



North Dakota Legislative Council

Prepared for the Legislative Procedure and Arrangements Committee
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VOLUME OF DRAFTING REQUESTS AND STATE WORKFLOW PROCESSES

This memorandum provides information requested by the committee regarding the number of bill and resolution drafting requests received by the Legislative Council staff for the 2025 legislative session, categorized by major topic, and a summary of the number of states that require every bill have a hearing.

NUMBER OF DRAFTING REQUESTS RECEIVED FOR THE 2025 LEGISLATIVE SESSION

The following table provides the number of bill and resolution draft requests received by the Legislative Council staff for the 2025 legislative session, as of September 13, 2024. Any requests that were withdrawn by a requester are excluded from the total request count. Request counts are categorized by the primary subject matter in each bill draft. Resolution drafts and interim committee bill drafts are counted separately.

Primary Subject Matter	Number of Requests
Agriculture and animals	18
Alcohol	2
Appropriations	64
Banking	6
Consumer protection	1
Contracts	1
Courts	11
Crimes and law enforcement	9
Domestic relations	5
Drugs	2
Education	28
Elections	16
Emergency services and firefighters	5
Environmental protection	2
Ethics	1
Gaming	3
Health and human services	13
Human rights	8
Hunting	4
Insurance	7
Interim Committee bills	37
Legislative branch	7
Military and veterans	3
Motor vehicles and transportation	10
Occupations and professions	8
Open records and meetings	4
Public Employees Retirement System	8
Political subdivisions	17
Property	12
Public utilities	1
Resolutions	14
State government	26
Taxation	34
Trusts	1
Weapons	3
Workers' compensation	1
Total	392

One approach used by other states to manage bill request volumes is the application of deadlines and limits to bill and resolution drafting requests. For instance, in Montana, legislators may request an unlimited number of bill or resolution drafts be prepared through December 5th of the year before a regular legislative session. After December 5th, a legislator may request up to seven more bill or resolution drafts be prepared, five of which must be requested before the 1st day of the regular legislative session, subject to certain exceptions.

STATE-BY-STATE BILL HEARING REQUIREMENTS

The following table provides state-by-state information regarding whether a hearing is required for every bill.

States in Which a Hearing is Required for Every Bill	States in Which a Hearing is Not Required for Every Bill
Alaska ¹ Arizona ³ Colorado ⁵ Florida ⁷ Georgia ⁹ Maine ¹¹ Maryland ¹³ Massachusetts ¹⁵ Missouri ¹⁷ Montana ¹⁹ Nebraska ²¹ Nevada ²³ New Hampshire ²⁵ New Mexico ²⁷ North Dakota ²⁹ Ohio ³¹ South Carolina ³³ South Dakota ³⁵ Tennessee ³⁷ Vermont ³⁹ Wyoming ⁴¹	Alabama ² Arkansas ⁴ California ⁶ Connecticut ⁸ Delaware ¹⁰ Hawaii ¹² Idaho ¹⁴ Illinois ¹⁶ Indiana ¹⁸ Iowa ²⁰ Kansas ²² Kentucky ²⁴ Louisiana ²⁶ Michigan ²⁸ Minnesota ³⁰ Mississippi ³² New Jersey ³⁴ New York ³⁶ North Carolina ³⁸ Oklahoma ⁴⁰ Oregon ⁴² Pennsylvania ⁴³ Rhode Island ⁴⁴ Texas ⁴⁵ Utah ⁴⁶ Virginia ⁴⁷ Washington ⁴⁸ West Virginia ⁴⁹ Wisconsin ⁵⁰
<p>¹"The person who chairs the committee to which a bill or resolution is first referred shall provide to the chief clerk or secretary written notice of the time and place of the first public hearing on the bill or resolution . . ." (House Rule 23) A staff member of the Alaska Legislative Reference Library confirmed the hearing requirement.</p> <p>²"The chair of a standing committee shall honor a written request for a public hearing on a bill if such request is received by the chair prior to the posting of the notice of the committee meeting at which the bill is to be considered." (House Rule 74)</p> <p>³"The President shall refer all proposed measures or other legislative matters to the appropriate committees . . . If three-fifths or more of the members of the Senate petition the President to discharge committees from further consideration of a bill, resolution or memorial, the measure shall be withdrawn by the President from assigned committees which have not reported the measure. If a committee hearing has not been held on the measure, the President shall direct that a hearing be held by a committee within seven days and upon withdrawal or hearing, the matter shall be placed by the President on the active calendar of the Committee of the Whole . . ." (Senate Rule 2(J)) Legislative Council Assistant Director Nadine Sapien confirmed the hearing requirement and mentioned there are very rare exceptions to it.</p> <p>⁴"All persons wishing to offer testimony to a committee hearing shall be given a reasonable opportunity to do so as determined by a majority of the committee." (House Rule 61(a)) "No motion to extract a bill or other matter shall be in order prior to the bill or other matter being heard by the committee to which it is assigned or, if not heard by the committee, not before the author of said measure has requested a hearing before said committee." (Senate Rule 7.5(m)) According to a publication produced by the legislature, a committee may hold a public hearing, combine multiple bills into a committee bill, or not act on a bill.</p> <p>⁵According to the Legislative Legal Services article <i>Making Sense of Committee Rules - A Brief Overview</i>, "Every bill that is assigned to a House committee must receive a hearing, consideration, and vote on the merits at a scheduled committee meeting no later than the deadline for passage of bills out of committee. Although the Senate rules do not include this specific requirement, article V, section 20 of the Colorado Constitution (commonly referred to as the "GAVEL Amendment") requires that each measure assigned to a committee of reference receive consideration and a vote on the merits within appropriate deadlines."</p>	

