

MISSOURI YMCA YOUTH IN GOVERNMENT

BILL WRITING GUIDE 2015

As a participant in the Legislative Program, your first duty is to write and submit a piece of proposed legislation, called a bill. Bills are written in the hope that, if passed into law, they will help solve problems or resolve issues in society, thereby improving the quality of life. Legislative participants are challenged to write bills which are equitable, preserving the rights and promoting the welfare of all Missourians.

TYPES OF BILLS

There are 3 different types of bills, although YIG participants must write an act. **Resolutions may only be written while at the state convention.** More information about resolutions and sample bills to assist you in the bill writing process can be found at moyig.org

1. An **act** is a bill which enacts a completely new law, amends an existing law, or repeals an existing law. An act becomes law when it is approved by the House and Senate, and signed by the Governor.
2. A **joint resolution** is a bill which proposes an amendment to the Missouri Constitution or seeks to ratify a proposed amendment to the Constitution of the United States. A joint resolution must be approved by the House and Senate, and signed by the Governor in order for an amendment to be proposed or ratified.
3. A **concurrent resolution** is a bill which affects the actions or procedures of both legislative houses, such as creating a special joint committee, or expressing commendation or sympathy on behalf of the General Assembly. In reality, a concurrent resolution only requires approval from one of the two houses, but for YIG, it must be approved by both houses and signed by the Governor to become official.

PURPOSE OF BILL

A bill can serve a number of different purposes. These include enacting a completely new law, amending an existing law, repealing an existing law, proposing an amendment to the Missouri Constitution, or seeking to ratify a proposed amendment to the U.S. Constitution. All bills at Youth in Government require approval by the House and Senate and must be signed by the Governor. If the Governor vetoes the bill, the House and Senate have the authority to override the veto.

FIVE STEP BILL WRITING PLAN

- **Step 1: Decide on Idea**
- **Step 2: Research the Idea:** You should have enough research that you feel comfortable about both sides of the issue and can write a bill. Review the RSMo for statutes that relate to the issue.
- **Step 3: Develop the Bill Structure:** Find a solution to the problem you are addressing, and make a rough outline of the bill.
- **Step 4: Write the Bill:** Write your bill in the proper format and have it ready for review.
- **Step 5: Review the Bill:** Review your bill, correct any mistakes, and be ready to be submit it.

CO-AUTHORING BILLS

Some participants may wish to co-author bills. When developing ideas for bills, you should determine if another student in your delegation has similar ideas. Co-authoring a bill can provide you with more time to research and develop a quality bill. Also, both you and your co-author can network at the State Convention, expanding your ability to build support for your bill. Review these guidelines to learn what is permissible for co-authoring.

1. No bill may have more than two authors.
2. Representatives may co-author bills with another representative from the same delegation.
3. Senators may not co-author bills. All legislation submitted by senators must be authored individually.
4. Legislators may only author or co-author one bill. The same bill may not be submitted by more than one legislator in a delegation, or two if co-authoring.

CHOOSING A TOPIC FOR YOUR BILL

The first step to writing legislation is finding a topic for your bill. The best way to start is by brainstorming a list of problems or issues in society that you may find interesting. It may be helpful to discuss some of these issues with friends, family, and community members to gain more perspective on them.

-Determine if the issue is a local, state, or federal issue. Your issue needs to be something that the Missouri state government has the authority to address. Consider the need for government to take action on the issue.

- Legislators are not permitted to reiterate existing Missouri law. Research the Missouri Revised Statutes (RSMo) to see if your ideas already exist as Missouri law.

You can find the RSMo online at <http://www.moga.mo.gov/statutes/statutes.htm>

RESEARCH THE IDEA

Once you have selected a topic, you must gather information on your idea before actually writing a bill. You should collect as much information as possible and print/save the research you find in a folder that you can bring to the YIG convention to use during the debate process. Generally, there are 3 types of information you should compile:

1. **Arguments/Opinions** – The points of disagreements people have concerning your topic and the reasons they feel the way they do. Create a list of the pros and cons related to your bill idea.
2. **Legal Facts** – The existing law and/or pending legislation of Missouri, as well as other states/national law. You should review the Revised Missouri Statutes related to your topic before you begin writing your bill.
3. **Statistical Facts** – Gather all relevant statistics, details, costs, and evidence from credible sources.

TIPS: Look for bias in your sources, especially internet research. Many interest groups will present skewed information that supports their position. It is best to find direct sources for facts and statistics. You should also collect research for all sides of the issue, so you are prepared to uphold the merits of your bill and refute criticisms. The more you can prepare through research, the more successful you will be in passing your bill.

FOCUS YOUR IDEA

After gathering information to develop a goal for you bill, the following questions will help you focus your ideas:

1. What is the bill supposed to accomplish?
2. What are all the possible solutions which would allow the bill to fulfill its purpose?
3. Are the solutions under consideration constitutional in the United States and Missouri?
4. Which solution would be the most workable, most economical, and easiest to enforce?
5. How and by whom should the solution be enforced?
6. What would be the best source of any needed money for this solution?
7. When will the solution go into effect?

