

The New Hampshire

Almanac

How a Bill Becomes a Law



HOW AN IDEA BECOMES A BILL

An idea for change or improvement in the laws of New Hampshire must first be drafted into a bill in proper form and language. Draft bills come from the 400 elected Representatives to the General court and the 24 members of the New Hampshire Senate. Heads of state agencies, the Governor, a private citizen, or interest group that wishes to propose legislation must find a sponsor in the legislative body to submit their suggestion to Legislative Services for drafting. All drafted bills must be approved and signed by the sponsoring legislator; all co-sponsors must also approve and sign the drafted bill.



HOW THE BILL IS PRESENTED TO THE LEGISLATURE

The drafted bill is first given to the Clerk of the Senate or House - to whichever body the sponsor belongs. The bill is introduced when the House adopts a motion referring to bills by number only, in accordance with the list in the possession of the Clerk. The bill is read twice in the early session; it is then assigned to a committee and sent to be printed. The President of the Senate or the Speaker of the House assigns the bill to a standing committee. The choice of this committee is made on the basis of subject matter, as outlined in Rules of the House covering the jurisdictions of the standing committees.



The New Hampshire Constitution provides that all money bills (those imposing new means to raise money) must originate in the House; but the Senate may propose, or concur with, amendments, as on other bills.



STANDING COMMITTEES

Standing committees for the House and Senate are appointed by the Speaker of the House and the President of the Senate

respectively. Appointments to committees are made by the President or Speaker, with the advice of the minority party floor leader.

THE BILL AND COMMITTEE HEARINGS

Every bill introduced and referred to a committee must have a public hearing unless the rules are suspended by two-thirds of the members present. New Hampshire is one of the few states requiring a public hearing on all bills.

TESTIMONY AT AND CONDUCT OF COMMITTEE HEARINGS

The Chairman announces the number and title of the bill at the beginning of the hearing. People wishing to testify before the committee are required to rise, address the Chairman, give their names, addresses and, if appearing in a lobbyist, state such to the Clerk. Those in favor of the bill and those against the bill alternate in speaking at all hearings. Those wishing to speak leave their names with the Committee Clerk and are called in order.

The Chairman has the duty to call to order a speaker not keeping remarks to the point. The purpose of a public hearing is to give testimony and information, not to argue or inquire. The length of time allowed any one speaker may be limited by the committee. If a citizen cannot be present at a hearing a written statement may be submitted to the Clerk of the committee. Only committee members may ask questions of the speaker. Speakers may not ask questions of the committee or other speakers. Anyone may submit amendments to a bill. It is advisable that any such amendment, pertinent information or testimony should be duplicated so that all committee members will have a copy. When all persons have been heard, the Chairman declares the public hearing closed.

THE BILL AND COMMITTEE DELIBERATION

Committee deliberation and decision is done in executive session. A majority must be present in order to take action. The public may observe committees in executive session as they take their final vote on a bill.

A report is submitted to the Clerk of the Senate or House

entitled "Ought to pass," "Ought to pass as amended," "Inexpedient to legislate," "Refer to interim study," or "Re-refer to Committee." Re-refer to committee shall be a committee report only in the first year session; Refer to interim study shall be a committee report only in the second year session. This report reflects the majority decision of those at the committee deliberation.

THE BILL ON THE FLOOR OF THE HOUSE OR SENATE

All bills may be acted upon the day after the committee report appears in the House Calendar. Any amendments proposed by the committee which make material changes in the original bill must be printed in the calendar.

Action on bills is taken on the second reading on the floor of the House or Senate. Debate, if any, is held and amendments are made at this time.

A bill is considered killed when the House or Senate votes to adopt the committee report of "Inexpedient to legislate," or when a motion from the floor to "Indefinitely postpone" is adopted.

After a bill has passed the body of the Legislature in which it originated, it is sent on to the other body where it goes through similar procedures, except for bills containing an appropriation.

APPROPRIATION BILLS

All bills appropriating money are sent to the House Appropriations Committee, or to the Senate Finance Committee, either as an initial step, or after favorable floor action on bills sent to other committees. The Appropriations or Finance Committee then goes through the same procedure of a public hearing and a committee report.

AMENDED BILLS

Every bill must be passed in identical form by each of the two bodies, Senate and House, before it is sent to the Governor.

If a bill has been amended by the non-originating body, it is sent back to the originating body for concurrence. At this point, there are three options:

- The originating body concurs, or agrees, and the bill is sent to the Governor.
- The originating body nonconcurs, or does not agree, and requests a Committee of Conference between the two bodies. In this case, the Senate President and the House Speaker normally appoint a conference committee of members of both houses to work out a compromise.
- The originating body does not concur, no Committee of Conference is requested, and the bill dies.

All reports of conference committees must be distributed to the members of each body before action can be taken. The originating body acts first on a conference committee report.

ENROLLED BILLS

When a bill has passed both houses, it is sent to the Committee on Enrolled Bills for the purpose of enrolling. This committee carefully examines the bill for clerical errors or formal imperfections. In case of such errors, it reports them back to both houses for amendment in those particulars only.

Once the enrolling reports are read in each house, the bill is signed by the Senate President or the Speaker of the House. (This is an administrative function only and does not carry power of veto by refusal.) The bill is then forwarded to the Secretary of State.

The bill is transmitted to the Governor by the Secretary of State. It may be recalled from the Governor any time before it is acted upon, by a majority vote of the Senate or House, whichever last had possession.

THE FINAL ACCEPTANCE OR REJECTION OF A BILL

If the legislature has not adjourned, the Governor has five days in which to sign the bill, veto the bill, or allow the measure to pass without signature. When the bill is signed the bill, it becomes law; if it is neither signed nor vetoed, it

becomes law without signature.

If the bill is vetoed, it returns to the body where it originated, with a veto message. This veto, to be overturned, must have a two-thirds roll call vote in each body. It then becomes law without the Governor's signature. Without the two-thirds affirmative vote in both bodies, the veto is upheld.

If the Legislature has adjourned, the Governor has five days (excluding Sundays and holidays) in which to sign the bill. If it is not signed, the bill dies. This is the "pocket veto." Each bill carries in its final paragraphs the specific date that it is to go into effect.

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