

## **CHAPTER 5 RESEARCHING LEGISLATIVE HISTORY**

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### **GETTING STARTED**

#### **Deciding on Research Goals**

Searching for legislative history on either the federal or state level can be time-consuming. It is an activity that most researchers do not undertake routinely. However, in the many areas in which statutes are involved, the question of what the legislature intended is often raised.

Through the 1980s, legislative history was regularly cited in opinions from the U.S. Supreme Court and U.S. Courts of Appeals. In more recent years, the late Justice Scalia and retired Justice Kennedy were vocal opponents of its use, and citations to legislative history by the Supreme Court are not as pervasive as in the past.

Unlike in federal court opinions, there are still many such references in current state court opinions. In Maryland, locating legislative history materials has always been a challenge, however, the situation is improving due to enhancements to the General Assembly website, recent efforts by the Legislative Services Library to maintain bill files in a systematic fashion, and efforts by the Maryland State Law Library to digitize selected Maryland legislative history materials.

The first step in this process is to determine the purpose of the research and whether a cursory or an in-depth search is necessary.

#### **Gathering Information**

In traditional legal research, gathering references to cases and statutes and reading the actual text are often not discrete steps. A researcher finds a cite to a statute that appears relevant and proceeds to read it, coming back to the index or to the initial online source later to make sure that all important sources have been found.

To do efficient legislative history research, however, it is essential to spend time at the beginning gathering information. While the code is the logical starting point, many of the documents are accessible only by bill number or other references that are not included in the current code. It is critical to understand that legislative history research is of a session law or laws, rather than a section of the code, which may be the product of several session laws.

Information that should be determined at the outset includes, at a minimum:

- Session law number (e.g., for federal statutes, the public law number, for Maryland statutes, chapter law number)
- Bill number(s)

The session law information can be found at the end of the relevant code section(s). The bill number is usually noted on the session law and sometimes in tables published with a jurisdiction's legislative materials.

### **Compiled Federal Legislative Histories**

A compiled legislative history is a collection of legislative history documents for a bill or statute that has already been assembled. Compiled legislative histories can save researchers a substantial amount of time as the documents have already been found. However, compiled legislative histories can vary in quality with some having all the relevant documents and others lacking critical materials. Compiled legislative histories are also useful for learning the process of doing a legislative history as they contain the types of documents you might need to locate.

The Law Library has compiled legislative histories in print for several federal statutes. Try searching the Law Library's catalog by the name of the statute to locate these titles. Additionally, there several other online and print sources for finding compiled legislative histories, including:

- [Congress.gov](https://www.congress.gov)  
The official website for U.S. federal legislative information. Congress.gov provides legislation text for all federal legislation introduced from 1951 to date. Researchers can also find links to committee reports and hearings for legislation from 1995 to date.
- [Legislative History, U.S. Code](#) (Westlaw, login required)  
Provides access to all congressional committee reports for all federal legislation from 1948 to the present, including reports on bills that did not become law, beginning with 1990. Also sets out the legislative history of public laws as reprinted in U.S. Code Congressional and Administrative News (USCCAN) from 1948 through 1989, as well as the legislative history of securities laws beginning with 1933 and presidential signing statements reprinted in USCCAN beginning with 1986.
- [Legislative Source Book](#)  
Provided by the Law Librarians' Society of Washington, D.C., this resource lists and provides hyperlinks to legislative history materials freely available online for selected federal statutes.
- [ProQuest Legislative Insight](#) (ProQuest, login required)  
Law Library database that provides compiled legislative histories for federal statutes from 1929 to date. Compiled legislative histories typically include text of related bills, hearings, committee reports, and floor debate. Provides PDF versions of the original source documents.

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- [Sources of Compiled Legislative Histories, 4th ed.](#) (HeinOnline, login required)  
Identifies compiled legislative histories for various federal statutes. Covers laws beginning with the 1st Congress through the 114th Congress.
- [US - CIS/Index](#) (Lexis, login required)  
Provides compiled legislative histories for enacted legislation from 1970 to date.
- [U.S. Federal Legislative History Library](#) (HeinOnline, login required)  
Provides compiled legislative histories for selected federal statutes from the 1st Congress to date. This collection includes PDF versions of the original source documents.
- [U.S. GAO Federal Legislative Histories](#) (Westlaw, login required)  
Provides access to compiled legislative histories for most federal statutes enacted between 1921 and 1995. This collection includes PDF versions of the original source documents.

