

# Hugh & Hazel Darling Law Library

## UCLA School of Law

### Research Guide Series

# CALIFORNIA LEGISLATIVE HISTORY

**AVAILABILITY OF CALIFORNIA LEGISLATIVE DOCUMENTS:** In contrast to U.S. Congressional documentation, few California legislative documents are published and distributed. Verbatim floor debate is almost never published; committee reports and hearing transcripts are not routinely distributed to libraries. Frequently all that can be compiled from UCLA Law Library resources is a statutory history (finding the text of the bill and tracing its flow through the legislative process). However, the recent availability of legislative documents on LexisNexis, Westlaw, and the Internet has greatly increased access to these materials. Additional documentation may be found in committee files and the State Archives.

You may wish to consult Chapter 4, *Legislative Intent*, in *Henke's California Law Guide*, 7th ed. (KFC 74 M37 2004 Reference Reading Room and Level 2), pp. 71-130 for a thorough examination of California legislative intent research.

**NOTE:** When using LexisNexis, you can search for the appropriate database by using the database menus in that system or by using the "shortcut" database names provided below. To use these shortcuts, click on the "Command Searching" tab in LexisNexis, type the source names into the search box exactly as listed and then click the "Go" button. You can then search as you normally would.

## STEPS TO FINDING LEGISLATIVE INTENT DOCUMENTS

Finding California legislative intent is almost always a do-it-yourself process; very little is already compiled. However, you might wish to check UCLA's catalogs and periodical indexes (by name of act or topic) to see whether there are any materials which include an already-compiled legislative history.

Compiling a California legislative history can be a time-consuming process. This Guide is intended to take you through all possible sources of legislative intent found in the UCLA Law Library. Following all the steps listed will result in a comprehensive examination of legislative intent. If time or resources are limited, consider completing only Steps 1, 2, 4 and 7 which are generally the richest sources of legislative intent.

1. *Locate Your Section in the Annotated Codes*
  - a. Find the chapter law citation(s) and bill number(s)

Both *West's California Codes Annotated* and *Deering's Annotated California Codes* include historical notes which give citations to the chapter laws enacting and amending each section (e.g. Stats. 1987, c. 881). In addition, both *West's* and *Deering's* began adding bill numbers to statutes passed or amended in recent years. The bill number will be preceded by either A.B. (Assembly Bill) or S.B. (Senate Bill). Note these numbers and their years of enactment as you will need them to locate other legislative history documents. If the bill number is not indicated in the annotated codes, see Step 2a.

Remember that a code section may have been amended several times and that the legislative history of each amending law must be traced separately.

b. Review citations

Look for citations to California Attorney General Opinions, Legislative Counsel Opinions, Law Revision Reports, committee reports, and law review articles discussing the statute. It is a good idea to check both annotated codes since one publisher will sometimes provide information not provided by the other.

LOCATION:

Library: KFC 30.5 (Level 2)  
Westlaw: CA-ST-ANN database (*West's*)  
LexisNexis: STATES; CACODE or CAL; CODE  
(*Deering's*)

2. Check the Statutes and Amendments to the Codes

a. Locate the bill number

If the bill number is not included in the historical notes to your Code section, look up your chapter number in either the *Table of Laws Enacted* (vol. 1), or the *Summary Digest* (last volume) of the *Statutes and Amendments to the Codes* for the session in which your legislation was enacted. The bill number will be preceded by either A.B. (Assembly Bill) or S.B. (Senate Bill).

b. Locate the Legislative Counsel's Digest

The Legislative Counsel prepares a short synopsis or analysis of every bill as it is introduced or amended predicting the effect of the bill on existing law. This precedes the text of the published bill and its chaptered version and is also printed in the *Summary Digest* (last volume) of the *Statutes and Amendments to the Codes*. For recent legislation you must use the *Deering's* or *West's Advance Legislative Service* for enacted legislation or the California statutes provided by the Legislative Counsel via the Internet.

LOCATION:

*Statutes and Amendments to the Codes:*

Library: KFC 25 (Level 2)  
Internet: <http://www.leginfo.ca.gov/statute.html>  
(1993-94 session forward)

*Advance Legislative Services:*

Library: KFC 30.5 (Reference Reading Room)  
LexisNexis: CAL; CAALS (1987 - current session)  
Westlaw: CA-LEGIS (current session); CA-LEGIS-OLD (1987 - previous session)

3. *Check the Senate Final History and Assembly Final History*

Using the year and bill number of your legislation, look up the bill's history to find out (a) who introduced the bill; (b) to what committee(s) it was referred; and (c) whether or not hearings were scheduled.

