

HOW DOES AN IDEA BECOME A LAW IN FLORIDA?



Before we talk about Florida’s legislative branch, let’s refresh our memories about the federal legislative branch, the U.S. Congress. As you recall, the U.S. Congress has two bodies that must work together to make laws. That makes it a *bicameral* legislature. One body is the House of Representatives, which has 435 members. The other is the Senate and it has 100 members. Both the House and the Senate have to pass an identical bill for it to become a law.

Like Congress, the Florida Legislature also has two legislative bodies called the House of Representatives and the Senate. There are 120 Representatives and 40 Senators in the Florida Legislature. Unlike Congress, both state House and Senate members are elected by districts that are based on population. Citizens elect State Senators for 4-year terms in Florida (U.S. Senators have 6 year terms), while State Representatives have 2-year terms (same for U.S. Representatives). While there are a few differences, the U.S. Congress and Florida Legislature have similar rules and procedures for making laws.

Now you know what the legislative branch does, but you still need to know how they do it! This activity will show you how law-making happens! When you see a stop sign, stop and answer the questions.

THE FLORIDA LAWMAKING PROCESS:

- 1.** A concerned citizen, advocacy group, government agency, or legislator has an idea to make the State a better place...



- 2.** Then, the idea is proposed to a legislator or group of legislators in either the House or Senate. **If the legislator/s decides it's a good issue, then a bill is drafted...**



- 3.** A new bill is filed and given a "First Reading." **Then the bill is assigned to a committee or several committees.** Each committee is in charge of studying the bill, and reporting its findings to the whole House or Senate.

QUESTION: Who assigns the bills to committees?

The leader of the House of Representatives is called the Speaker of the House and the leader of the Senate is called the President of the Senate. These positions hold lots of power within the House and Senate, respectively. One of their responsibilities is assigning bills to their chamber's committees. Both also assign legislators to be members of these committees, usually at the start of session.

DEFINITION: A committee is a group of legislators chosen to study proposed bills. Because they are small, committees can look at the bill more closely than the whole House or Senate would be able to do. Committee meetings also allow time for the public to comment on proposed legislation. The House and Senate both have many committees. Each committee studies different issues, such as education, natural resources, the budget, etc.

FOR EXAMPLE!

There is a proposed bill that would help school districts install speed detectors in school zones. This bill would be assigned to the Transportation Committee, Education Committee, and Budget Committee.



- 4.** In each committee, the bill is debated and amended if changes are needed. If approved in one committee, the bill moves onto the next assigned committee. Each committee studies the bill from a different perspective.



REMEMBER!

Citizens can get involved at any point in this process! They can call their elected officials, write them letters and emails, and even schedule a meeting with them to talk about issues.



Committee meetings are also open to the public. Citizens can ask to speak at these meetings to let their legislators know what they think on the matter!



1

Assign The Committees!

Both legislatures use the committee system for analyzing bills. Here’s an example of a proposed bill trying to make its way through Florida’s Legislature. *Your job is to read the description and assign this bill to the proper committees in the Florida Senate:*



Senate Bill 416 - Use of Wireless Communications Devices While Driving

Six Florida Senators (3 Republicans and 3 Democrats) heard from concerned citizens and highway safety organizations about the dangers of texting while driving. Together, they have drafted a bill that will make it against the law to text while driving. The new Senate Bill 416 just had its “first reading” and is now ready to be assigned to committees.

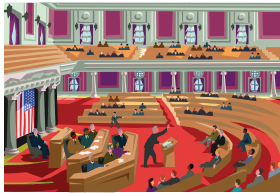
If you were the President of the Senate, which committees should you assign to this bill?

(Check all boxes that apply!)

- Transportation Committee Budget Committee Agriculture & Natural Resources Committee
- Communications, Energy, & Public Utilities Committee Education Committee

Why do you think both the federal and state legislatures use the committee system?

5.



If all committees approve the bill, then the bill is placed on the calendar to be heard on the floor. When it comes up on the calendar, it's debated, amended, and then voted on by the entire chamber!

2

Debate The Bill!

In each committee that reviewed Senate Bill 416, almost all committee members gave it yeas, while only a few gave it nays! Since it passed all of its committees, the bill has been placed on the calendar for floor debate.

Based on what you’ve read and what you know, would you vote in favor of this bill or against it if you were a Florida Senator? *(Check one box)*

- I'd vote in favor of the bill I'd vote against the bill

Give one reason why you personally think this would be a good law or a bad law for Florida:

(If you were a Senator, this would be what you'd say during the floor debate)

THEN, ...
THE BILL IS PASSED!



BUT WAIT...

6.



Now a **companion bill** must make its way through the other Chamber following the same process! In order for it to become law, both bills must be identical. So, the bills go back and forth between chambers until a consensus is reached or they give up on the idea entirely.

*DEFINITION: A **companion bill** is a version of the bill that moves through the other chamber. It addresses the same issue, and is very similar in language.*

3

Can It Pass Through Both Chambers?

Before Senate Bill 416 had its readings on the floor in the Florida Senate, the session ended. So we don't know how the whole Senate would have voted. A similar bill also did not make it to a floor vote in the House. This means the bill and its sponsors (the legislators that supported it) will have to try again next year. That's because while Congress has a year-long session with recesses, Florida's legislature works only part-time—meeting for a two-month session every spring.

Next time legislators try to pass this law, a majority of Representatives and a majority of Senators both must vote in favor of it. Do you think this will be easy or difficult?

Easy

Difficult

Why do you think the U.S. Constitution and State Constitution both require a bicameral legislature? Do you think this is a good system for making laws? Why or why not?

Once both Chambers pass an identical form of the bill, it proceeds to the Governor. The Governor can do one of three things:

7.



If the Governor approves of the bill, he/she can simply sign the bill into law.



If the Governor doesn't like the bill, he/she can decide to **veto** the bill. If that happens, the bill will go back to the Legislature where it will need a 2/3 majority in both the Senate and the House to override the veto.



The Governor can also choose not to sign the bill at all. After 7 days the bill becomes law without the Governor's signature.

*DEFINITION: A **veto** is the power of a chief executive to reject a bill passed by the legislature and prevent or delay it from becoming law.*

4

What Will the Governor Do?



If Senate Bill 416 had passed both the Senate and then passed in the House, it would have made its way to the Governor’s desk. While the legislative branch has most of the lawmaking responsibilities, you just learned what the executive branch’s role is in the process.

Another bill is on the desk, and the Governor is considering all options. Advise the Governor about what happens for each possibility:

IF...	THEN
If the Governor decides to veto the bill...	
If the Governor decides to sign the bill...	
If the Governor decides not to sign the bill but also does not veto it...	

If the bill is vetoed, what do you think happens to the bill if two-thirds of the Florida House and Senate do not approve it? Why do you think the constitution allows a bill to be overridden even if the governor vetoes it?

Once the Governor signs it, the seven days pass, or the House and Senate both pass it by a 2/3 majority, then...

8.

CONGRATULATIONS!

THE IDEA HAS FINALLY BECOME A STATE LAW IN FLORIDA!

5

Reflections



List as many ways as you can for how the public influences the lawmaking process. Then, circle the ones YOU can do now for an issue YOU care about.