- ⁶"All bills referred to a standing committee pursuant to [House] Rule 51 shall be set and heard, if requested by the author, as specified by the Joint Rules." (House Rule 56.1) "The chair shall set the hearings of bills . . ." (Senate Rule 21.5(h)) Senate Rule 28.8 and Senate Rule 28.9 does not require hearing on certain bills referred to the appropriations committees that do not appropriate money. According to Sue Parker, Chief Clerk of the California Legislature, a public hearing is not required on every bill referred to committee, but most bills referred to committee receive a public hearing.
- ⁷According to Adam Brink, House Rules Committee staff member, Florida, the standard process is for all bills to have a public hearing in accordance with House Rule 3.4 and House Rule 7.10.
- ⁸"A committee may hold subject matter public hearings on any subject an on specified proposed bills and proposed resolutions, and on committee and raised bills and resolutions." (Joint Rule 34(b))
- ⁹According to Michael Bozeman, Enrolling Clerk, Georgia, introduced bills are required to be referred to committee, and committees are required to hold public hearings on these bills.
- ¹⁰According to Ryan Dunphy, Senate Secretary, Delaware, whether a committee hearing is held on a bill is at the discretion of each committee's chair, but Senate Rule 42 provides a bill, resolution, or other legislative matter assigned to a standing committee must pass through a deliberative process before being brought to the floor of the Senate.
- ¹¹According to Michelle Dunphy, Assistant Clerk of the House, Maine, legislative procedure requires public hearings on all bills.
- ¹²"Subject to this rule, the selection and scheduling of a bill for public hearing shall be at the discretion of the chair of the committee having jurisdiction over the bill. . ." (Senate Rule 23)
- ¹³The *Maryland Manual Online* states, "Committees hold a public hearing on each bill or joint resolution assigned to them."
- ¹⁴According to Marissa Fischer, Legislative Research Assistance, Idaho, Senate Rule 20(D) requires committee meetings to be open but provides public participation may only take place with the approval of the committee.
- ¹⁵According to Michael Hurley, Senate Clerk, Massachusetts, bills are generally referred to joint standing committees; Joint Rule 1B provides a joint standing committee shall hold a public hearing on each matter referred to it in each legislative session; and there is no penalty for noncompliance.
- ¹⁶According to Jim Stivers, Legislative Reference Bureau Executive Director, Illinois, the chair of a committee has discretion over whether to post a measure for hearing and over whether to subsequently call the measure for consideration at the hearing.
- ¹⁷According to Ramona Wilkinson, House Administrative Assistant, Missouri, all bills in the General Assembly require a committee hearing.
- ¹⁸According to Candace Blackburn, Assistant Majority Secretary of the Senate, Indiana, whether to hold a public hearing on a bill is at the discretion of the chair of the standing committee of a bill's referral.
- ¹⁹According to Leah Hibbs, Executive Administrative Assistant, Montana does require committee hearings on all bills.
- ²⁰"Public hearings may be called at the discretion of the chair. The chair shall call a public hearing upon the written request of one-half the membership of the committee. . . ." (Senate Rule 39(10))
- ²¹"The chairperson of each committee shall set for hearing all bills and resolutions referred to the committee, except as provided for in Rule 1, Section 17." (Unicameral Rule 3(13)(b)) "The Speaker shall be authorized to require each committee to which a major proposal has been referred to hold a public hearing by a date certain as agreed to by the Speaker and committee chairperson." (Unicameral Rule 1(17)(b)(1))
- ²²According to Elaina Rudder, Senior Research Analyst, Kansas, the determination of whether to hold a public hearing is at the discretion of the chair of the standing committee to which the bill has been referred.
- ²³According to Jennifer Jacobsen, Research Policy Assistant, Nevada requires all bills to go through a committee hearing process.
- ²⁴According to the Kentucky General Assembly's legislative processes webpage, "When there is sufficient interest in a subject, a public hearing is held."
- ²⁵"A hearing shall be held on each bill referred to a committee." (House Rule 44) "A hearing shall be held upon each bill or resolution referred to a committee . . ." (Senate Rule 4-1)
- ²⁶"No legislative instrument shall be reported by a committee unless an open, public hearing on the instrument has first been held by the committee with due notice given and opportunity provided for interested persons to appear to testify for against the proposal." (House Rule 6.9(A)) "A committee shall hear, on or before the tenth day preceding the final day for consideration of bills on third reading of the session, any legislative instrument originating in the house of Representatives which has not previously been heard by such committee, and which the author, in writing requests the committee to hear." (House Rule 6.10) "No bill shall be considered for final passage unless a committee has held a public hearing and reported on the bill." (Louisiana Constitution Article III, Section 15(d)) According to Ron Smith, Louisiana House of Representatives Assistant Clerk II, the decision on whether a bill has a hearing is at the discretion of the chairperson of the bill's referral. However, to pass, a bill must have had a public hearing.
- ²⁷According to Jaret Fleetwood, Legislative Council Service Project Coordinator, New Mexico, all bills introduced in the New Mexico Legislature go through a public committee hearing process.
- ²⁸"A committee may hold a meeting on any bill, resolution, joint resolution, or alternative measure referred to the committee an on any issue relevant to the subject matter of the committee. . . ." (Senate Rule 2.107(a))

