



Legislative Drafting Manual — Quick Reference for Maryland General Assembly (2025)

Prepared by the Department of Legislative Services — Office of Policy Analysis.

This manual provides a practical, student-focused guide to the Maryland legislative process, bill research, and drafting. It condenses essential rules, timelines, drafting best practices, and workflow steps.

The goal is to equip college students to draft, research, and prepare bill packages suitable for introduction in the Maryland General Assembly (Senate or House of Delegates), avoiding constitutional or technical defects.

Follow the full process: request, research, draft, review, introduce, floor/committee action, and enrollment. This deck will help you produce a clean bill package ready for the hopper.

Key Players & Timeline

Maryland's legislative session runs for 90 days, starting the second Wednesday in January. Understanding who is involved and when is crucial for effective legislative drafting.

- **Legislators:** 47 Senators and 141 Delegates.
- **Department of Legislative Services (DLS):** Provides nonpartisan staff support, including bill drafting.
- **Lobbyists/Advocates:** Represent various interests and influence legislation.
- **Public:** Citizens can testify, communicate with representatives, and submit bill ideas.

Key Deadlines (90-day session)

- **Bill Request Deadline:** Typically early February for Delegates; mid-February for Senators.
- **Cross-Over Day:** Mid-March; bills must pass one chamber to be considered by the other.
- **Adjournment:** Second Monday in April.

How a Bill Becomes Law: A Step-by-Step Guide

Understanding the legislative process is essential for effective bill drafting and advocacy. Each step has specific requirements and opportunities for input.

| | | |
|--|--|---|
| 01 | 02 | 03 |
| Idea & Bill Request A concept for a new law emerges. A request is submitted to DLS for drafting assistance. | Drafting & Review DLS staff drafts the bill, ensuring legal accuracy and legislative intent. The sponsor then reviews it. | Introduction The bill is formally introduced by a legislator in either the House or Senate and assigned to a committee. |
| 04 | 05 | 06 |
| Committee Action The committee holds hearings, may amend the bill, and votes to recommend passage, amendment, or rejection. | Floor Action The bill is debated and voted on by the full chamber. If passed, it moves to the other chamber for consideration. | Second Chamber Review The process (committee and floor action) repeats. If amended, it may return to the first chamber for concurrence. |
| 07 | | |
| Governor's Action The passed bill is sent to the Governor, who can sign it into law, veto it, or allow it to become law without signature. | | |

Detailed Procedures: Committee & Floor

Committee Action: The Legislative Filter

Once introduced, a bill is assigned to one of the standing committees in either the House or Senate. The committee's role is critical as it acts as the primary filter for legislation. Key steps include:

- **Public Hearings:** The committee schedules a hearing where proponents and opponents, including citizens, lobbyists, and experts, can provide testimony. This is a crucial opportunity for advocates to influence the bill's direction.
- **Work Sessions:** Following hearings, committee members hold work sessions to discuss the bill, consider proposed amendments, and deliberate on its merits. Bills are often significantly revised during this stage.
- **Voting:** The committee then votes on the bill. It can issue a "favorable" report (recommending passage), an "unfavorable" report (recommending rejection), or a "favorable with amendments" report. A bill can also die in committee if no action is taken.

Floor Procedure: Debate and Vote

If a bill receives a favorable report from its committee, it moves to the full chamber (House or Senate) for "floor action." This involves several stages:

- **Second Reading:** The bill is typically read a second time and is subject to debate and amendments by the entire body. Legislators can propose additional changes at this stage.
- **Third Reading:** After amendments are considered and voted upon, the bill is prepared for a final vote on its third reading. This is typically a straightforward up-or-down vote on the bill as amended.
- **Passage:** If a majority of the members present vote in favor, the bill is said to have "passed" that chamber and is then transmitted to the other chamber for its consideration.

Drafting Mechanics — Title, Purpose, Function, and Body

Title & Purpose Paragraph

- Title must describe one subject (Article III, §29).
- Keep short title concise (6–8 words).
- Purpose paragraph uses action verbs ("altering," "authorizing").
- Inform without over-specific figures; use "certain" for amounts/dates unless fixed.

Function Paragraph(s)

- State the legal action (e.g., "BY repealing and reenacting, with amendments").
- Follow with Article line, Section line, and Volume/Supplement citation.
- Use multiple function paragraphs for changing different articles or multiple functions.

The bill's **Body** includes: enacting clause(s), bill text (codified or uncoded), special sections (reporting, severability, legacy clauses), and effective date(s). Always include the final effective date section as the last numbered section.

