

Lobby Guide

Preparing for PA Legislative Session

This guide offers a basic orientation to legislative sessions with checklists to help you prepare for session weeks and navigate session days.

Overview | Ebb and Flow of PA Legislative Sessions

Pennsylvania's General Assembly has two-year legislative sessions, which always begin in January on odd numbered years. Below is a broad overview of what to expect throughout the session.

December (pre-session)

- **Leadership elections:** Before the end of session, the Democratic and Republican caucuses in both chambers elect their new <u>House leadership</u> and <u>Senate leadership</u> teams for the upcoming session.
- Bills: Legislators begin to circulate co-sponsorship memos as early as mid-December for bills they plan to introduce in the new session. Most of these memos are bills that died the previous session and are being re-filed. However, it isn't unusual to see memos for new bill proposals.
 - **Pro-tip:** If your organization was working on a bill with a friendly legislator that needed to be amended in some way, contact the bill sponsor before December to ask that those changes be made before the bill is re-filed.
 - Note: In any given two-year session, the House and Senate collectively introduce upwards of 4,000 bills, most of which never get a committee vote and only a handful are enacted.
- **Session dates:** Typically before the holidays, the legislature will post the new <u>House session</u> and <u>Senate session</u> calendars.

January (first year of session)

- **Swearing in:** In the first year of a new session, legislators are <u>constitutionally required</u> to be sworn in at noon on the first Tuesday in January. At this session, the House elects the Speaker, both chambers announce their leadership teams, pass new rules, and in a joint session, they certify the November election results, including for the row offices.
- Rules: After legislators are sworn in, each chamber votes on the <u>House rules</u> and <u>Senate rules</u> that will govern specific parliamentary procedures used during the two-year session. Both chambers use <u>Mason's Manual of Legislative Procedure</u> for all other parliamentary rules.
 - Pro-tip: For a deeper dive, see our PA Legislative Rules Cheat Sheet.
- **Committee assignments:** By swearing in day, leadership will post the new assignments for House committees and Senate committees, including committee chairs.

February-early March (annually)

- **Budget address:** Under <u>current law</u>, the governor must submit the <u>budget</u> to the General Assembly no later than the <u>first full week in February</u> of each year (or March of a governor's first term), which takes the form of a formal address to a joint session of the legislature.
- **Budget hearings:** Following the governor's budget address, there are very few session days for the next few weeks. Instead, throughout February and early March, the House and Senate Appropriations committees schedule hearings with numerous executive agencies and sometimes row offices (Attorney General, Treasurer, Auditor General) to review their budget proposals.
 - **Pro-tip:** Contact a friendly member on Appropriations if you want them to ask a specific question of an agency head during their budget hearing presentation.
 - Note: Budget hearings are controlled by the majority party in each chamber, so information about the hearings can be found on the caucus websites, NOT the General Assembly site. See: House Appropriations (D) and Senate Appropriations (R).
- Candidate petitions: Depending on the year, legislators will circulate nomination petitions to get on the ballot as a candidate for elected office. The petition period runs from mid-February to early March. Legislators are active in their districts collecting signatures during this time.

Late March-May (annually)

- Expect normal session activity and committee meetings throughout these months.
- **Primary elections:** In non-presidential election years, PA's primary elections are held on the third Tuesday of May. Expect to see an uptick in new bills filed on hot button issues, as legislators will often file bills to signal their position on those issues, especially if they have a primary challenger.

June (annually)

- Budget negotiations: June is an incredibly busy month in Harrisburg. The House and Senate are in session nearly every day while they negotiate the budget for the next fiscal year. Although the legislature is required to pass a budget by the end of June, it is not uncommon for negotiations to run over into July. It is also not unheard of for negotiations to break down, sometimes leading to protracted budget impasses.
 - Note: There are complex power dynamics at play during budget negotiations—majority
 vs. minority parties in the House and Senate; House and Senate majority parties vs. the
 Governor; and—not to be underestimated—House majority vs. Senate majority.
- **Bill trades:** Budget negotiations do not only involve fiscal decisions—in order to get agreements on budget-related items, legislators engage in extensive bill trading. Bills on a "trade list" may not have anything to do with the budget, but are passed to ensure that the final budget passes in both the House and Senate. These "trade lists" are not public; they are informal but closely guarded and often shifting.

Pro-tip: Keep a close eye on code bills (fiscal code, school code, administrative code, etc.). If trade bill language can legally be added to a code, legislators will often amend that language into a code bill. This is often done when a proposal is controversial and they want to avoid an up or down vote on a stand-alone bill.

July-September (annually)

- The General Assembly recesses for the summer months and typically returns late September.
 - Pro-tip: This is the best time to work with legislators and staffers on a bill or get agreement on legislation that might be introduced in the fall.

October-November (annually)

- The legislature is typically busy during these months and especially active in election years.
- **General election:** Election season tends to create its own dynamics within the legislature. Expect to see activity on partisan bills, including committee votes and floor votes.
 - **Pro-tip:** Elections can be good opportunities to push for bills that legislators might think will help them in the general election. Alternatively, don't be surprised if legislators want to wait until after the election to vote on a bill that might hurt them electorally.

