



California Legislative History and Analysis

Research Guide

Last Updated: January 15, 2009

Introduction:

A legislative history consists of all the documents compiled during the creation of a statute. Legislative histories are useful in determining the Legislature's intent, meaning and effect of new statutes or when there is little case law interpreting a statute's meaning. This guide describes the steps used in researching a California statute's legislative history.

NOTE: The California legislature is not required to publish hearings, debates or reports, making it much more difficult to find California Legislative histories than it is to find Federal Legislative histories.

For legislation passed **from 1993 to the present**, the easiest way to search for legislative history is to use the *Legislative Counsel of California's Bill Information* website available online at <http://www.leginfo.ca.gov/bilinfo.html>. Bill information at this site includes, "The full text of bills, resolutions, and constitutional amendments, and their status, history, votes, analyses, and veto messages."

(Sources listed below are available at all branches, unless otherwise noted)

For legislative histories **prior to 1993**, follow these steps:

1. **Determine the Code Name and Section(s)**, _____ using *West's* and *Deering's California Codes Annotated. KFC 30.5 .D4*. Review the current code section(s) in both sets of codes because the annotations may differ.
 - a. Check the pocket part or pamphlet in the back of the code volume for the most recent updates.
 - b. This resource will provide you with the most current version of the code, a list of all the amendments to the code, the **year** and the **chapter number**.
 - c. You can also check the code annotations for references to **California Attorney General Opinions**, which may help explain legislative intent. These Opinions are found at **KFC 780.5** or online from 1997 forward at: <http://ag.ca.gov/opinions.php> .



2. **Determine the Chapter No.** _____ **& Year** _____ found either in *West's* or *Deering's Annotated Codes* and will be listed *after* the code section text, but *before* the heading "Historical & Statutory Notes" (*West*) or "Former Sections" (*Deering's*). You will need the chapter number and year to find the bill number.
For example, the chapter number and year for California Civil Code 3439 shows, "Added by Stats.1986, c. 383, §2," which means information can be found in the 1986 version of the *Statutes and Amendments to the Codes of California*, in Chapter 383, section 2.
3. **Read the final chapter version** using the Chapter No. from Step #2, using the resources below found at **KFC 30, 1st floor stacks area** at the **Main Branch**:
 - a. *Statutes and Amendments to the Codes of California*, from 1850 through 1996;
 - b. *West's* or *Deering's California Advance Legislative Service*, for 1997 to present, located in soft-cover form just after the *Statutes and Amendments to the Codes*.
4. **Convert the Chapter No. into the Bill No.** _____. This information is in the *California Session Laws* published in the *Statutes and Amendments to the Codes of California*, at **KFC 30, 1st floor stacks area** at the **Main Branch**.
 - a. Bill numbers are either, AB ##### for Assembly Bills, or S ##### for Senate Bills.
 - b. The more recent annotated codes list the bill number, making this step unnecessary.

To find the chapter and bill number in the *Statutes and Amendments to the Codes*:

- a. for bills **up to 1970**, use the "*Table of Laws Enacted*," found in **Volume 1** of that year's *Statutes and Amendments to the Codes*, (or as a separate soft-cover volume at KFC 14, 1st floor stacks), which converts the chapter number to a bill number;
- b. for bills **after 1970**, use the "*Summary Digest*," found in the **last volume** of that year's *Statutes and Amendments to the Codes* (or as a separate soft-cover volume at KFC 14, 1st floor stacks), which will provide the bill number, a summary of the bill's text, and its effective date.

Online Resource:

There may be *some* entries of the *Statutes and Amendments to the Codes* from 1850 to 2000 and of the *Summary Digest* beginning in 1968 online at: <http://192.234.213.35/clerkarchive/>. Click on the "Statutes" drop-down menu and choose the year you want, and then click on any available "active" (blue) PDF linked documents.

5. **Read all versions of the bill**, using the Bill No. found in Step # 4. They are located on microfilm/fiche and must be requested at the **Main Branch Reference Desk**.
 - a. These *California Legislative Bills* contain all the bill versions, including additions (in italics) and deletions (in strikeout type).
 - b. Before the text of each bill version there is a *Legislative Counsel's Digest*, which



summarizes the changes made.

6. **Read the Assembly File Analyses** for bills from 1975-1998. Request the microfiche at the **Main Branch Reference Desk**.
 - a. This resource was prepared by the Assembly Office of Research for **BOTH Senate and Assembly Bills** through the 1997-1998 session (the office was closed after that date).
 - b. These analyses include information on committee actions, any proposed fiscal effect of the bill, a short digest, a summary of comments by committee consultants, and an assessment of the effect of the bill.

