

# Connecticut LawTribune

JANUARY 5, 2015  
VOL. 41 • NO. 1

An ALM Publication



CTLAWTRIBUNE.COM

## An Overview of the Legislative Process in Conn.

Attorneys for General Assembly offer an inside look at lawmaking

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With the 2015 regular session of the Connecticut General Assembly convening on Jan. 7, this article provides an overview of legislative procedures, clarifies certain terms of art and offers practical tips.

### Committee Process

The beginning of the session is dominated by the committee process, during which 25 committees transform ideas into bills. Connecticut is unusual in that its committees are joint committees, having members from the Senate and House. Committee leadership consists of a Senate and House chair and a Senate and House vice chair from the majority party, as well as a Senate and House ranking member from the minority party.

Partisan and nonpartisan staff support the work of the committees. Partisan staff includes attorneys, policy advisers, legislative aides and committee clerks. Nonpartisan staff includes people from the Legislative Commissioners' Office (LCO), the Office of Legislative Research (OLR) and the Office of Fiscal Analysis (OFA).

LCO staff draft and process bills, resolutions and amendments, and provide legal counsel to the committees. OLR staff conduct research and prepare plain-language analyses of bills voted out of committee. OFA staff analyze the fiscal impact of bills. Larger committees are also staffed by a nonpartisan administrator who manages the committee's administrative matters. Despite the partisan nature of the legislative process, these nonpartisan staff members pride themselves on their ability to serve impartially.

In the early days of the session, individual legislators may introduce proposed bills,



which are essentially concepts, not fully drafted legislation. In a long session, held in odd-numbered years, proposed bills may relate to any topic, while in a short session proposed bills are limited to budgetary, revenue and financial matters. Each proposed bill is referred to an appropriate committee. If the committee decides to develop a concept into a proposed bill, the bill becomes a fully drafted committee bill. If the concept originated in committee and was not introduced by an individual legislator, it is called a raised bill. In addition, there are governor's bills, which are introduced on behalf of the governor by the legislative leaders from his party and referred to the appropriate committee of cognizance.

Committees also select which bills will have a public hearing. Hearing notices must be posted in the legislative bulletin at least five calendar days in advance of the hearing.

The legislative bulletin is updated daily and is available on the General Assembly's website ([www.cga.ct.gov](http://www.cga.ct.gov)). Testimony may be submitted orally, in writing or both. The first hour of public hearings is dedicated to testimony by legislators, representatives of state agencies and municipal officials. The public may testify after the first hour or once there are no remaining public officials wishing to testify, whichever comes earlier. The order in which public testimony is heard varies by committee: Some follow the order in which people have signed up, some use a lottery system and others hear testimony in the order the bills appear on the agenda. Members of the public should consult the legislative bulletin, committee administrator or committee clerk for specific hearing procedures.

Once a bill has had a hearing, the committee may take final action on and up to the committee's joint favorable (JF) deadline. JF

deadlines vary by committee and range from mid-March to late April, with the appropriations, finance and judiciary committees having the latest deadlines.

A committee may take several types of action on a bill. It may favorably report the bill out of committee (commonly known as being "JF'd") or favorably report the bill out of committee with substitute language ("JFS" language). If a bill is voted out of committee to either chamber, it must go to LCO for review, OLR for a plain-language analysis of the bill and OFA for a fiscal note summarizing cost or revenue to the state and municipalities. These items, along with any substitute language, are incorporated into a file copy available on the General Assembly website approximately 15 calendar days after the committee has voted out the bill.

Another option is to refer the bill to another committee for further review. In some instances, referral is required; for example, a bill must be referred to the appropriations committee if it requires an appropriation. If the committee receiving the referred bill is approaching its JF deadline, the referred bill may die if the committee lacks sufficient time to consider all referred bills. A committee may also unfavorably report a bill out of committee, although such action is rarely taken, as it moves the bill forward without the support of the committee of cognizance. Finally, a committee may box a bill or take no action on the bill; both result in the bill dying in committee. Boxing a bill is rare, as it requires the committee to affirmatively vote to defeat a bill; taking no action on a bill is more common.

### Consideration by Chambers

After the file copy is released, the bill is placed on the calendar, which is a list of bills awaiting action by the Senate or House.

With limited exceptions, bills must appear on the calendar for three days before they can be voted on. The order in which bills are taken up is determined by the chamber leadership. Calendar markings indicate the bills slated to be taken up and include "go," which indicates the bill is likely to be debated and voted on shortly; "pass temporarily," which suspends consideration temporarily; "pass retained," which means the bill is being passed over but retains its place on the calendar; and "moved to the foot of the calendar," which means a bill has been put on hold indefinitely. These markings are, however, subject to change. The Senate majority leader announces calendar markings from the floor, while the House makes a "go list" available on the General Assembly website.

Bills taken up for a vote will either be subject to floor debate or put on a consent calendar. During floor debate, any legislator may introduce amendments to the bill. If a bill has already passed in one chamber and is amended in the other, it must be returned to the chamber of origin for another vote. A consent calendar consists of several bills on which there are no objections from any legislator, and one vote is called on all bills included therein. While efficient, bills on consent generally receive little or no floor debate, therefore limiting the legislative history. Once a bill has passed both chambers, it becomes a public act but does not become law until the governor signs it or fails to veto the bill within the prescribed time.

### Practical Considerations

Remember that legislation moves fast. Those seeking to advance legislation should not delay in responding to a request for information from a legislator or legislative staff. Also keep in mind that a bill is not dead until midnight on the last day of the session.

Bills that die in committee may be resurrected as an amendment later in the process, so one should monitor the legislative process until the session concludes.

Effective written testimony on a bill should clearly state whether one supports or opposes the bill, discuss gaps or problems in the bill and include proposed language for any revisions sought. Such comments and language will help ensure that the testimony is properly understood. If a committee elects to include language proposed by a member of the public, LCO will likely revise such language for consistency with statutory drafting conventions, but this does not mean that the suggested language was not helpful.

For information on bill tracking, legislative history, or procedure, consult the General Assembly website. Each bill has its own page, which includes the bill history, links to written testimony and, for bills favorably voted out of committee, an OLR bill analysis and an OFA fiscal note. In addition, the advanced search function provides access to archival information, including session and public hearing transcripts dating back to 1988. The Joint Rules and committee deadlines for the 2015 Legislative Session will be available the second week of January on the LCO website ([www.cga.ct.gov/lco/](http://www.cga.ct.gov/lco/)).

Finally, note that the public is now required to go through a security checkpoint to enter the capitol building or the legislative office building (LOB) and may no longer enter the LOB via the garage skywalk or the east entrance. You may encounter minor delays, especially if a hearing is likely to draw a large crowd, so plan accordingly. ■

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