

Oklahoma Intercollegiate Legislature



Legislative Writing Guide

This packet was prepared to help you understand the bill-writing process and the necessary components that make up a piece of legislation. Before writing a piece of legislation, you may consult this document to ensure that each bill or resolution introduced at session is uniform in structure and contains all necessary parts to make the bill or resolution legal. If you have any questions, please feel free to contact any of the officers of the legislative branch. They will be happy to help you with your legislative endeavors.

Also, remember to look at the State O.I.L.'s website: www.okoil.org and OU-OIL's website: www.ou.edu/oil for help. Bookmark them today!

I. THE FIRST STEPS

A. Where do I find a good idea?

The first step to writing a good piece of legislation is to find an idea that is both fresh and creative. Avoid topics that have become repetitive, such as abortion or driving tests for the elderly, unless you have an interesting twist on the idea. Keep in mind that OIL is a simulation of Oklahoma State government and therefore topics discussed should primarily concern issues at the state level. The only exception is a resolution calling on the federal government to enact policy change. Some media sources that can help in researching a topic include local and national television news, radio, local and national newspapers, magazines, and Internet sites. Feel free to enlist the help of friends, family members, co-workers or employers. If you have any doubts, simply ask other members of your delegation to help brainstorm new ideas.

B. How do I develop my idea?

Once you have your idea it is important to research the idea using current sources. State laws are ever changing. It is paramount to refer to the newest materials available. By researching your idea, you will develop a thorough knowledge of the issue which will assist you when discussing your legislation before committees and the legislative bodies. Supporting information enables you to educate other members on the idea you are presenting, which leads to a higher quality of debate. Examples of supporting information are quotes, facts, figures, and posters with diagrams or photos. The legislative idea worksheet (pg 3) can assist in the development of your topic.

C. Where does my topic fit into state law?

Once you have a general idea of what you would like to accomplish with your legislation it is time to refer to the list of Oklahoma Statute Titles (pg 8). Printed versions of the Oklahoma State Statutes, which include all of the laws of Oklahoma, are available in most university or law libraries and on a number of state government internet sites (pg 5). You are able to search either a printed index or an Internet search of the all statutes. Titles are divided into sections of law grouped by subject, such as *Schools* or *Criminal Procedure*.

After you have found the correct Title you may then search for the specific section that would be most relevant to your change. This depends on whether you are creating new law or amending or repealing a current law.

D. How do I write my legislation?

The last step is writing each individual piece of legislation. The rest of this packet will explain in detail each part of a bill and resolution. Just keep in mind that if all else fails simply imitate the appearance of the sample legislation (pgs 10-14). Don't be intimidated of writing legislation. Anyone who has written a piece of legislation can tell you it is simple. Bringing legislation to session is also the best way to become and stay involved.

II. LEGISLATIVE IDEA WORKSHEET

A. Describe the problem you are wishing to correct:

B. How would you correct this problem?

C. How can the problem best be corrected at the state level?

D. What state governmental agency, branch, or group, would be responsible for implementation or oversight of your plan?

E. Are there specific standards you think should be implemented? Licensing? Testing? Training? Accountability?

F. How would you enforce your plan? Fines? Penalties?

III. READING AND UNDERSTANDING A BILL

A. Components of a Bill

Heading: Each bill will indicate the Legislature, session and year in which the measure was introduced. The line following will include “House/Senate Bill/Resolution/Concurrent Resolution/Joint Resolution No. #####” and then on the right side “Last Name(s) (School). The number of the legislation will be added by the chair of each delegation.

Oklahoma Intercollegiate Legislature 1st Session of the 39th Legislature (2007)	
HOUSE BILL NO. 19510	Smith (OKU)

Title: Every measure MUST have a title. The title is essentially a table of contents for the legislation. Each act may embrace only one subject. The language at the front of the title is deliberately general, but must include all matters in a measure. Frequently, but not always, subjects are determined by the statutory title into which the bill’s provisions would fall.

The first clause of the title states the general summary of what the measure is to achieve. The title next gives a description of the contents of the bill. This section is not written to be a summary of the bill, but lists the various sections of the bill in order. In OIL, any text of the bill must be germane to, or contained in, the title. The title also provides vital information such as sections being repealed, amended, or created and whether an effective date or emergency clause is added. (The example following includes examples of creating new law, repealing existing law, and amending existing law—it’s usually best to do one of these types of things, not all three.)