Online Resources (available Library databases at all patron stations):

- a. **Westlaw** contains the *California Committee Analyses – Archive* database (CCA-OLD) that includes all available committee analyses (legislative history) from the 1991 – 2004 legislative sessions.
 - b. **Lexis** contains the *CA Committee Analysis of Pending Bills* database (CACOMM) that includes all available committee analyses from the 1991-current legislative sessions.
7. **Read the Senate or Assembly Final History of the bill**, located at **KFC 14** at the **Main Branch**, in the first floor stacks.
 - a. These histories are compiled in the *Final Calendar of Legislative Business* up to the 1973-74 session, thereafter in the *Senate or Assembly Final History*.
 - b. These resources provide all the actions taken on each bill during that legislative session, including: a history of the bill with an indication of amendments, and lists any committees that studied the bill.

Online Resource:

The *Assembly and Senate Final Histories* from 1881 to 2005 are available online at: <http://192.234.213.35/clerkarchive/>. Click on the “Histories & Indexes” drop-down menu, select the year you want, and then click on any “active” (blue) PDF linked documents.

8. **Check the “Indexes” of the Assembly or Senate Journals** (also called: the *Journal of the Assembly* or the *Journal of the Senate*), located at **KFC 25, Main Branch**, in the first floor stacks.
 - a. The Journals provide comprehensive coverage of the proceedings of the Senate and Assembly, including: committee and floor roll call votes, but not the text of floor debate; Governor’s veto messages; legislators’ letters of intent; Legislative Counsel’s Opinions if printed; and can also sometimes provide the committees involved with a particular bill.
 - b. The Journal **index** is usually in the **last volume** of the Journal for a specific year, or if no index exists, look at the *Final History* or *Final Calendar of Legislative Business* volumes listed above in step #7.



- i. The **Bill Action Index** lists all the pages where a bill is named.
- ii. The **Alphabetical Index** or General Index lists other legislative history that may be included. Locate the *Legislative Counsel Opinions* and *Legislative Intent* by bill number.

Online Resource:

The *Journal of the Assembly* from 1849 to 1997 is available online at: <http://192.234.213.35/clerkarchive/>. Click on the “Journals” drop-down menu, select the year you want, and then click on any available “active” (blue) PDF linked documents.

9. **Check for any Committee Hearings or Reports.** You can find this resource in:
 - a. the Library’s lists of Committee Hearings at the **Main Branch Reference Desk** (up to 1983-84 only) for the existence of any reports available through the State Library; or in
 - b. SDCPLL’s **online catalog**, using the appropriate Committee as the “author” in the search field

Online Resource:

For bills from **1991 through current**, you may also search “**LexisNexis**,” available at all patron stations.

- i. Search the *CA Legislative Committee Analysis of Pending Bills* database under *Legal > Legislation & Politics – U.S. & U.K. > U.S. States > CA Legislative Committee Analysis of Pending Bills*
- ii. The CA State Legislature committees’ staff summarizes the committee hearings. Reports may include: hearing date; committee and chairman name; bill considered, digest (summary) of the bill’s intent; potential fiscal effects of the legislation; comments and information pertaining to the support of/opposition to the legislation.

10. **Check the McGeorge Law Review on HeinOnline.** This resource publishes an *Annual Review of Selected Legislation, 1970-present*, published in January of each year. HeinOnline is available at all our patron computers.
11. **Check the CEB Review of Selected Code Legislation** (which preceded the *McGeorge Law Review*), located at **KFC 27.R48** for years: 1941-1951 and 1955 (**Main Branch**), and 1965, 1967, 1968, and 1969 at **Main, East, and North County** branches.
12. **Check the California Law Revision Commission Reports** at **KFC 27.A3**, in the **Main Branch** first floor stacks. This resource includes recommendations to the legislature and selected Senate and Assembly Reports on certain bills.
 - a. The **California Law Revision Commission’s** website has a link to its “Bound Volume List” with reports from 1957 to 2009 (Volumes 1 to 39), a bibliography of all Law Revision publications, and other current information.



- b. Access their website at: <http://www.clrc.ca.gov/>. Go to the “Reports” link at the top and select “Publication Catalog”.

13. **Check the California Senate Office of Research.** Their website maintains publications from 1999 to 2009 with Senate analyses on some past legislation and ballot propositions at: <http://sor.govoffice3.com/>, then click on “Publications” to search for reports by “Subject Area” or “Publication Date.”

