

How an Ontario Bill Becomes Law

a guide for legislators and the public



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Legislative Research Service
Legislative Assembly of Ontario

How an Ontario Bill Becomes Law

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How an Ontario Bill Becomes Law

Introduction

The process of passing bills into law is one of the main tasks of a Legislative Assembly and it takes up a major portion of the Assembly's time. The stages, which are based on the British (sometimes referred to as the Westminster) model, are shown in the diagram on the right. While this process is similar in all unicameral Canadian legislatures, over time it has been modified in each jurisdiction as circumstances and political events have dictated.

This guide provides an overview of each kind of Ontario bill and the process it passes through to become law.

While all bills must pass through the certain stages of the legislative process they do not follow precisely the same route. Background notes accompanied by simplified and detailed charts explain the scope and progress of each type of bill.

For definitions and clarification of legislative terminology used in this guide please refer to the [Glossary of Parliamentary Terms](#) available on the Ontario Legislative Assembly website.

How an Ontario Bill Becomes Law is a guide intended for use by both legislators and the public.

Susanne Hynes, Research Librarian
Larry Johnston, Research Officer

Chart 1



Notes to charts

- Yellow cells idea stage
- Blue cells events occurring outside the Legislature
- Green cells events in the Legislature
- Solid lines indicate the usual progress of a bill
- Broken lines indicate sequences that happen less frequently

How an Ontario Bill Becomes Law

What is a Bill?

A bill is an idea written in legal language and presented for consideration to the Legislative Assembly by a Member of Provincial Parliament (MPP). It may be a proposal to make a new law or laws, or a proposal to change existing laws. A bill must pass through all the stages prescribed by the Legislature in order to become Ontario law.

In Ontario, there are three kinds of public bills which are general in application:

Government Bills – Government Bills are introduced by Cabinet Ministers.

Private Members' Public Bills – Private Members' Public Bills are introduced by Members who are not Ministers.

Committee Bills – Committee Bills are introduced by the Chairs of certain Standing Committees.

The Legislative Assembly also considers **Private Bills**, which are introduced by a Member who is not a Minister. Private Bills are bills that, if passed by the Assembly, allow a particular person or group of persons an exemption from the general law, or provide for something that cannot be obtained under the general law.

Unlike Public Bills, which pertain to matters of public policy and are initiated by Cabinet Ministers or private members, Private Bills originate with a municipality, company or individual seeking a special power or exemption.

Example of an Ontario Bill

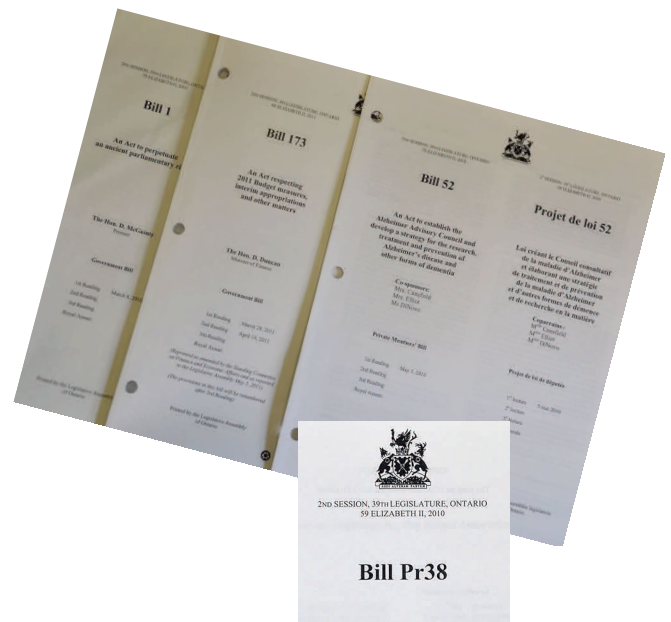
Figure 1 on page 5 depicts the cover of a co-sponsored bill that was introduced on March 30, 2010 and received Royal Assent on May 18, 2010. Note that the title on the page is the “long

title”. The short title, or the title most often used to refer to the bill, is provided in its final clause.

Figures 2 and 3 on page 6 are the English versions of Bill 19's *Explanatory Note* and its text.

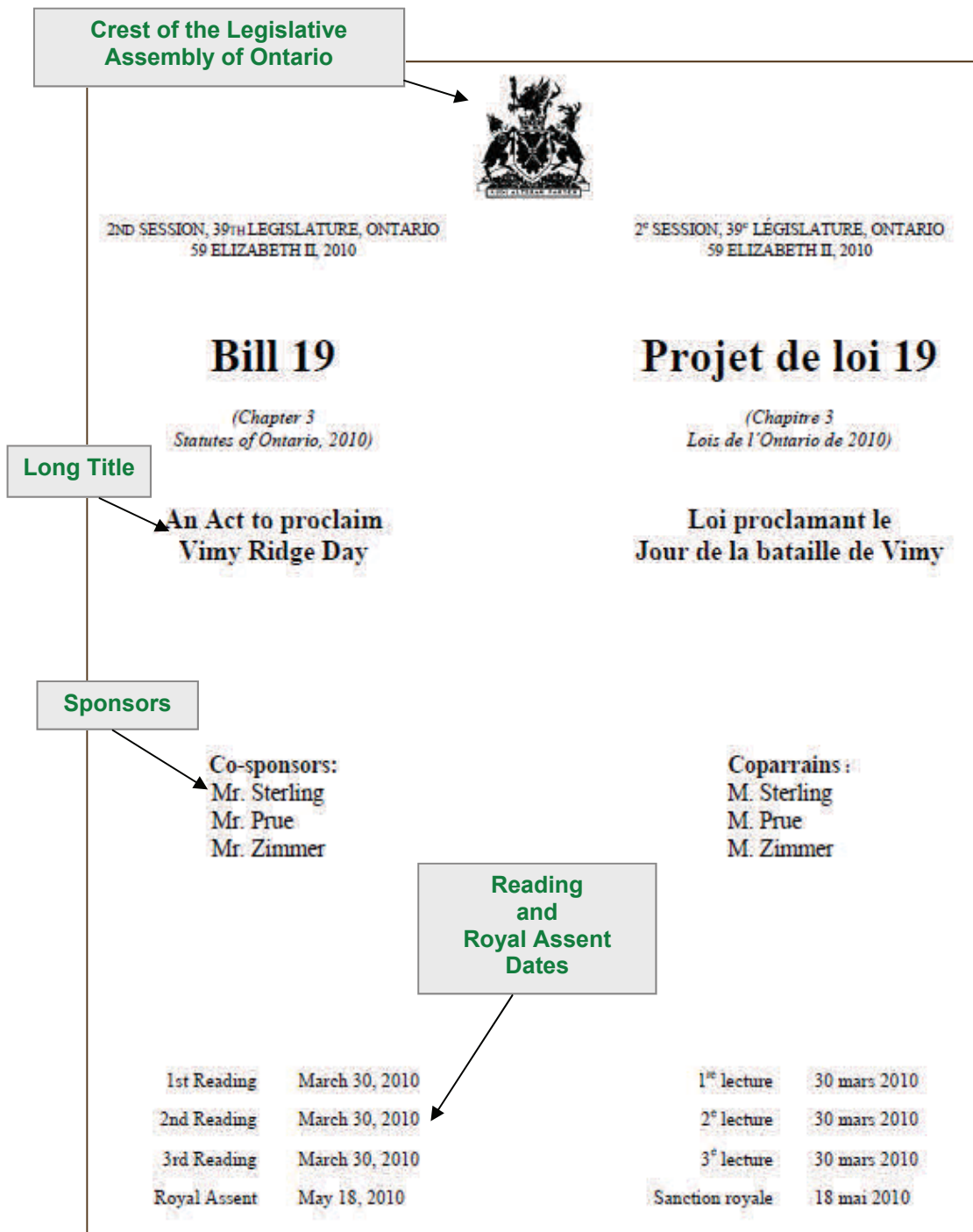
Ontario bills are published in print and electronically in htm and pdf formats. They appear with English and French text side-by-side on each page. First reading bills usually are posted within two days of introduction and amended bills are posted after being reported to the House. The amended versions show the changes that were made. When a bill has received Royal Assent it is posted in its final version.

All versions of Ontario bills from 1995 onwards are available on the [Bills and Lawmaking](#) page on the Assembly's website. Pre-1995 bills are available in public and university libraries.



