



South Carolina's Legislative Process

THE LEGISLATIVE PROCESS

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South Carolina's Legislative Process

HISTORY

To understand the legislative process, it is necessary to know a few facts about the lawmaking body. The South Carolina Legislature consists of two bodies—the Senate and the House of Representatives. There are 170 members—46 Senators and 124 Representatives representing districts based on population. When these two bodies are referred to collectively, the Senate and House are together called the General Assembly.

To be eligible to be a Representative, a person must be at least 21 years old, and Senators must be at least 25 years old. Members of the House serve for two years; Senators serve for four years. The terms of office begin on the Monday following the General Election which is held in even numbered years on the first Tuesday after the first Monday in November.

The Constitution provides members immunity from arrest while attending and traveling to and from the General Assembly during the session and for ten days before and ten days after adjournment. There is no immunity for a member charged with certain criminal offenses: treason, felony or breach of the peace.

Each body can punish its members for disorderly behavior if it sees fit to do so. If two-thirds of the members agree, the body can expel a member from the session, but the body cannot expel the same member a second time for the same reason.

Members of the House and Senate may meet on the first Tuesday following certification of the election for a maximum of three days to organize. This organizational session includes: election of

officers, appointment of standing committees, adoption of rules, assignment of desks, and other housekeeping details.

The presiding officer of the House is the Speaker, who is a member of the House elected by fellow House members for a two-year term. Other officers elected are Speaker *Pro Tempore*, Clerk, Chaplain, Reading Clerk, and Sergeant-at-Arms.

The Lieutenant Governor is elected in a statewide election and serves as President of the Senate although he is not a Senator. While presiding, he does not vote except where the vote is tied. The Senate chooses a President *Pro Tempore* to act in the absence of the Lieutenant Governor. Other Senate officers are Clerk, Chaplain, Reading Clerk, and Sergeant-at-Arms.

The Legislature begins in regular session annually in Columbia on the second Tuesday in January and must adjourn *sine die* not later than the second Thursday in May unless an extension is agreed to by a two-thirds vote of both bodies. Normally, the House and Senate meet in statewide session on Tuesday, Wednesday, and Thursday and for local matters on Friday. The Governor may call the General Assembly into a special session if necessary, beyond the regular session.

Each member of the House and Senate is paid an annual salary of \$10,400.

HOW A BILL BECOMES A LAW

Bills and Resolutions typically start in the Legislative Council, the department responsible for the organization and operation of research, reference, and Bill drafting facilities. A member tells the Legislative Council attorney the type of Bill he wants to introduce, and it is put into legal form. After the member reads and checks the legislation, he gives it to the Clerk of his body. A Bill or Joint Resolution cannot become law until it has been read three times on three separate days in each body, has the Great Seal of the State put on it, and has been signed by the President of the Senate and Speaker of the House.

Bills may be prefiled before the beginning of a session. Prefiled Bills are numbered, dated, and referred to committee. A list of prefiled Bills is sent to the members. On the first day of the session, all prefiled Bills are officially introduced and put into the record. If there are committee reports on any of the Bills, they are also put into the record.

Bills received during the session are introduced and read the first time, given a number, and referred to the proper committee. The Constitution states that each Bill or Resolution shall relate to only one subject and the subject shall be expressed in the title. Some Bills are placed on the Calendar (agenda) without being sent to a committee.

COMMITTEES

The work done by the General Assembly is during the formal legislative session when it meets three days a week. Many people do not realize that committees do the majority of legislative work and are the backbone of the legislative process. Before any Bill is considered by either body, many hours of work take place by the members of the standing committee to which the Bill is assigned. The Legislature relies on its committees to eliminate the less important measures and report only those deserving the attention of the entire House or Senate.

By working through standing committees, each body may have each Bill considered by members who have specialized knowledge in the subject of the Bill. Many members have knowledge of particular subjects, and these members are usually assigned to committees in order to utilize their specific knowledge and experience. Because of this, the Legislature often accepts the recommendations of the standing committees. This is not to say that the General Assembly is not aware of its responsibility to consider all pending Bills. A great deal of work is also done by interim committees, or committees appointed to consider important subjects between the sessions of the Legislature.

There are thirteen standing committees in the House. Each considers Bills about a specific subject or area of legislation. The committees are:

- Agriculture, Natural Resources and
Environmental Affairs (18 members)
- Education and Public Works (18 members)
- Interstate Cooperation (5 members)
- Invitations and Memorial Resolutions (5 members)
- Judiciary (25 members)
- Labor, Commerce and Industry (18 members)
- Legislative Ethics (10 members)
- Legislative Oversight (20 members)
- Medical, Military, Public and Municipal Affairs
(18 members)
- Operations and Management—advisory to the
Speaker about personnel, administration and
management (8 members)

Regulations and Administrative Procedures (13 members)
 Rules (15 members)
 Ways and Means (25 members)

There are 15 Senate standing committees. The committees are:

Agriculture and Natural Resources (17 members)
 Banking and Insurance (17 members)
 Corrections and Penology (17 members)
 Education (17 members)
 Ethics (10 members)
 Finance (23 members)
 Fish, Game and Forestry (17 members)
 General Committee (17 members)
 Interstate Cooperation (5 members)
 Invitations (11 members)
 Judiciary (23 members)
 Labor, Commerce and Industry (17 members)
 Medical Affairs (17 members)
 Rules (17 members)
 Transportation (17 members)

Standing committees examine Bills and recommend action on them. During the day when the Legislature is in session but not actually meeting, the committees will meet and work on the Bills referred to them.