## RESEARCHING FEDERAL LEGISLATIVE HISTORY

### General Information

While all legislative history materials have only persuasive legal authority, certain types of legislative history documents are considered by the courts to be more persuasive than others. Normally the highest persuasive value is assigned to the reports of the congressional committees that considered the proposed legislation and recommended its enactment. Other types of legislative history documents that have been cited in court opinions and relied upon as evidence of legislative intent include: statements made on the floor of Congress in legislative debate, statements or testimony at committee hearings, and earlier or alternative versions of the bill. Statements made and reports written after enactment are usually found to be less persuasive.

On the federal level, therefore, if one has a limited amount of time, reviewing the committee reports selected for publication in the United States Code Congressional and Administrative News (U.S.C.C.A.N.) can be a reasonable strategy. If a more in-depth search is necessary, other sources that will be covered below should be consulted to locate other types of documents.

[ProQuest Congressional](#) and [ProQuest Legislative Insight](#) (login required) are both subscription databases available to the University of Maryland Francis King Carey School of Law community and are incredibly useful for legislative history research. They are referenced several times in this chapter as a source for many types of Congressional information.

This chapter deals specifically with federal and Maryland legislative history research. For legislative history of laws of other states, it is best to consult a librarian. The Thurgood Marshall Law Library does not generally carry legislative history materials for states other than Maryland, and it may be necessary in some cases to either contact or visit a law library or the legislative library in that state. It is also possible to find more recent materials on the internet.

### ***United States Code Congressional and Administrative News (U.S.C.C.A.N.)***

Most commentators agree that committee reports are the most persuasive documents for a legislative history. An easy way to find committee reports for federal bills that have become law is to use the United States Code Congressional and Administrative News (U.S.C.C.A.N.). In addition to an unofficial version of the federal session laws, U.S.C.C.A.N. contains reprints of selected committee reports, *United States Statutes at Large* citation; bill number; names of committees and committee report numbers; and dates of consideration and passage in the House and Senate, and other information. It has been published since 1941; legislative history coverage began in 1948. Access is by public law number. Note that there are both “Legislative History” volumes and “Laws” volumes.

The Law Library no longer subscribes to U.S.C.C.A.N., but retains print volumes from 1941 to 2018 (Level 3, [KF48 .U5](#)). U.S.C.C.A.N. is also available on [Westlaw](#) (login required) (1948 to date).

### **Congressional Information Service (C.I.S.) Index/Abstracts/Legislative Histories**

Published since 1970, this index contains the most complete summary of federal legislative history information. The main index is by subject, although you can also search by bill number, public law number, or title. From 1970 to 1983, two bound volumes were issued for each year—an Index volume and an Abstracts volume. The Abstracts volume contained a section with legislative histories of enacted laws. Since 1984, this information has appeared in a separate annual “Legislative Histories” volume. Contents include: bill numbers; references to hearings (including hearings on related bills from prior sessions); references to committee reports; dates of consideration in the *Congressional Record*; and references to presidential documents. When using the print CIS Index and Abstracts, it is necessary to record the report number or Superintendent of Documents number (for hearings) also given in CIS to locate the actual documents.

The Thurgood Marshall Law Library has the print volumes only through 2010 (Level 3, [KF49 .C62](#)). CIS also publishes a companion set of microfiche containing the text of the documents that are indexed, but the Law Library does not subscribe to the microfiche set.

CIS Index and Abstracts are also available online through several databases, including: [Lexis, US-CIS Index](#) (1970 to date), [Lexis, CIS/Historical Index](#) (1789 to 1980), [ProQuest Congressional](#) (1789 to date), and [ProQuest Legislative Insight](#) (1929 to date, enacted statutes only) (login required). The CIS Index and Abstracts on these online services organizes all of the documents associated with the law by document type, and links to the full text when available.

### ***United States Statutes at Large (Session Laws)***

The *United States Statutes at Large (Statutes at Large)* is the official collection of session laws enacted during each session of Congress. Since 1975, a legislative history summary has been included at the end of the text of each public law (session law); from 1963 to 1974, this information appears in a table called “Guide to Legislative History” at the end of each volume. Contents include: text of session law; bill number; cites to House and Senate Reports; dates of consideration

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in the *Congressional Record*; and dates of presidential statements in the *Weekly Compilation of Presidential Documents*. There are several sources for the *Statutes at Large* or public laws, including:

### Print

The Law Library has the *Statutes at Large* in print (1789 to 2012) on Level 3, General Stacks (KF50).