How an Ontario Bill Becomes Law

Figure 1



How an Ontario Bill Becomes Law

Example of an Ontario Bill

Figure 2

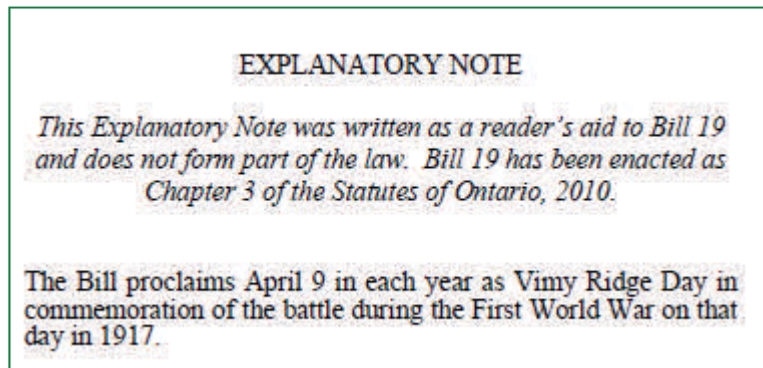
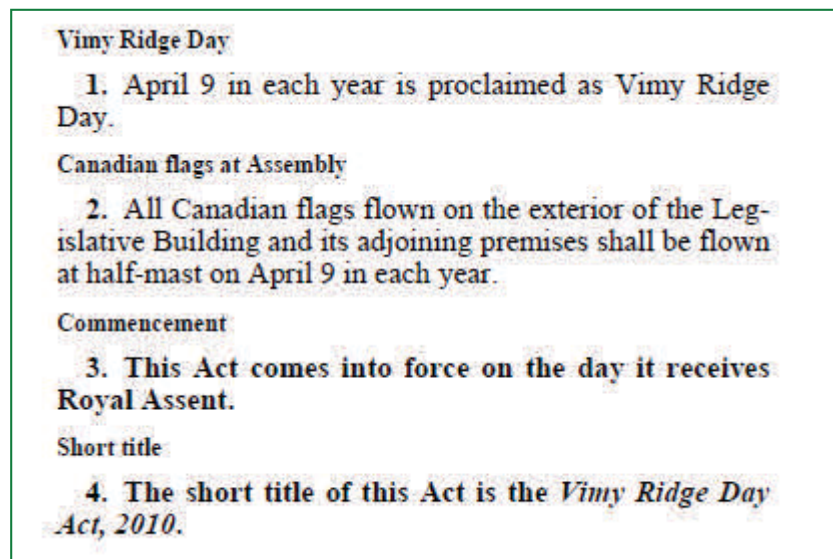


Figure 3



How an Ontario Bill Becomes Law

Legislative Process

This page is a general overview of the legislative process, which differs in its application to each type of bill.

First Reading

Bills are introduced during the Routine Proceeding *Introduction of Bills*, Monday to Thursday when the House is in Session.

Almost all First Reading motions carry without a formal vote. Members are invited to provide a brief introduction for their public bills. Private Members usually present the bill's explanatory note. Ministers introducing government bills often make their remarks later during *Ministerial Statements*.

Following introduction, the bill is printed in English and French and made available to the public on the Assembly's Internet Site.

Second Reading

Second reading gives Members an opportunity to debate and vote on the principle of the bill.

Time for debate is set out in the Standing Orders. Government bills are debated during *Orders of the Day*, Monday to Thursday. Private Members' public bills are debated on Thursday afternoons during *Private Members' Public Business*.

Committee

The Committee stage is an opportunity to call witnesses, examine the bill in detail and make amendments. Committees may travel to facilitate witness testimony and learn more about the issues. After the witnesses have been heard, the bill is examined clause-by-clause, during which time any amendments are voted on. Once the parts of the bill have been considered, the committee votes on the bill as a whole, and whether to report it to the House.

Report to the House

The Chair of the Committee reports the bill to the House and it is ordered for third reading. If

it has been amended, the bill is reprinted, showing the changes, and posted on the Internet.

Third Reading

Third reading is the final stage of a bill's consideration in the House, when Members decide whether the bill will pass. Debate at this stage focuses on the final form of the bill.

At the end of debate, if the motion for Third Reading carries, the Speaker states, "Be it resolved that bill do now pass and be entitled as in the motion." The bill is reprinted and is posted on the Internet after it receives Royal Assent.

Royal Assent

By convention, the passage of a bill by the Legislature requires the assent of the Sovereign (or her representative). Royal Assent takes place in the House or in the chambers of the Lieutenant Governor. The Office of Legislative Counsel then assigns a chapter number to what has become an Act and it is posted on the Ministry of the Attorney General's *eLaws* website under Source Law.

Coming into Force

An Act becomes law when it comes into force, which may happen immediately or at a later date (specified in the Act or by proclamation). For more a more detailed discussion of this aspect, see the Research Paper [When do Ontario Acts and Regulations Come into Force](#).



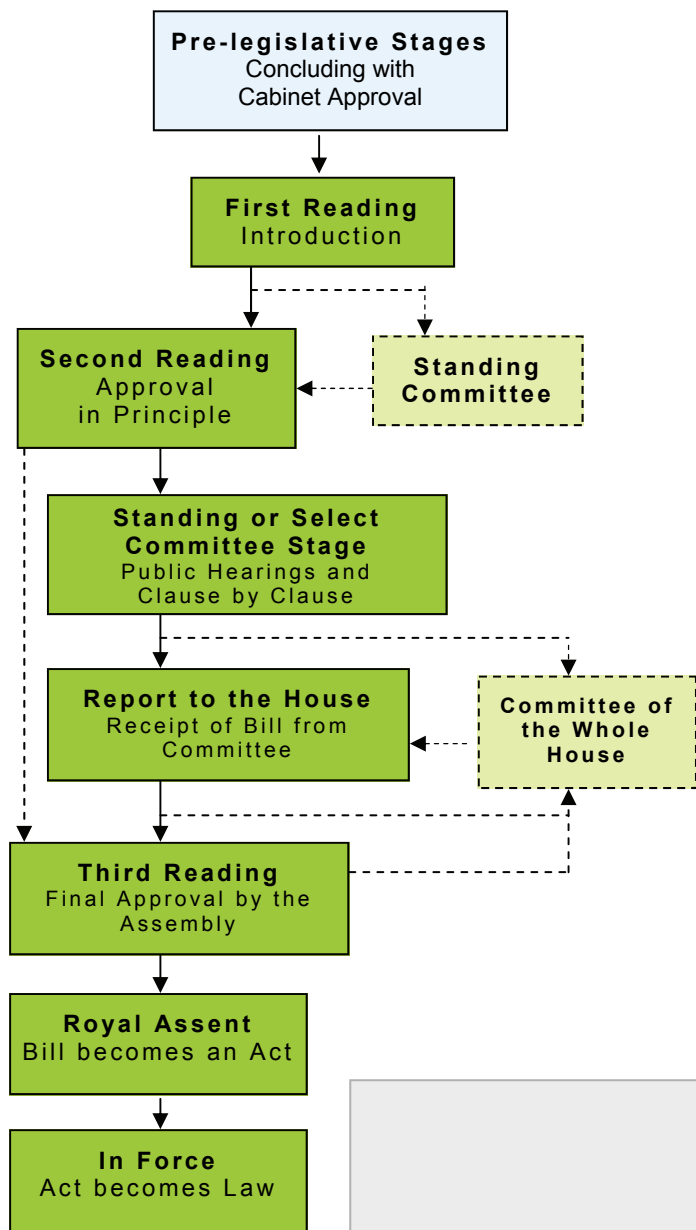
How an Ontario Bill Becomes Law

Government Bills

Definition

A government bill is a legislative initiative submitted to the Legislative Assembly with the approval of cabinet. Only a government bill may impose a tax or specifically direct the expenditure of public monies.

Usually the Minister with responsibility for the policy area most relevant to the bill introduces it and leads off debate at subsequent stages.



Pre-Legislative Stages

The process by which ideas or proposals are put on the government’s agenda and turned into legislative proposals is complicated. The diagram on page 12, based on a 1999 Cabinet Office presentation, provides an outline.

Sometimes, the pre-legislative stages are more important to the fate of a proposal than the formal legislative process. Strong party discipline and majority government can create a solid and predictable block of support for government initiatives. The largest constraint on the passage of government bills may be time, not the ability of opposition parties to defeat them. The pre-legislative process provides many opportunities for a proposal to be rejected, to be significantly amended, or be ranked too low a priority to continue. Several features of this process are significant.