One cannot underestimate the importance of the research, study, and information gathering that must take place for any Bill. Research assistants in the General Assembly gather and compile information for the members to study. As subjects and issues grow more complex, there is greater demand for this research. The public may never see this “behind the scenes” work, but there is a great deal of preparation done for every Bill before it reaches the floor of the Senate or the House.

When a committee completes work on a Bill, it prepares a report detailing its recommendations. The report is then submitted to the respective body in the daily session at the appropriate time. The Bill, with the committee report, is put on the Calendar for second reading and is taken up. A Bill must be on the desks of the members at least one day (when they are in session) before second

reading. On most Bills, recommendations of the committee are followed, but either body may overrule the action of the committee. In order to prevent a committee from killing a Bill by not working on it, either body may recall the Bill from committee by a majority vote.

Bills are listed on the Calendar by number, sponsors, and title in the order in which they are introduced and reported by committees. They are then considered for second reading. Some Bills, such as the State Appropriations Bill, are set for Special Order, which moves them to the top of the Calendar. A Bill on second reading may be fully debated, amended, committed or recommitted, tabled, etc.

After a Bill has been discussed, there is a vote on the Bill. Voting may be by division, voice vote or roll call. Since there are more members in the House than the Senate, it would take a lot of time to register individual votes by calling the roll. Because of this, the House uses electronic voting instead of calling each member's name. The House members vote by pushing buttons on their desks. Votes are registered by lights on a board in the chamber. The board contains all the members' names and how each member voted. Votes are recorded and entered in the Journal. In the Senate, the Reading Clerk calls the Senators' names in alphabetical order, and their votes are entered into the Journal.

During third reading a Bill may be acted on as in second reading, except that it usually takes unanimous consent to amend it. After the amendments are written into the Bill, it is then signed by the Clerk and sent to the other body by messenger. Once sent to the other body, the Bill follows practically the same route pursuant to that body's rules.

For example, assume a Bill has been introduced in the House, debated, amended, adopted, and sent to the Senate. If the Senate amends the House Bill, it is returned to the House for consideration. The House may agree or disagree with the Senate amendment or make changes to the Senate amendment and return it to the Senate. Should

the House disagree with the Senate amendment, a message is sent to the Senate. The Senate will either insist upon or recede from their amendment.

If the Senate insists upon its amendment, a message is sent to the House listing the names of three Senators appointed to a conference committee. The Speaker of the House then appoints three members of the House to a conference committee. The six members meet and try to reach an agreement. If they agree, their report is sent to both bodies for adoption. When the report is adopted by both bodies, the Bill is ordered enrolled for ratification. Should the conference committee not agree, they may return to their respective bodies and ask for free conference powers, which requires a two-thirds vote of each body. The free conference committee may rewrite the Bill. The conference committee cannot alter or delete anything agreed to by both bodies. If the bodies agree, the Bill is ordered enrolled for ratification and the title changed to an Act. Then the Bill is enrolled (rewritten into Act form by Legislative Council), placed in Act backs (folders), attached to the original version of the Bill, and returned to the body in which it originated to await ratification.

When invited to ratify by the Senate, the Speaker, Clerk, and Sergeant-at-Arms of the House go to the Senate Chamber to ratify Acts. During the ratification, the presiding officers and Clerks of the two bodies sign the Acts. The Acts are immediately sent to the Governor's office by the Clerk of the Senate. The Governor has five days, Sundays excluded, during the session to approve or disapprove an Act. When he signs the Act or allows it to become Law without his signature, it is sent to the Secretary of State's office to be filed permanently. If the Governor vetoes the Act, it must be returned with his veto message, to the Clerk of the body in which it originated, by midnight of the fifth day. That body may then consider the veto. If they override the Governor's veto, then it is sent to the other body for its consideration. Should either the House or the Senate not override the Governor's veto, the Act is dead. If the two bodies

override the veto, the Act is sent to the Secretary of State's office and becomes law. The Act becomes effective on the 20th day after its approval by the Governor, unless some other effective date is specified in the legislation.

Some issues require the passage of a Constitutional amendment. When this happens, a Joint Resolution is prepared to propose an amendment to the Constitution. This Joint Resolution is introduced and follows the same course as ordinary Bills. The Resolution must be passed in each body by a two-thirds vote of all members elected and does not require the approval of the Governor. The proposed amendment is then placed before the voters of the State at the next General Election. If a majority of the voters approve the amendment, a Bill to ratify the amendment is introduced in the next session. It must pass by a simple majority vote and does not need the Governor's signature.

GLOSSARY OF LEGISLATIVE TERMS

Act—Legislation enacted into law. A Bill which has passed both bodies of the General Assembly, been enrolled, ratified, signed by the Governor or passed over the Governor’s veto or becomes law without his signature and printed. It is a permanent measure, having the force of law until repealed.

Adjournment—The end of a session for a day, with the hour and day of the next meeting set before adjournment.

Adjournment *sine die*—Final end of a regular or special session with no date set for reconvening.

Adoption—Approval or acceptance (usually amendments or resolutions).