Common Drafting Pitfalls & Constitutional Traps

1 Violating the Single Subject Rule

Maryland Constitution, Article III, §29 requires every law to embrace one subject, described in its title. Ensure your bill addresses a single, clearly defined topic.

2 Unconstitutional Vagueness

Statutes must be clear enough for ordinary people to understand what conduct is prohibited or required. Vague language can lead to due process challenges.

3 Retroactive Application

Laws generally operate prospectively. Retroactive application, especially if it impairs vested rights or creates new liabilities for past actions, can be constitutionally problematic.

4 Conflict with Federal Law (Preemption)

State law cannot contradict or undermine valid federal laws. Ensure the bill does not regulate an area exclusively reserved for federal authority or conflict with established federal statutes.

5 Impairing Contracts

The U.S. Constitution prohibits states from passing laws "impairing the Obligation of Contracts." Be mindful of how new legislation might affect existing contractual agreements.

6 Invalid Delegation of Legislative Authority

Ensure the bill does not improperly delegate legislative power to administrative agencies without clear standards or guidelines, which can violate the separation of powers.

Parliamentary Procedure Motions - Part 1

Understanding key parliamentary motions is crucial for navigating legislative processes effectively. These motions allow members to control debate, manage bills, and ensure an orderly and timely progression of legislative business.

Motion to Move the Previous Question (to end debate)

Exact Wording: "I move the previous question."

When Used: To immediately close debate on the pending question(s) and bring them to an immediate vote. Used by members who want to expedite a decision.

Debatable: No

Vote Required: Two-thirds (2/3) majority

Maryland General Assembly Example/Context: A critical budget bill is undergoing lengthy debate, and the Majority Leader wants to force a vote to meet a legislative deadline.

Parliamentary Inquiry

Exact Wording: "Parliamentary Inquiry" or "I rise to a Parliamentary Inquiry."

When Used: To ask the presiding officer a question about the rules of procedure or the current parliamentary situation, without interrupting debate.

Debatable: No

Vote Required: None (ruling by the presiding officer)

Maryland General Assembly Example/Context: A new delegate is unsure about the proper procedure for introducing an amendment and asks the Speaker for clarification.

Point of Order

Exact Wording: "Point of Order" or "I rise to a Point of Order."

When Used: To call attention to a breach of the rules or decorum. It must relate to a violation that has just occurred or is currently occurring.

Debatable: No (unless the presiding officer submits it to the body for decision)

Vote Required: None (ruling by the presiding officer, potentially appealable by majority vote)

Maryland General Assembly Example/Context: A member speaks for longer than the allotted time during debate, and another member raises a Point of Order to enforce the time limit.

Parliamentary Procedure Motions - Part 2

Continuing our exploration of legislative tools, these additional parliamentary motions provide further mechanisms for managing debate, making decisions, and maintaining procedural integrity in legislative bodies.

1

Motion to Table

Exact Wording: "I move to table the motion/bill." (Equivalent to "to lay on the table").

When Used: To temporarily set aside a pending question. The expectation is that it can be taken up later in the session. Often used to delay or kill a motion without direct opposition.

Debatable: No

Vote Required: Simple Majority

Maryland General Assembly

Example/Context: Amidst heated debate, a member moves to table a controversial bill, allowing the house to move on to other business and potentially revisit the bill later.

2

Motion to Reconsider

Exact Wording: "I move to reconsider the vote on [the specific motion/bill]."

When Used: To bring back a motion or bill that has already been voted upon for a new vote. It can only be made by a member who voted on the prevailing side.

Debatable: Yes (if the original motion was debatable)

Vote Required: Simple Majority

Maryland General Assembly

Example/Context: After a narrow vote on a bill, a member who voted with the majority (but has since changed their mind or heard new arguments) moves to reconsider the vote.

3

Motion to Suspend the Rules

Exact Wording: "I move to suspend the rules for the purpose of [stating the specific action]."

When Used: To temporarily set aside a specific rule of procedure. Typically, this allows for an action that would otherwise be out of order.

Debatable: No

Vote Required: Two-thirds (2/3) majority

Maryland General Assembly

Example/Context: To expedite the passage of an emergency bill, a member moves to suspend the rule requiring three readings on separate days.

4

Motion to Postpone Indefinitely

Exact Wording: "I move to postpone the question indefinitely."

When Used: To kill a motion without a direct vote on the main question. If adopted, the main motion cannot be brought up again during the same session.

