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**MEMORANDUM**

April 17, 2015

**TO:** Representative Paul Lundeen  
**FROM:** Jessika Shipley, Principal Analyst, 303-866-3528  
**SUBJECT:** Legislative Process Comparative Overview

**Summary**

This memorandum responds to your request for information on the legislative process. Specifically, you wanted to know what other states do in terms of limiting the length of legislative sessions and the number of bills that may be introduced by each legislator. You also asked for examples of states that use a biennial budget cycle and information about how Colorado handled the budget process prior to the establishment of the Joint Budget Committee (JBC).

This memorandum provides a survey of the 35 states, including Colorado, that set limits on the legislative session duration. It also addresses bill introduction limits and provides information about states that have a biennial budget cycle. Finally, it discusses the genesis of the JBC in 1959.

**Legislative Session Length**

Thirty-five states, including Colorado, limit the length of the legislative session through statute, the state constitution, or legislative rules. Table 1 provides the limit for each of these states, along with the citation or authority for the limit. Another three states—Iowa, New Hampshire, and Tennessee—limit the legislative session indirectly by limiting the number of days for which legislators may receive compensation, per diem, or mileage reimbursement. The final 12 states—California, Idaho, Illinois, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Vermont, and Wisconsin—do not put any restrictions on the length of the legislative session.

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**Table 1  
Legislative Session Limits**

<b>State</b>	<b>Session Length</b>	<b>Legal Authority</b>
Alabama	30 legislative days within 105 calendar days	Ala. Code § 29-1-4.
Alaska	90 calendar days	Alaska Stat. § 24.05.150.
Arizona	Saturday of the week in which the 100th calendar day falls	House and Senate rules.
Arkansas	Even-numbered years: 30 calendar days Odd-numbered years: 60 calendar days	Ark. Const. art. 5, § 17.
Colorado	120 calendar days	Colo. Const. art. V, § 7.
Connecticut	The Wednesday following the first Monday in January to no later than the first Wednesday after the first Monday in June	Conn. Const. art. III, § 2.
Delaware	The second Tuesday in January to no later than the last day in June	Del. Const. art. II, § 4.
Florida	60 calendar days	Fla. Const. art. III, § 3.
Georgia	40 legislative days	Ga. Const. art. III, § IV.
Hawaii	60 calendar days	Haw. Const. art. III, § 10.
Indiana	Even-numbered years: The second Monday in January to no later than March 14 Odd-numbered years: The second Monday in January to no later than April 29	Ind. Code § 2-2.1-1-3. Ind. Code § 2-2.1-1-2.
Kansas	Even-numbered years: 90 calendar days Odd-numbered years: No limit	Kan. Const. art. 2, § 8.
Kentucky	Even-numbered years: 60 legislative days Odd-numbered years: 30 legislative days	Ky. Const. §§ 36 and 42.
Louisiana	Even-numbered years: 60 legislative days within 85 calendar days Odd-numbered years: 30 legislative days	La. Const. art. III, § 2.
Maine	Even-numbered years: The first Wednesday after the first Tuesday in January to the third Wednesday in April Odd-numbered years: The first Wednesday in December to the third Wednesday in April	Me. Const. art. IV, pt. 3, § 1 and Me. Rev. Stat. Ann. tit. 3, § 2.
Maryland	90 calendar days	Md. Const. art. III, § 15
Massachusetts	Even-numbered years: The last Wednesday in May to July 31 Odd-numbered years: The last Wednesday in May to the third Wednesday in November	Mass. Const. art. I, § I and Joint Rule 12A.
Minnesota	120 legislative days within a biennium	Minn. Const. art. IV, § 12.
Mississippi	90 calendar days except in gubernatorial election years when it is 125 calendar days	Miss. Const. art. 4, § 36.
Missouri	The first Wednesday after the first Monday in January to May 30	Mo. Const. art. III, §§ 20 and 20(a).
Montana	Biennial session; 90 legislative days	Mont. Const. art. V, § 6.
Nebraska	Even-numbered years: 60 legislative days Odd-numbered years: 90 legislative days	Ne. Const. art. III, § 10.

**Table 1 (Cont.)  
Legislative Session Limits**

<b>State</b>	<b>Session Length</b>	<b>Legal Authority</b>
Nevada	Biennial session; 120 calendar days	Nev. Const. art. 4, § 2.
New Mexico	Even-numbered years: 30 legislative days Odd-numbered years: 60 legislative days	N.M. Const. art. IV, § 5.
North Dakota	Biennial session; 80 legislative days	N.D. Const. art. IV, § 7.
Oklahoma	The first Monday in February to the last Friday in May	Okl. Const. art. V, § 26.
Oregon	Even-numbered years: 35 calendar days Odd-numbered years: 160 calendar days	Ore. Const. art. IV, § 10.
South Carolina	The second Tuesday in January to the first Thursday in June	S.C. Const. art. III, § 9 and S.C. Code Ann. § 2-1-180.
South Dakota	40 legislative days	S.D. Const. art. III, § 6.
Texas	Biennial session; 140 calendar days	Tex. Const. art. III, §§ 5 and 24.
Utah	45 calendar days	Utah Const. art. VI, § 16.
Virginia	Even-numbered years: 60 calendar days Odd-numbered years: 30 calendar days	Va. Const. art. IV, § 6.
Washington	Even-numbered years: 60 calendar days Odd-numbered years: 105 calendar days	Wash. Const. art. II, § 12.
West Virginia	60 calendar days	W. Va. Const. art, VI, § 22.
Wyoming	Even-numbered years: 20 legislative days Odd-numbered years: 40 legislative days	Wyo. Const. art. 3, § 6 and Wyo. Stat. § 28-1-102.