**LOCATION:**

**Library:** KFC 14 L43a & KFC 14 L43s (Level 2) (not available for current and immediately previous sessions)

*For recent legislation, you may obtain bill history online*

**LexisNexis:** CAL;CATRCK (current session); LEGIS;TRCK~~xx~~ (1987 – previous session; includes all states) (e.g. LEGIS;TRCK90, for 1990 tracking)

**Westlaw:** CA-BILLTRK (current session); BILLTRK-OLD (1991 – previous session; includes federal and all states)

**Internet:** <http://www.leginfo.ca.gov/bilinfo.html> (1993-94 session forward)

4. *Look for Bill Analyses*

Use the year and bill number to find a legislative analysis of your bill. Committee consultants and the staff of the Assembly Office of Research work together to prepare an analysis of each bill as it passes through the legislative process. The content of the analysis includes the purpose of the bill, some background information, fiscal impact, and, in the case of committee analyses, support for and opposition to the bill.

- a. *Assembly File Analysis* (1975-present). This is the final floor version of the analysis and reflects the bill in the form in which it is enacted.

**LOCATION:**

**Library:** Microfiche KFC 6 A87 (Microform Room) Not available for current and previous sessions.

- b. *Committee and floor analyses*

**LOCATION:**

**LexisNexis:** LEGIS; CACOMM (1991 - current session)

**Westlaw:** CCA database (current session); CCA-OLD (1991 - 1998)

**Internet:** <http://www.leginfo.ca.gov/bilinfo.html> (1993-94 session forward)

- c. *California. Senate Committee on Judiciary. Agenda* (1989/90 – 1991/2). The UCLA Law Library has selective bill analyses for the Senate Committee on the Judiciary in print.

**LOCATION:**

**Library:** KFC 10.7 J83 S45 (Request from SRLF)



5. *Look at Bill Text Amendments*

Read the bill in all its versions. Sometimes it is possible to infer what the Legislature intended from changes in the language of the bill.

LOCATION:

- Library:** Microfiche KFC 6 (Microform Room) (1963 - . Not available for current and previous sessions)
- LexisNexis:** CAL; CABILL or CAL; CATEXT (current session) ; LEGIS;TEXT~~xx~~ (1991 – previous session; includes all states) (e.g. LEGIS;TEXT91, for 1991 bills)
- Westlaw:** CA-BILLS database (current session); BILLTXT-OLD (1991 – previous session; includes all states)
- Internet:** <http://www.leginfo.ca.gov/bilinfo.html> (1993-94 session forward)

6. *Look for Hearings and Reports*

Use the following tools to locate any published hearings or reports related to your bill:

- a. Search ORION using the name of the appropriate legislative committee and keywords from the title. You may also limit the search to a year or range of years (use the date limit pull down menu on the bottom of the screen).

If you don't find anything using ORION, you may want to check MELVYL to see whether another library in the UC system has acquired a particular hearing or report.

- b. *California Law Revision Commission, Reports, Recommendations and Studies*, (1957-).

The charge of the Law Revision Commission is to examine the law of California for defects, to consider proposed uniform laws, and to recommend changes to California law. Only the recommendations of the Commission are recognized as legislative intent. These are cited by the *Deering's* and *West's Annotated Codes*. In older codes, citations are sometimes spotty and mislabeled. Often the Commission's annual reports will include legislative committee reports on legislation which the Commission has recommended.

*California Code Commission* (1929-53). The predecessor of the California Law Revision Commission also published reports, notes, and drafts of codes.

LOCATION:

- Library:** KFC 27 (Level 2)

- c. **California State publications**

- i. *California State Legislature. Joint Publications Catalog*, (1984-1989). This catalog



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lists the reports and hearing transcripts available from the Joint Publications Office of the California Legislature. Organized by committee name.

### LOCATION:

**Library:** KFC 20 R47 (Reference Reading Room)

- ii. *Hearings and Reports of the Committees of the California Legislature*, (1961-1984). These are indexed by year and committee name. In some sessions, reports and transcripts of hearings are listed in separate sections.

### LOCATION:

**Library:** KFC 20 R46 (Reference Reading Room)

- iii. *California State Publications*, (1945- ). Not as comprehensive as i or ii.

### LOCATION:

**Library:** Z 1223.5 C2 (Level A)

- iv. *California Interim Legislative Committees and Reports*, (1937-73). Lists interim legislative committee reports.

