

The Lawmaking Process

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How a bill becomes law

The first step of the lawmaking process is to transform an idea into a specific proposal for a law. The proposal may be for a new law, for changing current law or for repealing a law. The proposal may originate from a variety of sources: individuals, public interest groups, state agencies or businesses. For an idea to become law, though, it must be introduced as a bill by a member of the Legislature.

In order for a bill to be introduced, it must be prepared in the appropriate form. This preparation, called bill drafting, may be done by Senate Counsel and Research or by the Office of the Revisor of Statutes.

In bicameral legislatures, such as the Minnesota Legislature, a bill must pass both bodies and be signed by the governor.

Before a bill can begin to be processed through either of the two houses, it must first be given its first formal “reading.” The first reading occurs when the bill is introduced, given a file number and assigned to a committee for study.

The committee chair decides a hearing date for the bill. During the hearing, proponents and opponents give testimony on the merits of the legislation. Any person may testify on any bill. Members of the committee can change a bill. These changes are called amendments. The committee members may propose amendments to improve the bill or to reach a compromise among the bill’s proponents and opponents.

After weighing all the testimony and thoroughly examining and discussing the pros and cons of the bill, committee members may take several courses of action. The committee, after a vote, may: recommend that the bill be passed—or passed as amended—and send it directly to the Senate or House floor; recommend that the bill be passed—or passed as amended—and be placed on the Consent Calendar; approve the bill and send it on to another committee for further discussion; send the bill to the floor or another committee without a recommendation for passage; keep it in committee indefinitely; or simply defeat it.

After a bill is reported out of its final committee, it is given its second reading and placed before the entire body for discussion and consideration. Floor amendments are considered and a preliminary vote on the bill is taken. If approved, the bill is laid over for at least twenty-four hours before being considered for final passage. The bill is given a third reading prior to the vote for final passage. After final passage, the bill is sent to the other body.

In the Minnesota Legislature, a bill must pass the Senate and the House of Representatives in identical form to become law. If a measure does not go through in the same form, a conference committee is established consisting of both Senators and Representatives to work out the final version. The compromise version must then be repassed by both bodies.

If a proposal survives all these obstacles, it is sent to the governor, where it faces another test. The governor may sign the bill into law, veto it, or allow the bill to expire without signing it. A veto may be overridden if both the Senate and the House of Representatives repass the bill with a two-thirds majority vote.