- First, it occurs almost entirely out of the public eye, protected by rules and conventions of confidentiality. The opposition, the media, and citizens learn about the legislative proposals that emerge from the pre-legislative process, but not usually about those rejected or held up somewhere along the way.
- Second, the process is never quite the same from one government to the next. The pre-legislative stages involve the various structures and rules of cabinet, which each premier designs as he or she sees fit.
- Third, while the actual drafting of legislation and regulations is done by the Office of Legislative Counsel, and much of the background briefing material is prepared by the ministries, significant direction is given by both the Cabinet Office and the Premier’s Office.

How an Ontario Bill Becomes Law

- Finally, the decision that a legislative proposal will become a bill rests with the Cabinet, which is involved in the process at several key points. One of these is when the Cabinet establishes the strategic priorities that will shape the government's policy agenda.



The Cabinet Room in the
Legislative Building

Progress through the House

A government bill may be introduced during the Routine Proceeding *Introduction of Bills*. The Minister moves the introduction and first reading of the bill, which usually passes without a vote. The bill is printed, copies are distributed, and the text is posted on the Assembly's Internet site. A compendium of background information is tabled with the Bill.

The Minister may make a short explanatory statement of the bill's purpose following first reading, but Ministers often defer their remarks until the Routine Proceeding *Statements by the Ministry and Responses*. This is an opportunity to provide a lengthier explanation of the bill and for each of the opposition parties to respond.

A bill that has received first reading stands ordered for second reading. No notice is required for the second reading motion, but the bill must have been printed, distributed and marked PRINTED on the *Orders and Notices Paper*.

At any time before second reading debate

begins, the government may discharge the order for second reading and refer the bill to a Standing Committee. Although this step is taken infrequently, it allows the government to receive early feedback from stakeholders on its legislation. The Committee will likely hold public hearings before considering amendments and reporting the bill to the House (as amended or not). At that stage it is ordered for second reading and proceeds the same as any other bill.

The Minister moves second reading and leads off debate, followed by the lead-off speeches from the recognized opposition parties in the House (see rules of debate, below). The second reading debate and vote are about approval of the principle of the bill. The bill may not be amended at this stage.

With unanimous consent, a bill that has received second reading may be ordered for third reading.

In most instances, though, the bill is referred to a Standing Committee (or a Select Committee or the Committee of the Whole House). The Committee may decide to hold hearings to receive testimony from citizens and expert witnesses. Amendments are voted on in the clause-by-clause analysis that concludes the Committee's consideration of the bill.

The Committee Chair reports the bill to the House. If the report is adopted, the bill is ordered for third reading (unless the Minister or the Parliamentary Assistant directs the bill to the Committee of the Whole House).



A Legislative Committee
meeting in the Amethyst Room

How an Ontario Bill Becomes Law

A bill that receives third reading is presented to the Lieutenant Governor for assent. When it has received Royal Assent the bill becomes an Act, is assigned a chapter number and is posted as [Source Law](#) on *e-Laws*.

Rules of Debate on Bills

Unless altered by unanimous consent, rules of debate provide that the first speaker of each recognized party in the House may speak for up to 60 minutes in debate on second or third reading of a bill. Subsequent speakers in debate are limited to 20 minutes and after seven hours of debate to no more than 10 minutes.

Following each Member's speech, up to four Members may ask questions and comment for up to two minutes each, and the Member speaking originally may reply for up to two minutes.

After six and one-half hours of debate at second reading, the Speaker deems the debate to be adjourned unless the Government House Leader directs the debate to continue.

Timetable

The government House Leader determines when an Order is called, often in negotiation with the House Leaders of the other parties.

Time Allocation

With notice, once (a) second reading debate has been completed, or (b) six and one-half hours of debate on second reading have taken place, the government may introduce a motion that allocates the amount of time to be spent on any proceeding that remains on a government bill. Two hours, apportioned equally among the recognized Parties, are allotted to the debate on a time allocation motion.

Committee of the Whole House

The House may decide to conduct business as a Committee of the Whole House, which provides for different rules of debate. The



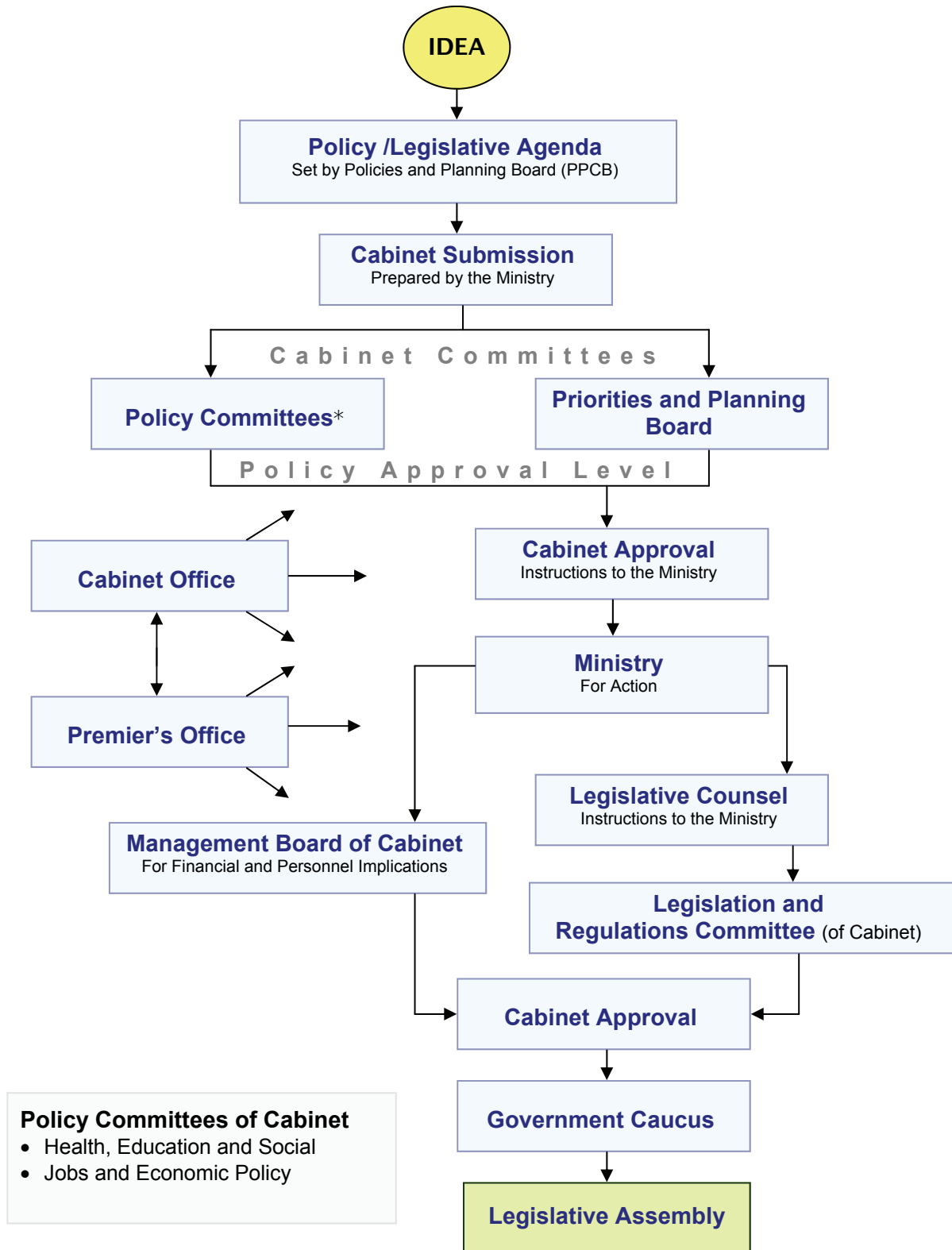
Deputy Speaker who is Chair of the Committee of the Whole House or one of the Deputy Chairs presides. With respect to bills, the Committee of the Whole is used to consider amendments to a bill after second reading, or after it has been reported from a Standing or Select Committee. (Discharging the order for third reading and recommitting a bill to the Committee of the Whole is unusual but possible.)