November-December (second session year)

- **Bill trades:** At the end of each session, any bills that are not enacted die. As such, expect another round of bill trading, primarily between the House and Senate majority parties as they work to get legislation enacted before the session ends.
- Sine die: The portion of the 2-year Pennsylvania legislative session that remains after Election Day in the second year of the session is referred to as the "sine die" session, or "without day" in Latin, indicating that the session will adjourn for the final time as the session is complete. It's also referred to as the "lame duck" session because officeholders who will not return for the next legislative session, due to retirement or being defeated for re-election, are still eligible to vote on legislation.
 - Pro-tip: See our PA Legislative Lingo Glossary.

Session weeks

- Mondays are often the slowest days, with session starting later to allow for travel to Harrisburg.
- Tuesdays are the busiest, with numerous committee meetings scheduled throughout the day.
- Wednesdays can be a mixed bag of activity, but legislators are always anxious to head home.
- The most hectic weeks are when both the House and Senate are in session.

Checklist | Preparing for a New Legislative Session

Depending on your organization's legislative capacity, this checklist may be either too basic or too involved. But below are some general reminders as you head into a new session.

New information to note

- House and Senate session calendars
- House and Senate leadership teams
- House and Senate members and staff
- House and Senate committee assignments, including chairs and Executive Directors
- House and Senate rules

Legislative contacts

- Introduce yourself to new reps and senators. Bring leave behinds with information about your organization and be sure to meet / get contact info for their staff.
- Meet with the Executive Directors of key standing committees and, if possible, the chairs. Ask to be added to their stakeholder distribution list to ensure you get early email notifications of bills scheduled to run and solicitations for feedback and bill positions.

Internal housekeeping

- Determine whether staff and/or your organization needs to be registered as a lobbyist.
 - Pro-tip: See our guides When to Register as a Lobbyist in PA and PA Lobbying

 Disclosure Requirements (*not legal advice—contact counsel for more info).
- Distribute or email a welcome packet for legislators with an overview of your organization and contact info for your organization's legislative point person.
- Check your organization's website to be sure any legislative-related information is available and/or updated.
- Set up bill tracking. If your org doesn't subscribe to a bill tracking service, the General Assembly offers a <u>free bill tracker</u>.
- Order business cards, if necessary.

Checklist | Preparing for a Session Week

Use this checklist on the Thursday or Friday before a session week.

Committee schedules

■ Check <u>House</u> and <u>Senate</u> committee schedules and review bills scheduled for a vote.

Floor calendars

- House: House Democrats routinely distribute a "Week Ahead" floor vote schedule, typically sent via email on Thursday or Friday before a session week. Contact the Democratic Caucus Chair staff to be added to the distribution list.
- **Senate:** The Senate never provides advanced notice of their floor schedule. Review bills scheduled to run in Senate Appropriations, since those bills are the most likely to be considered on the floor that week.

Research bills

If you think your organization might want to take a position on a bill scheduled for a vote, you can do some basic research to find out more about the bill.

- Read the co-sponsorship memo (CSM) for context about the bill. If the CSM references a similar or refiled legislation from a previous session, look up the old bill to see if there were any committee or floor votes and/or if any fiscal notes were posted for the bill.
- Contact the committee Executive Director(s)—they will be able to tell you more about bills running in their committee that week.
- Check to see if other organizations have taken a position on the bill (ex. <u>ACLU-PA</u>; <u>PA Justice</u>
 Alliance).
- If the bill already passed out of committee:
 - Check the committee roll call vote.
 - o If necessary, watch the recording of the meeting when the bill was considered to listen to any discussion/debate about the bill.
- If the bill already passed one chamber:
 - Check the floor roll call vote.
 - o Check for a fiscal note, which will provide a good summary of what the bill proposes.

Send bill positions

- Committee votes: At a minimum, send your org's position on a bill to the committee Executive Directors, but consider sending feedback to all committee members (D and R).
- **Floor votes:** Send your org's position on bill(s) scheduled for a floor vote to all members of the chamber (House or Senate).

Checklist | Session Days

Use this checklist for each day of a session week.

Marked calendar

- On the morning of each session day, look for the House and Senate marked calendars to see which bills are scheduled to run on the floor that day.
 - Pro-tip: For a deeper dive, see our guide How to Read PA Legislative Calendars.

Bill amendments filed

■ If a bill you are tracking is scheduled for a committee or floor vote, contact the Executive Director(s) of the committee the bill was referred to and ask if there are any amendments filed for the bill. Be sure to ask if any of them are "agreed to" amendments—those will be the most likely to pass.

Committee and floor proceedings

- Watch—or better yet, attend—committee meetings and watch floor session activity. If you attend a committee meeting in person, be sure to collect any materials distributed by the committee staff.
 - Pro-tip: Use our PA Legislative Quick Links resource to find livestreams.

Bill status

If a bill moved during the week:

Review any adopted amendment language to see if it changes your org's position on a bill.