- ²⁹"Every bill and resolution referred to committee must be scheduled for a hearing in committee, and a hearing must be held on the bill or resolution before the appropriate deadline for reporting the bill or resolution back to the House. This rule does not apply to a bill or resolution withdrawn either before being scheduled for a hearing or before the hearing is held." (House Rule 508) "Every bill and resolution referred to committee must be scheduled for a hearing in committee, and a hearing must be held on the bill or resolution before the appropriate deadline for reporting the bill or resolution back to the Senate." (Senate Rule 508)
- ³⁰According to Laura Bell, Librarian/Information Analyst II, Minnesota, whether a bill receives a hearing in committee is at the discretion of the committee's chair and *Making Laws: Committee Proceedings* states, "A committee is not required to consider, still less to report, every bill referred to it."
- ³¹"All House bills and resolutions introduced on or before the 15th day of May in an even-numbered year, and in compliance with the rules of the House, shall be referred to a standing, select, or special committee or standing subcommittee, and shall be scheduled by the chair of the committee for a minimum of one public hearing." (House Rule 37) "All Senate bills and resolutions referred by the Committee on Rules and Reference on or before the 1st day of April in an even-numbered year shall be scheduled by the chairperson of the committee to which the same has been referred for a minimum of one public hearing." (Senate Rule 35)
- ³²According to Andrew Ketchings, House Clerk, Mississippi, the decision on whether to hold a committee hearing on a bill is at the discretion of the committee's chair.
- ³³According to Sherry Wright Moore, House Office of Research staff member, South Carolina, all bills go through a subcommittee hearing process, which allows for public input, excepting extremely rare circumstances in which 2/3 of a house's membership votes not to send a bill to committee.
- ³⁴"The chair of a committee may, with the consent of a majority of its authorized membership, schedule a public hearing on any bill or resolution referred to the committee, or on any matter under investigation or study by the committee." (Assembly Rule 18:1(a))
- ³⁵"Upon the first reading of a bill, the president pro tempore of the Senate or his designee shall assign that bill to an appropriate committee for hearing." (South Dakota Senate Rule 4-3) According to Michelle Deyo-Amende, Legislative Research Council Administrative Specialist, South Dakota, the South Dakota Legislature holds legislative hearings on all bills.
- ³⁶"During each legislative session, chairpersons of standing committees may call public hearings to permit interested persons, groups or organizations the opportunity to testify orally or in writing on legislation or other matters pending before such standing committee provided, however, that each chairperson shall call such public hearings upon a petition signed by a majority of the members of the committee." (Senate Rule IV(4))
- ³⁷According to Megan Moore, Office of Legal Services Legislative Attorney, Tennessee, all bills receive a public committee hearing, except ceremonial resolutions and local measures, such as those relating to per-drink liquor licenses, which may be considered on a consent calendar.
- ³⁸According to James White, House Principal Clerk, North Carolina, the governing documents relating to the North Carolina General Assembly do not require committees to take up or hear introduced bills.