Royal Recommendation

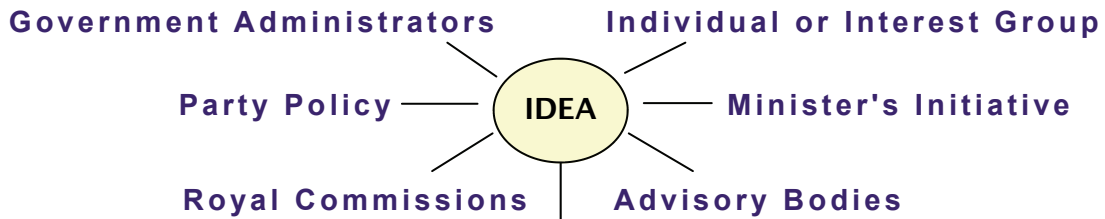
Any bill that would impose a tax or specifically direct the allocation of public funds must receive the recommendation of the Lieutenant Governor prior to its passage. A money bill (one that imposes a tax or directs the allocation of public funds) may only be introduced by a minister. The content of Private Members' Public Bills must comply with this restriction.

The flow charts on the following pages show the **Pre-legislative stages** and the **Formal legislative stages** in the life of a Government Bill.

Government Bills Flow Chart (Pre-Legislative Stages)



Government Bills Flow Chart



Pre-legislative Stages

First Reading

- The Bill is introduced in the House and given First Reading and put on the agenda (*Orders and Notices Paper*) of the Assembly
- First Reading is decided without amendment to the text of the Bill and without debate
- The Minister may make statement or explanation of purposes of Bill
- A compendium of background information is tabled
- The Bill is printed and posted on the Assembly's Internet site.

Second Reading

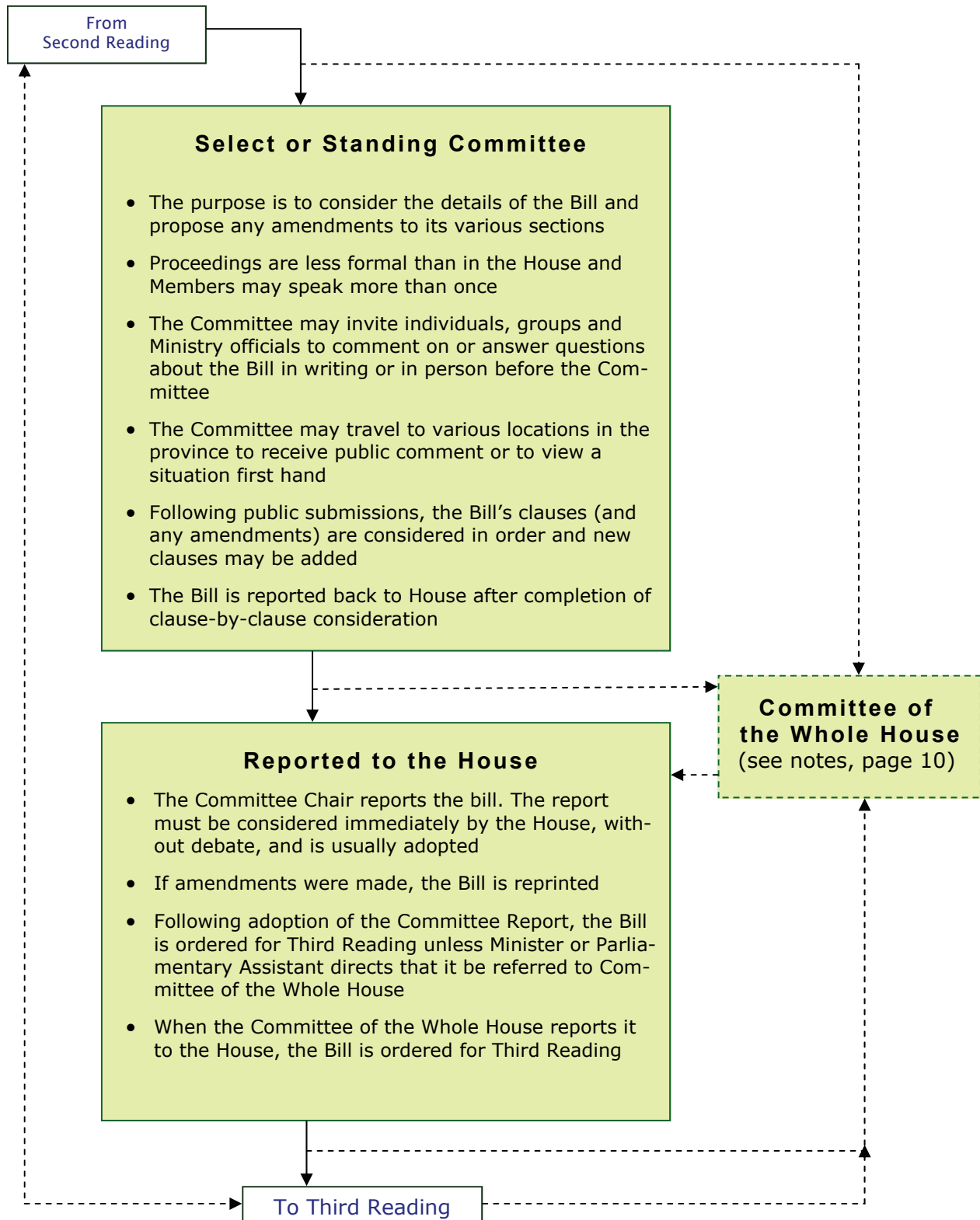
- Debate on principle of the Bill
- No amendments to text of the Bill
- The Minister or Parliamentary Assistant may lead off debate
- Debate is governed by specific rules
- After debate concludes, the Speaker puts the question on the motion for Second Reading
- If the Bill is given Second Reading, it may, by unanimous consent, be ordered for Third Reading
- Usually the Bill is referred to a Standing Committee as designated by the Minister or Parliamentary Assistant. Alternatively it may be referred to a select Committee or the Committee of the Whole House

Committee
(Order for Second Reading discharged and the Bill is referred to a Standing Committee)

- As the principle of the Bill has not yet been adopted, the Committee's consideration may be wide ranging
- When the Bill is reported to the House it is ordered for Second Reading