Advance Sheets—Compilations of laws enacted and selected memorials and resolutions adopted in a single session, issued periodically in paperback volumes prior to issuance of bound volumes.

Agenda—Schedule of business planned for consideration.

Aides—Legislative staff members who perform clerical, technical or official duties. In some states, aides are partisan staff assistants to the Legislature, responsible to members of their respective parties for various duties.

Amendment—Any change made or proposed in a Bill by adding, changing, substituting or omitting.

Amendment, Constitutional—Joint Resolution affecting the Constitution, which is passed by two-thirds vote of each body, and ratified by the succeeding General Assembly.

Annotate—To furnish explanatory notes.

Appeal—A parliamentary way to test and possibly change the decision of a presiding officer.

Appropriate—To allocate funds.

Appropriation—Funds allocated for various departments of government set aside by formal action for specific use.

Approval by Governor—Signature of the Governor on a Bill passed by the General Assembly.

Archives—Historical records stored at Department of Archives and History.

Attaché—A legislative staff member, hired or appointed to perform clerical, technical or official duties.

Bicameral—A legislature containing two bodies.

Bill—Draft of proposed law presented to the Legislature for consideration.

Bill, Deficiency—A Bill appropriating funds to programs for which the original appropriation proved insufficient.

Bill History—Record of all action on any legislative measure.

Bill Index—List of Bills by subject or number.

Bill, Pre-Filed—Bills prepared, filed, and referred to committee prior to the opening of a regular session.

Bill, Skeleton—A measure introduced in outline form, substance being added to it at a future date.

Budget—An annual Bill appropriating State moneys. It is originally proposed by the Governor's Office and presented to the Legislature for consideration, debate, amendment, and finalization.

Calendar, Daily—List of pending legislation, according to the order of business scheduled for consideration by the Rules on a legislative day. Printed daily and placed on the members' desks each morning. (House Rule 6.3; Senate Rule 34.)

Call to Order—Notice indicating the Legislature is in session. Also used to call a disorderly member to order.

Carryover Legislation—Legislation held over from the first year of a two-year session.

Caucus—An informal meeting of a group of the members, sometimes called on the basis of party affiliation.

Censure—An act to officially reprimand an official for actions while in office. Censuring is an official condemnation for actions committed while holding a position of trust.

Chair—A designation of a presiding officer or chairperson.

Chamber—Hall for the meeting of a legislative body.

Chaplain—Officer who opens daily sessions with prayer.

Clerk—An officer elected as administrative officer and advisor on parliamentary procedure. Performs duties as prescribed in the Rules.

Clincher—When an action has been taken and a motion to reconsider that action has been tabled, this maneuver is referred to as a “clincher,” due to the fact that no other parliamentary motion can bring that action up for consideration again.

Cloture—A parliamentary procedure invoked to limit or terminate debate. *See also Previous Question.*

Code of Laws—Contains the general permanent statutory law, S.C. Constitution and other matters. Alterations or additions to any of the laws contained in the Code may be made only by act passed under the formalities required by the Constitution. Supplements showing changes to the Code must be prepared and published annually under supervision and direction of Legislative Council.

Commit—The referral and sending of a Bill to committee or delegation.

Committee—Members appointed by the Speaker to consider and recommend disposition of Bills, Resolutions and other related matters.

Committee, *Ad Hoc*—Committee appointed for some specific purpose. An *Ad Hoc* committee dissolves upon the completion of that specified task.

Committee Chairman—Member elected or appointed as the parliamentary head of a standing or special committee.

Committee, Conference—Committee composed of three members from each body, appointed to resolve differences on an amended Bill. The committee reports recommendations or amendments back to the bodies for further action.

Committee, Free Conference—Same as conference committee, but with additional authority to insert new matter in order to achieve compromise. (Free Conference Powers are granted by two-thirds vote of the membership of each body.)

Committee, Interim—Committees appointed to study a specific issue between sessions and report to the Legislature before a certain date. Such committees are usually created by Concurrent Resolution.

Committee, Joint—Committee composed of members of both bodies.

Committee Report—An official report from a committee, either without recommendation, or with specific recommendation. The recommendations may be favorable; favorable with amendment; majority favorable, minority unfavorable; majority favorable with amendment; minority unfavorable; or unfavorable.

Committee, Standing—A committee appointed with a continuing responsibility.

Committee of the Whole—A special committee consisting of the entire body to consider unique or special matters, acting under parliamentary procedure, with the Speaker appointing a Chairman to preside. (House Rules 4.9 through 4.12.)

Companion Measures—Identical Bills introduced in both bodies.

Concurrence—Agreement where one body consents to a proposal or action which the other body has approved. A proposal may be adopted or amended and returned to the other body for concurrence.

Confirmation—Approval by Senate and/or House of an executive appointment.

Conflict of Interest—Untenable position which threatens the ability of a legislator to vote or act impartially.

Constituent—A citizen living within the district of a legislator.

Constitution, State—A written instrument containing fundamental principles of the State guaranteeing powers and duties of the government and certain rights to the people.

Contested Seat—A situation in which two or more contestants claim the right to represent a district.

Continue—A motion to carry a Bill forward until the next session. Legislation continued in the last year of a two-year legislative term dies on Monday following the General Election in November. (House Rule 8.15; Senate Rule 36.)