Source: Legislative Council Staff.

### Bill Introduction Limits

States use a variety of measures to make bill processing more streamlined and efficient. The most common of these are deadline systems, prefilng of bills, and bill introduction limits. Fourteen states, including Colorado, limit the number of bills each member may introduce.<sup>1</sup> The limits range from a low of two bills per member in the Nevada Assembly to a high of 40 bills per member in the California State Legislature. All but one state, Louisiana, set the limit through legislative rule. The Louisiana Constitution limits each member to five bills each with certain exceptions. Indiana senators and all Montana legislators may prefile an unlimited number of bills, but are limited for introduction. Montana allows members to grant another member any remaining bill introduction requests within the limit. In Nevada, bills are introduced by standing committees rather than by individual members, and the total number of bills that may be introduced each session is limited to 50.

### Biennial Budget Cycles

Budget procedures vary from state to state. Important structural differences include: the nature of a balanced budget requirement; the Governor's authority to revise the enacted budget through a line-item veto or other means; the status of earmarked or federal funds in the

<sup>1</sup> Bill introduction limit states are Arizona, California, Colorado, Florida, Hawaii, Indiana, Louisiana, Montana, Nevada, North Dakota, Oklahoma, Tennessee, Virginia, and Wyoming.

appropriations process; and the use of an annual or biennial budget cycle. A number of studies have been conducted in recent years on the relative merits of biennial budgeting, and information about those studies is available upon request. The following sections provide examples of and information about a few of the 21 states currently utilizing a biennial budget cycle.<sup>2</sup>

**Arizona.** Arizona uses a bifurcated budget system in which most state agencies submit a biennial budget request in each odd-numbered year, requesting a separate appropriation for each of the next two fiscal years. Larger state agencies make an annual budget request.

**Kansas.** Similar to Arizona, Kansas has used both an annual and biennial budget cycle since 1996. While most of state government prepares an annual budget, the budgets of 21 state agencies are approved on a biennial basis. Most of these agencies are funded through fee revenue.

**Nevada.** State agencies in Nevada are required to project their needs for three and a half years past the end of the biennial cycle for which they are submitting a budget request. When budgeting, the Governor, the legislature, and state agencies are required to use a General Fund revenue forecast prepared by the state's Economic Forum, which is a panel of five economic and taxation experts from the private sector.

**Wyoming.** The Consensus Revenue Estimating Group (CREG) is the official estimating body for all revenues received by the Wyoming state government. The group was created by a mutual informal agreement between the executive and legislative branches in the fall of 1983 as a means of providing a single consensus estimate of revenues to aid in the budgeting process. Prior to 1983, each branch developed an independent forecast of revenues.

The leadership of CREG consists of representatives of the Economic Analysis Division (EAD) of the Department of Administration and Information and the Legislative Service Office (LSO), each serving as a co-chair of the group. Additional members of CREG include representatives from the State Auditor's Office, State Treasurer's Office, Department of Revenue, Department of Education, Wyoming Geological Survey, Wyoming Oil and Gas Conservation Commission, and the University of Wyoming.

## Colorado's Legislative Budget Process

**The Joint Budget Committee (JBC).** Colorado has an annual budget cycle; the fiscal year begins July 1 and ends June 30. Colorado law provides the six-member JBC with a primary role in the state budget process. This role was established in 1959, following an era in which joint appropriations or joint finance committees provided leadership on budgetary matters. The statutory responsibilities originally established for the JBC in 1959 closely resemble those set forth in law today. Specifically, the committee's current statutory responsibilities include:

- studying "the management, operations, programs, and fiscal needs of the agencies and institutions of Colorado state government;" and
- holding "hearings as required . . . to review the executive budget and the budget requests of each state agency and institution, including capital construction, capital renewal, or controlled maintenance budget requests as prioritized...by the capital development committee, and information budget requests as prioritized...by the joint technology committee, and to make appropriations recommendations to the

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<sup>2</sup>These states include Arizona, Arkansas, Connecticut, Hawaii, Indiana, Kentucky, Maine, Minnesota, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oregon, Texas, Virginia, Washington, Wisconsin, and Wyoming.

appropriations committees, or any successor committees, of each house."<sup>3</sup>

**JBC staff.** Colorado law also establishes a position of director to oversee a staff for the JBC. The JBC staff director oversees "the collection and assembling of all data and the preparation of reports and recommendations," in addition to preparing, "for consideration by the committee analyses of all requests for funds."<sup>4</sup> While the Colorado General Assembly first recognized the need for permanent staff to assist the joint appropriations and finance committees in 1956, statutory provisions for the JBC staff were enacted in 1959 when the committee was established. As with the statutory provisions for the JBC, the statutory language authorizing the JBC staff in 1959 has changed little over the years.

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<sup>3</sup>Section 2-3-203 (1)(b.1)(I)(A), C.R.S.

<sup>4</sup>Section 2-3-204 (1), C.R.S.