

# How Laws are Made

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THE LEGISLATURE

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# Sharon Bradley

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# What we'll cover

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Law, as defined in Black's Law Dictionary, is "a body of rules of action or conduct prescribed by controlling authority and having binding legal force." Our laws come from our three branches of Government: legislative, executive, and judicial. These webinars will focus on the law-making activities of each branch, the documents that are created during the process, and how they are used by lawyers and legal researchers.

The legislative branch creates laws in the form of statutes. We will look at the process by which bills eventually become public laws and learn about legislative history.

# Research Guide

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How Laws Are Made: The Legislature

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How Our Laws Are Made

The infographic details the legislative process, starting with a bill being introduced in the House of Representatives or the Senate. It shows the path through committees, public hearings, and floor debates in both chambers. Key steps include: Introducing Legislation, Committee Work, Debate & Amend, Enrollment, and Final Approval. The process concludes with the President signing the bill into law. The infographic also includes a quote from the U.S. Constitution: "Congress shall have Power... To make all Laws which shall be necessary and proper" U.S. Constitution Article 1 Section 8.

# Laws are like sausages. It's better not to see them being made.

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"Laws, like sausages, cease to inspire respect in proportion as we know how they are made."

- John Godfrey Saxe

## Legislative process

- Trace legislation
- Identify documents

# Who and Why

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Legislative staffers

Lobbyists

Trade associations

Industry groups

Non-profits

- Medical
- Environmental
- Social justice
- Religious

# Legislative Intent

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Why is there a law

What does the law accomplish

Who benefits

Legislative history

# Bills & Resolutions

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## Congress

- House of Representatives
- Senate

## Bills

- Public 
- Private – affect only specific individuals or organizations

## Resolutions

- Joint – like bills but deal with more limited matters like constitutional amendment & money measures
- Concurrent – used to express facts, opinions, principles, or purposes by both House & Senate
- Simple – considered by only one chamber and usually for procedural matters & rules



# First Reading

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## House

- Dropped into the hopper which is attached to the clerk's desk
- Assigned a title and number – HR 1
- Short description is read aloud
- Assigned to committee by the Speaker

## Senate

- Senator presents bill to one of the clerks at the Presiding Officer's desk, or
- Presiding officer "recognizes" the senator who then formally presents the bill
- Assigned a title and number – S 1
- Short description is read aloud
- Assigned to committee



# Committees

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Collect information

Examine alternative

Refine legislation

Committee publications

- Transcripts
- Prints
- Reports

# Actions

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## Floor action

- Debates
- Voting

## Presidential action

- Sign
- Veto

## Congressional Record

- Floor debates (edited)
- Records of votes
- Legislative actions
- Full texts of some bills

# It's a Law!

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## Slip law

- Pub.L. 105-18

## Statutes at Large

- 97 Stat. 113

## United States Code

- 42 USC § 1983 (2012)



# How Laws are Made: The Legislature

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Questions?

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