WRITE YOUR BILL

The answers to the previous seven questions can be used to construct a rough outline of your bill. The only information you need to include in the text of the bill is the goal of your bill and the specific actions necessary to carry out the bill's intent. In other words, the bill should state, as simply and clearly as possible, what is to be done and how it is to be done. It should not include any arguments, opinions, or even facts which make a case for the bill (those things should end up in your speeches or get addressed during the debate process).

Writing your bill is not as difficult as you may think! Bills do not have to be long (one page is fine), do not need to be complicated, and should be fun to put together. You can find lots of real Missouri bill examples by visiting:

<http://www.house.mo.gov/billlist.aspx> OR http://www.senate.mo.gov/14info/BTS_Web/BillList.aspx?SessionType=R

WRITE YOUR BILL

The following advice is given to the real-world Missouri legislators when they work on their bills:

“The essentials of good bill drafting are accuracy, brevity, clarity, and simplicity. The purpose of the bill should be clearly evident, and the language used should convey only one meaning. Legal words and maxims should be used only when clear judicial interpretation has given them the exact meaning and effect desired. Correct grammatical usage is essential.

Wherever possible, use the simple declarative sentence and avoid long and convoluted sentences.” –Committee on Legislative Research, 2011

Each bill will be unique and have its own structure based on the topic of the bill and its goal. The following page lists various Bill Elements and details the different sections that are possible to include in your bill. You will need to decide which elements are necessary for your bill; you do not have to include them all unless they are listed as required. Spend time at <http://www.moqa.mo.gov/statutes/statutes.htm>, also known as RSMo, and read the real state law before writing your own. Some laws are quite long while some are only one paragraph. The bill you write does not necessarily need to be long to have a significant impact on the state of Missouri.

KEY TERMS TO KNOW

Bill: A form or draft of a proposed statute presented to a legislature, but not yet enacted or passed and made law.

Enact: To make (a bill or other proposal) law. To pass, legislate, approve, sanction, authorize, impose.

Amend: To make minor changes in (a text) in order to make it fairer, more accurate, or more up-to-date. To revise, alter, change, modify.

Repeal: To revoke or annul (a law or congressional act). To rescind, cancel, reverse, nullify, abolish.

Ratify: To sign or give formal consent to (a treaty, contract, or agreement), making it officially valid. To confirm, approve, endorse, formalize.

Veto: A constitutional right to reject a decision or proposal made by a law-making body. To reject, throw out, dismiss.

RSMo: Revised Statutes of Missouri. A list, organized by topic, of all the current laws in the state of Missouri.

Pro/con: The various arguments in favor of and against a motion, course of action, etc. Pro=in favor, Con=against

In lieu thereof: In place of, instead of.

Adding thereto: Inserting in that place.

NUMBER REFERENCES

When writing your bill, the proper way to write numbers and figures, monetary sums, date, age, and time is by expressing them in words only.

1. **Numbers and figures:** one-tenth of one percent; five hundred fifty.
2. **Monetary sums:** one hundred dollars; seven dollars and fifty cents. The word “and” takes place of decimal.
3. **Dates:** June first; June 1, 2012; June, 2012; 2012.
4. **Age:** under twenty-one years of age; twenty-one years of age or older.

REFERENCES TO THE CONSTITUTION OR REVISED STATUTES OF MISSOURI

1. ...article III, section 16 of the Constitution of Missouri
2. ...section 165.017 (You do not need to write “RSMo” within a section when referring to another section within the Revised Statutes of Missouri.)
3. ...Amendment XX, Section 2 of the Constitution of the United States

REVIEW YOUR BILL

After writing your bill, review it to make sure it is ready to be filed.

1. Is your bill constitutional?
2. Does your bill fall under the jurisdiction of the state of Missouri? Make sure your bill deals with a state issue, not a federal issue.
3. Does your bill clearly identify the issue to be addressed?
4. Does your bill have one overall subject? You need to make sure that it does not have multiple subjects.
5. Does the bill have a concise, but accurate title?
6. Does your bill make sense to others? You should have someone else review your bill to make sure it reads clearly and tries to accomplish what you want.

BILL ELEMENTS

Review these bill elements and decide which are necessary to include in your bill. Use the bill samples available at moyig.org as a guide.

