

CALIFORNIA LEGISLATIVE HISTORY RESEARCH

Finding Legislative Intent in California

The Sacramento County Public Law Library has limited access to California legislative history material, especially for bills passed prior to 1993, when online information becomes available.

For bills prior to 1993, the Law Library has the Statutes and Amendments to the Codes, the Journal of the Senate, the Journal of the Assembly, and the Final History of each. These allow you to identify the bill number of any statute. You can then construct a timeline of its journey through the legislature, including the committees that reviewed it, dates of floor debates, and dates and results of votes.

However, the Law Library does not have access to most of the source material required to research the intent of the legislature, such as the actual committee reports, floor debate transcripts, and the like.

This guide lists the material that is available at the Law Library; points to useful online resources; and provides contact information for libraries and archives that collect more in-depth information.

Primary Sources

Bills and amendments; floor debates; committee analysis, hearings, and reports; legislators' and governor's files, interviews with legislators

The Law Library does not collect any of these important legislative history materials in print. Contact the resources listed on the right to investigate what primary sources may be available for the legislation you are researching. Other possible sources are listed at the end of this guide.

For bills since about 1993, you can access some of this information online:

California Legislative Counsel Bill Information (free website)

There are two databases available:

- 1999-current leginfo.legislature.ca.gov
- 1993-2016 leginfo.ca.gov/bilinfo.html

These contain all versions of bills, resolutions, and constitutional amendments, as well as their status, history, votes, analyses, and veto messages. You will find a summary of floor debates for some bills. For the overlapping years, the newer version is easier to use, but the older version of the database occasionally contains more material.

Westlaw (by subscription, free in Law Library)

Lexis Advance (by subscription, free in Law Library)

Sacramento resources for legislative history

Two of the best resources for legislative history are located here in Sacramento:

California State Archives

www.sos.ca.gov/archives/collections/legislative-resources/

Resources include:

- o Governor's, legislative, agency, and author bill files, containing analyses and correspondence
- o Hearing files
- o Videotapes of selected hearings and floor sessions.

California State Library

library.ca.gov/collections/law_coll.html

Bill books containing virtually all versions of bills since 1876; briefing papers, Committee reports, and reports of hearings are also available.

Also, both **McGeorge School of Law** (mcgeorge.edu/Library) and **UC Davis School of Law** (law.ucdavis.edu/library/) collect the *California Bills and Resolutions* set (containing all versions of bills) and related material.

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These two commercial databases contain some (not all) of the same material as the free Legislative Counsel site, conveniently linked to the statute and related material.

Statutes and Amendments to the Codes [KFC30 .A2](#) (Compact)

(Online: clerk.assembly.ca.gov/archive-list?archive_type=statutes)

This set contains “session laws” (laws passed in a particular legislative session, or year) in chronological order. In addition to the text that is ultimately included in the codified law, *Statutes and Amendments* may include the bill number, statements of intent, an Urgency Statement explaining the need for the statute, or a Legislative Counsel Digest summarizing the law.

Journal of the Senate [KFC14 .C355](#) Compact (1968-current)

(Online: 2002-current, leginfo.ca.gov/senate-journal.html)

Journal of the Assembly [KFC14 .C35](#) (1968-current)

(Online: clerk.assembly.ca.gov/archive-list?archive_type=journals)

These record the daily business of the legislative houses in some detail, including recording votes on bills and amendments, the movement of bills to and from committee, transmission of bills to the other house, messages from the Senate and from the Governor, and more. Use them to determine actions taken on your bill, committees reviewing, dates of floor debates and votes, and the like.

Usually no additional information is included, but you may occasionally find the text of an Urgency Statement, Legislative Counsel Opinion, summary of floor debates and committee reports, and Letters of Intent from bill authors. Use the Indexes (organized by topic and by bill number) to locate such items. They may be listed under the topic “Motions to print” since legislators must specifically request that they be included.

Tip: the Clerk of the Assembly website offers “mock” versions of each of these items, illustrating what information can be found within, at clerk.assembly.ca.gov/content/legislative-publications

California Ballot Initiatives and Propositions

UC Hastings offers a free database of California ballot propositions and initiatives from 1911 to the present, including text, pamphlets, and legal and legislative history at library.uchastings.edu/research/ballots/index.php

The California Secretary of State’s office offers resources and historical information on <http://www.sos.ca.gov/elections/ballot-measures/resources-and-historical-information/history-california-initiatives/> statewide initiatives since 1912 as well as municipal, city, county, and school district elections at www.sos.ca.gov/elections/ballot-measures/resources-and-historical-information/

Finding Aids

These collections of summaries, tables, and indexes list actions taken during the legislative session and refer you to the relevant source material.

Assembly Final History [KFC14 .L412](#) Compact (1973-current)

(Online: clerk.assembly.ca.gov/content/legislative-publications)

Senate Final History [KFC14 .L43](#) Compact (1973/74 - current)

(Online: senate.ca.gov/content/senate-histories)

Bound volumes containing a cumulative list of the bills in a legislative session, and actions taken on each. Also contains cross-references table linking enacted bills to session laws, and indexes by author and committee. Recent (unbound) years are entitled “Weekly History.”