Debatable: Yes (brings the main motion into debate)

Vote Required: Simple Majority

Maryland General Assembly

Example/Context: A bill is highly unpopular but direct opposition would be politically damaging. A member moves to postpone indefinitely to avoid a vote on the merits of the bill.

5

Motion to Refer to Committee

Exact Wording: "I move to refer [the motion/bill] to the [specific] committee."

When Used: To send a motion or bill to a committee for further study, amendment, or consideration. This can allow for more detailed work or to effectively delay a vote.

Debatable: Yes (as to the propriety of referral, not the main motion)

Vote Required: Simple Majority

Maryland General Assembly

Example/Context: A complex environmental bill with many technical details is introduced. A member moves to refer it to the Environment and Transportation Committee for expert review.

6

Motion to Amend

Exact Wording: "I move to amend the motion by [stating the proposed change]."

When Used: To modify the wording or substance of a pending motion or bill. Amendments can add, strike out, or substitute text.

Debatable: Yes (if the motion to be amended is debatable)

Vote Required: Simple Majority

Maryland General Assembly

Example/Context: During debate on a funding bill, a delegate proposes an amendment to reallocate funds to a different program or add a new clause.

Parliamentary Procedure Motions - Part 3

This section concludes our overview of essential parliamentary motions and procedural tools, focusing on actions that manage the flow of meetings and challenge rulings, ensuring fairness and order in legislative proceedings.

Motion to Adjourn

1

- **Exact Wording:** "I move to adjourn."
- **When Used:** To formally end a meeting or session until a later time or indefinitely.
- **Debatable:** No (unless no time for next meeting is specified)
- **Vote Required:** Simple Majority
- **Maryland General Assembly Example/Context:** At the end of a legislative day, a member moves to adjourn the session until the next scheduled meeting.

Motion to Recess

2

- **Exact Wording:** "I move to recess for [a specific duration, e.g., 15 minutes, or until a specific time]."
- **When Used:** To take a short break during a meeting or session, typically for a specified period, without formally ending it.
- **Debatable:** No (if specific duration is stated; debatable if duration is not specified)
- **Vote Required:** Simple Majority
- **Maryland General Assembly Example/Context:** After intense debate on a complex issue, a committee chair moves to recess to allow members to caucus or review materials.

Beyond standard motions, legislative bodies utilize additional procedural tools to ensure proper governance and allow for the challenge of decisions, maintaining the integrity of the process.

Appeal from the Decision of the Chair

1

- **Exact Wording:** "I appeal from the decision of the Chair."
- **When Used:** To challenge a ruling made by the presiding officer on a point of order or parliamentary question.
- **Debatable:** Yes (limited debate on the correctness of the Chair's ruling)
- **Vote Required:** Simple Majority (to overturn the Chair's decision)

Division of the Question

2

- **Exact Wording:** "I move to divide the question."
- **When Used:** To separate a complex motion or bill into distinct parts that can be voted on separately.
- **Debatable:** No
- **Vote Required:** Simple Majority

From Idea to Law – Real Maryland Examples

Understanding how an idea becomes law in Maryland involves a structured legislative journey.

Using the **Climate Solutions Now Act of 2022** as a key example, we'll trace the process from problem identification to gubernatorial action, highlighting specific legislative actions and outcomes.

