

How Laws are Made

THE LEGISLATURE

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Sharon Bradley

Special Collections Librarian

Alexander Campbell King Law Library

University of Georgia School of Law

bradleys@uga.edu

What we'll cover

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 introduced in the House of Representatives (H.R. 301 [110]). It shows the path through committees, debate, and final approval by both chambers, leading to the President's signature and the law's publication. Key steps include: Introducing Legislation, Committee Work, Debate & Amend, Put on Calendar, and Final Approval. A quote from the U.S. Constitution Article I Section 8 is included: "Congress shall have Power... To make all Laws which shall be necessary and proper".

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

"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

Legislative staffers

Lobbyists

Trade associations

Industry groups

Non-profits

- Medical
- Environmental
- Social justice
- Religious

Legislative Intent

Why is there a law

What does the law accomplish

Who benefits

Legislative history

Bills & Resolutions

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

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

Collect information

Examine alternative

Refine legislation

Committee publications

- Transcripts
- Prints
- Reports

Actions

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!

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

Questions?

Contact:

- Sharon Bradley
- bradleys@uga.edu