

HOW A BILL BECOMES A LAW

And How PCAR Informs the Process

In Pennsylvania

1 An idea or need is established.

An idea can emerge from one person's experience or a broader community's struggle, such as high-profile court cases, a tragedy, media, research and reports, model legislation in other states, or through a large-scale movement or campaign (like #MeToo).

How PCAR Helps

Working closely with rape crisis centers in all 67 counties in the Commonwealth provides PCAR with a comprehensive, current, and practical understanding of the needs of sexual assault victims as well as gaps in current laws and institutional policy. PCAR draws from its partnership with the National Sexual Violence Resource Center and Raliance to infuse Pennsylvania legislation with national best practices in trauma-informed systems and sexual harassment, assault, and abuse prevention strategies.

2 Legislators draft a bill to address the idea or need.

This can happen in a variety of ways. Ideally, legislative and advocacy partners work together from the beginning, to draft a bill that is responsive to the realities of victims and the needs of communities.

How PCAR Helps

It is common for a legislator or staff member to identify the need and ask for PCAR's assistance in drafting and/or reviewing the language of the bill. Additionally, ideas are brought to the Legislative Reference Bureau (LRB) for drafting. PCAR applies the knowledge and perspective gained while working closely with rape crisis centers and works with partners in both chambers to identify possible prime and second sponsors to champion the effort and build bi-partisan support for the bill.

PCAR seeks input on the draft from colleagues, key stakeholders, policy think tanks, and members of the rape crisis center network. This review process helps identify support and opposition to the bill and its intent. It also ensures that the language of the bill is practical and responsive of the needs of survivors and communities throughout the Commonwealth.

3

Legislators circulate a co-sponsorship memo to colleagues.

A co-sponsorship memo conveys the intent and anticipated impacts of the legislation. It's a brief, plain-language document that does two things: 1.) helps fellow-legislators (and others) understand the need for the legislation and 2.) invites legislators to sign-on as co-sponsors. While circulating, legislators can sign onto the co-sponsorship memo and their names will appear on the bill once it is introduced.



How PCAR helps

PCAR offers support in writing the co-sponsorship memo. We draw from the experiences of rape crisis centers as well as available research, model legislation, and media coverage on the issue. PCAR often contacts individual legislators to ask for their co-sponsorship on legislation, prioritizing bi-partisan support and Committee membership.

4

Legislators submit the bill to the Legislative Reference Bureau.

Once the bill has been drafted and vetted with partners, it is sent to the LRB. The LRB prepares bills and resolutions for introduction and advises legislators and committees. They review the bill for consistency with existing statutes, insert appropriate references, and ensure adherence to Pennsylvania's rules.

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The bill is introduced and assigned to a Committee.

Once out of LRB, the bill is introduced by the legislator and tagged with a bill number and Printer's number. The bill number stays the same during the duration of the session. The Printer's number changes with every amendment to the bill. The Chamber leader—the Speaker of the House or Senate President Pro Tempore—assigns the bill to the appropriate Committee. Most sexual assault bills are assigned to the following Committees: Judiciary, Health and Human Services, Education, Children and Youth, Aging, Urban Affairs & Housing, and Labor and Industry. You can find a list of Standing Committees and their members in the Senate and House here:

Senate: <http://www.legis.state.pa.us/cfdocs/CteeInfo/StandingCommittees.cfm?CteeBody=S>

House: <http://www.legis.state.pa.us/cfdocs/CteeInfo/StandingCommittees.cfm?CteeBody=H>

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Advocates and legislators build support for the bill.

While support for the bill should be cultivated at every step, once it is introduced, those efforts typically ramp-up.



How PCAR Helps

Building support can occur in a variety of ways: press releases, op-eds, press conferences, rallies, social media posts, educational materials, media advocacy, meetings with legislators and staff (prioritizing members of the bill's Committee—particularly the Executive Directors, Chairs, and bipartisan members of the Committee), meetings with community partners, and others. PCAR also often sends Action Alerts to the network of rape crisis centers and community partners to call their members and ask for support (or opposition) for the bill being considered.

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The Committee considers the bill and votes.

Once the bill is assigned to Committee, the lead sponsors will often meet with the Chairs to discuss the intent, build support, and ask the Chair to move the bill.

Chairs routinely review legislation that comes into their committees, decide to move issues that interest them, and may hold pre-meetings about the bill. They commonly request input from stakeholders and advocacy groups about bills they have been asked to move to gauge support or a need for an amendment before putting it on the Committee's agenda.

