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LEGISLATIVE INTENT RESEARCH IN CALIFORNIA

Legislative intent research of California laws can be difficult, but not impossible. California rarely publishes Legislative debates, reports or discussions. However, several published sources can provide a means to determine the intent of the Legislature. This outline has been prepared to assist you in your research using print resources available at the San Mateo County Law Library.

To further understand legislative intent, it may be helpful to review these references before beginning your research:

58 Cal Jur 3d, Statutes Sec. 102 et seq. (Consideration of Language)

3 Pacific Law Journal (Jan 1972): 63-87, "Sources of Legislative Intent in California," by Bertha Rothe White.

The following is a suggested format for conducting legislative intent research in California.

- 1) Annotated Codes. Check the "Historical Notes" section of Deering's or West's California Codes to determine the Statute Chapter number and amendment date. This section may also cite relevant cases, reports and opinions.
- 2) Statutes and Amendments to the Codes. Here is found the final version of the bill as signed by the Governor. The language of the Chapter Statute before codification can be revealing. Additionally, the Legislative Counsel Opinion is an important preface that may provide insight into legislative finding or expression.
- 3) Final History of the Senate and Assembly. Arranged by AB or SB bill number, this serves as a diary of the bill in the Legislature listing the dates of floor readings, committee hearings and referrals, the date of passage and enrollment to Governor, and signing into law. Dates are important for accessing Journal materials.
- 4) Journal of the Senate and Assembly. Using the dates chronicled in the Final History, the Journal is valuable for amendments to bills and the record of vote. Occasionally, Committee and other reports are entered and published at the request of a Legislative Member. No floor discussion is reprinted.
- 5) Senate and Assembly Bills. Reading the complete text of a bill as it progresses through the Legislature can be revealing. Older materials are available with the California State Archives.
- 6) Committee Reports. Infrequently and inconsistently published. Select reports can be published within a Journal entry, or exist only in the Legislative file held with State Archives.
- 7) Author of the Bill. If still in office, the author or their legislative analyst staff, may provide insight into intent. Remember that legislative intent is a reflection of the entire Legislature not just the bill's author.
- 8) Shepard's California Citations; Statutes. "Shepardizing" the statute may give court case and law review references concerning interpretation and intent.
- 9) California Law Revision Commission; Studies, Recommendations and Reports. A retrospective analysis of reports, recommendations, and studies presented to the Legislature on particular areas of law that need to be amended, added or repealed.
- 10) Pacific Law Journal, v1-28 (1970-1996). Continued by McGeorge Law Review. Annual survey of selected California legislation published every January.

11) McGeorge Law Review, v29 (1997). Continues Pacific Law Journal. Annual survey of selected California legislation published every January.

12) California State Archives. Legislative resource materials include: Governor's Chaptered Bill Files, 1943 to date; Committee Bill Files, 1960 to date; Committee Hearing Files, 1940 to date; Author's Bill Files, 1950 to date; Agency Legislative Records, various dates; Legislative Bill Files, 1849 to date (incomplete).

Contact the Archives in advance to determine availability of materials as some materials may have restrictions on their use. Arrangements can be made for the Archives Staff to do limited research. There is a charge for some services.

California State Archives
1020 "O" Street
Sacramento, CA 95814
916-653-2246
FAX 916-653-7363
E-mail: ArchivesWeb@ss.ca.gov
Web site: www.ss.ca.gov/archives/archives.htm

13) Current and past bill information online: www.leginfo.ca.gov , click on Bill Information.

14) Legislative intent services. Fee-based services available for the purpose of legislative intent research:

Legislative History Clearinghouse
PO Box 74005
Davis, CA 95617
888-676-1947
<http://www.lhclearinghouse.com>

Legislative Intent Service
712 Main Street, Suite 200
Woodland, CA 95695
800-666-1917
www.legintent.com

Legislative Research, Inc.
1107 9th Street, Suite 220
Sacramento, CA 95814
800-530-7613
<http://lrhistory.com>

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