Understanding the Legislative Process When and How to Advocate

Advocating for Children, Families, and the Early Childhood Workforce

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Today’s Objectives

- Learn how legislation is developed and passed in New Jersey
- Identify opportunities for legislative and administrative/regulatory advocacy
- Build confidence communicating with policymakers
- Leave with a practical framework for deciding when, where, and how to advocate

What Does Advocacy Actually Mean?

- Bringing attention to an issue
- Sharing professional experience and evidence
- Educating policymakers and agency officials
- Asking decision-makers to take action
- Building support for a policy change

Why Your Voice Matters

- You see how policy affects children and families
- You understand what requirements mean in day-to-day practice
- You see workforce and operational impacts
- You can identify unintended consequences
- You can connect policy to real experiences

Who Makes the Decision?

- New Jersey has 40 legislative districts
- Each district has 1 Senator and 2 Assembly members
- 40 Senators + 80 Assembly members
- Before advocating, identify who has authority to make the change

Two Major Paths to Policy Change

Legislative Advocacy

Change the law.

You may advocate for:

- Creating a new law
- Changing an existing law
- Repealing a law
- Providing funding through the state budget

Administrative / Regulatory Advocacy

Change how the law is implemented.

You may advocate for:

- Changing regulations or rules
- Changing agency policies or guidance
- Improving how an existing law or program is implemented

Think About It This Way

LEGISLATURE

What should the law require?

- Establishes legal requirements, rights, programs, and funding.

STATE AGENCY

How will the law be implemented?

- Develops regulations, policies, guidance, and procedures within its legal authority.

PROVIDERS & FAMILIES

What does that look like in practice?

- Experience the policy directly and can identify what is working, what is not, and what needs to change.

The Connection: The Legislature sets the law. The agency implements it. Providers and families experience the impact.

How Does a Bill Become Law?

1. IDEA

A policy problem or proposed solution is identified.

2. BILL IS DRAFTED & INTRODUCED

Legislation is drafted, sponsored by a legislator, and formally introduced.

3. COMMITTEE REVIEW

The bill is referred to a committee, where members review, discuss, and may hear testimony.

4. AMENDMENTS

The bill may be amended as it moves through the legislative process.

5. FIRST HOUSE VOTE

The full Assembly or Senate considers and votes on the bill.

6. SECOND HOUSE

The bill moves to the other chamber for committee review and a vote.

7. BOTH HOUSES AGREE

Both chambers must approve the same version of the bill.

8. GOVERNOR

The Governor may sign the bill into law or veto it.

9. IMPLEMENTATION

Once enacted, the law takes effect and is implemented by the appropriate agencies and entities.

1. An Idea Becomes a Bill

- Ideas can come from legislators
- Constituents and families
- Providers and professional associations
- Advocacy organizations and community groups
- State agencies and other stakeholders



2. Introduction

- Bill numbers identify the chamber:

A1234 = Example Assembly Bill

S1234 = Example Senate Bill

- A legislator introduces the bill, formally starting the legislative process
- The bill is assigned to a committee for review



3. Committees

- Review the bill and consider its purpose and impact
- Hear testimony from advocates, experts, stakeholders, and the public
- Ask questions and discuss the bill with sponsors and stakeholders
- Consider and adopt amendments to change the bill
- Vote on whether to advance the bill
- Hold the bill for further consideration if the committee does not move it forward

Key Point: Committee action determines whether a bill moves forward in the legislative process.



4. The Bill Can Change

A bill can be revised at multiple points throughout the legislative process:

- Committee Amendments – Changes made during committee consideration
- Floor Amendments – Changes proposed during debate on the Assembly or Senate floor
- Reprints – Updated versions that incorporate approved changes
- Substitutes – A revised version that replaces the original bill
- Substantive Changes – Provisions related to funding, eligibility, implementation, requirements, or other elements may change

Key Point: The bill introduced is not necessarily the bill that ultimately reaches the Governor.