AS INTRODUCED
An Act relating to the State Capitol Building; providing short title; limiting future renovations; repealing 73 O.S. 2001, Sections 11, 12, and 13, relating to repairs; amending 73 O.S. 2001, Section 10, relating to renovations; providing codification; and providing an effective date.

Enacting Clause: The Oklahoma state constitution requires the phrase: “BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:” at the beginning of all bills. This phrase always follows the title. The only exception to this is internal legislation (that which affects O.I.L. Constitution or Statutes). In that instance, “BE IT ENACTED BY THE PEOPLE OF THE OKLAHOMA INTERCOLLEGIATE LEGISLATURE:” is used.

Body of the Bill: (see Section IV for further specific sections/language) The body contains the substance of the act and is divided into sections. Each section that affects a statute is labeled in capital letters by its function, i.e., AMENDATORY, NEW LAW, or REPEALER and again gives the citation for the statute affected. Not all sections may affect a statute.

Oklahoma legislative measures amending sections of Oklahoma law include the entire text of the section. By legislative rule, all bills and resolutions calling for legislative action to

amend any provisions of existing law must indicate the nature of the amendment by underlining new material and striking through provisions to be eliminated. For sections labeled “NEW LAW,” there is no underlining or strikeout, because those entire sections are new law.

Line Numbers: Each line is printed on a numbered line. This makes it easy for members to identify the location of language under discussion and to locate amendments. If a bill or resolution is over a page in length, line numbers are started over on each page, and page numbers are required.

B. Oklahoma Statutes

The Oklahoma Statutes 2001 and amendments contained in the supplements thereto are the statutory law of the state. A list of the 90 titles by which the statutes are arranged is included. Titles are organized alphabetically. With enactment of legislation on an annual basis, a yearly supplement is published consisting of cumulative changes, additions, and deletions to the law. The statutes and supplements are subject-indexed for easier use.

Some websites that will be helpful in researching current Oklahoma statutes are:

<http://www.oscn.net/> (*Statutes Citationized*)

<http://oklegal.onenet.net/> (*Attorney General’s site*)

<http://www2.lsb.state.ok.us/> (*Legislature’s Site*)

C. Additional Important Notes

When writing numbers, figures, or dollar amounts into law, you must always spell out the amount and then put the numeric figure next to the spelled out amount in parentheses. The purpose of this is to prevent mistakes in copying the law into statutes after passed and approved. The following is an example:

- A. The Board shall consist of five (5) members, and
- B. They shall be paid one hundred dollars (\$100) annually for their services.

To maintain uniformity and help O.I.L. curb the cost of the bill packet, please stick to 12 point Times New Roman font. The last example of this packet is in a smaller font in order to fit the entire piece of legislation on one page. This practice should be used to eliminate a few stray lines on the last page of your legislation.

IV. PROPER LANGUAGE FOR SPECIFIC SECTIONS OF LEGISLATION

A. Effective Date or Emergency Clause

All bills passed by the legislature must have an effective date. The standard is ninety (90) days following passage and approval by the Governor. If the author chooses a time greater than that, the same language is used, replacing “ninety (90) days” with the chosen amount of time. If a bill is required to be enacted in less time, an emergency clause is required. This requires a separate vote of a two-third’s (2/3) majority for the emergency clause. If the emergency clause fails, but the bill passes, the standard ninety (90) days is used.. The following wording should make up the final section of your bill (these are not, for the most part, used in resolutions):

Section #: This act shall become effective ninety (90) days after passage and approval.

OR

Section #: It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

B. Short Title

There is a significant difference in the Title and the Short Title. The title is spelled out in the header of the legislation and is required in a bill or a resolution. It serves as a table of contents for a piece of legislation. The short title is generally the first section of a bill and gives a nickname to a piece of legislation. The short title is optional.

Section 1: This act shall be known as the “Truth in Sentencing Act of 2007.”

C. Whereas Clauses, Resolve Clauses, and Sections

Bills do not contain “WHEREAS” clauses. The only type of legislation that contains “WHEREAS” clauses is a resolution. Bills contain sections as opposed to a “WHEREAS” clause. The *only* type of resolution that contains sections is a joint resolution that provides for a constitutional amendment.

