



Introducing a House Bill or Resolution

Betsy Palmer

Analyst on Congress and the Legislative Process

November 24, 2010

Congressional Research Service

7-5700

www.crs.gov

98-458

Developing Ideas for Legislation

Ideas and recommendations for legislation come from a wide variety of sources, such as individual Representatives, committees and other House working groups, party and chamber leaders, executive branch agencies and the White House, states and localities, and citizens or interest groups. Any or all of these individuals or entities may participate in drafting legislation, although only a Member may formally introduce legislation.

Some of the most common considerations that might be taken into account when drafting a bill are

- To what committee or committees is the measure likely to be referred?
- Will the bill attract cosponsors?
- Does the measure have bipartisan appeal?
- Is the measure best introduced at the beginning or toward the end of a Congress?
- What are the budgetary or appropriations implications?
- Should there be a companion measure introduced in the Senate?

Drafting Legislation

Although there is no requirement that bills and other measures introduced in the House be prepared by the House Office of Legislative Counsel, the office plays an important role in drafting legislation. Its staff attorneys are both subject-matter specialists and experts in legislative drafting. Legislative counsel staff are often assigned to serve a specific committee or committees and focus almost exclusively on related policy areas in which they are expert. They act as nonpartisan, shared staff, working closely with committee members and staff. Numerous drafts of a bill or resolution may be required before a measure is formally introduced.

Those drafting legislation may seek assistance from legislative counsel at any stage. All communications with the office are considered confidential. The office is located at 136 Cannon House Office Building (5-6060).

Under House Rule XII, the Speaker of the House refers legislation based on recommendations from the Office of the Parliamentarian. After introduction, a bill will normally be referred to the committee (or committees) having jurisdiction, as defined in House Rule X, over the subject (or subjects) addressed in the bill. (For detail, see CRS Report 98-175, *House Committee Jurisdiction and Referral: Rules and Practice*, by Judy Schneider.) Members and staff drafting legislation may consult the Office of the Parliamentarian on the referral that a draft bill would be likely to receive.

Introducing a Bill

The formal procedures that govern the practical activity of introducing legislation are few and are found in House Rule XII. Former House Parliamentarian Wm. Holmes Brown in *House Practice: A Guide to the Rules, Precedents and Procedures of the House* (Washington: GPO, 2003) has

stated: “The system for introducing measures in the House is a relatively free and open one.” House rules do not limit the number of bills a Representative may introduce.

When a Representative who is the primary sponsor has determined that a bill or resolution is ready for introduction, the measure is printed in a form that leaves room for the parliamentarian’s office to note the committee or committees of referral and for a clerk to insert a number. The Member must sign the measure and attach the names of any cosponsors on the form provided by the Clerk’s office (cosponsors do not sign the bill). The Member then deposits the measure in the box, or “hopper,” at the bill clerk’s desk in the House chamber when the House is in session. A Member need not seek recognition in order to introduce a measure.

If a Member has second thoughts after introducing a measure, he or she may reclaim it from the clerk so long as the measure has not been assigned a number and referred to committee (a process that normally takes one day). Once a measure has been numbered and referred, it becomes the property of the House and cannot be reclaimed. The House has the authority to consider an introduced bill or resolution even if the sponsor resigns from the House or dies.

In the first days of a new Congress, hundreds of bills and resolutions are introduced. Measures are numbered sequentially and Representatives may seek to reserve numbers, as these are sometimes seen as providing a shorthand meaning to the legislation, or having some other symbolic meaning. In recent Congresses, the House has ordered that bill numbers one through 10 be reserved for majority party leaders.

Author Contact Information

Betsy Palmer
Analyst on Congress and the Legislative Process
bpalmer@crs.loc.gov, 7-0381

Acknowledgments

This report was originally prepared by former CRS Specialist Richard C. Sachs. Please direct any inquiries to the listed author.