



HOW A BILL BECOMES LAW

IN SOUTH CAROLINA

1 DRAFTING STAGE

Legislators work with the Legislative Council to put bills or resolutions into legal form. This department is responsible for research, reference and drafting new laws. It is given to the clerk of the House or Senate, depending on where it starts.

Bills raising revenue or appropriating money must begin in the House.



2 FIRST READING

A bill or joint resolution must be read three times on three separate days in each body. Bills introduced and read for the first time are given a number and either referred to the proper committee or placed on the calendar.

3 COMMITTEES

Committees, made of members with specialized knowledge, examine bills and recommend action on them to the full body. They can assign bills to subcommittees, where testimony from the public and stakeholders is heard. Committees craft reports detailing recommendations and then the bill and the report are put on the calendar for second reading.



4 SECOND READING

Bills are listed on the calendar by number, sponsors and title in the order in which they are introduced and reported by committees. Then they are considered for second reading. Some bills are set for Special Order, which moves them to the top of the calendar. A bill on second reading may be debated, amended, committed or recommitted to a committee, tabeled, etc. After discussion, members may call for a vote on the bill. Votes are recorded and entered into the Journal.



5 THIRD READING

During third reading, a bill may be acted on as in second reading, except that it usually takes unanimous consent to amend it. After the amendments are written into the bill, and it is adopted by the first body—the House for example—it is signed by the clerk and sent to the other body (the Senate). Once in the Senate, it follows the same route according to that body's rules.



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6 SECOND CHAMBER

The second chamber may make amendments to the bill, in which case it is returned to the first chamber for consideration. The first chamber may agree or disagree with the amendment or make changes to the amendment and send it back to the second chamber. If the first chamber disagrees with the second's amendment, a message is sent to the second chamber which will then either insist upon the amendment or agree to drop it.

7 CONFERENCE COMMITTEE

If the Senate insists on their amendment a note is sent to the House including the names of the senators appointed to a conference committee. Then the House also appoints three members to the conference committee. The six committee members meet and try to reach an agreement. If they are able to reach an agreement, a report is sent to both bodies for adoption. When a report is adopted by both bodies, the bill is ordered enrolled for ratification.

8 FREE CONFERENCE POWERS

If the conference committee cannot agree, they return to their respective bodies and ask for free conference powers, which require a two-thirds vote of each body. The free conference committee may rewrite the bill. The committee cannot alter or delete anything agreed to by both bodies. If the bodies agree, the bill is ordered enrolled for ratification and the title is changed to an act. Then the bill is enrolled (rewritten into act form by legislative council), placed in folders, attached to the original version of the bill and returned to the body in which it originated to await ratification.

9 RATIFICATION

During ratification, the Great Seal of the State is affixed to the act, the presiding officers and clerks of the two bodies sign it, and the clerk of Senate sends it to the Governor's Office for signing or veto.

10 THE GOVERNOR'S DESK

The governor has five days, Sundays excluded, to approve or disapprove an act. When the governor signs the act or allows it to become law without signing, it is sent to the Secretary of State's Office to be filed permanently. If the governor vetoes the act it is returned with the veto message to the clerk of the originating body by midnight of the fifth day.

11 OVERRIDING A VETO

The bill's originating body considers the veto. The body must pass the bill by two-thirds majority in order to override the governor's veto. If the body overrides the veto it is then sent to the other body for its consideration. Should either the House or the Senate not override the governor's veto, the act is dead. If the two bodies override the veto the act is sent to the Secretary of State's Office and it becomes law.

*Critical dates

Session begins: Second Tuesday in January

Sine die: The day the legislature adjourns for the year. Only legislation identified in the Sine Die Resolution can be considered or acted upon beyond this date.

