

Legislative Primer – 2020

The Maryland General Assembly

The Maryland General Assembly has two chambers (*i.e.*, it is a bicameral legislature). The House of Delegates has 141 members, and the Senate has 47 members.

Senators must be at least 25 years of age at the time of their election, and Delegates must be at least 21 years old. All State legislators must be U.S. citizens and residents of Maryland for at least one year (and residents of their respective legislative districts for at least 6 months) before their election.

Unlike Congress, where Representatives serve two-year terms and Senators serve six-year terms, State Delegates and Senators all are elected to serve four-year terms. The Governor of Maryland is term-limited (no more than two terms), but State Delegates and Senators are not. Elections for the State Legislature are held during “off year elections,” *i.e.*, in even-numbered years without a U.S. Presidential election.

The Maryland General Assembly meets each year for ninety (90) days to consider as many as 2,300 bills or more. To become law, a bill must successfully navigate Maryland’s complicated and dynamic legislative process.

The Basics – How A Bill Becomes Law in Maryland*

An idea or concept must clear many hurdles before it can become law in Maryland. Ideas for new legislation first must find a sponsor – a legislator who agrees to shepherd and champion the idea through the complicated legislative process. Without a legislator to sponsor it, an idea will never even become a bill.

Bills are drafted by the Maryland Department of Legislative Services, reviewed by the legislator, assigned a number (*e.g.*, “House Bill 102” or “Senate Bill 965”), and prepared for introduction. Bills or resolutions may be introduced at any time during the 90-day session, and they can be “pre-filed” in advance of the regular session.

First Reading: On each Legislative Day, the Reading Clerk in each chamber reads the titles and numbers of bills being introduced for that day, and indicates the committee to which each Bill has been referred by the presiding officer – either the Speaker of the House or the President of the Senate.

Referral to Standing Committee: Standing committees (*e.g.*, the House Judiciary Committee and the Senate Judicial Proceedings Committee) meet frequently during the regular session to receive testimony and take action on bills referred to the committee. Citizens are encouraged to present their views on proposed bills both by mail and by personal appearance. Lobbyists for organized interest groups, officials from State agencies, local government representatives, and

other interested citizens speak about proposed legislation in scheduled committee hearings, either to oppose or to support the proposed legislation.

The Department of Legislative Services prepares a fiscal analysis for each bill, and these Fiscal Notes are considered during hearings and committee deliberations.

Second Reading and Floor Consideration: Every bill is reported back to the chamber floor by the committee with its recommendation (favorable, unfavorable, favorable with amendment, or rarely, no recommendation).

If a bill is reported back with a committee amendment, then the chamber first votes on whether to take the amendment. If that vote passes, the chamber then will vote whether to accept the bill as amended. Committee actions may be reversed, but this happens infrequently.

During second reading, bill amendments also can be offered from the floor by any member. After all amendments are considered and the bill is accepted, the presiding officer will order the bill printed for its third and final reading.

Third Reading: Each bill must be printed in its final version with all amendments included for third reading. No amendments may be presented on third reading in the bill's chamber of origin. A bill must pass third reading by a majority of the chamber's elected membership.

If a bill receives enough votes for third and final passage in its chamber of origin, the bill then crosses over to the other chamber for consideration.

Second Chamber: An identical procedure is followed in the second chamber (introduction, referral to committee for consideration and action, second reading, and third reading), except that amendments can be proposed during both second reading and third reading.

If a bill passes third reading without amendment in the second chamber, then the bill is reprinted, or enrolled, in its final form before it is presented to the Governor.

If a bill is amended in the second chamber, then it is returned to its chamber of origin, where a vote is taken on a motion to concur or to reject the amendments. A vote to concur adopts the second chamber's amendments, and the amended bill will be enrolled in its final form.

If the amendments are rejected, then the amending chamber may be requested to withdraw its amendments. Alternatively, upon rejection of the amendments, either chamber may request the appointment of a conference committee to resolve the differences between the two chambers.

Conference Committee: A conference committee consists of three members of each chamber, appointed by the presiding officers. The conference committee will meet and try to reconcile any differences over the proposed legislation.

The conference committee's report will return to the bill's original chamber for adoption or rejection. If the conference committee report is adopted, the bill must be voted upon for final

passage. If the conference committee report is rejected by either chamber, then the conference committee may be directed to reconvene (perhaps with new members), or the bill fails.

Presentation of Bills to Governor: Except for constitutional amendments and the budget bill, presentation of all bills to the Governor is mandatory. The budget bill becomes law on final passage and cannot be vetoed. The Governor also may not veto a constitutional amendment.

Bills must be presented to the Governor within twenty days after the adjournment of a session, and the Governor may veto any such bill within thirty days after presentation. Bills presented to the Governor before the end of the regular session may be vetoed within seven days. If a bill is not vetoed before the applicable deadline, then it becomes law.

Veto Power: If a bill is vetoed during a regular session, then the veto message is considered immediately. If a bill presented after the regular session is vetoed, then the veto message must be considered immediately at the next regular or special session of the legislature, except that the legislature during the first year of a new term may not override a veto. A three-fifths vote of the elected membership in each chamber is necessary to override a veto.

*Source: Md. Dept. of Leg. Servs., "The Legislative Process," <http://dls.maryland.gov/pubs/prod/NoPblTabLibResDocs/Legislative-Process.pdf>.

Selected Legislative Dates of Interest*

January	8	1 st Day	GENERAL ASSEMBLY CONVENES (<i>noon, Wednesday</i>)
	15		Final date for Governor to introduce budget/capital budget bills
	21	14 th Day	BILL REQUEST GUARANTEE DATE (<i>bills requested from Dept. of Legis. Servs. on or before this date are deemed timely introduced</i>)
February	3	27 th Day	SENATE BILL INTRODUCTION DATE (<i>bills introduced after this date referred to Senate Rules Committee</i>)
	7	31 st Day	HOUSE BILL INTRODUCTION DATE (<i>bills introduced after this date referred to House Rules and Executive Nominations Committee</i>).
March	2	55 th Day	Final date for introduction of bills without suspension of Rules
	10	63 rd Day	Committee Reporting Courtesy Date (<i>Each chamber's committees may report bills back to the floor by this date</i>)
	16	69 th Day	BILL "CROSSOVER" DATE (<i>Each chamber to send bills it intends to pass favorably to opposite chamber; opposite chamber bills received after this date referred to Rules Committees</i>)
	30	83 rd Day	Budget bill to be passed by both Chambers
April	6	90 th Day	ADJOURNMENT "SINE DIE" (Monday)

*Source: <http://mgaleg.maryland.gov/Pubs-current/current-session-dates.pdf>