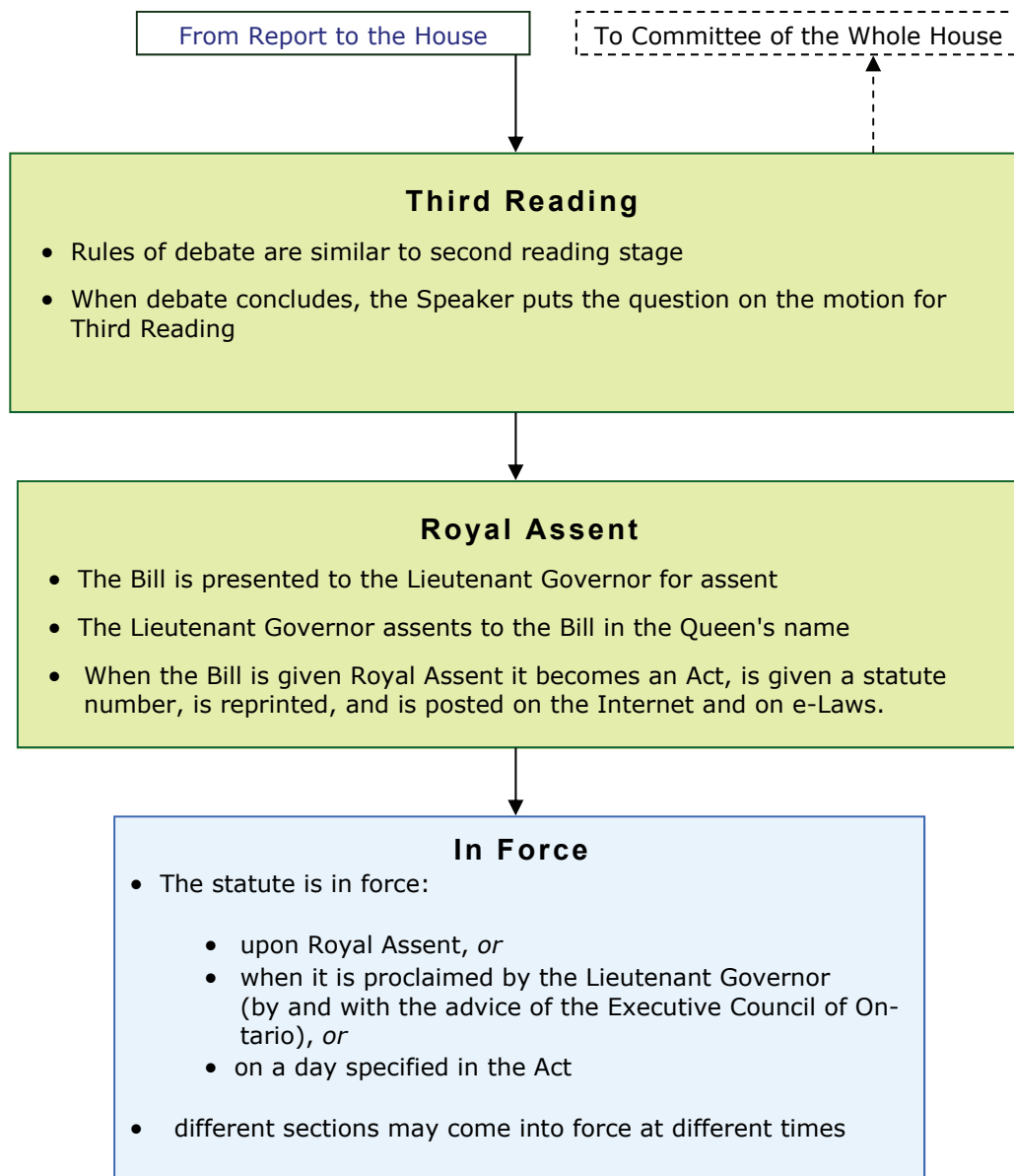
To Third Reading

To Committee Stage



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Government Bills



Private Members' Public Bills

Any Private Member (i.e., a Member who is not the Speaker or a Cabinet Minister) may introduce a Private Member's Public Bill. Such a bill may pertain to any topic within provincial jurisdiction, but, according to the *Standing Orders* of the Legislative Assembly, the *Legislative Assembly Act*, and the *Constitution Act, 1867*, it may not impose a tax or specifically direct the allocation of public funds.

Private Members' Public Bills do not often receive Third Reading and Royal Assent, i.e.,

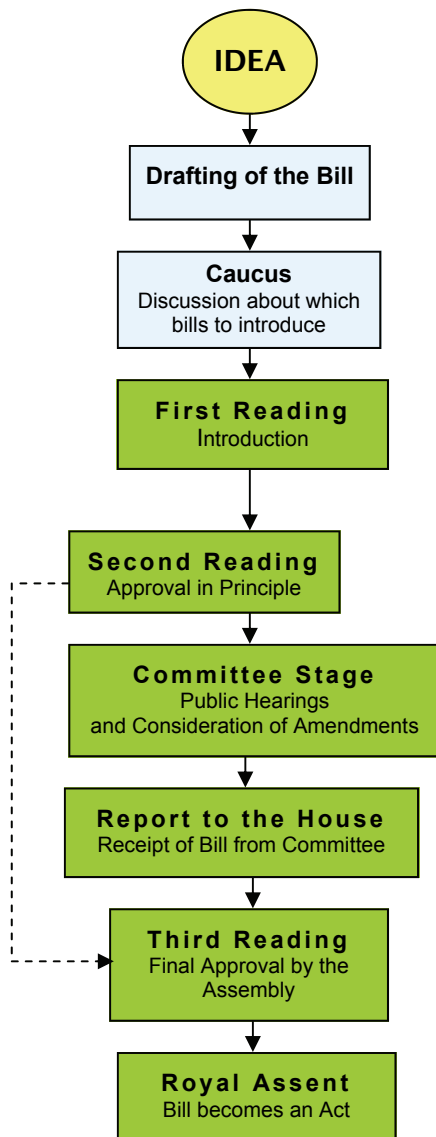
become law. However, they bring matters that concern private members, their constituencies or their parties to the attention of the House, the Ministries, the media and the public. They may have an impact on government policy or indicate policy directions a future government might take.

A Private Member's Public Bill is introduced and given First Reading during *Routine Proceedings*. The bill is printed, copies are distributed, and the text is posted on the Assembly's Internet site.

Following Standing Order changes in 2008, Private Members' Public Bills may be co-sponsored by no more than one member from each of the recognized Parties, and/or by any independent member. It is the responsibility of the co-sponsors to select which among them will move the motion for introduction and first reading of the bill.

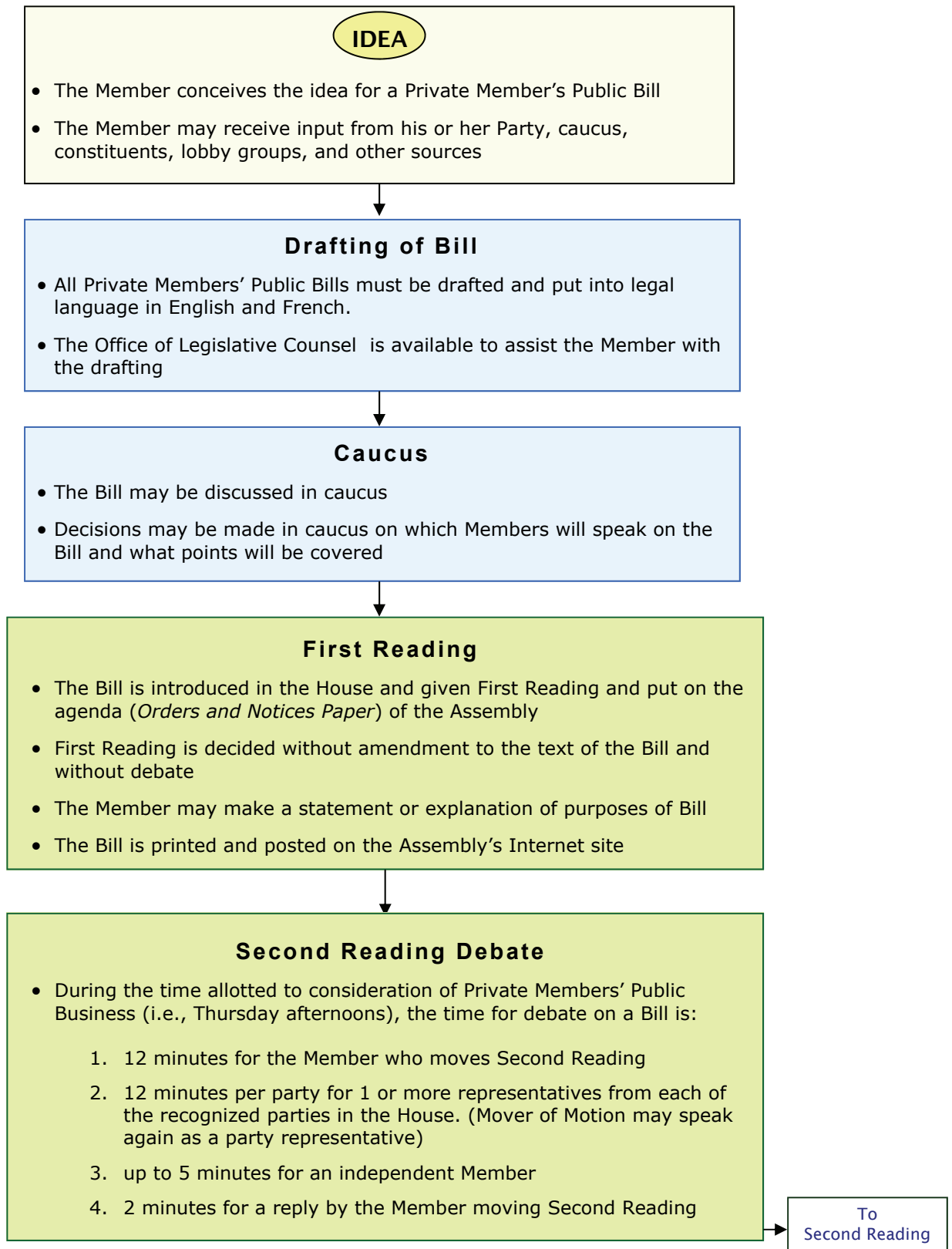
Second Reading debate normally is conducted during the time designated under the *Standing Orders* (on Thursday afternoons) for Private Members' Public Business, which includes bills and resolutions.