5. The Vote

- Committee approval does not mean the bill has passed
  - The full Senate or Assembly must consider and vote on the bill
- Advocacy can continue before the floor vote
  - Use data, stories, testimony, and talking points to make the case
- Make a clear, specific request of legislators

Key Point: Committee approval moves the bill forward, but the full chamber still has to vote.



6. The Second House

- The bill moves to the other house for consideration
- The second house conducts its own committee review and vote
    - The bill may be amended during the process
- If changes are made, the originating house must consider and approve the revised version
- Both houses must approve the same version of the bill before it can proceed to the Governor



7. The Governor

- Sign the bill and enact it into law
- Veto the bill
- Issue a conditional veto and return the bill with recommended changes
- Take no action within the applicable constitutional period, under specified circumstances
- The Legislature may override a veto with the constitutionally required vote



Passage ≠ Implementation

Passing a bill is an important step, but it does not necessarily mean the policy is immediately in effect or fully implemented.

- Regulations may need to be developed or amended to carry out the law
- Agency guidance and policies may be needed to explain how the law will be applied
- Funding and administrative decisions may determine how and when the policy is put into practice
- Applications, forms, and reporting requirements may need to be created or updated
- Training and program changes may be necessary for agencies, providers, or other stakeholders
- Implementation timelines may establish when different provisions take effect

Key point: Advocacy does not end when a bill is signed. Implementation is where the policy becomes practice.

Administrative / Regulatory Advocacy

- Advocate for changes within existing law through the regulatory or administrative process
- Engage state agencies responsible for implementing and enforcing the law
- Influence rules, regulations, guidance, policies, and implementation practices
- Participate in rulemaking, including public comment and stakeholder engagement
- Provide data, expertise, and recommendations to inform agency decisions
- Monitor implementation and advocate for changes when policies are not achieving their intended goals

Key point: Administrative and regulatory advocacy can change how a law is implemented without changing the underlying statute.

Early Childhood Example: Regulatory Advocacy

- DCF regulates child care centers through the New Jersey Administrative Code, including N.J.A.C. 3A:52
    - Regulations establish requirements for staffing, supervision, staff-to-child ratios, health and safety, training, recordkeeping, and program operations
- Providers and advocates can identify barriers created by existing rules or requirements that may have unintended consequences
- Stakeholders can engage DCF through rulemaking, public comment, and other opportunities to recommend changes
- Advocacy can focus on improving implementation while staying within the authority of existing law

Example: If a regulatory requirement creates an unnecessary barrier for providers, advocates can work with the agency to identify a change that addresses the barrier without requiring a new law.

The Regulatory Process

1. Agency Develops a Proposal

The agency develops proposed rules or amendments within its statutory authority.

2. Proposal Is Published

The proposal is published in the New Jersey Register, beginning the formal rulemaking process.

3. Public Comment Period

Advocates, providers, organizations, and members of the public can submit written comments and, when applicable, testify at a public hearing.

4. Agency Reviews Comments

The agency reviews and responds to public comments and may make changes to the proposal.

5. Agency Takes Final Action

The agency may adopt the rule as proposed, revise it before adoption, or take other action allowed under the rulemaking process.

7. Rule Becomes Effective

Once adopted, the rule becomes effective according to the applicable legal and regulatory requirements.

Key point: Public comment is an important opportunity to influence how regulations are written before they become final.

Your Voice Matters

- Submit written comments during formal public comment periods
- Provide testimony when public hearings or other opportunities are available
- Participate in stakeholder meetings and agency discussions
- Respond to agency requests for feedback and information
- Share data, expertise, and lived experience to explain how proposed rules may affect communities

Key point: Your advocacy does not end when a bill becomes law. Rulemaking is another opportunity to shape policy.

Legislative vs. Regulatory Advocacy

LEGISLATIVE ADVOCACY
Changes what the law requires.

