

The Legislative Process: Behind the Scenes

The Formal Process	The Reality
The bill is introduced and gets a bill number.	Who is your sponsor? Every bill needs one.
The bill is assigned to committees.	In the House, the Speaker makes the committee assignments. In the Senate, the Majority Leader makes the assignments.
Bills that include state funding must go to the Senate Finance Committee and the House Appropriations & Finance Committee.	How many committees? 2 is good; 4 means defeat. Which committees? Favorable? Unfavorable?
Committee hearings are set.	Public notice: The agenda might not be posted until the day before the hearing. Toward the end of the session, bills may be heard that are not necessarily listed on the agenda. Testimony: Different chairs have different approaches. Toward the end of the session, often very little testimony is solicited. Public testimony will be virtual; people will need to sign up online to speak at a committee hearing.
Committee actions are taken.	The options are "do pass," "table," "do not pass," and "pass without recommendation." A bill that is tabled or given a "do not pass" can always be reconsidered.
The committee chair's report is sent to the House or Senate floor for acceptance.	The floor report may be challenged and overturned.
If there is a second committee, then once the report is accepted, the bill goes to the next committee.	Committee agendas usually set hearings according to the order in which the bills are received. The committee chair decides.
Once the bill has gone through the assigned committees, it is ready to go to the House or Senate floor to be voted on by the entire body. First the bill is placed on the temporary calendar. Then, on the next legislative day, it is placed on the regular calendar.	Toward the end of the session, the Speaker and the Senate Majority Leader may choose to not follow the floor calendar (the daily agenda) when deciding which bill to take action on next. A representative or senator, speaking during a floor session, may request that a particular bill be heard out of order and become the next item of business. This request must be accepted by a majority of those present.
Once the first house (House or Senate) passes a bill, it goes to the other house.	Once again, how many committees and which committees a bill is assigned to are critical.
The second house sends a message to the first house about passage of the bill.	If the second house amends the bill before passing it, the first house has to approve the amendment. If the first house does not approve, the bill is sent to conference committee (a small group of legislators from each house) to iron out the differences.
Once the same bill passes both houses, it goes through the "enrolling and engrossing" process.	The governor's veto period begins when the bill reaches the governor's desk – after the enrolling and engrossing process.
During the session, the governor has three days to decide whether to sign or veto the bill.	If there is money attached to a bill, the governor can "line-item veto" substantive sections, not just the appropriation (the funding).
If a bill reaches the governor's desk during the last three days of the session, the governor has 20 days to decide what to do with it.	Calling the governor's office is critical at this time.
Bills with no specific titles – called dummy bills – are introduced on the last day that bills can be introduced (halfway into the session). These bills are titled "Public Peace, Health, Safety and Welfare."	While the purpose of dummy bills is to ensure that emergency situations can be addressed, the reality is that these bills too often are used to quickly get legislation through without public scrutiny.

All committee hearings and floor sessions, as well as information about the status of a piece of legislation, can be viewed online at the legislature's website: www.nmlegis.gov.

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