

The Bill Development Process

Once you decide whether you want to be a member of the Legislature, you must write a bill to be presented at the Model Legislative Conference. Despite this seemingly daunting task, writing a bill is actually a very straightforward process. The steps identified below should help you get on your way.

PICK A TOPIC

The most important thing about a topic is that you are interested in it. The first thing to remember is that we are a model of the Indiana General Assembly, not the federal government. That means you need to write a bill on a topic that is within the jurisdiction of the state government. The national government solely takes care of defense, international relations, and interstate commerce. Nearly everything else is (or can be) handled by the state.

Major state issues include:

education	social services	health care
crime	public safety	government
economic development	state taxes	elections
transportation (streets, highways, and mass transit)		

Prepare for a group discussion by developing a list of suggestions. Look around the community and see what needs exist:

Housing	Education	Labor-Management Relations
Taxation	Agriculture	Business and Professions
Water	Civil Rights	State Institutions and Agencies
Crime	Recreation	Senior Citizens Hunger
Fish and Game	Veterans Affairs	Indian Affairs
Unemployment	Pollution	Racial Issues
Public Health and Safety		Motor vehicle control

Good places to begin are:

School Board members	Local business leaders
County Commissioners	State Senators and Representatives
Superintendent of Schools	Lobbyists
Teachers	Union Leaders
Public officials	Ministers
Social Workers	City Officials
Newspapers and editors	

Consider "live issues". Live issues are current topics in your community and/or the communities surrounding you. Students should interview the sources listed above ask them what they feel to be the most important issues affecting the community,

and which might involve remedial legislation by the state legislature. Students should explain what use they expect to make of the information provided.

Consider any conditions, which exist in the school, neighborhood, village, or city, which make it difficult for youth to get the best out of the education, recreation, health protection or employment.

Consider the current issues that are coming up before the next legislature that might be appropriate topics for study by your delegation. Help your students in getting an appointment with your local state representative or senator on these topics.

Consider the last proposed constitutional amendments presented in the last state election.

Consider the types of laws passed by previous YMCA Model Legislatures for possible suggestions, and also the essentials of preserving democracy:

The search for truth	Freedom of enterprise and opportunity
Respect for private property	Majority rule
The indispensable opposition	Right of petition and assembly
Freedom of speech and press	Respect for the dignity of the individual
Freedom of religion	Universal support of education

Subject listings of bills currently before the Indiana General Assembly can be found on the General Assembly website under “bills and resolutions”. Archives of bills from 1997 to the present can be found at www.in.gov/legislative/session/. Another good place to look for subject ideas is in current law. The Indiana Code can be found at www.in.gov/legislative/ic/code/. Yet another option is to visit the webpage of your state Senator or Representative to see what bills he or she has filed.

Keep in mind the following questions:

- a. Will I be able to find information about this topic?
- b. What are the present laws about this topic?
- c. How debatable is this topic? In Youth & Government, a great idea that is universally acceptable isn't nearly as much fun as a bill that really sparks conversation and debate.
- d. Is this topic a state issue?
- e. Is this topic permitted under the Federal and State constitutions?
Indiana Constitution www.in.gov/legislative/ic/code/const/
United States Constitution www.archives.gov/historical-docs/
- f. Is this topic something that the Indiana General Assembly would realistically discuss?

RESEARCH YOUR TOPIC

Once you know what you want to write about you begin the research phase. **First, you want to be sure your idea isn't already a law.** You can do this by checking the Indiana Code, or by contacting your local legislators' offices. Just call or email the contact information found on the General Assembly website and explain that you have a question about existing state law. The person responding should be able to point you in the right direction.

Once you are sure, begin looking for information on the topic. **Good sources include newspapers, the library, interest groups (groups who organize to lobby on behalf of specific issues or interests), and the internet.** Be careful what sources you use from the internet. Not all information you can find there is reliable. Websites of interest groups or policy groups are usually good resources.

Gather information on both sides of the issue, as you'll need this to write your introductory comments and be best prepared to debate others and answer questions.

