are going to take money out of the General Fund, then they should all be weighed together, and then that way the Legislature and Governor can consider them together and consider what is their top priority.

Another common veto message that the Governor sends is anything that would create a new crime. He believes that the penal code is already too complex and unnecessarily proscriptive and that criminal penalties are not the solution to every problem. We also, in California, have had issues with jail overcrowding and because we've gone through realignment, the Governor has made a lot of other hard decisions in making sure that our jails aren't as crowded. Because of this, he is always weary of creating new crimes that will send more people to jail. So, if you have a bill that creates a new crime, or increases a punishment then you're likely to get the same veto message back.

And finally, like I said, the Governor can choose to do nothing. If the Governor does not sign or veto the bill in those 12 days, or in the extra month that he gets at the end of session, then the bill will become law without him doing anything. He hasn't done this in a long time - not in this term, especially. It's not something that we expect to happen again in the near future.

So that's all for this In Brief on actions the governor can take on legislation. I'm Erinn Ryberg, from the office of Assembly Member Cristina Garcia. Thanks for listening.