14. **Check Law Review Articles, Legal Journals and Newspapers.** Law review articles may contain information obtained by the author that is generally unavailable to the public and/or might offer an analysis of legislative intent. You can find citations to articles in:
 - a. *West’s* or *Deering’s Annotated Codes* (KFC30.5)
 - b. *Shepard’s California Citations* (KFC 39)
 - c. *Index to Legal Periodicals* (KF 33)
 - d. *LegalTrac* - online database available at all patron stations

15. **Shepardize** the code sections online using **Lexis**, available at all patron stations. You can also Keycite using **Westlaw**.

16. **Contact the Bill’s Author.** For recently enacted statutes, you can contact the sponsor or committee to see if they have more information. The California Roster of Public Officials lists California’s public officeholders and their contact information. The Roster is at: <http://www.sos.ca.gov/admin/ca-roster/2009/> for 2003-2009.

Phone numbers also can be found in the California online telephone directory at <http://www.cold.ca.gov/>, at the Senate’s website at www.senate.ca.gov/ by selecting “Senators,” “Committees” or “Offices/Caucuses,” or the Assembly’s website at www.assembly.ca.gov/ and select “Member Directory” or “Committee Directory.”

If you need more information:

Contact the **California State Archives Reference Desk** at (916) 653-2246 or online at: www.sos.ca.gov/archives. The State Archives collects Legislative Committee Records, Legislator’s Records and Governors’ Records, and maintains the governor’s chaptered bill file from 1943-1967 and 1975-present. The Archives will need the **code name** and **year** enacted, its **chapter number**, the **bill’s number and author**, **section number**, and any **committee information** to do the search.

Address: 1020 “O” Street, Sacramento CA 95814.

Phone: 916-653-2246 (ref desk); 916-653-7715 (gen’l. info.); Fax 916-653-7363.

Email: ArchivesWeb@sos.ca.gov.



Hours: M-F 9:30-4:00. **Photocopies** are \$.25 per page. **Faxes** are \$1.00 per page.

The **California State Library** is the main depository and distribution resource for legislative and executive branch publications, found online at: <http://www.library.ca.gov/index.html>, then click on “Search Our Catalogs,” then “Main Catalog.”

Address: 900 N Street, Sacramento CA 95814.

Phone: 916-654-0261; Fax 916-654-0241.

Email: csinfo@library.ca.gov

Hours: M-F 9:30-4:00.

The **Witkin State Law Library of California** is a California State Library Special Collection resource containing Congressional bills from 1933-present and California bills (including those never passed) from 1867-present by searching the “Main Catalog.”

Address: 900 N Street, Room 100, Sacramento CA 95814.

Phone: 916-654-0185; Fax 916-654-2039.

Email: csllaw@library.ca.gov

Hours: M-F 9:30-4:00.



CHECKLIST:

1. Determine the **Code Name and Section(s)** _____ using *West's* and *Deering's California Codes Annotated*. **KFC 30.5 .D4.**
2. Determine the **Chapter No.** _____ **& Year** _____.
3. Read the **final chapter version of the bill**, using the *Statutes and Amendments to the Codes of California*. **KFC 30, 1st floor stacks area.**
4. Convert the **Chapter No. into the Bill No.** _____.
5. Read **all versions of the bill**, located on microfilm/fiche, **Main Branch Reference Desk.**
6. Read the *Assembly File Analyses* for bills from 1975-1998, located on microfiche, **Main Branch Reference Desk.**
7. Read the *Senate or Assembly Final History of the bill*, in the *Final Calendar of Legislative Business*, or in the *Senate or Assembly Final History*, **Main Branch. KFC 14.**
8. Check the “**Indexes**” of the *Assembly or Senate Journals* (also called: the *Journal of the Assembly* or the *Journal of the Senate*), **Main Branch. KFC 25**, first floor stacks.
9. Check for any *Committee Hearings or Reports*, in the Library’s lists of Committee Hearings. **Main Branch Reference Desk.**
10. Check the *McGeorge Law Review* on **HeinOnline**
11. Check the *CEB Review of Selected Code Legislation*. (preceded the *McGeorge Law Review*). **KFC27.R48.**
12. Check the *California Law Revision Commission Reports* at **KFC 27.A3**, in the **Main Branch** first floor stacks.
13. Check the *California Senate Office of Research* website at <http://sor.govoffice3.com/>.
14. Check **Law Review articles, Legal Journals and Newspapers.**
15. **Shepardize** the code sections online using **Lexis** (or **Keycite** using **Westlaw**).
16. Contact the **Bill’s Author.**

Consult a Reference Librarian for Additional Assistance