

Hi, this is Chris Micheli, with the Sacramento governmental relations firm of Aprea & Micheli and an adjunct professor at McGeorge School of Law in its Capital Lawyering program. We're covering common misconceptions about California's legislative process. Today's podcast concerns bill deadlines.

And the first misconception is that bills can be voted upon after midnight on August 31st in the second year of the two year session so long as the clock has been stopped. Well, stopping the clock is the term used to describe the process of continuing legislative business after the passage of a deadline imposed by a legislative rule. However, the Legislature doesn't distinguish between a calendar day and a business day. There is, in fact, no provision in the law or the rules about stopping the clock.

And, more importantly, the Constitution - which is not a legislative rule - prohibits bills from being considered after August 31st in the second year of a two year session, except for the following types of bills: statutes calling elections, statutes providing for tax levies, statutes providing for appropriations for the usual and current expenses of the state, and urgency clause statutes. So, those are the only types - four of them, by the way - that can be considered after midnight on August 31st. All other bills can no longer be considered after midnight.

Misconception: The Joint Rules related to Committee deadlines apply to all measures. Note that joint and concurrent resolutions - two of the three types of resolutions - are exempt from these deadlines pursuant to Joint Rule 6. Bills related to the budget, under Article IV, Section (12) (e) of the State Constitution, are also exempt from these deadlines, if you look at Joint Rule 61 (i). Now bills which are referred to a committee pursuant to Joint Rule 26.5, or Assembly Rule 77.2, or Senate Rule 29.10 are also exempt from these deadlines - quite a number of them.

Misconception: All measures introduced in the first year of the session must pass out of their house of origin by January 31st of the second year of the two year session. This is, in fact, the general rule for bills. But note that Joint Rule 56 does not apply to Constitutional Amendments.

And the final misconception is that a bill may not be introduced in the first or the second year of the regular session after specified dates. This is in fact, the general rule, but note that these deadlines for introduction do not apply to Constitutional amendments. The General Rule deadline doesn't apply to Committee bills, or of course, bills that were introduced with the permission of wither the Speaker of the Assembly for Assembly Bills, or the Senate Committee on Rules for Senate Bills - and those exceptions are found in Joint Rule 54.

Thanks for joining this podcast on bill deadlines. Hope you enjoyed it.