- ³⁹"The introducer of a bill, and all other persons who so request of the Chair or Clerk of the Committee, shall be given an opportunity to be heard upon a measure referred to a committee." (House Rule 28) "The Clerk shall submit the original bill to the Speaker for examination, after which it shall be read the first time and by the Speaker referred to the appropriate committee." (House Rule 44(a)) "The introducer of a bill and all persons who shall so request of the committee shall be given an opportunity to be heard upon a measure referred to a committee, and shall be warned of the time and place of hearing, either by personal notice, notice in the calendar, or oral notice from the floor of the Senate." (Senate Rule 29)
- ⁴⁰According to Emily Giles, Chief Clerk, Oklahoma, whether a committee has a hearing on a bill is at the discretion of the committee's chair.
- ⁴¹According to Sherry Briggs, Bill Processing Specialist, Wyoming, every bill in Wyoming receives a public committee hearing.
- ⁴²"The Chair shall schedule a hearing or work session on a measure in possession of the committee upon receipt of a written request signed by a majority of committee members. . . ." (House Rule 8.20(1)) "Upon written request of a majority of committee members filed with the committee chair and the Secretary of the Senate, the chair shall order a hearing or work session on any measure in the possession of the committee. . . ." (Senate Rule 8.20(1)) According to Melissa Leoni, Legislative Analyst, Oregon, the decision on whether to schedule a committee hearing on a bill is made by a committee's chair unless House Rule 8.20 or Senate Rule 8.20 applies.
- ⁴³"Each standing committee, subcommittee or select committee to which a proposed bill, resolution or any matter is referred shall have full power and authority to study said bill, resolution or other matter before it, as such committee, shall determine is necessary to enable it to report properly to the House thereon. To this end, a standing committee, subcommittee, or select committee, may as hereinafter provided, conduct public hearings. . . ." (House Rule 50)
- ⁴⁴"Any bill filed before or after the 50th legislative day, but subsequent to the hearing of a group of bills on the same subject matter pursuant to Rule 12(a), may or may not be assigned for hearing if it appears from the subject matter that the issues presented would be substantially similar to those matters already heard, even if a bill hearing request is filed pursuant to Rule 12(e). If heard, the chair of the committee may limit the testimony to those issues not addressed in the previous bill hearing." (House Rule 12(a)(1))
- ⁴⁵"The chair of each committee shall determine the necessity for public hearings, schedule hearings, and be responsible for directing the posting of notice of hearings as required by the rules." (House Rule 4(6)(6))

⁴⁶According to Adam Sweet, Deputy Director, Office of Legislative Research and General Council, Utah, while the standard practice is for bills to have legislative hearings, legislative rules do not require a bill to be referred from the Rules Committee to a policy committee nor do the rules require a committee chair to place a bill on a committee's agenda or to allow public comment on a bill.

⁴⁷"The chairman or, in the chairman's absence, the vice chairman, or the majority of the membership of the committee, may call meetings of the committee to study, call hearings, and consider any bill or resolution, or to consider such other matters as may be germane to the duties of the committee." (House Rule 19)

⁴⁸According to Phil Dubois, Office Coordinator, House Chief Clerk's Office, Washington, whether a committee holds a hearing on a bill is a decision made by the committee's chair.

⁴⁹"Subject to the provisions hereof, a public hearing shall be held upon the timely written request of any member or citizen on any bill that is place upon a committee agenda. A request for a public hearing shall be considered timely if the request is made prior to the bill being explained in the committee in which the request is made." (House Rule 84)

⁵⁰"Any proposal referred to a committee, and any other business relevant to its title, may at the discretion of the chairperson be scheduled for public hearing." (Assembly Rule 14(1))