### LOCATION:

**Library:** JK 8771 C36a (Level A)

#### d. Senate and Assembly Journals

Check the bill and topical indexes for the appropriate session for communications, reports, or Legislative Counsel opinions. Neither Journal is a verbatim report of the proceedings and debates of Senate or Assembly action, but is mainly a record of proceedings. You must be creative in using the index to the Journal (be sure to look under the entry *reports*). In the Assembly Journal you might locate Legislative Counsel opinions under the entry *Legislative Counsel* or under the counsel's name. Recent *West's* and *Deering's Codes* will often cite to reports and Legislative Counsel opinions when published in the Journals.

### LOCATION:

**Library:** KFC 14 L41 (Level 2)

#### 7. Other Useful Sources

- a. *Pacific Law Journal* (1970-Summer 1997), *McGeorge Law Review* (Fall 1997 - ). Check the Spring issue (green pages) of the year following enactment for the *Annual Review of Selected California Legislation*.

### LOCATION:

**Library:** K 16 A25; Current year on Reserve

**LexisNexis:** CAL; MCGLR or LAWREV; MCGLR (from Spring 1995)

**Westlaw:** MCGLR database (selected coverage from 1983, full from 1994)





- b. *CEB Review of Selected Code Legislation* (Biannual from 1955-65; annual from 1967-69)

LOCATION:

**Library:** The 1956-1965 reviews are found in the *Journal of the State Bar* (shelved as *State Bar of California—Journal* on Level 1)  
The 1955, 1967, 1968, 1969 reviews were published separately (KFC 20 A73 R49)

- c. *California Judicial Council. Report* (1929-65, biennial; 1967- , annual) As the chief administrative body for California courts, the Council provides analysis of selected proposed legislation indicating the impact of the legislation on the court system. These recommendations are not cited in the annotated codes.

LOCATION:

**Library:** KFC 951 A152 (Current year in Reference Reading Room; earlier years on Level 2)

- d. *California Journal*, (1970- ). An independently published journal on California government and politics.

LOCATION:

**Library:** K 3 A4325; Current year on Reserve  
**LexisNexis:** LEGIS; CAJRNL or CAL; CAJRNL (from October 1989)

- e. A search of cases and law reviews in LexisNexis or Westlaw (e.g. xxxxx /s legislative intent or legislative history) will sometimes lead you to documents that the courts have considered when ascertaining the legislative intent of a particular topic.

- f. A search of newspaper articles can often produce useful background material.

BALLOT INITIATIVES

To find intent for an initiative, which results from the power of the voters to propose and adopt statutes and amendments to the Constitution of California, you will need to review the voter pamphlets.

LOCATION:

**Library:** *California. Secretary of State. Amendments to the Constitution and Proposed Statutes/Ballot Pamphlets.* (1883- )  
Microfiche KFC 20 C35 (Level 1 — Microform Room)

**Internet:** Hastings College of the Law provides a searchable California Ballot Propositions Database from 1911 to the present which includes the text of the propositions, digital images of the voter pamphlets and related legal and legislative history.  
[http://library.uchastings.edu/ballot\\_pdf/index.html](http://library.uchastings.edu/ballot_pdf/index.html)





ADDITIONAL STEPS OUTSIDE THE UCLA LAW LIBRARY

- 1. If your statute was passed recently (within the past five years or so), contact the legislative consultants who worked for the committees that considered the bill and/or the office of the legislator who sponsored the bill. For telephone numbers and email addresses, consult the California On-Line Directory.

LOCATION:

Internet: <http://www.cold.ca.gov>

- 2. Older committee analyses and other additional material may be available at the Los Angeles County Law Library.

301 W. First Street  
 Los Angeles, CA 90012  
 (213)629-3531  
<http://lalaw.lib.ca.us>

- 3. Additional materials may be available in the California State Archives including legislative committee working papers, departmental and legislative files, and certain records of the Governor's office.

Office of the Secretary of State  
 State Archives  
 1020 O Street  
 Sacramento, CA 95814  
 (916) 653-7715  
[http://www.ss.ca.gov/archives/archives\\_e.htm](http://www.ss.ca.gov/archives/archives_e.htm)

- 4. Several private companies in the Sacramento area specialize in legislative intent research. These firms, of course, charge a fee for their services.

Legislative Intent Service  
 712 Main Street  
 Woodland, CA 95696  
 (800) 666-1917  
<http://www.legintent.com>

Legislative Research Inc.  
 926 J Street, Suite 806  
 Sacramento, CA 95814  
 (800) 530-7613  
<http://www.lrihistory.com>

Legislative History & Legislative Intent  
 (888)676-1947  
<http://www.lhclearinghouse.com/jan.htm>

Capital Research  
 7582 Community Drive  
 Citrus Heights, CA 95610  
 (888) 325-4879  
<http://www.calcapitalresearch.com>