WHEREAS, the world is round and spins on its axis to give us the glory of night and day; and

WHEREAS, we have to choose between one or the other.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 39TH OKLAHOMA INTERCOLLEGIATE LEGISLATURE:

THAT, we humble college students hereby express our gratitude for the nighttime, which is the right time, to watch Monday Night Football.

D. Severability Clause and Repealer

Do NOT include these within your legislation. Both of these clauses were required sections within acts of the state legislature, but Oklahoma State statutory changes have eliminated the need for these clauses within bills.

E. Codification

Though there is not a separate section in the body of the bill for codification, it should be included in the Title of any bill that creates new law and is a phrase that shall be worded “providing codification.” It comes immediately preceding “and providing an effective date” or “and declaring an emergency” in the title. The codification is actually included in the sections of NEW LAW to read:

Section #. NEW LAW A new section of law to be codified in the 2001 Oklahoma Statutes as Section ### of Title ##, unless there is created a duplication in numbering, reads as follows:

This wording is repeated before each new section of law in a bill.

F. Ballot Titles for Constitutional Amendments

Ballot titles for Constitutional amendments are written in Joint Resolutions. This is the only time that sections are used in resolutions. Please see example included for format (pg 14).

G. Title for a Resolution

After summing up the purpose of the resolution (i.e. “A Concurrent Resolution calling for more people to Karaoke;”), there should be a title portion for each “THEREFORE” clause (i.e. “providing a favorite O.I.L. Karaoke bar; and setting which day of the week O.I.L.ers should attend.”) Piecing that together would look like the following:

A concurrent resolution calling for more people to Karaoke; providing a favorite O.I.L. Karaoke bar; and setting which day of the week O.I.L.ers should attend.

H. Definitions

Some legislators deal with matters that require definitions specific to their legislation. In such instances, a section can be included for definitions. This is a section in itself, and should be included in the title of a bill as “providing definitions;”. This section is also included within the statutes, so a provision must be made in the codification of a bill. The section itself should look like:

Section ##: The following terms are to be defined as follows for the purposes of this act:

A. Intelligent: Having an above the average score on an IQ Test.

B. Stupid: Not being able to walk and chew gum at the same time.

V. List of Titles of the Oklahoma Statutes 2001

Title 1. Abstracting	Title 27A. Environment and Natural Resources	Reformatories
Title 2. Agriculture	Title 28. Fees	Title 58. Probate Procedure
Title 3. Aircraft and Airports	Title 29. Game and Fish	Title 59. Professions and Occupations
Title 3A. Amusements and Sports	Title 30. Guardian and Ward	Title 60. Property
Title 4. Animals	Title 31. Homestead and Exemptions	Title 61. Public Buildings and Public Works
Title 5. Attorneys and the State Bar	Title 32. Husband and Wife	Title 62. Public Finance
Title 6. Banks and Trust Companies	Title 33. Inebriates	Title 63. Public Health and Safety
Title 8. Cemeteries	Title 34. Initiative and Referendum	Title 64. Public Lands
Title 9. Census	Title 35. Insane and Feeble Minded Persons	Title 65. Public Libraries
Title 10. Children	Title 36. Insurance	Title 66. Railroads
Title 11. Cities and Towns	Title 37. Intoxicating Liquors	Title 67. Records
Title 12. Civil Procedure	Title 38. Jurors	Title 68. Revenue and Taxation
Title 12A. Uniform Commercial Code	Title 39. Justices and Constables	Title 69. Roads, Bridges, and Ferries
Title 13. Common Carriers	Title 40. Labor	Title 70. Schools
Title 14. Congressional and Legislative Districts	Title 41. Landlord and Tenant	Title 71. Securities
Title 14A. Consumer Credit Code	Title 42. Liens	Title 72. Soldiers and Sailors
Title 15. Contracts	Title 43. Marriage	Title 73. State Capital and Capitol Building
Title 16. Conveyances	Title 43A. Mental Health	Title 74. State Government
Title 17. Corporation Commission	Title 44. Militia	Title 75. Statutes and Reports
Title 18. Corporations	Title 45. Mines and Mining	Title 76. Torts
Title 19. Counties and County Officers	Title 46. Mortgages	Title 77. Townships and Township Officers
Title 20. Courts	Title 47. Motor Vehicles	Title 78. Trade Marks and Labels
Title 21. Crimes and Punishments	Title 48. Negotiable Instruments	Title 79. Trusts and Pools
Title 22. Criminal Procedure	Title 49. Notaries Public	Title 80. United States
Title 23. Damages	Title 50. Nuisances	Title 81. Warehouses
Title 24. Debtor and Creditor	Title 51. Officers	Title 82. Waters and Water Rights
Title 25. Definitions and General Provisions	Title 52. Oil and Gas	Title 83. Weights and Measures
Title 26. Elections	Title 53. Oklahoma Historical Societies and Associations	Title 84. Wills and Succession
Title 27. Eminent Domain	Title 54. Partnership	Title 85. Workers' Compensation
	Title 55. Pledges	
	Title 56. Poor Persons	
	Title 57. Prisons and	