- Decision-maker: Legislature
- Primary tool: Bills and legislation
- What can change: Statutory requirements, funding, rights, eligibility, or programs established in law
- Key opportunities: Bill drafting, legislative meetings, committee testimony, amendments, and legislative votes

REGULATORY/ADMINISTRATIVE ADVOCACY
Changes how an existing law is interpreted, implemented, or administered.

- Decision-maker: State agency or other authorized government entity
- Primary tools: Regulations, guidance, policies, and administrative processes
- What can change: Program requirements, implementation practices, procedures, and other matters within existing statutory authority
- Key opportunities: Rulemaking, public comment, stakeholder meetings, agency engagement, and implementation feedback

Start With the Authority
Ask: Who has the legal authority to make the change I am asking for?

If the change requires changing the law itself, legislative advocacy may be necessary. If the change can be made within existing law, regulatory or administrative advocacy may be the appropriate path.

When Should You Advocate?

Advocacy can be effective at every stage of the policy process. The strategy and audience may change as the proposal moves forward.

- Problem Identified
  - Define the problem, gather information, and build support.
- Idea Developed
  - Work with stakeholders and policymakers to develop potential solutions.
- Bill Drafted or Rule Proposed
  - Provide input on the language, approach, and potential impact.
- Committee Review or Public Comment
  - Make the case through testimony, written comments, data, and stories.
- Amendments and Revisions
  - Track changes and advocate for improvements or protections.
- Floor Vote or Rule Adoption
  - Communicate with decision-makers and make a clear, timely request.
- Governor or Final Agency Action
  - Advocate for the desired outcome before final action is taken.
- Implementation and Evaluation
  - Monitor how the policy works in practice and advocate for changes when needed.

Key point: The earlier you engage, the more opportunities you may have to shape the policy, but advocacy remains important throughout the process.

What Makes an Effective Advocate?

1. Define the Problem
   - Clearly explain the issue and why it matters.
   - Use facts, data, and real experiences to show the impact.
2. Make a Specific Ask
   - Identify the change you want to see.
   - Be clear about the action you want the decision-maker to take.
3. Establish Credibility
   - Bring relevant knowledge, expertise, research, or lived experience.
   - Explain why you or your organization are connected to the issue.
4. Make the Case Clearly and Concisely
   - Lead with your most important point.
   - Be able to explain the issue and your ask in 60 seconds or less.
5. Offer a Solution
   - Do not just identify what is wrong.
   - Explain what should change and, when possible, how to make that change.
6. Follow Up and Stay Engaged
   - Follow up after meetings, testimony, or outreach.
   - Track the issue and continue advocating as the proposal moves forward.

The 60-Second Advocacy Message

A strong advocacy message should quickly answer five questions:

1. WHO are you?
Briefly introduce yourself and explain your connection to the issue.
“I am a preschool provider in [community]…”

2. WHAT is the issue?
Clearly identify the problem you want addressed.
“I am reaching out because…”

3. WHY does it matter?
Explain the impact using a fact, example, or personal experience.
“This matters because…”

4. WHAT are you asking for?
Make a specific and actionable request.
“I am asking you to…”

5. WHO benefits?
Connect the proposed change to the people and communities it will affect.
“This would help…”
Close with your ask:
“I hope I can count on your support.”

Keep It Simple

Who you are → What is happening → Why it matters → What you want → Who it helps

Your Story + The Data

STORY: What are you seeing?

- Share what you are experiencing in your work, community, or daily life.
- Explain how the issue affects real people.
- A specific example can make the issue easier to understand and remember.

DATA: How large or widespread is the issue?

- Use research, statistics, trends, or other credible evidence.
- Show whether the experience is isolated or part of a broader pattern.
- Data helps demonstrate the scale and impact of the problem.

POLICY: What change could address it?

- Identify the policy, legislative, or regulatory change that could improve the situation.
- Connect the proposed solution directly to the problem you have described.

