HOW AN IDEA BECOMES LAW

South Dakota Legislature
Legislative Research Council

Idea

- A bill is simply an idea that someone would like to see become law.
- It could be anything from the penalty for committing a crime to the amount of money that can be spent on a state program.
- The idea can come from anyone, but only a State Representative or State Senator can take the idea and guide it to final passage through the State Legislature.

Drafting

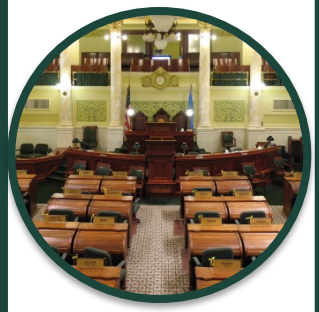
- The drafting of the idea into a bill is done by the Legislative Research Council, the permanent, non-partisan staff of the Legislature.
- A bill may be filed by any member of the House or Senate, and generally more than one legislator will sponsor a bill. The legislator whose name appears first on the bill is the "prime sponsor."

Introduction

- A bill is given to the Chief Clerk of the House or the Secretary of the Senate and is assigned a number. If the bill is sponsored by a Senator, it is a Senate Bill. If the bill is sponsored by a Representative, it is a House Bill.
- The bill is given a First Reading in the "House of Origin". The "House of Origin" is the chamber that sponsored the bill.
- At a First Reading the bill's number and title are read aloud.
- The Senate President Pro tempore or Speaker of the House then assigns the bill to a committee.

Committee

- A committee's responsibility is to examine a bill carefully, take testimony for and against the bill, and decide what to do with the bill.
- The committee has the following options:
  - Send the bill to the floor with a "Do Pass" recommendation,
  - Amend,
  - "Table" the bill, which kills the bill, unless the full body orders the committee to send the bill to the floor ("Smoke-Out"), or
  - Defer the bill to the day after the last Legislative Day, which also kills the bill.



Debate

- If a bill reaches the floor, it is debated and voted on by the body.
- If it passes, the bill is sent to the other body, where it goes through the same introduction and committee processes.

Law

- If a bill passes both the House and Senate, it is sent to the Governor.
- If signed by the Governor, the bill becomes law.
- If vetoed by the Governor, the Legislature has an opportunity to decide whether to override or uphold the veto.
- If the Legislature succeeds in overriding the veto, the bill becomes law.