Required	Optional	Elements of a Bill
X		<p>Title: The title's purpose is to limit the subject matter of the bill to one general subject. Titles should summarize the overall intent of the legislation, succinctly describe the key issue you are addressing, and state your proposal for action. Article III, Section 23 of the Missouri Constitution mandates that "no bill shall contain more than one subject, which shall be clearly expressed in its title..." A title should cover all the matters included in the bill, i.e., not be too narrow.</p> <p>All titles begin the same way. The words "AN ACT" will be pre-printed on your bill. Your title then starts with the word "To". Titles should be as brief as possible, but still convey a clear description of exactly how the bill intends to deal with the problem or issue it addresses. Titles should include the source of funding and the enforcement agency, if either of these are called for in the bill. Bills which amend or repeal existing law should state their intent and name the relevant section from RSMo in the title. If your bill will have a punishment, your title should contain notice of the penalty provision: "...with penalty provisions".</p> <p>EXAMPLES OF TITLES: AN ACT... <i>To raise the drinking age for alcohol from twenty-one years to thirty years.</i> <i>--To prohibit smoking in public places, with penalty provisions.</i> <i>--To repeal section 142.310, RSMo, and to enact in lieu thereof one new section relating to health care.</i> <i>--To repeal sections 376.370 and 382.120, RSMo, and to enact in lieu thereof five new sections relating to conservation.</i> <i>--To amend chapter 168, RSMo, by adding thereto one new section relating to public mass transportation.</i></p>
X		<p>Style Clause: <i>Be it enacted by the YMCA General Assembly of the state of Missouri, as follows:</i> (The above style clause will be pre-printed on each bill. You do not need to worry about writing this bill element.)</p>
X		<p>Enacting Clause: Also known as "Section A". Section A is placed immediately below the style clause. It lists in numerical order those sections to be repealed that are contained in the Revised Statutes of Missouri (RSMo) and the new sections to be enacted or reenacted. In this section, you want to clearly define the issue you are addressing through this bill. This section is very specific so that it is clear to the other youth legislators at YIG what you are trying to enact.</p> <p>EXAMPLES: <i>--Section 453.130, RSMo, is repealed.</i> <i>--Section A. Section 170.250, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 170.250, to read as follows: All instruction materials used in Missouri public schools must be sourced from within the territory of the United States.</i> <i>--Section A. Section 173.608, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 173.608 and 173.610, to read as follows: Schools may pay tuition by credit card transaction on a credit card issued by an issuer other than the school.</i></p> <p>If your bill will contain all new language without repealing or revising any existing law, find the place in the RSMo where your bill would be inserted if passed into law. In the relevant section, find out what chapter number your bill would be and use this example:</p> <p>EXAMPLE: <i>--Section A. Chapter 105, RSMo, is amended by adding thereto one new section, to be known as section 105.956, to read as follows: No person shall be appointed to or serve on any of the commissions created by the state constitution while acting as a lobbyist.</i></p>
	X	<p>Definitions: Not all bills require a definition section. Only include this element if your bill has terms which are used in an unclear or uncommon way and need to be defined within the bill itself. Such terms and their definitions should be listed in the first section of the bill, immediately after the enacting clause. The opening text (body) of the bill, then, would begin after the definitions. See Chapter 1, RSMo, for words or phrases which have general application to all the MO statutes and are used in a uniform way. You should only list definitions: (a) When a word is used other than its dictionary meaning or Chapter 1 meaning, or is used in the sense of one of several dictionary meanings; or (b) To avoid repetition of a phrase; or (c) To limit or extend the provisions of the act. List terms alphabetically.</p> <p>EXAMPLE: <i>For the purposes of this act, the following definitions shall apply: (1) "Colony", the bees inhabiting a single hive or other dwelling place; (2) "Extermination", the complete destruction of bee colonies; (3) "Hive", domicile with removable frames for keeping bees;</i></p>
X		<p>Body of the bill: State your proposal for action in the bill, indicating what you are trying to accomplish by enacting this new policy or law. You should clearly explain how your recommended actions will address the issue. Information included in the bill should be organized topically into sections (lettered A-J or numbered 1-10), and should present general details first and then move into specifics.</p> <p>--Describe permanent provisions or plans before any temporary measures. If the bill sets out to accomplish several provisions, these measures should be described from the most important to the least, but be sure the bill only deals with one topic.</p> <p>--Next, the bill should describe how its provisions will be enforced or carried out.</p> <p>--If amending or repealing existing law, the exact change should be printed in the bill itself. If amending, enough of the current law should be included to establish the context of the measures or passages to be added. If repealing, the sections or passages to be removed should be framed in brackets with enough of the surrounding legislation to establish the context of the change to be made. Whether amending or repealing, all new measures or passages should be underlined when mixed in print with existing law.</p>
	X	<p>Effective date(s): If necessary, state when your bill will take effect. The default effective date in Missouri is August 28. If your bill is an emergency action, the effective date would be immediately upon passage. If you have reason to specify another date, you can do that as well. EXAMPLE: <i>This act shall take effect on August 28, 2012.</i></p> <p>ONLY CERTAIN SECTIONS EFFECTIVE: <i>The repeal and reenactment of section 36.100 of this act shall become effective on October 1, 2011</i></p>
	X	<p>Penalties or punishments: Bills dealing with crimes must identify the crime as a felony or a misdemeanor, and only the maximum punishment should be listed for felonies. No punishments of any kind should be listed for misdemeanors. Legislators should attempt to make punishments fair and appropriate for the crimes addressed. Try to use real statutes as a guide in determining penalties.</p> <p>EXAMPLE: <i>Violations of this act shall be punished as follows: (1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony.</i></p>

