

How a Bill becomes Law - Constitutional Requirements

Introduction

“The style of every law shall be: “Be it enacted by the General Assembly of the State of Indiana”; and no law shall be enacted, except by bill. Bills may originate in either House, but may be amended or rejected in the other; except that bills for raising revenue shall originate in the House of Representatives” Article 4, Section 1; Article 4, Section 17

Consideration

“Every bill shall be read, by title, on three several days, in each House; unless, in case of emergency, two-thirds of the House where such bill may be pending shall, by a vote of yeas and nays, deem it expedient to dispense with this rule; but the reading of a bill, by title, on its final passage, shall, in no case, be dispensed with; and the vote on the passage of every bill or joint resolution shall be taken by yeas and nays” Article 4, Section 18

Passage

“A majority of all the members elected to each House, shall be necessary to pass every bill or joint resolution; and all bills and joint resolutions so passed, shall be signed by the Presiding Officers of the respective Houses” Article 4, Section 25

Presentment

“Every bill which shall have passed the General Assembly shall be presented to the Governor” Article 5, Section 14

Filing

“Every bill presented to the Governor which is signed by him or on which he fails to act within said seven days after presentment shall be filed with the Secretary of State within ten days of presentment. In the event a bill is passed over the Governor’s veto, such bill shall be filed with the Secretary of State without further presentment to the Governor” Article 5, Section 17

Circulation

“No act shall take effect, until the same shall have been published and circulated in the several counties of the State, by authority, except in case of emergency, which emergency shall be declared in the preamble, or in the body, of the law” Article 5, Section 17

Your Indiana General Assembly - Constitutional Requirements

Creation

“The powers of the Government are divided into three separate departments; the Legislative, the Executive including the Administrative, and the Judicial” Article 3, Section 1

Authority

“The Legislative authority of the State shall be vested in a General Assembly, which shall consist of a Senate and a House of Representatives” Article 4, Section 1

“Each House shall have all powers, necessary for a branch of the Legislative department of a free and independent State” Article 4, Section 16

Membership

“The General Assembly elected during the year in which a federal decennial census is taken shall fix by law the number of Senators and Representatives” Article 4, Section 5

“The Senate shall not exceed fifty, nor the House of Representatives one hundred members; and they shall be chosen by the electors of the respective districts into which the State may, from time to time, be divided” Article 4, Section 2

Term of Office

“Senators shall be elected for the term of four years, and Representatives for the term of two years, from the day next after their general election” Article 4, Section 3

Qualifications

“No person shall be a Senator or a Representative, who, at the time of his election, is not a citizen of the United States; nor any one who has not been for two years next preceding his election, an inhabitant of this State, and, for one year next preceding his election, an inhabitant of the district whence he may be chosen. Senators shall be at least twenty-five, and Representatives at least twenty-one years of age” Article 4, Section 7

Sessions

“The sessions of the General Assembly shall be held at the capitol of the State, commencing on the Tuesday next after the second Monday in January of each year in which the General Assembly meets unless a different day or place shall have been appointed by law. But if, in the opinion of the Governor, the public welfare shall require it, he may, at any time by proclamation, call a special session. The length and frequency of the sessions of the General Assembly shall be fixed by law” Article 4, Section 9

Rules

“Each House, when assembled, shall choose its own officers, the President of the Senate excepted; judge the elections, qualifications, and returns of its own members; determine its rules of proceeding, and sit upon its own adjournment” Article 4, Section 10