VI. TYPES OF LEGISLATION

A. Bills (*Examples HB5501, SB2001, HB7501*)

- a. have the force and effect of law
- b. must be passed by both chambers
- c. must be signed by the Governor
- d. generally propose new statutes or amendments to existing statutes
- e. are used when the measure needs long term applicability

B. Joint Resolutions (*Example SJR31101*)

- a. have the force and effect of law
- b. must be passed by both chambers
- c. must be signed by the Governor (except when the measure submits a question to the vote of the people)
- d. usually will not become part of the state statutes
- e. are used when the measure has short term applicability

C. Concurrent Resolutions* (*Example HCR12601*)

- a. do not have the force and effect of law
- b. must be passed by both chambers
- c. are not signed by the Governor
- d. will not become part of the state statutes
- e. are used to express the will or opinion of both chambers (This includes amendments to the Joint Rules of the Legislature)

D. Simple Resolutions* (*See Note on HCR12601*)

- a. do not have the force and effect of law
- b. must pass only the chamber which introduced the measure
- c. are not signed by the Governor
- d. will not become part of the state statutes
- e. are used to express the will or opinion of one chamber (This includes amendments to House Rules or Senate Rules)

* Since O.I.L. is based on the Oklahoma state government, any issue that involves changing Federal or International Law must be written as an opinion of the House of Representatives and/or the Senate, through the use of a concurrent or simple resolution.

EXAMPLE OF CREATING NEW LAW & EMERGENCY CLAUSE

Oklahoma Intercollegiate Legislature
1st Session of the 39th Legislature (2007)

HOUSE BILL NO. 5501

Smith (OU)
Jones (NWOSU)

AS INTRODUCED

1 An Act relating to credit card applications; providing short title; providing for parental consent
2 for minor applicants; providing for codification; and declaring an emergency.

3
4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

5
6 Section 1. This act shall be known as the "Credit Card Act of 2007."

7
8 Section 2. NEW LAW A new section of law to be codified in the 2001 Oklahoma Statutes
9 as Section 2-310.1 of Title 14A, unless there is created a duplication in numbering, reads as
10 follows:

11
12 Every person who applies for a credit card and who is under twenty-one (21) years of
13 age shall have consent of one (1) of his/her own parents or legal guardian before being able to
14 receive any such credit. Any parent or legal guardian has the right to refuse to sign such consent.
15 Those persons under twenty-one (21) years of age who are deemed independent from
16 guardianship are exempt from the necessity of parental consent.

17
18 Section 3. It being immediately necessary for the preservation of the public peace, health and
19 safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

EXAMPLE OF AMENDING A LAW
Oklahoma Intercollegiate Legislature
1st Session of the 39th Legislature (2007)

SENATE BILL NO. 2001

Smith (UCO)

AS INTRODUCED

1 An Act relating to voluntary prayer in public schools; providing short title; amending
2 Title 70 O.S. 2001, Section 11-101; and providing an effective date.

3

4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

5

6 Section 1. This Act shall be known as the "Generation X Act of 2007."

7

8 Section 2. AMENDATORY 70 O.S. 2001, Section 11-101.1, is amended to read as
9 follows:

10

11 Section 11-101.1. The board of education of each school district shall permit those require
12 students and teachers ~~who wish to do so~~ to participate in ~~voluntary~~ prayer.

13

14 Section 3. This act shall become effective ninety (90) days after passage and approval.

[NOTE: When amending current statutes, be certain to include all present language and add your changes. Strike through any language you wish to delete and underline any language you wish to insert.]