Convene—The meeting of the Legislature daily, weekly, and at the beginning of a session as provided by the Constitution.

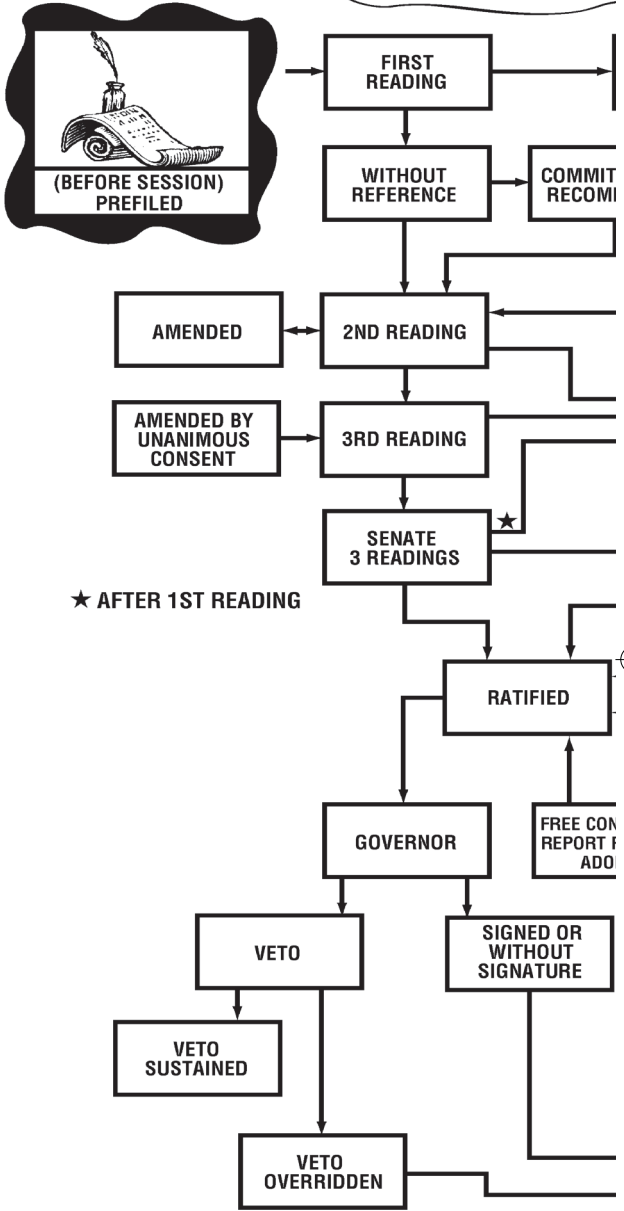
Co-Sponsor—One of two or more members proposing any Bill or Resolution.

Day Certain—Adjournment with specific day to reconvene.

Day, Legislative—A day on which the bodies convene to conduct official business.

Debate—Discussion according to parliamentary rules.

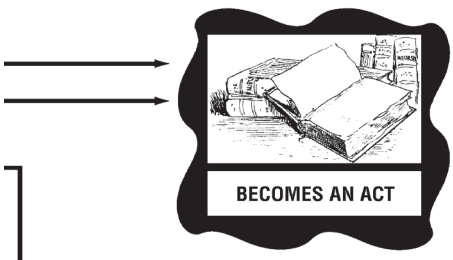
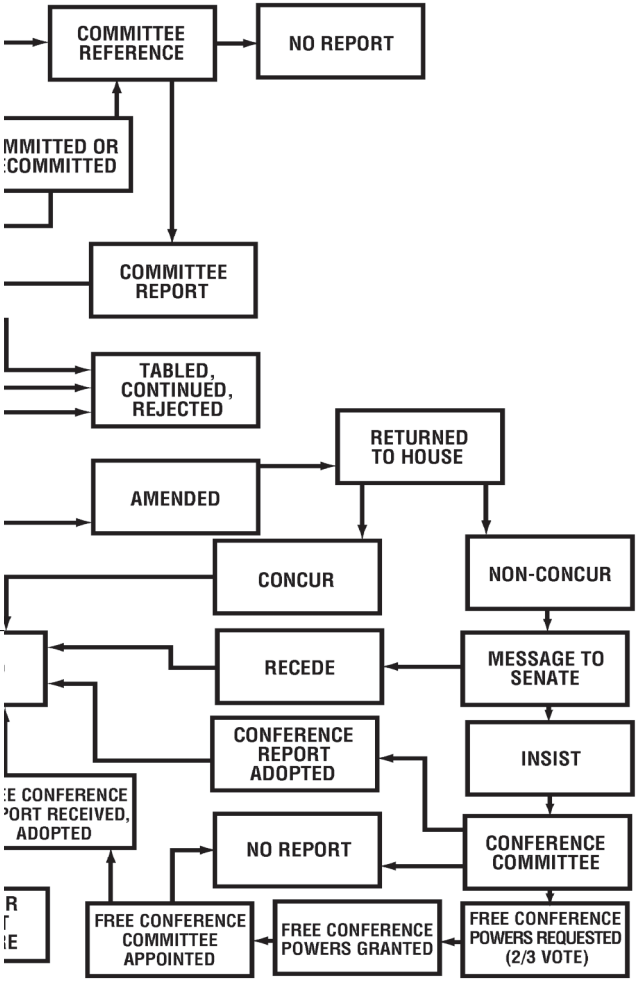
HOW A BILL B



★ AFTER 1ST READING

FLOWCHART ILLUSTRATES HOW A BILL, ORIGINATING IN THE HOUSE OF REPRESENTATIVES, BECOMES AN ACT

BILL BECOMES AN ACT



Debate Adjourned—Postponement of the matter before the House, which may be brought up for consideration later.