If the Majority Chair supports the bill and/or is persuaded by other members or advocacy groups, they will place the bill on the Committee's agenda. If a Chair person is interested in the bill, but more information is needed, they will often schedule a public hearing or informational session to help to educate Committee members (and observers) about the bill. Hearing panelists that represent various perspectives, disciplines, and communities are invited by the Committee to testify about the bill—including rape crisis centers!

During committee meetings, members can pose questions and share concerns. During the Committee's consideration of the bill, members might introduce amendments to the language. If the Chair approves, the bill will be considered for a vote. If the Committee votes against the bill, it will "die in Committee" and have to be reintroduced.



How PCAR Helps

When the bill is placed on the Committee's agenda, PCAR increases its outreach to the Committee members. We share our position on the bill through emails, letters, phone calls, and in person. PCAR also sends another Action Alert to the network of rape crisis centers to make calls to members to build support (or opposition) within Committee.

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If favorably voted out of committee, the bill goes to the full Chamber for consideration.

Once it passes out of Committee, the Chair recommends the bill to be considered by the full Chamber (on the Floor). If Leadership places the bill on the calendar, it will be considered by the Chamber for three days before it can come up for a vote. A bill is 'considered' when it is placed before the full Chamber for debate, amendment and/or voting. The bill can receive its first consideration and then be assigned to another committee—like Appropriations or Rules—indefinitely. Or, it can come up for its second consideration and then stay on the calendar indefinitely (as laid on the table). It can be removed from the table for its third consideration. Bills that have overwhelming support can move through the three considerations more quickly. If a bill has a fiscal impact, it must be sent to Appropriations—before its third consideration—to assess the funds needed to implement the bill.

Amendments and debate are permitted on the second day of consideration. On the third day, the bill may be further amended and debated before taking a vote through "Roll Call."



How PCAR Helps

When a bill is placed on the Voting Schedule, PCAR sends its positions to the Chamber. PCAR may ask supporters to call their legislator to either urge support for the bill or express concern about the bill's effect on sexual assault victims.

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If the bill passes, it goes to the other Chamber.

If the bill receives a favorable vote by the majority of members, it goes to the other Chamber. The bill follows a similar journey in the receiving Chamber, starting in the assigned Committee.

The receiving Chamber can kill, amend, or pass the bill. The House and Senate can “punt” a bill back and forth indefinitely.

The bill can be killed in several ways: by never making it onto the Committee’s agenda, by not making Floor consideration three times, by receiving an opposing vote by the majority of members, or by being tabled and not taken off the table before the end of the session. If the bill is killed, it must be reintroduced in the next session with sponsors and a new bill number.

If it is amended in the other Chamber, those changes are considered in its originating Chamber. The amended bill is typically referred to the Chamber’s Rules Committee before coming up for a vote. The Rules Committee can report the changed bill out as Committed—accepting the other Chamber’s amendments—before it goes to the Floor for a vote. Or, the originating Chamber can choose to revert back to the original language of the bill. In that case, the bill will be referred to the Conference Committee to reconcile the differences in the two bills. Conference Committee members are selected from both chambers by the Speaker of the House and the President Pro Tempore of the Senate. The Chambers must then vote on the Conference Committee’s report before it goes to the Governor.

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Once a bill passes both chambers it goes to the Governor.

The Attorney General certifies the legality and constitutionality of the bill. The Governor can then choose to approve, veto, or do nothing with the bill. If approved, it is signed into law and given an Act number. If vetoed, it either dies or the General Assembly attempts to override the veto. Overriding a veto requires a two-thirds majority vote in both Chambers (33 votes in the Senate and 136 votes in the House). If the Governor does nothing, it becomes law but without his signature.



How PCAR Helps

PCAR shares its policy positions on legislation with the Governor’s Office urging support for the bill or expressing concern about the bill’s effect on sexual assault victims.

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The law is implemented through regulations and rule-making.

Once it is enacted, the law must be implemented within the timeframe specified.



How PCAR Helps

PCAR serves on a number of public agency task forces and commissions to influence the implementation of legislation and ensure that it reflects the needs of survivors, communities, and rape crisis centers. Our coalition also provides training and technical assistance on the new law and its impacts on rape crisis centers, victims, and communities.

Often, in the context of training and technical assistance, new ideas emerge or gaps in what passed are identified. And so the process begins all over again.

Legislative Sessions

The Pennsylvania legislative session operates on a two-year cycle. The session begins on the second Tuesday in January, each odd year. At the end of the legislative session, before the legislature recesses—sine die—bills that have not passed will die and have to be reintroduced in the next legislative session.

Questions?

For more information, training, or technical assistance on policy advocacy, please contact Donna Greco, policy director: dgreco@pcar.org or 717-729-9740, x114.



Pennsylvania Coalition Against Rape

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