EXAMPLE OF REPEALING A LAW

Oklahoma Intercollegiate Legislature
1st Session of the 39th Legislature (2007)

HOUSE BILL NO. 7501

Smith (TU) of the House
Jones (OCU) of the Senate

AS INTRODUCED

1 An Act relating to statutory marriage; repealing 43 O.S. Section 3.1; and providing an
2 effective date.

3

4 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

5

6 Section 1. REPEALER 43 O.S. 2001, Section 3.1, is hereby repealed.

7

8 Section 3.

9 1. Recognition of marriage between persons of the same gender prohibited.

10

11 A marriage between two persons of the same gender performed in another state shall not
12 be recognized as valid and binding in this state as of the date of the marriage.

13

14 Section 2. This act shall become effective ninety (90) days after passage and approval.

[NOTE: Though in real legislation, the language of the section(s) to be repealed is not included, the members of O.I.L. do include it so that everyone will know what is being repealed.]

EXAMPLE OF A CONCURRENT RESOLUTION

Oklahoma Intercollegiate Legislature
1st Session of the 39th Legislature (2007)

HOUSE CONCURRENT RESOLUTION NO. 12601

Smith (OBU) of the House
Jones (OU) of the Senate

AS INTRODUCED

1 A Concurrent Resolution declaring that John Wayne is a real man; providing a holiday is
2 declared; and setting a time for holiday.
3
4 WHEREAS, John Wayne was one of the legends of the American cinema; and
5
6 WHEREAS, John Wayne inspired many youths to follow the principles and ideals that he
7 established; and
8
9 WHEREAS, John Wayne created a sense of patriotism and the fighting American spirit that we
10 all wish to instill in the children of Oklahoma.
11
12 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF
13 THE 1ST SESSION OF THE 39th OKLAHOMA INTERCOLLEGIATE LEGISLATURE,
14 THE SENATE CONCURRING THEREIN:
15
16 THAT John Wayne is recognized as the greatest actor in the history of cinema by the State of
17 Oklahoma.
18
19 THAT the third (3rd) Friday in September be recognized as “John Wayne Day” in the State of
20 Oklahoma.

[NOTE: In simple resolutions, the “THEREFORE” clause would only include whichever chamber is considering the legislation. Please note further that there are NO section numbers, only “WHEREAS” and “THEREFORE” clauses.]

EXAMPLE OF A BALLOT TITLE FOR A CONSTITUTIONAL AMENDMENT

Oklahoma Intercollegiate Legislature
1st Session of the 39th Legislature (2007)

SENATE JOINT RESOLUTION NO. 31101

Smith (OSU) of the House
Jones (SNU) of the Senate

AS INTRODUCED

1 A Joint Resolution directing the O.I.L. Election Commission to refer to the people for their approval
2 or rejection a proposed amendment to Article of the First of the Oklahoma Intercollegiate Legislature
3 Constitution, changing the name of the organization; providing ballot title; and directing filing.
4
5 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF
6 THE 39th OKLAHOMA INTERCOLLEGIATE LEGISLATURE:
7

8 SECTION 1. The O.I.L. Election Commission shall refer to the people for their approval or rejection, as
9 and in the manner provided by law, the following proposed amendment to Section 1 of Article 1 of the Constitution
10 the Oklahoma Intercollegiate Legislature to read as follows:
11

12 Article of the First

13
14 Section 1. The name of this organization shall be ~~“The Oklahoma Intercollegiate Legislature.”~~ “The
15 Meeting of the Board.”
16

17 SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of
18 the resolution shall be in the following form:
19

20 BALLOT TITLE

21
22 Legislative Referendum No. _____ O.I.L. Question No. _____
23

24 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

25
26 This measure amends Section 1 of Article 1 of the Oklahoma Intercollegiate Legislature Constitution. It would
27 change the name of the Oklahoma Intercollegiate Legislature to The Meeting of the Board.
28

29 SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?
30

31 _____ YES, FOR THE AMENDMENT
32 _____ NO, AGAINST THE AMENDMENT
33

34 SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution,
35 shall prepare and file one copy thereof, including the Ballot Title set forth in SECTION 2 hereof, with the Secretary
36 of State and one copy with the Attorney General.