Decorum—Proper order, etiquette, and conduct of members during a floor session.

Desk—The desk at the front of the chamber where much of the clerical work of the body is done. Also, a term referring to the staff and offices of the Clerk.

Desk is Clear—Statement by presiding officer, prior to adjourning, that there is no further business.

Died in Committee—The defeat of a Bill in committee by not returning it to the House or Senate for action.

Digest—A reference book, printed every two weeks, with a subject index and status of all Bills and Resolutions in the House and Senate.

Dilatory—A delaying tactic using parliamentary procedure to prevent action from being taken.

District (Legislative)—A division of the State represented by a legislator, determined by population and other demographics and distinguished by number and geographical boundaries.

Division Vote—Vote taken by roll call, with no record other than a total, recorded in the Journal.

Division of the Question—Procedure to separate a matter into two questions, usually requested on an amendment.

Effective Date—A law becomes effective twenty days after approval by the Governor, unless a date is specified. Usually it becomes effective upon approval by the Governor.

Enacting Clause—That clause of an Act which formally expresses the legislative action. It begins “Be it Enacted.”

Enrolled Bill—The final copy of a passed Bill, prepared in Legislative Council.

Excused—Absent with permission of the body or the presiding officer.

Executive Session—A session excluding all persons other than members and staff personnel authorized to remain.

Ex Officio—Individuals appointed or elected by virtue of the position they hold.

Filibuster—A strategic device by which a minority can control the floor through “extended debate” on a measure by either delaying or preventing passage.

First Reading (Introduction)—The first of three readings of a Bill.

Fiscal Impact Statement—A statement which estimates the amount of increase or decrease in revenue or expenditures and the present or future fiscal implications of the pending legislation.

Fiscal Year—An accounting period of twelve months. In S.C., July 1 through June 30.

Fixed Time—That specific time to which a legislative body adjourns other than the regular time of convening on a subsequent legislative day.

Floor—That portion of the assembly chamber reserved for members and officers of the assembly. Other persons may also be granted the privilege.

Gallery—Balconies or other specific areas of chambers for visitors to view the proceedings of the Legislature.

Germaneness—The relevance of amendments, speeches, etc.

Gerrymandering—The act of creating district boundary lines arranged to obtain partisan or factional advantages.

Grandfather Clause—Laws often contain a clause exempting persons from having to comply. Such a situation is called “Grandfathering.”

Hearing—Public discussions and appearances which may be scheduled by a committee.

Hold Harmless Clause—That portion of a Bill which provides that an existing activity will not suffer financially from a reduction in funding.

Hopper—A depository for Bills awaiting introduction. Sometimes referred to as the “box.”

House—A legislative body in a bicameral legislature having the larger number of members. In S.C. it has 124 members.

Impeachment—Procedure to remove certain officials for a serious crime or misconduct in office.

Interim—The interval between the first and second year of a two-year session. The term may also apply to the period between the end of a two-year session and the beginning of the next session.

Introduction (First Reading)—The formal presentation at the desk of a proposal after it has been drafted by Legislative Council. The Bill or Resolution is numbered and usually referred to committee.

Invocation—Prayer prior to a session.

Jefferson’s Manual—(*Jefferson’s Manual of Parliamentary Practice*)—A volume of parliamentary law and procedure. One of the earliest works on the subject and still in wide use throughout the U.S.

Joint Assembly—A meeting of the House and the Senate usually in House Chamber, pursuant to Resolution, for specific purpose such as elections, speeches, etc.

Joint Rules—Rules governing procedure of the Senate and House when meeting in a Joint Assembly or a conference committee.

Joint Session—Same as Joint Assembly.

Journal, Daily—A record of the previous day’s proceedings, including messages, roll calls, remarks made by members that are requested to be printed, and action taken on all legislation considered that day. Printed daily and placed on the members’ desks the following day.

Journal, Permanent—Official record of proceedings of the House and Senate, compiled from daily Journals, indexed, printed, and bound for each session. Indexed by sponsor, Bill number, subject, and general information including committee appointments, interim committees, etc.

Leave of Absence—Permission granted by the presiding officer to member who wishes to be absent, usually granted due to illness or official business.

Legislative Council—Department responsible for research, drafting of Bills and amendments, codification of Laws, and State Register.

Legislative Intent—Purpose for which a measure was presented or passed.

Legislative Liaison—Person appointed to communicate between legislators and other departments of the government.

Legislative Manual—Published annually by the Clerk of the House, who serves as Editor. Contains detailed information on State, County, and Federal government (located in S.C.), as well as pictures and biographies of members of the General Assembly, Constitutional Officers, and the Judiciary.

Legislative Privilege—Immunity from arrest granted to legislators during session of the Legislature, ten days prior to session and ten days after adjournment.

Legislator—An elected member of a legislative body.

Legislature—The branch of state government responsible for enacting laws (in S.C., the legislature is called the General Assembly).

Lobbyist—A representative of a special interest group whose function is to influence legislation affecting his special interest.

