

Learning about Legislation #23 - Discharge Petition

The rules of the House of Representatives give the majority party almost complete control over what bills can be brought to the floor for debate, amendment and a final vote. The Speaker of the House sets the legislative agenda for the House, and decides on the calendar for what bills are to be considered. One way to get around this near-complete control is the [discharge petition](#).

Technically, the discharge petition is a way to release a bill that has been languishing in committee without being considered. For it to be 'discharged' from the stalling committee, a majority of House members - 218 Congresspeople - must sign the petition. This allows the bill to be moved out of committee without passing through the "ordered reported" stage. If a discharge petition is successfully filed, then the bill must be brought to the floor for 20 minutes of debate and a final vote.

Between [1967 and 2002](#) only 12 bills received the required signatures to be brought to the floor via the discharge petition process. Of those, six did not achieve enough votes to pass the House (as they were constitutional amendments that required a $\frac{2}{3}$ supermajority). Only four of the remainder made it through the House and the Senate to become law. Since 2002, there was one more use, the revival of the [Export-Import Bank](#) in 2015.

The discharge petition process is being discussed in Congress to move ahead several pieces of legislation. Since Republican Speakers of the House have abided by the so-called "[Hastert Rule](#)," the concept that the only kind of bill that will be brought to the floor is one where the majority of the majority party will vote for it, discharge petitions may be the only hope for progressive policy reforms under a GOP-controlled House. An attempt was made earlier this week to force a bill, [H.R. 305: Presidential Tax Transparency Act](#), to the floor without having the full 218 signatures on the discharge petition. Thus far, [193 representatives](#) have signed on to the discharge petition effort to get President Trump to release his taxes. The premature attempt to bring this bill to the floor this week failed, by a vote of [226-189](#) in favor of blocking it. That means that 4 representatives who have signed on to the discharge petition itself were not in favor of bringing it to the floor without having achieved the full 218 signatures needed.