



# Legislative Report

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## *Legislation to Law: How a bill moves in the Illinois General Assembly*

**T**HE LEGISLATIVE PROCESS can be an intimidating and confusing to follow. The Illinois General Assembly is a unique and complex system and can be very challenging to remain aware of the specific procedures that must be followed in order for a bill to become a law. Below is a summary that seeks not to explain the lawmaking process in its entirety but one that hopes to give a rough outline for how the process works and the steps that must be followed. For some of you this will serve as a refresher for others an introduction. It is our hope that no matter what level of familiarity you have with lawmaking here in Illinois the following will serve as a reference point and general outline. It may also be helpful to remember that in a given year some 6,000 bills maybe introduced, everyone needing to go through the same process in order to become law.

### **How a Bill Passes the General Assembly**

For a bill to become law it must first pass both the House and Senate chambers. A bill passes a chamber when a majority of legislators in that chamber vote in the affirmative. In the House a majority is 60 votes and in the Senate a majority is 30 votes. However, before a bill may be called for a vote it must be read into the official record on three different days in each chamber. The "First Reading" is simply the Clerk of the House or Secretary of the Senate reading the number of the bill and the bills subject into the record. The bill is then sent to the "Rules Committee" in the House and the "Assignments Committee" in the Senate where it may be moved by a majority vote of that committee and be sent to a substantive committee of the chamber. If the bill receives a majority vote in the substantive committee it is then sent back to the floor of the chamber where the bill is read a second time and placed on the order of "Second Reading." It is often at this point where amendments are filed for a particular bill. Amendments, unlike bills themselves, do not need to be read three separate times and can be filed and voted upon in the same day. However, an amendment that seeks to make significant changes to a bill is typically sent to a committee for a hearing. If the amendment is viewed favorably by a committee it is moved to the floor where it

must be adopted by the sponsor of the bill before it can be voted upon. Once adopted the amendment becomes part of the bill.

"Third Reading" is the final step before a bill may be called for a floor vote. A bill may be moved to the order of Third Reading at any time as long as it is not on the same day as the "Second Reading." Once a bill had been read into the record three times it is now ready to be voted upon. If a bill receives the constitutional number of votes to pass it is then sent to the second chamber. After the bill arrives in the second chamber it must go through the above process again. If the bill is successful in the second chamber it is then considered to have "Passed Both Houses" and is sent to the Governor who can sign the bill, amendatory veto the bill or veto the bill.

*\*Note\* If a bill is amended in the second chamber and passes it must go back to its chamber of origin to be voted upon with a motion to concur. Only if the original chamber approves of the changes to the bill and concurs then the bill is considered to have 'Passed both Houses' and sent to the Governor.*

The Clerk or Secretary of the bill's chamber of origin has 30 days after the final passage of the bill to send to the Governor in accordance with the constitution. Once the Governor has received the bill, the Governor is granted 60 days by the constitution to act on the bill. If the Governor does not act on a specific bill within the 60-day window the bill automatically becomes law. Illinois Governor's do not process the ability to 'pocket veto,' where inaction would prevent a bill from becoming law.

### **Committee Process**

As mentioned above before a bill can advance to a floor vote it must first be assigned, heard and passed out of one of the many substantive committees in the General Assembly. After a bill is read into the record once and is on the order of First Reading it is then sent either to the House Rules Committee or the Senate Assignments Committee. These two committees dictate which substantive committee each bill will be sent to as well as any amendments that may be filed over the course of a year.

The number of committees and the identifying name of each committee is decided by the Speaker of the House and the President of the Senate respectively. They also appoint the chairperson of each committee and determine the number of legislators that will serve on the committee. The minority leader in each chamber selects a minority spokesperson for each committee as well as members from their party to serve on a given committee but are limited to the number of members as determined by the majority leaders.

Substantive committees meet regularly, usually weekly during session, at times and locations decided by the majority leaders. The schedule is determined at the beginning of the year and typically each committee will meet at the same time and place. The exception to the above is during deadline weeks and the waning days

of session. At those times committees meet more often and can meet multiple times in a week or even a day to hear bills and the numerous amendments.

For the most part, each committee will adjourn for the week at the end of the committee's weekly meeting. However, during the weeks where committees meet more frequently the committees may "recess to the call of the chair," which essentially pauses the committee meeting. This means that the committee is able to return and meet at any time during that same week without the need to meet the six-day posting requirement for any business to be heard during the committee. The ability to 'pause' a committee is important as this allows amendments to be filed late in the process and be heard at any time during the week in the committee under a one-hour posting requirement. This allows for brand new legislative language to be rapidly advanced through the process.

### **HB 348 signed into Law**

**O**N AUGUST 9, 2019 Governor JB Pritzker signed HB 348 into law (Public Act 101-0230).

As you are aware, HB 348 allows for the petition-initiated dissolution of any township in McHenry County. All assets and obligations of the township would be transferred to McHenry County. All road districts wholly within the boundaries of the dissolving township are dissolved, and those powers and responsibilities would go to McHenry County. The county board cannot extend a property tax levy greater than 90% of levy extended by the dissolved township or road district, and it can only be extended on the area within the geographic boundaries of the township.

The bill also automatically abolishes road districts with less than 15 miles of road in Lake County and McHenry County, including Avon, Benton, Newport, Shields, Vernon and Waukegan. All the rights and responsibilities of the road district are absorbed by the township.

The law is effective immediately.

In a press release the Governor said the following about his decision:

"Rising property taxes overburden homeowners across the state, and this administration is committed to exploring all options to provide communities with relief," said **Governor JB Pritzker**. "After hearing from local stakeholders on their desire for government consolidation, I am signing HB 348 and look forward to seeing how this bill works for the taxpayers of McHenry County."

### **Witness Slips**

The committee stage is a great opportunity to take a position on a bill and share that position with members of the General Assembly. In order to do so a witness slip must be filed for the bill in question. Once a witness slip has been filed it becomes part of the record of the bill. Most of the Action Alerts from TOI will be sent out when an important bill is scheduled for a committee hearing. Many of you have taken action and for that we thank you for your help in advocating on behalf of townships. The process is simple, can be done online and usually only takes a few minutes. When filing out a witness slip there are a few things that should be kept in mind. The first section of the slip requires identification information on the submitter of the slip. Next a position for the bill must also be given; there are three choices of either "proponent," "opponent," or "no position." Pay careful attention to choosing the correct selection for your position, once a witness slip has been submitted it cannot be edited. Lastly a choice of whether or not testimony is wished to be given is required. For those not

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wishing to provide testimony, they may select the “record of appearance only” option. Depending on the number of witness slips filed the slips may be read into the record by the chair of the committee or, if a large number of slips has been filed, the chair may request to simply make the slips part of the record of the bill.

while most of the General Assembly’s efforts are focused on deciding if any vetoes should be attempted to be overridden new pieces of legislation can still be introduced and advanced and many are.



### Veto Session

As the name suggests veto session is a period of session that allows the General Assembly to deal with any bills that have been vetoed or amendatory vetoed by the Governor. If a bill is passed by the General Assembly but vetoed by the Governor, it is during the veto session where the General Assembly can attempt to override the veto. To override the Governor each chamber must adopt a motion to override. The adoption of an override motion takes a super majority in each chamber; 71 votes in the House and 36 votes in the Senate. Veto session is normally a two-week period during the fall and



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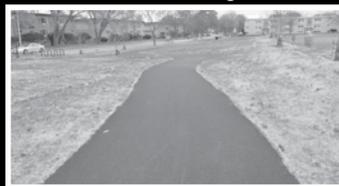
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