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Finding aids included in primary sources:

- “Summary Digest,” *Statutes and Amendments*: Since 1967, the final volume of each year’s *Statutes and Amendments* contains a “Summary Digest” listing the each session law chapter, the corresponding bill number and author, and a brief summary of its effects, and various indexes. They are also available as standalone paperback volumes starting in 1972.
- “Bill Action Index” and “Index to Bills” in both the *Journal of the Senate* and *Journal of the Assembly*. Prior to 1967, these are the best resources for a timeline of action on legislation.

Secondary Sources

These cannot prove legislative intent but may lead you to find important resources, or even compiled legislative histories, without starting from scratch.

West’s Annotated California Codes [KFC30 .W48](#) (also available in Westlaw)

Deering’s California Codes Annotated [KFC30.5.D4](#) (Compact) (also available in LexisAdvance)

Use these to find basic information such as the current text of the law, bill number and Session Law citation, and dates and content of revisions. In addition, the annotations may include cross-references to related statutes and regulations, references to cases and articles, and other useful information.

Shepard’s California Citations, Statutes [KFC39 .S5](#) (Ready Reference)

Shepard’s Citations (via LexisAdvance)

KeyCite (via Westlaw)

Use these citators to identify cases, statutory amendments, and repeals affecting the law. In Westlaw, *Keycite* also provides links to legislative history material when available.

Cases and briefs discussing the law in question

Using citators or annotations, you may locate cases interpreting your statute. The opinions may go into detail on legislative history and intent, as may the briefs filed in these cases.

Cases:

- **California Reports (Cal.)**, series 1-4 (ongoing) [KFC 45 .A21](#) (Compact)
- **California Appellate Reports (Cal. App.)**, series 1-5 (ongoing) [KFC 48 .A212](#) (Compact)
- Westlaw’s California Cases databases
- LexisAdvance’s California Cases databases
- Online: California Official Reports Public Access page www.lexisnexis.com/clients/CACourts/

Briefs:

- Westlaw’s California Briefs database (selective since 1988)
- LA Law Library database (briefs.lalawlibrary.org/research/briefs/) (selective since 1995)

A more complete set of California briefs can be accessed at the State Law Library.

Law review and bar journal articles

May discuss or compile legislative history for particular statutes or topics of interest. The Law Library primarily offers these electronically:

- Hein Online: Best selection of California law reviews
- Westlaw: A few unique titles, including some bar journals
- LexisAdvance: A few unique titles, including some bar journals

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Since 1970, *The University of the Pacific Law Review* (formerly *McGeorge Law Review*) has published a yearly "Review of Selected California Legislation," known as the "Greensheets" issue. If your law is covered, you may find discussions, references and quotations from source material, and more. All years are available in Hein Online. Recent years are online free under "Greensheets" at www.mcgeorge.edu/Publications.htm.

See also *Review of Selected Code Legislation* (1955, 1965, and 1967-1969) [KFC30.5 .S7](#) (Historical).

California Law Revision Commission Reports [KFC27 .C3](#) (Compact) 1955-present. (Online: www.clrc.ca.gov/Menu3_reports/publications.html) If the law you are researching was based on a recommendation from the Commission, you will find discussions of the issues that spurred legislation and the original proposed text.

Treatises and Guides on Finding and Using Legislative History

Treatises and Reference Books

These discuss how legislative history can be prepared and then used to interpret statutes.

- **Cal. Jur. 3d, Statutes**, Sections 110-127 "Application of General Rules of Construction." [KFC80 .C3](#) (Ready Reference)
- **Statutes and Statutory Construction (Sutherland on Statutory Construction)** [KF425 .S25](#)
- **Legal Research in California** [KFC 74 .H36](#) Chapter 7.18 lists sources, and chapter 19 gives a detailed example of how to prepare a California legislative history.
- **Henke's California Law Guide** [KFC 74 .H46](#). Chapter 4 explains in depth what you can find in different sources such as bill files, Senate and Assembly Journals, and more obscure sources.

See also L. Tobe Liebert, *Researching California Ballot Measures*, 90 Law Libr. J. 27 (1998).

Guides from Professional Legislative Intent Researchers

Several legislative intent research services have produced guides to researching legislative intent:

- **Practice Reference Guide to Legislative History and Intent Research** [KFC74.A9](#) (Ref Desk). Legislative Intent Service, Inc.
- **Research & Practice Guide: California Legislative History & Intent** [KFC74.A9 C34](#) (Ref Desk). LRI History LLC. Online at www.lrihistory.com/RESOURCES/ResearchGuides.aspx.
- Legislative History & Intent offers a collection of legislative and regulatory history research resources online at legislativeintent.com/Web/.

Online Research Guides to California Legislative History

- McGeorge School of Law: "How to Compile a California Legislative History." www.mcgeorge.edu/Documents/Library/CALegisHist.pdf
- UC Hastings Law Library: "California Legislative History Research Guide." libguides.uchastings.edu/cal-leg-history
- UC Berkeley Law Library: "Finding California Legislative History." www.law.berkeley.edu/library/dynamic/guide.php?id=54

IF YOU HAVE QUESTIONS ABOUT THIS GUIDE, OR IF YOU NEED HELP FINDING OR USING THE MATERIALS LISTED, DON'T HESITATE TO ASK A REFERENCE LIBRARIAN.