Local Uncontested Bills—Bills having an effect wholly within one county and, if in the House, for which there are fewer than three objections, three

requests for debate or a combination of objections and requests for debate totaling less than three.

Majority Leader—A member designated to be leader of the majority party.

Majority Report—Report which reflects the thinking of a majority of the committee members on an issue.

Mason's Manual—(*Mason's Manual of Legislative Procedure*) A volume of parliamentary law and procedure providing a basis for ruling on questions of order. The most widely used volume of legislative parliamentary law in use today.

Measure, Legislative—A Bill, resolution or memorial.

Members-Elect—Members elected but not having taken oath of office or officially serving.

Members Present—The term used to refer to those members who are present at a daily session.

Memorialize—To formally address or petition the Federal Congress, the President or others by Resolution.

Message—An official communication from one body to the other or from the Governor to the Legislature, usually transmitting Bills or Resolutions. The messages become part of the official Journal.

Message from the Governor—A formal communication from the Governor read into the official record.

Minority Leader—A member designated to be leader of the minority party.

Minority Report—A report which reflects the thinking of the members not favoring the majority position on an issue.

Minutes—Accurate record of proceedings of a meeting.

Morning Hour—The period prior to taking up the Calendar when consideration of any matters not on the Calendar occurs.

Motion—Formal proposal offered by a member of a deliberative assembly.

Motion, Dilatory—Deliberate use of parliamentary maneuver to delay.

Motions—Proper form for some of the most common motions would be as follows:

Adjourn: “Mr. Speaker, I move that the House do now adjourn.” This is a timed motion and can only be made every fifteen minutes.

Continue: “Mr. Speaker, I move that we continue the Bill.” This is a timed motion and can only be made once an hour on the same question.

Previous Question: “Mr. Speaker, I move the previous question on the (entire matter, amendment, etc.).” This is a timed motion and can only be made once an hour.

Recall: “Mr. Speaker, I move that we recall (H.3654 from Labor, Commerce and Industry, etc.).”

Recess: “Mr. Speaker, I move that the House recess until (set time).” This is a timed motion and is in order every fifteen minutes.

Recommit: “Mr. Speaker, I move that we recommit [a Bill] to the [name a committee].” This is a timed motion and can only be made once an hour.

Reconsider: “Mr. Speaker, I move that the House reconsider the vote whereby it gave (second reading, third reading, etc.) to [a Bill].”

Recur to the Morning Hour: “Mr. Speaker, I move that we recur to the morning hour.” This places the House in the same order of business as when it convened earlier the same day. Normally used to permit introduction of Bills or committee reports. This is a timed motion and can only be made once an hour.

Table: “Mr. Speaker, I move that we table the (Bill, amendment, motion, etc.).” This is a timed motion and can only be made once an hour.

Non-Concurrence—When one body refuses to agree with the other on a Bill or Resolution which the other body has amended.

Nondebatable—Those subjects or motions that cannot be discussed or debated.

Oath of Office—Oath taken by members-elect of the Legislature prior to being seated and assuming official duties. In S.C., the oath reads: “I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been elected (or appointed) and that I will, to the best of my ability, discharge the duties thereof and preserve, protect and defend the Constitution of this State and of the United States. So help me God.” S.C. Const. Art. III, Section 26.

Objection—A procedural maneuver typically used in an effort to delay consideration of a Bill or Resolution or prevent an action requested by a member.

Officers—That portion of the legislative staff elected by the House membership, which includes: Speaker, Speaker *Pro Tempore*, Chaplain, Reading Clerk, Clerk, and Sergeant-at-Arms; elected by the Senate membership: President *Pro Tempore*, Chaplain, Reading Clerk, Clerk, and Sergeant-at-Arms.

Out of Order—Not being conducted under proper parliamentary rules and procedures.

Pages—Persons stationed at the front of the chamber and available to assist the members. They are called by pressing the button on members’ desks. Pages supply extra copies of Bills and Resolutions, Journals, Calendars, Digests, reports, etc.

Parliamentary Inquiry—Question posed to presiding officer for clarification of a point in proceedings.

Passage of Bill—Favorable action on a measure before either body.

Pending Question—The matter under consideration at the time.

Per Diem—Literally, per day. Daily pay for legislators.

Petition—Formal request by an individual or group to the General Assembly.

Point of Order—A statement by a member calling attention to an alleged breach of order or parliamentary procedure.

Point of Personal Privilege—A statement defending the rights, reputation or conduct of a legislator in his official capacity.

Postpone to a Day Certain—To defer consideration to a specific later time or day.

Precedent—Interpretation of rulings by presiding officers on specific rules; may refer to unwritten rules established by custom.

Prefiling—Introduction and referral to a committee of Bills prior to a legislative session.

President—By Constitutional enactment, the Lt. Governor is the presiding officer in the Senate and is referred to while presiding as “Mr. President.”

President *Pro Tempore*—The person elected by the Senate to have the powers of the President in the latter’s absence.

Presiding Officer—Person designated to preside at a legislative session.

Previous Question—A motion to limit or terminate debate and bring the pending question to a vote. *See also Cloture.*

Printout—Copy of legislative information printed by computer printer.

Privilege of the Floor—Permission granted to a nonmember of the body to be in that portion of a legislative chamber during session that is reserved for present and former members and staff personnel. Privilege may be extended to other persons for the purpose of answering questions or addressing the body.