WRITE THE BILL

Listed below are the parts of a bill. Each part must be included. The bill must be typed in the correct form. Remember, your bill must look neat and professional for others to consider it seriously! Have your advisor proofread your bill for you. Your bill should contain the following sections:

- I. **Brief caption.** This section tells the reader what the bill is written to do.
- II. **Enacting clause.** This section tells the reader what governing body is enacting the legislation.
- III. **Body.** This section lays out exactly what the bill will do. In this section, you are encouraged to find the specific sections of the Indiana Code that deal with your bill topic. Indiana Code sections are available in a law library or online at www.in.gov/legislative/ic/code/. It is not required that you include the code sections, but the YMCA Youth & Government program is moving in this direction. If you can include Indiana Code sections your bill will look more professional. The primary purpose of writing and researching bills is to be sure that the bill you are proposing actually affects current law. Alternatively, you can write the bill in the multi-section format used by the YMCA Youth & Government legislature.
- IV. **Severability clause.** This section specifies that if the YMCA legislature passes this bill into law and the Supreme Court were to find portions of the law to be unconstitutional, the unconstitutional sections would be effectively 'severed' from the rest of the law, leaving the remainder a valid law.
- V. **Conflict of laws clause.** This section specifies that if other existing laws conflict with what is included in this bill, the other provisions are

repealed to eliminate conflicts if this bill becomes law. If you've done your research thoroughly, this shouldn't be a problem!

Sections you are adding to existing law are underlined or **bolded**, while sections you are deleting have a ~~striketrough~~ line across them.

COLLECT INFORMATION

Get as much information as you can, and be sure that it is current and correct. You will need to write your speech to introduce the bill, and you will have 3 minutes. You will also need to be prepared to answer questions. The more information you have, the better off you will be. It is better to have information you don't use than to wish you'd spent more time researching!

EXAMPLE OF A BILL USING INDIANA CODE

Introduced by:	Indiana YMCA Youth & Government	Committee: Committee action:
Co-authors:	_____ Bill No. _____	Senate action: House action: Governor:

Brief caption:

This bill will repeal the death penalty.

Enacting clause:

Be it enacted by the YMCA Youth Legislature of Indiana:

Body:

IC 35-50-2-3 shall be amended as follows:

Sec. 3. (a) A person who commits murder shall be imprisoned for a fixed term of between forty-five (45) and sixty-five (65) years, with the advisory sentence being fifty-five (55) years. In addition, the person may be fined not more than ten thousand dollars (\$10,000).

(b) Notwithstanding subsection (a), a person who was:

(1) at least eighteen (18) years of age at the time the murder was committed may be sentenced to:

~~(A) death; or~~

~~(B)~~ **only** life imprisonment without parole; and

(2) at least sixteen (16) years of age but less than eighteen (18) years of age at the time the murder was committed may be sentenced to life imprisonment without parole;

under section 9 of this chapter unless a court determines under IC 35-36-9 that the person is a mentally retarded individual.

Severability clause:

If any provision of the Act of application thereof to any person or circumstance is held invalid the invalidity does not affect the other provisions or application of the Act which can be given effect without the invalid provision or application, and to this end the provisions of the Act are severable.

Conflict of laws:

All laws or parts of laws in conflict herewith are hereby repealed.

EXAMPLE OF A BILL WITHOUT INDIANA CODE

Introduced by:	Indiana YMCA Youth & Government	Committee: Committee action:
Co-authors:	_____ Bill No. _____	Senate action: House action: Governor:

AN ACT

Brief caption:

TO: Prevent unequal sentencing of criminals who, as determined by a judge or jury, have committed crime(s) motivated by bias.

Enacting clause:

BE IT ENACTED BY THE YMCA YOUTH LEGISLATURE OF INDIANA:

Body:

Section I

This code prevents assigning further penalty to criminals who have committed crime based upon bias, as defined by the following: a crime in which the criminal knowingly or intentionally selects the victim based upon color, creed, disability, national origin, race, religion, and/or sexual orientation.

Section II

Unequal sentencing is defined as the following: additional punishment based solely on a determination by the judge/jury that the criminal was motivated by bias.

Section III

Punishment/sentence shall be determined by the judge and/or jury according to the crime committed without considering whether the crime was motivated by bias.

Severability clause:

Section IV

If any provision of the Act of application thereof to any person or circumstance is held invalid the invalidity does not affect the other provisions or application of the Act which can be given effect without the invalid provision or application, and to this end the provisions of the Act are severable.

Conflict of laws:

Section V

All laws or parts of laws in conflict herewith are hereby repealed.