

GUIDE SERIES 2 – CALIFORNIA RESEARCH



GUIDE 2B - CALIFORNIA LEGISLATIVE HISTORY

All materials are on the Plaza level unless otherwise noted.

Researching legislative intent for California bills can be quite challenging. Resources for bills prior to the 1970's tend to be scarce. Around 1970, awareness of the importance of legislative intent materials led to an increase in saved committee reports and files, yet there are few printed hearings, and floor debate was not recorded. Sometimes, the easiest way to determine legislative intent is to compare various versions of the bill. More comprehensive treatment of a bill may be available from the files of the California State Archives in Sacramento. These files may include committee reports, the Governor's chaptered bill files and the sponsor's bill files. Since 1993, selected materials, including versions of the bill and committee commentary, are available on a website maintained by the California Legislative Counsel's office. See: (<http://www.leginfo.ca.gov>) Bill Information, or (<http://www.legislature.ca.gov>)

TRACK BY CHAPTER NUMBER

To determine the Chapter number, look in *Deering's California Codes Annotated* and *West's Annotated California Codes*. Both cite the chapter number of the pertinent legislation after each code section. (After 1992, the Codes include citation to the bill number) For example, at the end of Health & Safety Code §24180 is the note "added Stats 1971 ch 1770 §1" which means you can find the final text of the act as passed by looking in *Statutes and Amendments to the Codes* for 1971, chapter 1770 §1. Write this down for later

conversion to the legislature's bill number designation.

CONVERT TO BILL NUMBER

1. Most legislative documents use the year and bill number as the primary reference points. Use the Chapter number to find the bill number by looking in the *California Summary Digest* (included in *Statutes and Amendments to the Codes*; after 1967, also bound separately).

2. Using the bill number, consult the Legislative Counsel web site (<http://www.leginfo.ca.gov>) to see all versions of the bill. This site has bill information from the 1993-1994 session. Prior bills may be found on microfiche and are available from 1969/70 in the Lower Level B-2 Room.

3. Use the *Assembly Final History* or *Senate Final* to determine what committees reviewed the bill and if there were any hearings or reports. Often the hearings and reports are not published, but you should check. Run a search in the OPAC for the author: CALIFORNIA. LEGISLATURE. ASSEMBLY (or SENATE). COMMITTEE ON (or SELECT COMMITTEE ON).

4. You can also check for bill activity in the *Senate* or *Assembly Journal*. These Journals usually only list what took place on that date, but may contain a letter from a legislator or some other item that makes the search worthwhile. For some years, the Journals include an appendix volume (1957-1970) that may contain a

pertinent committee or subcommittee report.

5. Shepardize the code section for further appellate cases and law review articles that may discuss intent.

FIND BY BILL NUMBER

1. The *California Summary Digest* is published separately and is also included in the *Statutes and Amendments to the Codes* from 1967. Using the Cross-Reference Tables, you can determine the chapter number of the bill. If the bill is from a session prior to 1967, look in *Statutes and Amendments* at the "Table of Laws Enacted". The table is in chapter number order, so you will need to scan the column labeled "Senate Bill" or "Assembly Bill".

2. Look up the chapter number from the front of the *Summary Digest* to see the author, the pertinent section(s) of the codes and a summary of the statute. If the bill is from a session prior to 1967, you can try to determine the section of the code affected by looking at the beginning of the chapter. If the code section being affected is not indicated you can scan the "Statutory Record" section of the *Statutes and Amendments*, which is a list of code sections affected, and indicates the chapter number.

OTHER SOURCES

1. The Assembly Office of Research analyzes bills under consideration. *California State Assembly Analysis* (Lower Level B-2) is a microfiche collection of those analyses issued from 1975 to date.

2. The California Law Revision Commission makes recommendations for new legislation. You can locate these reports in an annual volume, *Reports* (KFC 27 L38).

3. There are several other secondary sources for information on legislative intent. Many are indexed in LEGALTRAC, Index to Legal Periodicals, and some in LEXIS and WESTLAW. Since 1970 the *Pacific Law Journal* has included a review of the major legislation of the previous year. Look for the green pages in the volume following the year your bill was passed. From 1965-69, *CEB Review of Selected Code Sections* (KFC 27.A8 R49) provides a similar service, as does the *California State Bar Journal*, (Storage 1926-1981) and later the *California Lawyer* (1981-). *California Journal* (1973-) focuses on California politics and often discusses major legislation.

4. The California State Archives collects invaluable materials which are accessible to the public. They maintain the governor's chaptered bill file from 1943-1967 and 1975 to date. They also gather materials from bill sponsors and legislative committees. Researchers can view the materials at the Archives in Sacramento or the staff will photocopy and mail items for a fee. The Archives can be contacted at 916-653-7715.

5. Personal Contact. You may want to communicate directly with the bill's author, and committee members or staff of the committees that considered the bill. They may be able to tell you of other materials that influenced their decision, and if those materials are still available. The library has several directories in the reference section where you can find the necessary names, numbers and addresses. One such directory is the *California State Government Directory* (REF JK 8731 C25).

For Further Information Consult a Librarian

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