| | | |
|---|---|--|
| 01 | 02 | 03 |
| <div>1. Problem Identification: Climate Change & Emissions</div> <p>The urgency of climate change necessitated new, more aggressive greenhouse gas (GHG) emission reduction targets. Maryland's 2009 GHG Reduction Act was deemed insufficient, prompting calls for updated legislation.</p> <p>Example: Updating statewide GHG reduction goals to align with scientific recommendations and address climate change impacts effectively.</p> | <div>2. Research & Analysis: Policy & Legal Framework</div> <p>Legislators and staff conducted extensive research into climate science, economic impacts, and successful strategies from other jurisdictions. This involved reviewing existing Maryland Code sections related to environmental protection and energy policy.</p> <ul style="list-style-type: none">• Review of the Maryland Greenhouse Gas Reduction Act of 2009 (Environment Article, § 2-1201 et seq.).• Analysis of Intergovernmental Panel on Climate Change (IPCC) reports and state-specific climate vulnerability assessments.• Comparative analysis of climate legislation in leading states like California and New York. | <div>3. Stakeholder Consultation: Building Consensus</div> <p>Before and during the legislative session, broad consultation with various stakeholders was crucial to refine the bill's scope and build support. This involved balancing environmental advocacy with economic concerns.</p> <ul style="list-style-type: none">• Environmental Advocates: Maryland League of Conservation Voters, Sierra Club, Chesapeake Bay Foundation.• Industry & Business: Maryland Chamber of Commerce, energy companies, real estate developers.• Local Governments: County and municipal associations concerned with implementation.• State Agencies: Maryland Department of the Environment (MDE), Public Service Commission (PSC). |
| 04 | 05 | 06 |
| <div>4. Bill Drafting: The Climate Solutions Now Act (HB 807/SB 528)</div> <p>The idea was formalized into legislation, with specific language drafted to amend existing statutes and create new mandates. The bill aimed for a 60% reduction in statewide GHG emissions from 2006 levels by 2031, mandated net-zero emissions by 2045, and established building energy performance standards.</p> <ul style="list-style-type: none">• House Bill 807 (HB 807): Sponsored by Delegate Dana Stein.• Senate Bill 528 (SB 528): Sponsored by Senator Paul Pinsky.• Key Sections: Amendments to Environment Article, new energy efficiency requirements for large buildings, electric vehicle goals, and climate equity provisions. | <div>5. Committee Process: Hearings & Amendments</div> <p>The bills were introduced and referred to committees for in-depth review, including public hearings, expert testimony, and significant deliberation and amendment.</p> <ul style="list-style-type: none">• House Committee: Environment and Transportation Committee.• Senate Committee: Education, Health, and Environmental Affairs Committee.• Actions: Public hearings, work sessions, and numerous amendments to address concerns (economic impacts, feasibility, equity).• Outcome: Both bills passed their respective committees, often with refined targets or implementation mechanisms. | <div>6. Floor Action: Debates & Votes</div> <p>Once cleared by committee, the bills moved to the full chambers for debate and voting, where legislators publicly discussed their merits and drawbacks.</p> <ul style="list-style-type: none">• House Vote: HB 807 passed the House on March 11, 2022, by a vote of 95-41.• Senate Vote: SB 528 passed the Senate on March 15, 2022, by a vote of 32-15.• Cross-Over & Concurrence: Bills "crossed over" to the opposite chamber. Differences were reconciled to ensure identical language. |
| 07 | | |
| <div>7. Governor Action: Signing into Law</div> <p>The final approved bill was sent to the Governor. Options include signing, allowing it to become law without signature, or veto. The Climate Solutions Now Act was a priority bill.</p> <ul style="list-style-type: none">• Outcome: Governor Larry Hogan signed the Climate Solutions Now Act into law on April 9, 2022.• Impact: The Act dramatically updated Maryland's climate goals, setting an ambitious path toward decarbonization and solidifying the state's leadership in climate policy. | | |

This step-by-step journey of the Climate Solutions Now Act exemplifies how a pressing societal issue can be translated into binding state law through dedicated legislative effort, research, stakeholder engagement, and political will.

Floor Procedures: From State House to Student Club

Understanding formal parliamentary procedure is crucial for effective legislative advocacy and participation.

The Maryland General Assembly follows established rules to ensure order, fairness, and transparency during floor sessions. We can replicate this structure in the Maryland Student Legislature Club to foster a realistic and impactful experience.



Call to Order & Quorum

The presiding officer officially opens the session. A quorum (minimum number of members) must be present for business to proceed.



Presentation of Business

Bills or resolutions are formally introduced and read, initiating their consideration by the full body.



Debate & Discussion

Members engage in structured debate, presenting arguments for and against the proposed legislation, and may offer amendments.



Voting

After debate, members cast their votes on the main question and any proposed amendments.



Adjournment

The presiding officer formally concludes the session, setting the stage for future meetings or actions.

In our Student Legislature Club, we can mirror these steps by assigning roles like Speaker/President, Clerk, and Sergeant-at-Arms.

Use simple motions to introduce bills, structure debate with time limits, and conduct clear voting procedures to practice real-world legislative dynamics.

Essential Research Sources & Tools



Maryland General Assembly Website

The official portal for tracking bills, accessing state statutes, committee schedules, and legislator contact information.



Department of Legislative Services

Provides in-depth bill analyses, fiscal impact statements, and comprehensive legal and policy research.



Think Tanks & Advocacy Groups

Offers policy briefs, research papers, and expert opinions from various organizations on specific issues.



News Archives & Public Records

Consult local and statewide news sources, public databases, and historical records for context and public sentiment.