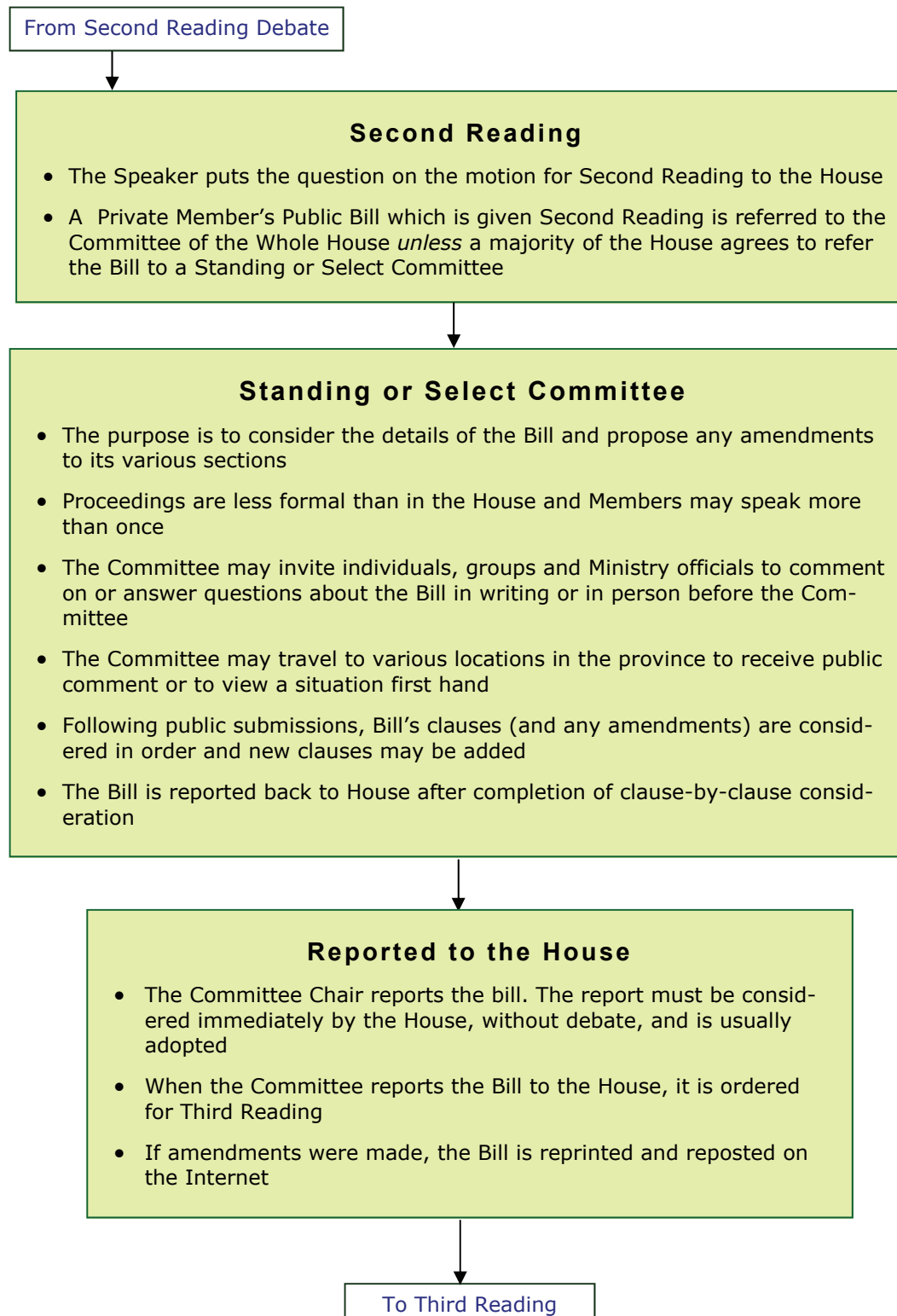
A ballot process determines the order in which the Members will be allotted one of the available opportunities where a motion or a bill that is ordered for second reading can be debated and voted upon. That motion or bill must appear on the *Orders and Notices Paper* two weeks in advance of its being called during the Member's scheduled ballot time.

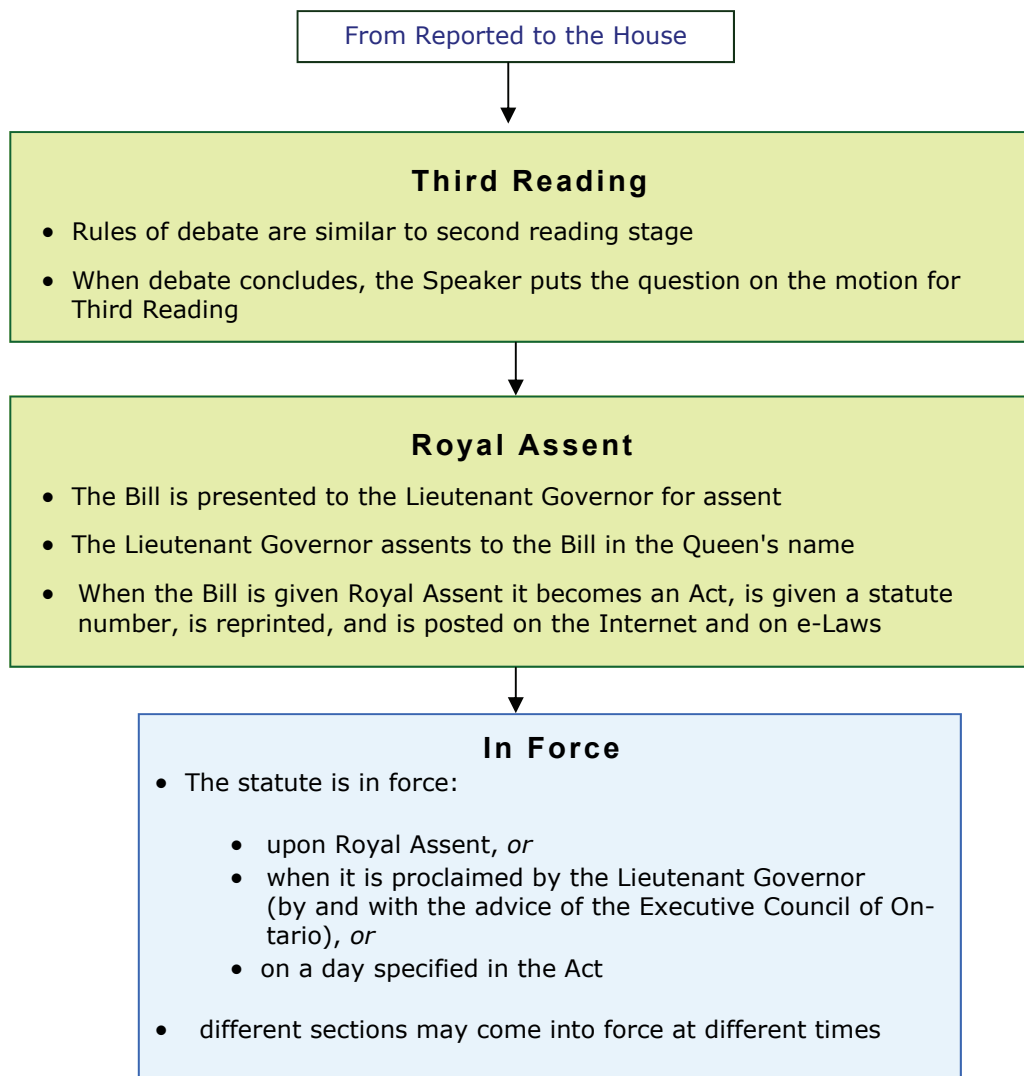


The flow chart on the following pages provides greater detail about all of the stages of a Private Member's Public Bill

Private Members' Public Bills Flow Chart







Committee Bills

Before 1999, public bills introduced in the Legislative Assembly of Ontario were government bills or private members' public bills. As part of an extensive package of amendments made to the [Standing Orders](#) on October 27, 1999, Standing Order 124 (now S. O. 126) was changed to provide for a third kind of public bill: committee bills.

The Standing Orders allow each permanent member of the Standing Committees on Justice Policy, Social Policy, or General Government, to propose (once in each Session) a topic for the Committee to study and report on. The topic must pertain to the ministries and offices (and any agencies reporting to them) that are assigned to the Committee. The proposal must receive the

support of at least two-thirds of the Committee excluding the chair. Following its consideration of such a matter, the Committee is allowed to adopt, by a simple majority, the text of a draft bill on the topic.

