

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. Today's podcast is on the referral of bills in the California Legislature.

After the introduction of a new bill in the California Legislature, or upon a bill passing one house and moving over to the second house for further consideration, that measure must be referred to a committee for a hearing. So the first step in the legislative process is bill introduction. Thereafter the second key step is getting the bill heard in a legislative committee.

The referral or assignment of a bill is governed by the Joint Rules of the Legislature as well as the respective rules of the Assembly and the Senate. In the California Legislature the referral of bills is done by the Rules Committee in each house. Though the rules of both houses provide that their committees must hold hearings and act upon bills referred to them as soon as practicable after they've been referred certain requirements must be met before that can occur.

As a general rule, a bill is referred to the committee or committees that have jurisdiction over the provisions of the bill based upon the rules of the respective house and past referral decisions. In the Senate and in the Assembly, except as otherwise provided, their respective committee on Rules refers each bill to a committee by a majority vote of the membership of the committee, unless upon a motion the Assembly or Senate by a majority vote refers it to some other committee. A motion to refer a bill is not debatable except as to the propriety of the motion and it may not open the main question in debate.

Legislative standing committees and their subcommittees are prohibited from taking action on a bill at any hearing held outside of Sacramento or during a joint recess. However, a committee may hear the subject matter of a bill during a recess so long as notice is published in the daily file.

During a regular session of the Legislature committees must wait for a period of thirty days after a bill has been introduced and in print before they may take action on that bill. These prohibitions may be dispensed with by an extraordinary vote. This waiting period permits proponents and opponents to review the provisions of the bill and prepare testimony for presentation to the committee.

A schedule or calendar of bills set for hearing is proposed by each committee in the Legislature and publication of this hearing list is done in the Daily File of the Assembly and Senate and it must occur at least four days in advance of hearing by the first committee and at least two days in advance by subsequent committees of the same house. If a committee wishes to hold an informational hearing on a general topic, then a four day file notice is also required.

As one can imagine, which committee gets to hear a bill could impact the outcome of the bill depending on the subject matter and the receptivity of the committee to the bill. In most instances the bill referral is relatively straightforward. Sometimes, however, more than one committee might be appropriate to hear a bill. In most cases, only one policy committee will get to hear a bill. However there are occasions when it's necessary for more than one committee to

hear a bill. As a result, the referral of bills is an important part of the legislative process in California.