



JUDICIAL COUNCIL OF GEORGIA
ADMINISTRATIVE OFFICE OF THE COURTS

INTRODUCTION TO THE 2021 LEGISLATIVE SESSION

Tuesday, January 12, 2021

legislation.georgiacourts.gov

Legislative Days 1-2

The 2021 Legislative Session began on Monday, January 11, 2021, ushering in the most important and hectic period of the Georgia state political calendar. As in years past, the JC/AOC legislative team will be hard at work tracking and reporting on legislation relevant to the judiciary. In an effort to better serve our clients, we have made a few revisions to our legislative reports. Bills and resolutions will now be listed based on the most recent action taken by the General Assembly. This is intended to help stakeholders more quickly identify where each bill and resolution stands in the legislative process and how close each item is to final passage.

Additionally, the Tuesday reports have been reworked to provide the observed and expected legislative highlights of that week in a short and easily digestible format. The Friday reports will remain a comprehensive outline of every action taken on relevant legislation.

Finally, as this is the first report of the year, a brief overview of the legislative process has been provided as a guide and educational tool.

To view legislation pertaining to the judiciary, please visit legislation.georgiacourts.gov. The General Assembly will reconvene tomorrow, Wednesday, January 13, 2021, for Legislative Day 3.

Highlights for Week 1 (Legislative Days 1-4)

- Monday, January 11, 2020, was Legislative Day 1 (LD 1) of the 2021 Legislative Session.
- As it is the start of a new biennium, all bills that failed to pass last year must be re-filed and assigned a new number.
- All members were sworn in at the start of business of LD 1. Justice Charles Bethel [administered the oath in the Senate](#) and Chief Judge Brenda Weaver administered the oath in the House.
- In the House, Rep. David Ralston and Rep. Jan Jones were each re-elected as Speaker and Speaker Pro Tempore, respectively. In the Senate, Senator Butch Miller was re-elected as President Pro Tempore.
- Governor Kemp will deliver his State of the State Address on Thursday, January 13, at 11 a.m. The livestream may be accessed on <https://www.legis.ga.gov/>.
- Committee chairs [have been announced for the Senate](#). Announcements for the House are pending.
- The House and Senate adopted [HR 10](#), setting the calendar through Tuesday, January 26 (LD 5).

Floor & Committee Meeting Schedule*

Wednesday, January 13, 2021 – Legislative Day 3

10:00 AM	House Floor Session	House Chamber
10:00 AM	Senate Floor Session	Senate Chamber

Thursday, January 14, 2021 – Legislative Day 5

10:00 AM	House Floor Session	House Chamber
10:00 AM	Senate Floor Session	Senate Chamber
11:00 AM	State of the State Address	House Chamber

Friday, January 15, 2021 – Recess

**Schedule reflects meetings and legislation relevant to the judiciary. This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. Please visit the [House Meetings page](#) and the [Senate Meetings page](#) for a complete list of meetings, the most current schedules and agendas.*

The Georgia Legislative Process

The Georgia legislative session takes place over 40 legislative days. These days do not need to be consecutive and the final day of session, known as *Sine Die*, is generally sometime in either late March or early April. In order to become law, a bill must go through several steps during this time.

I. Drafting, Legislative Counsel, and Filing: The Birth of a Bill

The first step for any piece of legislation is drafting. Once the author, with assistance from the Office of Legislative Counsel, has drafted their bill, it is filed with either the Clerk of the House for House bills or the Secretary of the Senate for Senate bills.

Fun Fact: Newly filed bills are placed or “dropped” in a location known as the Hopper.

II. Committee Hearings: Legislative Workshops

After a bill is filed, it will be assigned to a committee based on subject matter. Committees are where most of the actual work of crafting legislation is accomplished.

If the membership of a committee determines a bill is worthy of advancement, they will make a motion to provide the bill with a Do Pass Recommendation. Many bills never make it out of committee and move no further in the legislative process.