The chair of the committee, as the primary sponsor, introduces the bill in the Legislature. The other committee members who support the bill may have their names printed on the bill as secondary sponsors.

Although a committee bill is generally treated as a private member's public bill, a minimum of three hours of debate takes place at a time or times agreed to by the house leaders of the recognized parties.

As of June 1, 2011, three committee bills have been introduced in the Ontario Legislature:

Ontario Association of Former Parliamentarians Act, 2000

Bill 65, 1st Session 37th Parliament
Originated in the Standing Committee on General Government
First reading April 18, 2000, Royal Assent June 8, 2000
In force upon Royal Assent
View [First Reading Bill](#) | [Royal Assent version of the Bill](#)

Professional Foresters Act, 2000

Bill 110, 1st Session 37th Parliament
Originated in the Standing Committee on General Government
First reading June 22, 2000, Royal Assent October 16, 2000
Proclaimed in force May 1, 2001
View [First Reading Bill](#) | [Royal Assent version of the Bill](#)

Emergency Management Statute Law Amendment Act, 2004

Bill 138, 1st Session 38th Parliament
Originated in the Standing Committee on Justice Policy
First reading November 1, 2004.
View [First Reading Bill](#)

Private Bills

Definition

Private Bills (sometimes called Private Legislation) are bills that, if passed by the Legislative Assembly, allow a particular person or group of persons an exemption from the general law, or provide for something that cannot be obtained under the general law.

Private Bills originate with a municipality, company or individual seeking a special power or exemption.

Progress through the House

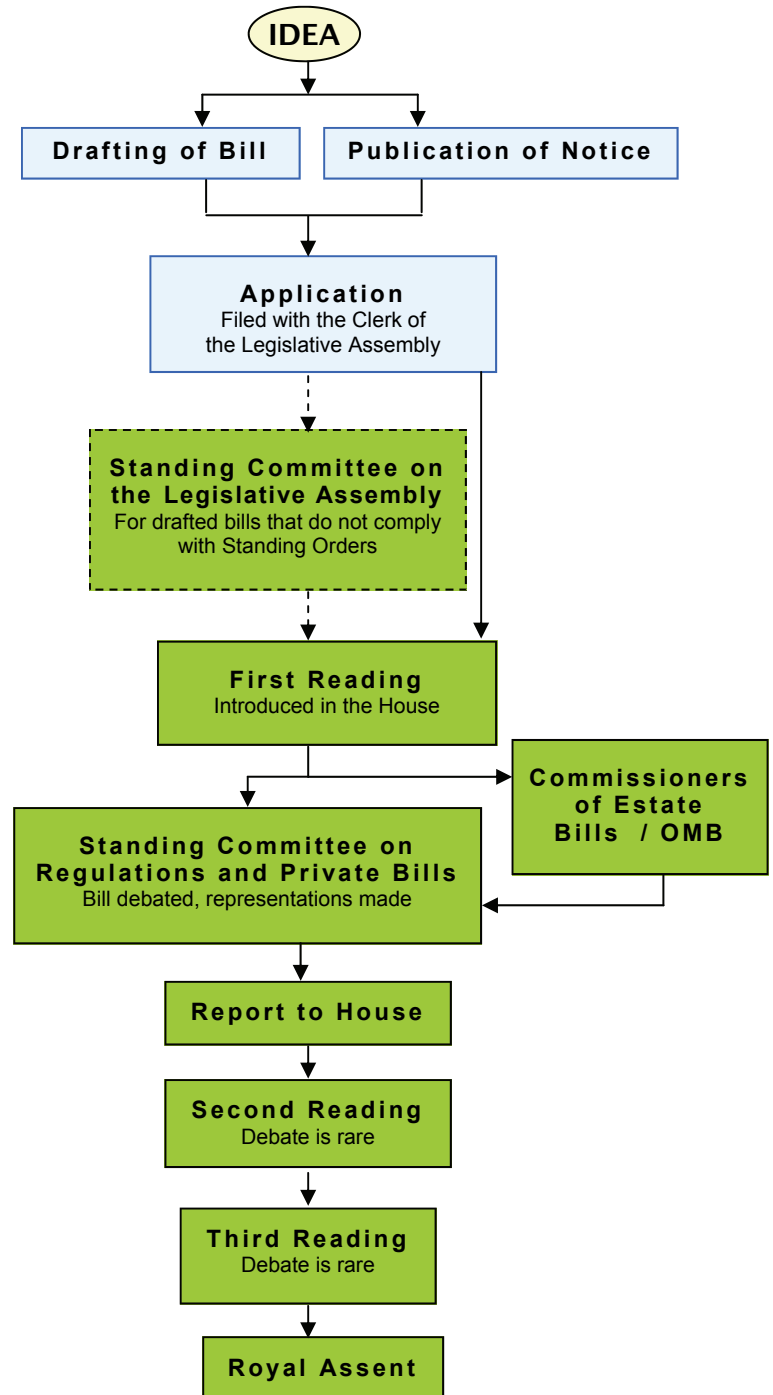
Although the *Standing Orders* state that any person, group, or corporation may apply for a Private Bill, the Bill must be introduced in the Legislative Assembly by a Private Member (a Member who is not the Speaker or a Minister.)

Usually, the Member for the riding in which the applicant resides is asked to introduce the Bill, or, in the case of a corporation, the Member for the riding in which the head office is located. The applicant or the applicant's solicitor must file a compendium of background information with the Clerk of the House.

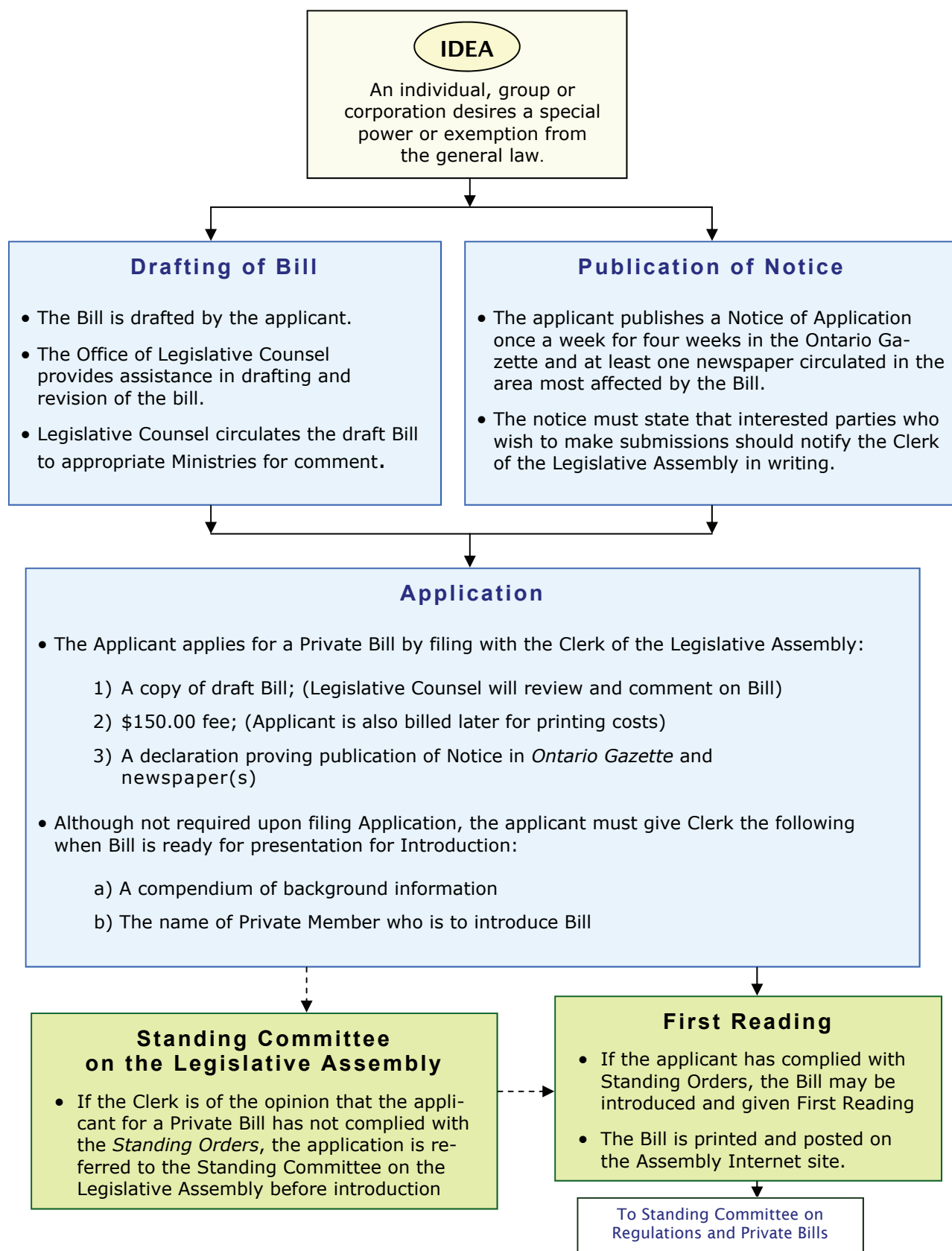
After first reading private bills are referred to the Standing Committee on Regulations and Private Bills or, depending on the topic, to the Commissioners of Estate Bills or the Ontario Municipal Board (OMB), which report to the Standing Committee on the reasonableness of proceeding with the bill, in whole or in part.

