

PENNSYLVANIA LEGISLATIVE HISTORY

What is a Legislative History?

A “Legislative history” is the chronology of legislative action which includes the background and events leading to the enactment of a statute. A legislative history can help the researcher understand legislative intent which, in turn, assists in the interpretation of the statute’s language. To uncover the history of a piece of legislation, a researcher must look at many sources of legislative information.

Sources of Pennsylvania Legislative History

Bills

Bills are proposed legislation. Bills give the sponsors’ names and the text of the proposed legislation. Pennsylvania has two legislative bodies which produce bills: **THE HOUSE OF REPRESENTATIVES (HOUSE)** and the **SENATE**. House and Senate bills *can* have three different sets of numbers assigned to them: *Bill Number*, *Printer’s Number* and *Act Number*. Bills are numbered in the order in which they are introduced into the respective legislative bodies. Printer’s numbers are assigned in accordance with the committee referral dates and change whenever the bill is amended. If a bill becomes law, it is listed by the Act number. Acts are numbered chronologically in the order in which they were passed. They are then published in the official Pennsylvania Consolidated Statutes.

Committee Hearings

Committee hearings can be good sources of information about proposed legislation. However, hearings often are held only on legislation that is controversial or widely significant. The Pennsylvania Archives (717-783-2381) and the Senate Library (717-787-6120) maintain back files of Pennsylvania hearings which can be accessed by date, sponsor, committee or subject. Also, Pennsylvania newspapers frequently cover major hearings and/or may do in-depth articles, which can help the researcher better understand the broader context of the issues and the views of officials and the public about the proposed legislation.

Committee Reports

Once introduced, bills are assigned to a committee to be studied. Although committee reports are not officially published and made available to the public, many may be obtained from the Pennsylvania Archives and/or the Senate Library. These are accessed by subject, committee, date or sponsor.

History of House Bills and Resolutions and History of Senate Bills and Resolutions (“HISTORIES”)

HISTORIES give a chronological accounting of House and Senate Bills for each legislative session and act as finding aids to the debates contained in the Pennsylvania legislative journals. Bills can be accessed by the House and/or Senate Histories’ subject index, as well as by bill number.

Pennsylvania Legislative Journals of the House of Representatives and of the Senate (“JOURNALS”)

The **JOURNALS** record debates on the floor of the House and Senate pursuant to a bill and also record any vote taken on the bill. The floor action is useful in establishing the purpose and possible impact of a bill if there is any debate.

Laws of Pennsylvania (“LAWS”)

The **LAWS** are a chronological arrangement of the Acts by number in bound volumes dating back to 1700.

Purdon’s Pennsylvania Consolidated Statutes Annotated and Purdon’s Pennsylvania Statutes Annotated (“Purdon’s”)

Purdon’s is an *unofficial* subject compilation of the laws, arranged by title and annotated with cases. Sections include historical and statutory notes. **Purdon’s** is updated by annual pocket parts and by **Purdon’s Pennsylvania Legislative Services**. The *official* state source is **Pennsylvania Consolidated Statutes**.

Why Research a Legislative History?

A researcher tracks the legislative history of a particular piece of legislation to determine legislative intent, i.e. why was this legislation proposed and passed? The Pennsylvania Statutory Construction Act (1 Pa.C.S. §1501 *et. seq.*) at §1921 (a) states: “The object of all interpretation and construction of statutes is to ascertain and effectuate the intention of the General Assembly.” Section c of the same act states: “When the words of the statute are not explicit, the intention of the General Assembly may be ascertained by considering, among other matter: (1) The occasion and necessity for the statute, (2) The circumstances under which it was enacted, (3) The mischief to be remedied, (4) The object to be attained . . . , (7) The contemporaneous legislative history, (8) Legislative and administrative interpretations of such statute.”

What Steps Should a Researcher Take to Determine Legislative History?

☐ Identify the Act Number

If using **Purdon’s**, the Act Number is listed at the end of the statute citation.

For example: 23 PA C.S.A. §2725: 1980, Oct. 15 P.L. 934, No. 163§1, effective Jan. 1, 1981.

1980 is the **year** the bill became law
Oct. 15 is the **date** the bill became law
P.L. 934 is the Pamphlet Law Number which is the page number in the 1980 volume of **Laws of Pennsylvania**
No. 163 is the **act** number
Jan. 1, 1981, is the **date** the law became **effective**.

☐ Locate the Bill Number

Since 1965, the bill number has been printed on the first page of each Act (in the upper left hand corner) in the **LAWS**. Before 1965, or if you do not have access to the **LAWS**, consult the indexes in the **HISTORIES**. The location of the indexes in the **HISTORIES** vary according to the year of the bill.

☐ Consult the HISTORIES

Choose the appropriate history according to what type of bill it is, i.e., House or Senate, and its date. Under the bill number, a researcher will find an overview of all

legislative action. From 1960 to present, look for notations in parentheses to “**Remarks**” in the **JOURNALS**. These referenced journal pages will contain the verbatim debate on the floor of the House or Senate concerning the bill in question. Prior to 1960, a researcher must look in the indexes of the **JOURNALS** by subject and bill number for “Remarks on, by”. All other references to action on the bill simply list procedural actions; there is no discussion or debate.

☐ Read Remarks in the JOURNALS

Consult the “**Remarks**” pages in the respective **JOURNALS**. A researcher should be aware that often the remarks in the **JOURNALS** are general in nature

What Online Resources are Available?

The General Assembly of Pennsylvania has an excellent web site at www.legis.state.pa.us. Through this site one may obtain the full text and history information of House and Senate Bills from the 1969-70 Regular Session to the present (click on “session information”). The site can be searched by bill number or keyword. Bill tracking reports also can be generated.

Electronic access to the full text of bills and bill tracking for the current legislative session is available on both **Westlaw** and **Lexis**. Purdon’s also is available on both of these legal databases. However neither legal database contains the **JOURNALS** and **HISTORIES**. The official version of **PA Laws, Pennsylvania Consolidated Statutes**, is not available online, although there is an *u n o f f i c i a l* version at <http://members.aol.com/StatutesPA/Index.html>.

Jenkins Law Library in Philadelphia maintains a web site at www.jenkinslaw.org. Jenkins has a large number of completed legislative histories for selected acts from 1800 to the present date. Although you may view their overall list of legislative histories, which are organized by year and then act, there is a non-member charge for accessing them. Payment may be made by credit card or check.

The Widener Legal Information Center linked from www.law.widener.edu maintains a Pennsylvania Research web page with useful links organized by subject. These legal and non-legal PA resources can be accessed from the law library’s main page and include legislative material.