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Basic Citation Forms: Bills

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4. BILLS

4.1 INTRODUCTION

Bills originate in one of two ways: they are sponsored by individual members of the legislature or by committees of the legislature. When discussing legislation, it is important to remember that a bill requires nothing, it only *proposes* change in the law; session laws (acts) and statutes are what require or permit action.

While an individual member's bill will not be heard by a committee until it has been formally introduced, the committees often hear "proposed committee bills" or "PCBs." These bills may eventually be formally introduced as committee bills but are heard by the committee prior to introduction for refinement and to avoid some of the technical amending procedures required of introduced bills.

Often a bill is so drastically amended in committee that it is recast as a committee substitute. The committee substitute also may be amended into a new committee substitute, either in the same committee or when it is heard by another committee. Consequently, since some bills may be heard by as many as three committees, the final bill heard by the full house may be referred to as "the Committee Substitute for Committee Substitute for Committee Substitute for House/Senate Bill xxx."

Depending upon the author's approach, an article may discuss the legislation either by reference to the bill or to the act. However, the better course is for the basis of the discussion of passed legislation to be the act, with unpassed or earlier versions of the legislation discussed as the bill.

4.2 DID THE BILL PASS?

Not all bills pass the legislature. However, in the final days of the legislative session bills that are killed or die on the calendar or in committee may nevertheless become law. This occurs by amending another bill to include a second bill, in full or part, or by including the thrust of the bill in the proviso language to the appropriations act. Technically, when a bill is amended to include all or part of another bill the amendment form is to state the number of the bill that is being amended onto the host bill; when this occurs, the legislative computer will indicate this information. However, this notice is sometimes omitted.

4.3 PROPOSED COMMITTEE BILLS

These are bills proposed by the committees of the legislature. Once the committee has passed the proposed committee bill (usually referred to as a "PCB"), the bill is formally introduced and assigned a regular bill number.

4.3.1 In Text

In the text these references should generally be capitalized and spelled out when referring to a specific proposed committee bill.

Senator Ross moved that the committee adopt Proposed Committee Bill 12.

4.3.2 In Footnotes

(a) *General Form*

The standard form for citation sentences is:

Fla. [H.R. or S.] Comm. on (abbreviation for committee), PCB (number) (year).

If appropriate, include a parenthetical notation indicating "draft of" and the date of the draft in the parenthetical that indicates the year. Depending upon the context, a parenthetical notation indicating what bill the PCB is a preliminary draft for may also be included.

5. Fla. H.R. Comm. on Judiciary-Civ., PCB 85-2 (draft of May 4, 1985).

(b) *Sections*

Sections within a proposed committee bill are cited in the same way that they are within any other bill.

109. Fla. S. Comm. on Commerce, PCB 85- 3, § 3 (draft of Mar. 27, 1985).

4.4 COMMITTEE SUBSTITUTES

4.4.1 In Text

Textual references to committee substitutes that include the bill's number should be spelled out and capitalized. If the textual discussion does not include the bill's number, do not capitalize the phrase "committee substitute."

Committee Substitute for House Bill 145 had become a vehicle for House Bill 1378.

4.4.2 Multiple Committee Substitutes

If the bill is captioned as a committee substitute for a committee substitute, or as a committee substitute for a committee substitute for a committee substitute, then either refer to the bill as a specific committee's substitute or as a specific committee's second committee substitute.

Representative Powell spoke against the Commerce Committee's Committee Substitute for House Bill 112.

Senator Self agreed that the Appropriations Committee's second Committee Substitute for Senate Bill 157 provided too much money for the Department.

4.5 YEAR OF THE BILL

Each time a bill is cited in a footnote, give its year.

93. Fla. SB 20 (1985).

4.6 SECTIONS

4.6.1 Bills Without Numbered Sections

Joint resolutions (HJR and SJR) do not include numbered sections, rather they only enumerate the proposed or amended constitutional language. Since these resolutions lack numbered sections, indicate the page number of the resolution where the proposed language appears and in a parenthetical notation pinpoint the proposed changes to the constitution.

41. Fla. SJR 27 (1985) at 1 (proposed FLA. CONST. art. XII, § 7).

4.6.2 Special Rule—Page and Line Form

If the section is long and it would be helpful to the reader in finding the reference, indicate the page and line number where the reference is located in the bill. This rule will most likely be used only with appropriations or omnibus bills.

32. Fla. CS for CS for HB 1300, § 4, at 57, line 25 (1985).

4.7 PARENTHETICALS

4.7.1 Changing or Proposing Citations

Because bills do not amend or create law, but only propose changes in existing law, parentheticals for bills should be in the form "proposed" for new statutory enactments or "proposed amendment to" for amendments or deletions to existing law (this latter form should also include the year of the statutes the bill proposes to affect).

147. Fla. CS for SB 1225, § 3 (1985) (proposed FLA. STAT. § 562.51(3)).

4.7.2 Specific Version of a Bill

If the matter under discussion pertains to a specific version of a bill, indicate this in the citation.

98. Fla. HB 1352, § 15 (1985) (Second Engrossed).

116. Fla. H.R. Comm. on Commerce, PCB 85-2, § 15 (draft of Apr. 26, 1985).

4.8 TITLES OF BILLS

4.8.1 Location of Title on Bill

The title begins at the very top of the bill in a block indented paragraph that may run on for several pages depending upon the length and complexity of the bill. These bill titles will not be reproduced in the statutes, but they will appear in the session laws.

4.8.2 In Text

Refer to the bill by its caption title, short title, or any other descriptive phrase that helps to identify the bill. The "caption title" appears at the top of the bill and is the abbreviation HB or SB and the number (e.g. SB 173). The "short title" usually is on the second line and follows "A bill to be entitled. . . ." The full text indented at the beginning of the bill is the "full title."

The House drinking age bill also encountered problems.

4.8.3 In Footnotes

No title appears in the footnote.

113. Fla. CS for SB 1 (1985).

4.9 SUBDIVISIONS OF STATUTES AND BILLS

The Florida Legislature has its own way of referring to subdivisions within the Florida Statutes and bills. While these names are not used in citations, they are set out below to help interpret any references that may be made by legislators, legislative staff, or legislative documents and publications. The material is based upon the House Bill Drafting Service's *Guidelines For Bill Drafting* (1985).

987.01. **This is a catchline.**—This is a section with its catchline. When a section is subdivided it also sometimes has an “introductory paragraph” such as this paragraph.

(1) **SUBSECTION CATCHLINE.**—This is a subsection. Subsections are designated by arabic numerals within parentheses. If a subsection has its own catchline (most do not), it is capitalized as shown here.

(a) **Paragraph catchline.**—This is a paragraph. If a paragraph has its own catchline, it is styled like a catchline for the whole section.

1. This is a subparagraph. A subparagraph begins with an arabic numeral followed by a period.

a. This is a sub-subparagraph. Florida Statutes are seldom broken down any further, but, if the occasion demands it there is the next division.

(I) This is the sub-sub-subparagraph which is designated by a Roman numeral within parentheses.

4.10 APPROPRIATIONS BILLS

4.10.1 General Information

The appropriations bill is essentially the same as any other bill in the Legislature. The only major difference between it and other bills is that a single section of the bill may exceed one hundred pages. Therefore, it is often helpful to include a citation to the item number of the appropriation.

4.10.2 Letter of Intent

Each year the appropriations committees of the two houses prepare a joint "letter of intent," which is a terse annotation of the general appropriations act.