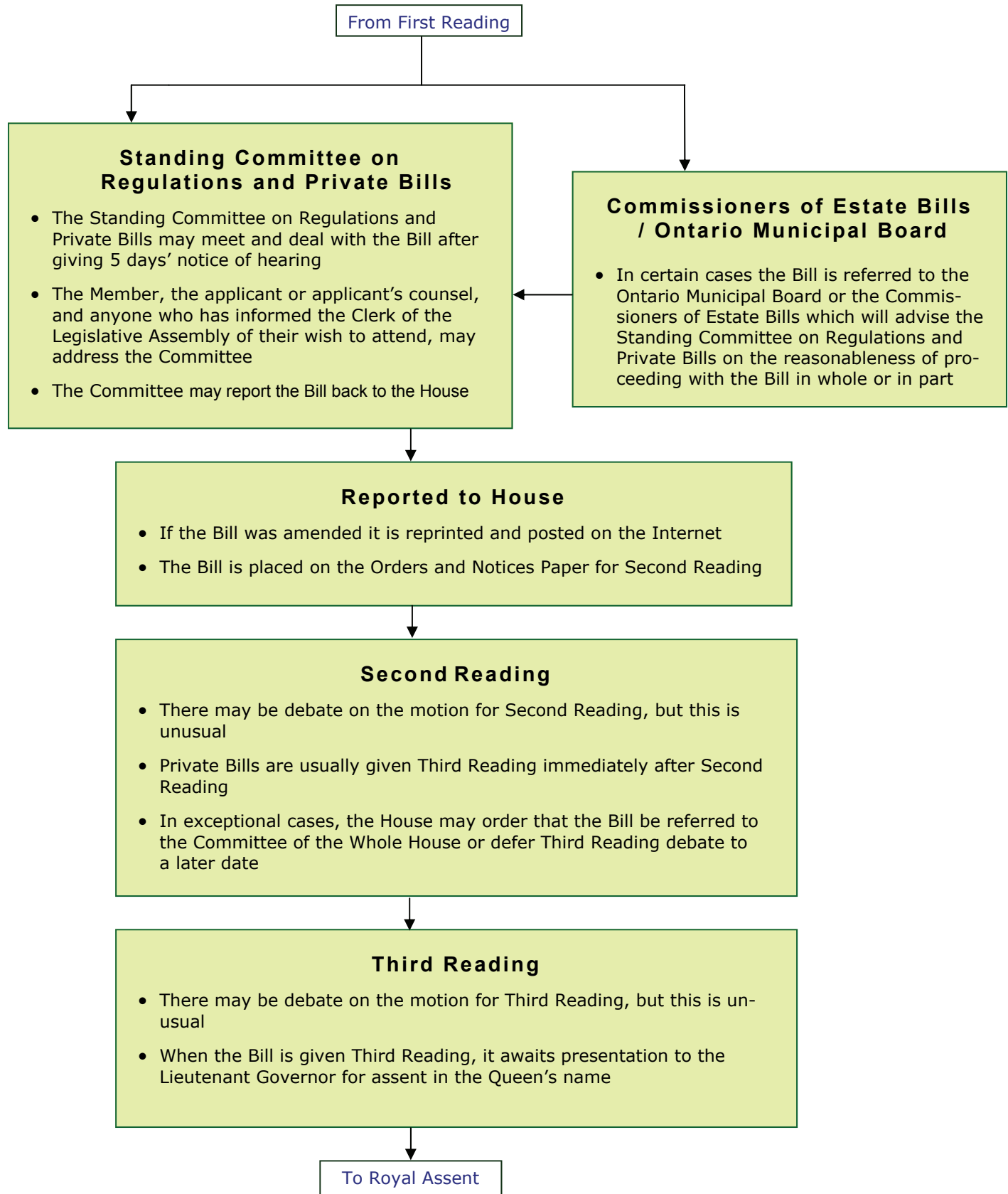
Committee stage is where most of the debate about a Private Bill occurs. It is usual for the applicant or the applicant's counsel to speak to the bill. Other members of the public may also make written or oral submissions. The Committee may amend the Bill and decides whether or not to report the Bill to the House.

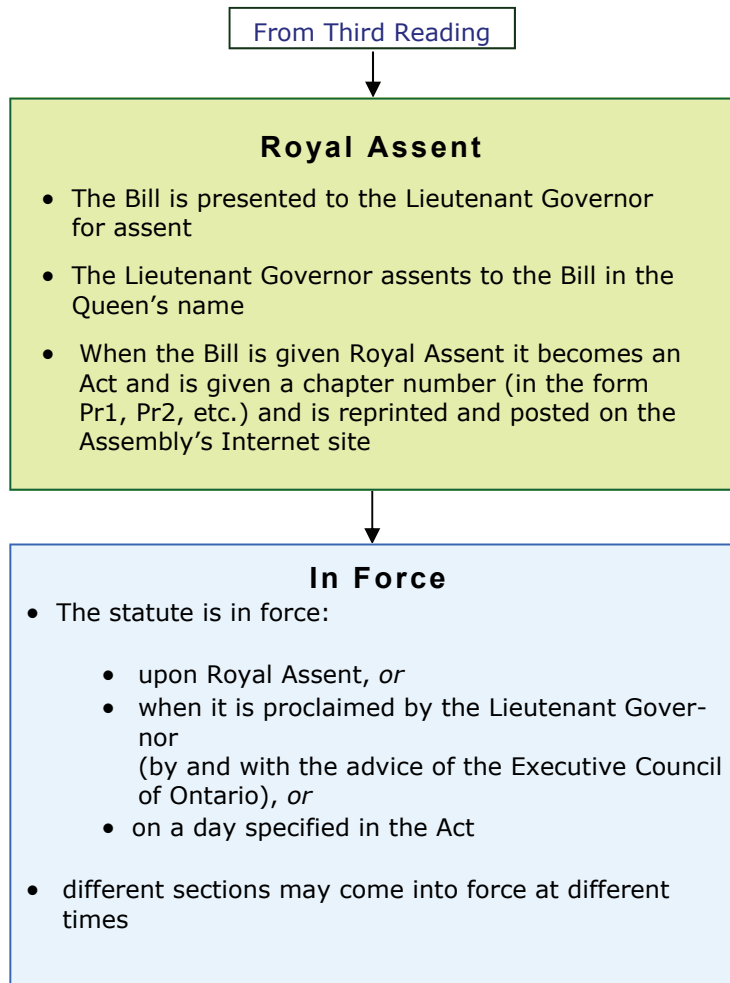
If the Committee reports the bill back to the House it is placed on the *Orders and Notices Paper* for second reading. It is unusual for a Private Bill to be debated in the House.



Private Bills Flow Chart







How an Ontario Bill Becomes Law

Further Resources

Legislative Assembly of Ontario

[Standing Orders](#)

[Glossary of Parliamentary Terms](#)

[Standing Committee on Regulations and Private Bills](#)

[Procedures for Applying for Private Legislation](#)

Detailed information, including links to debates, about Ontario bills since 1995 is available from the [Bills and Lawmaking](#) page on the Legislative Assembly's website

eLaws

[Private Legislation enacted since 2000](#)

Tables of Private Legislation since 2000. *eLaws*, Ministry of the Attorney General.

[Private Legislation - Legislative History Overview](#)

A list of all private legislation enacted since 1867. *eLaws*, Ministry of the Attorney General.

Canada. Library of Parliament

[Legislative Process](#)