Procedure—Rules and traditional practices of the respective bodies of the Legislature.

Pro Tempore—The designated officer of the House or Senate acting in the absence of the regular presiding officer.

Quorum—The required number of members present to transact business, which is 63 out of 124 House members and 24 out of 46 Senators.

Quorum Call—A method used to establish the presence of a majority for the lawful transacting of business.

Ratify—To approve and make valid. After a Bill has received three readings in each body, ratification is set by the Senate sending a message inviting the House to come to the Senate Chamber at a certain time. The House then stands in recess while the Speaker, Clerk, and Sergeant-at-Arms proceed to the Senate Chamber, where the Bills are signed by the presiding officers and Clerks.

Reading Clerk—An elected officer who assists the Clerk by calling the roll, tabulating votes, reading Bills, messages, and Resolutions, etc.

Reapportionment—Redivision into equally populated election districts, based on census. Sometimes referred to as “redistricting.”

Recall a Bill—A motion which returns a Bill from a committee or the other body for further consideration. A Concurrent Resolution is needed to recall a Bill from the Governor.

Recede—Withdraw from an amendment or position on a matter.

Recess—Intermission in a daily session.

Recommit—To send back to committee.

Reconsideration—A process where a measure previously adopted or defeated can be reopened (within the same day or the next legislative day only) and acted upon again. Once an action on a Bill or amendment has been taken, the motion to reconsider is in order.

Referendum—A method by which a measure adopted by the Legislature may be submitted to popular vote.

Referral—The sending of a Bill to committee.

Regular Order of Business—The sequence of business set up for each legislative day. (House Rule 6.3; Senate Rule 34.)

Regulation—A rule or order of an agency made under authority of a statute passed by the Legislature. Regulations must be approved by the Legislature prior to being placed in effect.

Rejection—An action which defeats an amendment, Bill, motion or other matter.

Repeal—A method by which legislative action is revoked or abrogated.

Report—Written notice to the House or Senate of action taken in committee on Bills.

Request for Debate—In the House a procedural maneuver typically used in an effort to delay consideration of a Bill or Resolution.

Rescind—Annulment of an action previously taken.

Resolution, Concurrent—Affects the action of the General Assembly and its members. It does not carry an appropriation and does not have the force of law, as an Act or Joint Resolution does, but records the sense of the two bodies. Requires only adoption by each body.

Resolution, Joint—Has the same force of law as an Act, but is a temporary measure, dying when its subject is completed. It requires the same treatment as a Bill and after passage, its title is not changed to that of an Act. When used to propose an amendment to the Constitution, it does not require the approval of the Governor but does require a two-thirds vote of the membership of each body.

Resolution, Senate or House—Same as Concurrent Resolution, except it is the expression of one body.

Revenue—Yield of taxes and other sources of income the State collects.

Roll Call—The recorded vote on an issue. In the House, roll calls are taken by an electronic voting system connected to individual desk switches. In the Senate, roll calls are taken by voice vote, with names of members being called in alphabetical order by the Reading Clerk.

Roster (List of Members)—Booklet containing names and addresses of members, officers, and districts of each body for the current session.

Rostrum—Podium or desk area at the front of a chamber.

Rules—Methods of legislative procedure; Joint Rules govern both bodies and Senate or House rules regulate only the one body.

Ruling of the Chair—A decision by the presiding officer concerning a question of order or procedure.

Section—Distinct portion of each Bill.

Senate—A legislative body in a bicameral legislature having the fewer number of members. In S.C., it has 46 members.

Seniority—A custom sometimes used in making committee assignments based upon length of service.

Sergeant-at-Arms—An officer elected by each body to maintain order under the direction of the presiding officer, as well as maintenance and upkeep of chambers and offices assigned to the respective bodies.

Session—The formal, continuous convening of the Legislature, whether regular, extra or organizational, from the first legislative day to *sine die* (final) adjournment.

Session, Organizational—Meeting held after the general election to officially organize the House of Representatives to transact business.

Simple Majority—One more than half of those voting on a question.

Sine Die—Adjournment “without day” being set for reconvening. Final adjournment.

Speaker—Presiding officer and chief administrative officer of the House of Representatives, elected by the House members.

Speaker Emeritus—A past Speaker of the House, an honorary title.

Speaker Pro Tempore—Substitute presiding officer of the House of Representatives, taking the Chair on request of the Speaker in his absence. Elected by the body.

Special Order—Matter of business set for special time and a designated day.

Sponsor—Legislator who introduces a Bill, amendment or Resolution.

Sponsor Report—A computer printout of all legislation introduced to date by each member and the action to date.

Stand at Ease—A term referring to that situation in which the body does not recess or adjourn but suspends its deliberations for undetermined periods of time.

Standing Committee—A regular committee of the Legislature, set up by the Rules to perform certain legislative functions. Standing House Committees are: Agriculture, Natural Resources and Environmental Affairs; Education and Public Works; Interstate Cooperation; Invitations and Memorial Resolutions; Judiciary; Labor, Commerce and Industry; Legislative Ethics; Legislative Oversight; Medical, Military, Public and Municipal Affairs; Operations and Management; Regulations and Administrative Procedures; Rules; and Ways and Means. Standing Senate Committees are: Agriculture and Natural Resources; Banking and Insurance; Corrections and Penology; Education; Ethics; Finance; Fish, Game and Forestry; General Committee; Interstate Cooperation; Invitations; Judiciary; Labor, Commerce and Industry; Medical Affairs; Rules; and Transportation.

