

## Legislative Committees

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Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with municipal government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other MTAS website material.

Sincerely,

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## Legislative Committees

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Once a bill has been passed routinely on first and second consideration, the speaker will assign the bill to a committee based on its subject matter. Bills affecting cities often go to the State and Local Government Committees of the two houses. Bills dealing with local taxes and others concerned only with finances generally go directly to the Finance, Ways and Means Committees of each House. Any bill having a large fiscal impact (the exact dollar figure is set in the rules of each House for each session), no matter what its subject, must go to the Finance, Ways and Means Committees after it has received approval by the Standing Committee that deals with the subject matter. Thus, bills with a large fiscal impact often must be approved by two Standing Committees — the committee concerned with the subject matter and the committee dealing with finances.

In addition to the committee system, the House of Representatives uses subcommittees as well. Thus, a bill assigned to a particular committee will then be assigned to a subcommittee based on its subject matter. Subcommittees function like small committees and create one additional hurdle for bills in the House.

Bills in committee are set for a hearing by the chair, in consultation with the vice chair and secretary. Bills generally are placed automatically on calendars in the Senate committees. But, the committee chair and those he or she consults with must consider both the legislation's necessity and importance to determine how early or late to place bills on the calendar. In House committees, when sponsors ask the bills be put on the calendar, they are generally placed on the calendar first.

The calendar, or the list of bills that a committee will consider, is published before each committee meeting. The calendar for the meetings of each committee must be reviewed by local government lobbyists and others to determine which bills in what committees affect cities. All committees must be monitored. The interests of municipalities are so wide-ranging that legislation in any committee in either House can affect them.

Once it has been determined that a bill affects municipalities, it must be decided whether the impact is good, bad, or neutral. This task is not always easy. However, a decision has to be made, often in a short amount of time. If a bill is bad, local government lobbyists will lobby against the bill. If a bill is good, local government lobbyists will not lobby against it and might lobby for it. The calculations that determine legislative action can be very complex. Let's say a bill is moderately positive for cities, but one of the committee members is strongly opposed to it. If this member is a friend of cities and can help municipalities later, it might be determined not to lobby for the bill at the risk of upsetting a friend.

(Lobbying, by the way, means trying to persuade legislators to vote the way you want them to vote or to do what you want them to do. Local government lobbyists do this by marshaling facts and figures to support their positions and by using logic, reason, and appeals to fairness, common sense, and friendship. To help make lobbying decisions and assignments and to coordinate their efforts, local government lobbyists have formed a lobbying group, made up of lobbyists from TML, the Tennessee County Services Association, the Tennessee County Executives Association, the Tennessee County Commissioners Association, the Tennessee County Highway Officials Association, and the larger cities in Tennessee. Occasionally other lobbyists, such as those for the County Officials Association of Tennessee, also join the group. It meets each day when the legislature is in session to go over the next day's calendars and plan legislative strategy.)

When a bill is considered in committee, the sponsor must come before the group to explain it and answer questions. For the sponsor to do this, the group or organization that initiated the bill will have to provide him or her with information about the bill and its impact. To prepare for committee hearings, sometimes sponsoring legislators will ask for specific details about the bill's necessity or effects. If no group has lobbied against a bill and the sponsor does a good job of explaining it, the committee hearing generally will go smoothly.

The committee hearings are usually where opposition surfaces, if it hasn't already. Several legislators might oppose the bill, ask difficult questions, or indicate the need to change the bill before they can vote for it. Legislators might propose specific amendments to the bill and otherwise prod the sponsor to alter it. If it becomes clear that there are not enough votes to pass the bill out of committee without major modifications, the sponsoring legislator often will ask to put off the bill for future consideration so the

conflicting sides can reach a compromise. Opposition, questions, and proposed changes to the bill more often than not are the result of lobbying by a group or groups opposed to the measure. This lobbying often will result in either killing the bill altogether or producing a bill both sides find acceptable.

Sometimes the difficult questions that legislators ask in committee hearings are not the result of lobbying, but of the legislators' own concerns. Legislators are not shy about questioning a bill if they find it objectionable or if they don't understand it. It's impossible to anticipate every question people might ask about a bill or every argument they might use against it. Therefore, when TML or other city bills are before a committee, there is always someone from the TML staff or another local government lobbyist present who can help the sponsor. Also, if committee members propose amendments, the staff person can tell the sponsor and committee if the amendments are acceptable or if the sponsor should ask to delay the bill so the amendments can be reviewed and options explored.

When opposition amendments have been proposed, options include accepting the amendments, making counterproposals relative to amendments, making some other trade-off connected to the bill, withdrawing the bill, or attempting to pass the bill without amendments. Decisions on these options depend on the bill's importance, the strength of support for and opposition to the bill, and the effect this legislation would have on other TML bills and TML's relationships with different legislators. Again, the complexity of the legislative process manifests itself.

Once a bill has been passed by the committee, it must go to the Calendar Committee (Senate) or Calendar and Rules Committee (House) for scheduling for the floor action, unless the bill has a large fiscal impact. Then it must go the Finance, Ways and Means Committee first for approval. As noted earlier, the Calendar Committee in the Senate merely schedules bills for floor action. The Calendar and Rules Committee in the House may delay or kill a bill or schedule it for floor action.

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