Fun Fact: Some of the larger and busier committees have multiple subcommittees which will hear bills prior to the full committee.

III. Rules Committees: The Gatekeepers

Once a bill is passed out of its original committee, it is added to the General Calendar to await consideration by its chambers Rules Committee. Unlike other committees, the House and Senate Rules Committees do not usually hold hearings on bills. Instead, they determine which bills get placed on the voting calendars for their respective chamber.

They do so by crafting a Rules Calendar which lists the bills scheduled to be considered for passage by the House or the Senate on each legislative day.

Fun Fact: Rules Committees generally meet to set the Rules Calendar for the following legislative day, but they can also set supplemental calendars which will be taken up during the same legislative day.

IV. The House and Senate Floors: Debate and Voting

Bills added to the Rules Calendar for a legislative day may then be called up for a vote by the presiding officer the chamber. In the House, the presiding officer is the Speaker of the House and in the Senate, it is the Lieutenant Governor. In the Senate, bills are called upon in the order listed on the Rules Calendar, but in the House, the Speaker may call bills in any order.

Once debate has concluded, members of the House and Senate vote yay or nay on the bill. Most bills require a simple majority to pass but changes to the Constitution require a two-thirds majority.

Fun Fact: In both the House and Senate, a member may move that the chamber reconsider the chamber’s vote on a bill. If this motion passes, the members will hold another vote on the bill.

V. **Crossover Day: An Important Hurdle**

Per the rules of both chambers, bills must pass out of their original chamber before the end of Legislative Day 28. This date is known as Crossover Day and is always one of the busiest days of the legislative session. Any bill, except for certain exceptions, that fails to pass out of their original chamber by this deadline are considered dead for the remainder of the session.

Fun Fact: The Legislative Day designated as Crossover Day has shifted throughout the years. Prior to the current rule, Crossover Day was set as LD 30.

VI. **Consideration by the Other Chamber: The Process Starts Over**

After a bill passes its original chamber it must then be taken up by the other chamber and the entire process restarts. House Bills will be heard in Senate Committees and vice versa.

Fun Fact: There is often a short lull in legislative activity following Crossover Day, but this brief period of quiet is followed by the busiest time of the session.

VII. **Agrees, Disagrees, and Conference Committees: The Final Negotiations**

It is very common for bills to be changed after they arrive in their second chamber. This can happen either during committee hearings or via amendments made on the chamber floor. It is even possible for the second chamber to take a bill, completely strip its content, and replace it with an entirely different proposal.

If the second chamber votes to pass a bill without changing it, the bill achieves final passage. However, if the second chamber votes to pass a bill that it has changed from the version passed out of the first chamber, additional steps are required as both chambers must agree to same version of a bill to achieve final passage.

The simplest method for both chambers to arrive at a jointly agreed upon version of the bill is for one chamber to relent and agree to the other chamber's version. If both chambers still insist on their version, a conference committee may be formed to hammer out a final version.

Fun Fact: Motions to achieve final passage of a bill take up a large portion of the final days of session and can happen in quick succession in the last moments of Sine Die.

