

THE GENERAL COURT OF MASSACHUSETTS

OFFICE OF THE CLERK OF THE SENATE | STATE HOUSE • ROOM 335 | 617-722-1276

How an Idea Becomes a Law

The General Court of the Commonwealth of Massachusetts is one of the oldest institutions in the United States hearing bills and passing laws. Below is an explanation of how an idea becomes a law in Massachusetts.

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Step 1: There Ought to be a Law!

Laws usually originate from proposals sponsored by legislators, the governor or from recommendations of a department or agency but can also emerge from an idea that a member of the public believes should become law.

Step 2: Petition is Filed

Whether proposed by a legislator, offered by the governor or filed by a legislator at the request of a member of the public, a petition for legislation is filed in the House or Senate, accompanied by a bill that is assigned a number and referred to a committee.

Step 3: Hearing is Held and Testimony Heard

The committee holds a public hearing and hears testimony regarding the petition from the public, government officials and office holders. After the hearing is held, the committee issues a report

recommending whether the petition “ought to pass”, “ought not to pass”, be subject to further study or discharged to another committee.

Step 4: Committee Report Directs the Measure’s Path - Rejection or on to First Reading

A bill reported favorably appears in the Journal of the House or Senate and is given its first reading, usually followed by referral to another committee for further review. A measure reported adversely will not proceed further unless the unfavorable report is overturned by a vote of either branch.

Step 5: Bill Read a Second Time, Debate Begins

Upon the second reading of a bill, it is subject to debate, motions and amendments.

Step 6: Bill Proceeds to the Committee on Bills in the Third Reading

Upon a favorable vote at the conclusion of debate, the bill is ordered to a third reading and is then referred to the Committee on Bills in the Third Reading.

Step 7: Bill is Reviewed by the Committee on Bills in the Third Reading

The Committee examines the bill for legality, constitutionality and the duplication or contradiction of existing law. After a thorough review, the bill is released and heads back to the House or Senate floor for a third reading.

Step 8: Bill Read a Third Time, Floor Debate Continues

Upon the third reading of the bill, it is again subject to debate, motions and amendments in the House or Senate. Once debate concludes, a vote is taken on whether to pass the bill to be engrossed.

Step 9: Bill Passed to be Engrossed by One Legislative Branch

Upon a favorable vote by the House or Senate, the bill advances to the other legislative branch.

Step 10: Second Legislative Branch Considers Bill

If the bill advances through three readings and is engrossed in the second legislative branch, it will be sent to the Legislative Engrossing Division to be typed on special parchment as required by law.

Step 11: Amendments Produce Conflicting Versions

If the bill is amended by the second branch, it will have to be returned to the first branch for a concurrence vote. If concurrence is rejected, a bi-partisan conference committee of three members from each branch is appointed to craft a compromise bill that will be sent to both legislative branches for a final vote. The conference committee's report recommending the compromise bill is not subject to amendment.

Step 12: Bill Enacted and Sent to Governor

A vote to enact by both legislative branches results in passage of the bill, with the newly-created Act sent to the governor. The governor has the authority to: sign the bill into law; allow the unsigned bill to become law; veto the legislation; or send the bill back to the Legislature with recommended amendments. A veto by the governor can be overridden with a two-thirds vote in both legislative branches.

Step 13: The Idea Becomes Law!

The act, which began its journey through the legislative process as an idea, becomes law in Massachusetts if it is signed by the governor, allowed to become law by the governor without his or her signature, or if a veto by the governor is overridden. The new law usually takes effect in 90 days but can become effective immediately if it includes an emergency preamble which must be adopted by a two-thirds vote of the legislature or by an emergency declaration by the governor.