

2016 Council on Legislation Drafting Proposed Legislation

If your club or district has determined that it would like to submit legislation to the 2016 Council, please review the information below to help you create a proposed enactment or resolution.

Legislation that has been proposed and endorsed by the district should then be submitted online to RI and contain the following information:

- Who it was proposed by
- How it was endorsed by the district
- A purpose and effect statement, 300 words or less
- Word document with the marked changes for the enactment or text of the resolution

All legislation must be endorsed by the district. To confirm the district's endorsement, the governor can either submit the legislation online or email Council Services their confirmation. Legislation and confirmation of district endorsement must be received by RI no later than **31 December 2014**.

If you have questions about RI's legislative process, please email Council Services at council_services@rotary.org.

Enactments

Remember that enactments may only amend the constitutional documents: RI Constitution, RI Bylaws, and Standard Rotary Club Constitution. Please use the Word documents found at these links to mark your changes for the proposed enactment. The Word documents can also be found on the governance documents page of the Rotary [website](#).

To begin, consider the change you are proposing and find the sections of the constitutional documents that should be amended to bring about this change. This can be done by:

1. Determining which sections of the RI Constitution, the RI Bylaws, and the Standard Rotary Club Constitution you wish to amend
2. Searching for keywords relating to the proposed change
3. Searching for other references to the section of the constitutional document being amended

An enactment should be submitted to RI by:

1. Adding your changes to the affected parts of the constitutional documents in the draft legislation Word document
2. Going to the online legislation [form](#) and stating the proposer information
3. Entering which constitutional document and articles are being changed in the online legislation form
4. Uploading the marked Word document to the online legislation form

After you submit this information through the online form, it will be formatted into a proposed enactment. For examples of enactments, see the [2013 Council on Legislation Report of Action](#).

3. The proposal must be endorsed by the club's district at a district conference, at a district resolutions meeting, or through a ballot-by-mail; otherwise it will not be considered by the Council.
4. Once endorsed, submit the proposal to Rotary through the online [form](#) and have the district governor confirm the district's endorsement by **31 December 2014**.

How Does My District Submit Legislation?

A district conference (district council in RIBI) may also propose legislation. When this occurs, the governor should submit the proposal, confirmation that the conference proposed it and the proposer's statement of purpose and effect, through the 2016 Council Legislation online [form](#) in time to meet the **31 December 2014** deadline.

Can the District Conduct a Ballot-by-Mail?

If there is not enough time for a district conference to vote on whether or not to propose or endorse legislation, or for a district resolutions meeting to endorse legislation, the governor may conduct a ballot-by-mail. Such ballot should follow as closely as possible the balloting procedures set forth in RI Bylaw section 13.040. (electing a governor-nominee through ballot-by-mail).

How does the district governor confirm district endorsement of legislation?

The governor can confirm endorsement one of two ways:

1. Submit the legislation themselves and confirm the district's endorsement in the online legislation form
2. If the legislation is submitted by someone other than the governor, the governor will receive an email letting them know that legislation has been submitted. They should forward this email to Council Services at council_services@rotary.org, along with their confirmation that the information submitted is correct and that the district has endorsed the legislation.

Is There a Limit on the Amount of Legislation that May Be Submitted?

The RI Bylaws encourage districts to submit no more than five items of proposed legislation. Districts should submit a separate 2016 Council on Legislation online [form](#) for each.

Do I Have to Submit a Proposer's Purpose and Effect Statement?

Yes. When submitting legislation to RI, the proposer *must* provide a statement of purpose and effect, 300 words or less, in order for the proposal to be considered duly proposed. If a statement is not provided, it will not be considered duly proposed and will **not** be transmitted to the Council for consideration. This statement should identify the issue or problem that the proposed legislation seeks to address and explain how the proposal addresses or resolves the problem or issue.

What Are the Types of Legislation?

There are two types of legislation: proposed enactments and proposed resolutions. **Proposed enactments** seek to change RI's constitutional documents (the [RI Constitution](#), [RI Bylaws](#), and the [Standard Rotary Club Constitution](#)), while **proposed resolutions** seek actions by the Council

that do not amend the constitutional documents. For examples of enactments and resolutions, see the 2013 Council on Legislation Report of Action.

What Is a Petition to the Board?

Instead of proposing a resolution to the Council, a club may wish to consider submitting a petition to the RI Board (RCP 28.005.), which is a request for action on a specific matter.

The process allows clubs to bring issues of concern to the Board for consideration and possible action at its regular meeting. The RI Board hears petitions at every meeting, and you may receive a more rapid response through this action than by submitting a resolution to the Council, which only meets once every three years.

Petitions to the Board may be submitted by clubs or may result from a district conference. The intent of the petition should be clearly explained in a letter either to the RI president, Board of Directors, or the general secretary. The petition, written on the club's or club president's official letterhead, can be formatted as a proposed resolution or simply as a letter. It must be signed by the club president.

In many cases where amending the constitutional documents is not necessary, the proposer's purpose can be more efficiently and quickly accomplished by a petition. Petitions are often formatted like resolutions.

What Happens to Legislation Once It Is Received by Rotary International?

The general secretary reviews the legislation to ensure that it has been endorsed by the district, certified by the governor, contains a purpose and effect statement, and has arrived by the 31 December 2014 deadline. Legislation that arrives after the deadline will not be considered.

The general secretary then prepares legislation for review by the Constitution & Bylaws Committee. The Committee reviews each item of legislation to determine whether it is correctly drafted or whether it is defective. The Committee, working with the general secretary, also develops a Financial Impact Statement for each item.

Where proposals are similar, the Committee often recommends a compromise proposal to proposers. The work of the Council is greatly facilitated when proposers agree to compromise proposals, as it allows the Council to examine a single proposal in depth, as opposed to rapidly moving through multiple proposals on the same topic.

What Is Defective Legislation?

Proposed legislation will be deemed defective if

1. it is subject to two or more inconsistent meanings;
2. it fails to amend all affected parts of the constitutional documents;
3. its adoption would violate governing law;
4. it is in the form of a resolution but would require an action, or express an opinion that is in conflict with the letter or spirit of the constitutional documents;

5. it would amend the Standard Rotary Club Constitution in a way that would conflict with the RI Bylaws or the RI Constitution or it would amend the RI Bylaws in a way that would conflict with the RI Constitution; or
6. it would be impossible to administer or enforce.

If legislation is deemed defective, it is the proposer's or the Council representative's responsibility to submit amended legislation before the amendment deadline.

Additional Information

If you have questions about RI's legislative process, please email Council Services at council_services@rotary.org. Additional information can also be found in the following resources:

- Article 10 of the RI Constitution
- Articles 7 and 8 of the RI Bylaws
- Article 59 of the RI Code of Policies
- Chapter 17 of the 2013 *Manual of Procedure*