Strong Advocacy Connects All Three

- Story makes the issue personal.
- Data shows the scope of the problem.
- Policy provides a path toward change.

Know Your Audience

LEGISLATOR

Focus on the action they can take through legislation.

- Can you sponsor, support, amend, or vote for this bill?
- What would you like them to do?

AGENCY

Focus on what can change through regulation or implementation.

- Can the agency address this through rules, guidance, policy, or implementation?
- What authority does the agency have?

GOVERNOR

Focus on the Governor's role in the legislative process.

- Will you sign and support this legislation?
- What concerns or changes should be addressed before final action?

LEGISLATIVE / AGENCY STAFF

Focus on building understanding and providing useful information.

- Can we discuss the policy, its impact, and potential solutions?
- What information or data would be helpful?

COALITION PARTNER

Focus on shared goals and coordinated action.

- Can we work together to build support?
- What can each organization contribute?

Match Your Message to Your Audience

Know who you are talking to, understand their authority, and make a request they can act on.

How to Talk to Policymakers

1. Introduce Yourself
   - State your name, organization or community, and connection to the issue.
   - Establish why you are reaching out.
2. Get to the Point
   - Clearly explain the issue and why it matters.
   - Avoid unnecessary background or jargon.
3. Use Stories + Data
   - Share a real example that illustrates the problem.
   - Support your experience with relevant facts, research, or data.
4. Offer a Solution
   - Explain what you believe should change.
   - Connect your proposed solution to the problem you identified.
5. Make a Clear Request
   - Tell the policymaker exactly what you want them to do.
   - Ask for a specific action, not simply “support” for an issue.
6. Follow Up
   - Thank them for their time.
   - Send additional information if requested and follow up on your request.
   - Keep the relationship open for future advocacy.

Activity: You’re the Advocate

• Scenario: A state policy is creating a burden for your program and making it harder to serve families.

1. What is the problem?
2. Who has authority to change it?
3. Legislative or regulatory?
4. What exactly are you asking for?
5. What is your 60-second message?

Where Do I Find Information?

Use the Legislature's website to research bills and track their progress.

Find the Bill

- Search by bill number, subject, sponsor, or keyword
- Review the synopsis, bill text, sponsors, and legislative history
- Check reprints and amendments to see how the bill has changed
- Review committee assignments, votes, and current status

Track the Process

- Check committee agendas, hearing dates, and legislative schedules
- Use the Legislative Calendar to track upcoming activity
- Subscribe to bills to receive updates as they move through the process

Always Check the Latest Version: The bill you first read may not be the bill that is ultimately considered or voted on.

Website: www.njleg.state.nj.us

For Regulatory Advocacy

Start with the State Agency Website: **NJ.Gov/DCF**

Find the agency responsible for the program or issue you are working on.
Look for:

- Public Notices
- Announcements about proposed changes, public hearings, meetings, comment periods, and other opportunities for public input.
- Policies & Guidance
- Agency policies, guidance documents, FAQs, directives, and materials explaining how a law or regulation is being implemented.
- Rules & Regulations
- Current regulations, proposed rules, notices of adoption, and information about the agency's rulemaking process.
- Documents & Publications
- Reports, memos, forms, manuals, presentations, data, FAQs, and other agency materials that provide additional information about a program or policy.
- Stakeholder Engagement
- Stakeholder meetings, workgroups, listening sessions, and opportunities to provide feedback.

Five Things to Remember

- You do not have to be a policy expert to advocate
- Know who has authority to make the change you want
- A bill can change throughout the legislative process
- Advocacy does not end when a bill becomes law
- Your experience as a provider is policy expertise

Your Voice Belongs in the Process

- You know the children.
- You know the families.
- You know the workforce.
- You know what happens when policy reaches the classroom.
- Bring that knowledge to the people who can make change.

Thank You!

Visit: ACNJ.org for more information