VIII. **The Governor's Desk: Awaiting a Signature and Enactment**

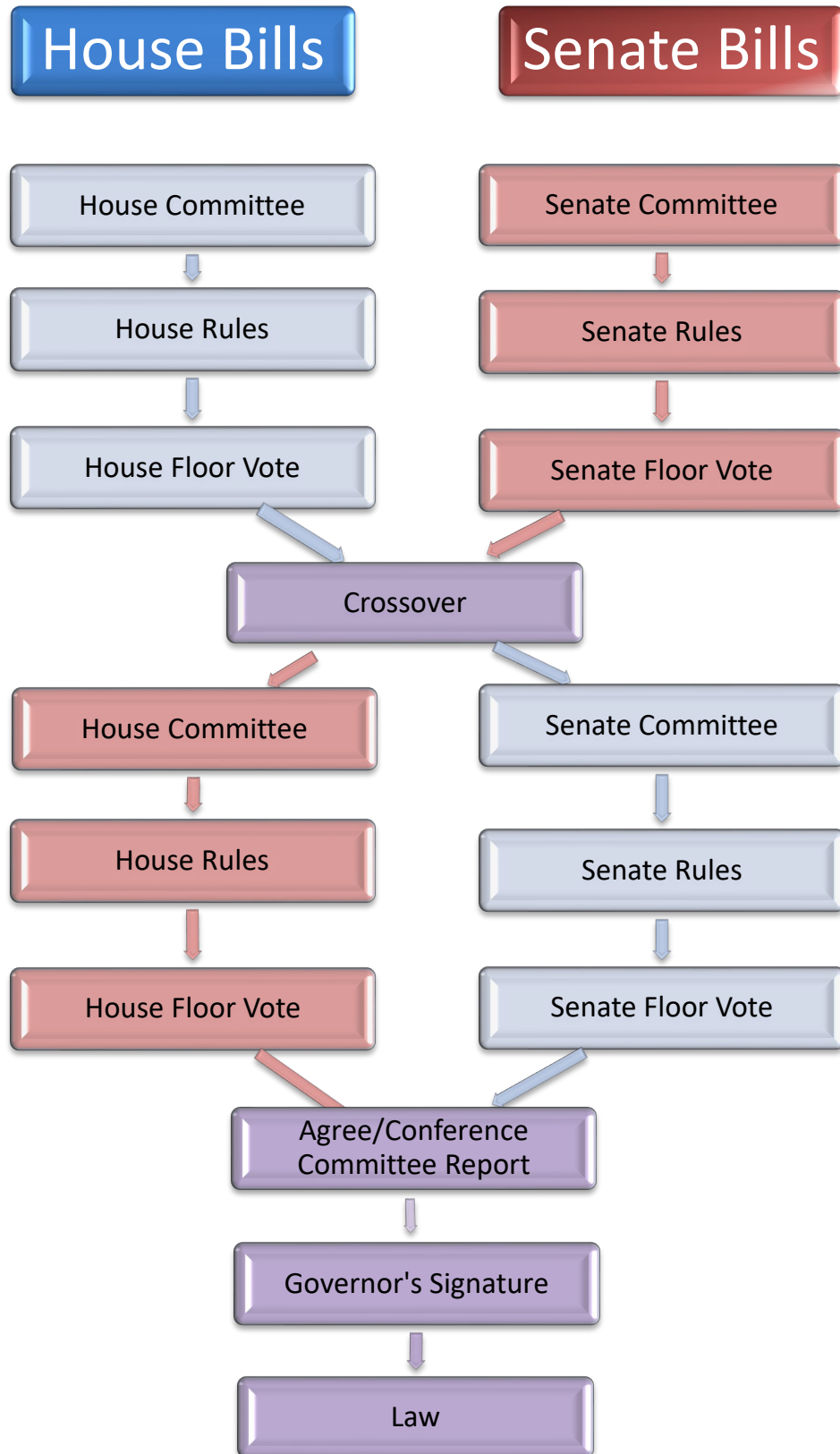
All bills that achieve final passage through both chambers of the General Assembly are sent to the desk of the Governor. Following the end of the legislative session, the Governor has 40 days to either sign, veto, or allow a bill to become law without a signature. In contrast to the federal government, the Governor of Georgia does not have a "pocket veto." Any bill that is not vetoed during the 40-day period becomes law even if the Governor does not actually sign it.

Bills may go into effect either immediately upon being signed, or upon another designated date.

Fun Fact: If the Governor vetoes a bill, a veto statement will be released explaining the rationale behind the veto.

The Georgia Legislative Process

This graphic provides a simplified outline of how a bill becomes a law by following the paths of a House bill (in blue) and a Senate bill (in red) through the major steps of the legislative process.



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