State Register—Contains proposed and adopted regulations for state agencies. Additions to the State Register must be published by the Legislative Council at least once every thirty days.

State the Question—To place a question before the legislative body for its consideration.

Statutory Committee—A committee created by statute.

Status of Bill—The position of a Bill at any given time in the legislative process. It can be in committee, on the Calendar, in the other body, etc.

Statutes—Laws enacted by the General Assembly. A law is enacted after it is passed by both the House of Representatives and the Senate. The general and permanent statutes at large are published annually in the Acts and Joint Resolutions which also contain the local and temporary laws enacted.

Stopping the Clock—A practice of lengthening the hours of the legislative day irrespective of the passing of the hours of a calendar day by stopping the clock.

Strike Out—The deletion of language from a Bill or Resolution.

Subsistence—Money paid to members for daily expense.

Sunset—Expiration date of a measure.

Supplemental Appropriation—Additional funds allocated over original appropriation.

Table—A means of disposing of a Bill or other matter.

Take a Walk—To purposely be absent to avoid voting on a measure.

Term of Office—Duration of office of an official.

Title—A concise statement of the contents of a Bill.

Unanimous Consent—Usually requested to suspend rules for a specific purpose.

Uncontested—Refers to a statewide Bill or Joint Resolution in the House of Representatives on which fewer than five members have objected, requested debate or expressed a combination of the two (number must be fewer than three members on local Bills).

Refers to a Bill or Resolution in the Senate to which no members have objected.

Unicameral—A single body Legislature.

Veto—The action of a Governor in disapproval of a measure; returned, with the measure, to the originating body.

Veto Override—To pass a Bill over Governor’s veto requires a two-thirds vote of members present and voting of both bodies acting separately.

Voice Vote (*viva voce*)—Oral expression of the members when a question is submitted for their determination. Response is given verbally by “yeas” and “nays” and the presiding officer states his decision as to which side prevailed.

Vote—Formal expression of will or decision by the body.

Vote, Division—Vote taken by standing in the Senate and by roll call in the House, with no record, other than the total, recorded in the Journal.

Vote, Record (Roll Call)—Roll call vote, with each member’s vote recorded in the Journal.

Withdraw a Motion—To recall or remove a motion according to parliamentary procedure.

Without Recommendation—A committee report which is neither favorable nor unfavorable.

Yield—Relinquishing of the floor to another member to speak or to ask a question.

ACRONYMS USED IN THE S.C. GENERAL ASSEMBLY

An acronym by definition, is a “shorthand” method to denote a group of words or title commonly used. The acronym is usually made up of the first letter of or a symbol for every major word in the expression or phrase. “GATT” is such an acronym, which stands for General Agreements on Tariffs and Trade. The following list contains those acronyms frequently used in the General Assembly.

3M—Medical, Military, Public and Municipal Affairs Committee

AG—Attorney General or Adjutant General

BEA—Board of Economic Advisors

CHE—Commission on Higher Education

CIB—Capital Improvement Bonds

CJA—Criminal Justice Academy

CMHC—Community Mental Health Center

COLA—Cost of Living Adjustment

CPI—Consumer Price Index

CRF—Capital Reserve Fund

DEW—Department of Employment and Workforce

DHEC—Department of Health and Environmental Control

DJJ—Department of Juvenile Justice

DMH—Department of Mental Health

DOA—Department of Administration

DOT—Department of Transportation

DPS—Department of Public Safety

DSS—Department of Social Services

EAA—Education Accountability Act

EFA—Education Finance Act

EIA—Education Improvement Act

FOIA—Freedom of Information Act

FYI—For Your Information

GAAP—Generally Accepted Accounting Principles

GIS—Geographical Information Systems

GOB—General Obligation Bond
GRF—General Reserve Fund
HAC—Human Affairs Commission
HHSD—Health and Human Services Department
HRM—Human Resource Management
IRM—Information Resource Management
ITPA—Index of Tax Paying Ability
JBRC—Joint Bond Review Committee
LAC—Legislative Audit Council
LCI—Labor, Commerce and Industry Committee
LSA—Legislative Services Agency
NA—Not Applicable
OEPP—Office of Executive Policy and Programs
O&M—Operations and Management Committee
ORS—Office of Research and Statistics
OSB—Office of State Budget
PEBA—Public Employee Benefits Authority
POLA—Professional and Occupational Licensing
 Agencies
PPP—Probation, Parole and Pardon Services
PRT—Parks, Recreation and Tourism
PSA—Public Service Authority
PSC—Public Service Commission
RFA—Revenue and Fiscal Affairs
SCDC—S.C. Department of Corrections
SDE—State Department of Education
SFAA—State Fiscal Accountability Authority
SFC—Senate Finance Committee
SHFDA—State Housing, Finance and
 Development Authority
SLED—State Law Enforcement Division
SREB—Southern Regional Education Board
SSI—Supplemental Security Income
VA—Veterans Affairs
VR—Vocational Rehabilitation
W&M—Ways and Means Committee
WPU—Weighted Pupil Unit