### Online

- [govinfo](#) (coverage varies)  
Provides access to digitized volumes of the *Statutes at Large* (1951 to 2013, PDF available), and [public laws](#) (1996 to date, PDF available).
- [Bloomberg Law](#) (login required) (1778 to date)
- [HeinOnline](#) (login required) (1789 to 2012, PDF available)
- [Lexis](#) (login required) (coverage varies)  
Lexis provides access to the *Statutes at Large* (1789 to date, PDF available), and to a collection of [public laws](#) (1988 to date).
- [Westlaw](#) (login required) (coverage varies)  
Westlaw has the *Statutes at Large* (1789 to 1972, PDF available), [current public laws](#) (most recent two years) and [historic public laws](#) (1973 to 2018).

### **Bills**

Rarely are bills enacted as introduced in Congress. Before a bill is reported to the floor, committees will consider alternative versions or proposed amendments. Once the bill is sent to the floor, legislators propose, debate, and vote on additional amendments. Comparisons of enacted language with that found in earlier versions of the bill or in amendments that were not accepted can sometimes be used to infer the intent of the final version.

Bills introduced in each Congress are numbered consecutively in separate series for the House and Senate and are cited as:

- H.R. 1471, 94th Cong. (1976).
- S. 21, 98th Cong. (1983).

Bill number sequences continue through both sessions of a two-year Congress. Bills that do not pass “die” at the end of a Congress. They can be re-introduced, but will be given a new number. H.R. or S. is the prefix of a bill depending on whether it originates in the House of Representatives or Senate. Sources for locating the full text of bills include:

### Microform

*Congressional Bills, Resolutions, and Amendments* (Law Library, Level 1, Media Microfiche, KF42 .U5)

The Thurgood Marshall Law Library has from the 96th Congress (1980) through the 106th Congress (2000) in the microform cabinets on Level 1. It is necessary to use the black binder on the shelves next to the cabinets to translate a bill number into a microfiche number.

### Online

- [Congress.gov](#) (1989 to date, PDF available)
- [Bloomberg Law](#) (login required) (1993 to date, PDF available)
- [govinfo](#) (1993 to date, PDF available)
- [Lexis](#) (login required) (1989 to date)
- [ProQuest Legislative Insight](#) (login required) (1929 to date, PDF available)  
Bills are only available for enacted legislation.
- [Westlaw](#) (login required) (1995 to date)

### **Hearings**

Statements made in testimony before the committee considering proposed legislation or by committee members have also been accepted by the courts as evidence of legislative intent. Their usefulness is limited by the large amount of testimony pro and con on many bills and the difficulty in establishing a connection between remarks made at the hearing and the final language of the bill.

Hearings may be held in Congress prior to introduction of a bill, either during the session in which the bill is introduced or in an earlier session. Each committee decides which of its hearings are to be published. The National Archives has the transcripts of unpublished hearings. Senate hearings generally remain closed for twenty years, and House hearings remain closed for thirty years. Hearings that contain classified or sensitive material generally remain closed for fifty years.

Hearings are not held on all pieces of federal legislation, and even if held may not be published. Those which are published are cited as follows:

*Guns versus Butter: How the Military Budget Affects Aging Americans: Hearings Before the Subcomm. on Retirement Income & Employment of the H. Select Comm. on Aging, 97th Cong., 1st Sess. (1981).*

Note that *The Bluebook* form does not include the Superintendent of Documents (SuDocs) classification number necessary to locate published hearings in most government documents collections.

There are several sources for locating hearings and transcripts of testimony before Congressional committees, including:

### Microform

The Law Library has selected hearings on microfiche from approximately 1980 to date. Hearings are arranged by SuDoc number and are located on Level 1, Media Microfiche (Microform Cabinets). The SuDoc number for Congressional hearings begins with Y4.

### Print

The Law Library has selected hearings in print from approximately 2010 to date. Hearings are arranged by SuDoc number and are located on Level 1, Government Document Stacks (Compact Shelving). The SuDoc number for Congressional hearings begins with Y4.

### Online

- [Bloomberg Law](#) (login required) (1995 to date, PDF available)
- Federal News Service ([Westlaw](#), login required, 01/2010 to 05/2019; [Lexis](#), login required, Aug. 1988 to May 2019; [govinfo](#), 1995 to date, with selected coverage from 1957 to 1994, PDF available)  
Provides hearing transcripts and prepared witness statements.
- [HeinOnline](#) (login required) (1887 to date, PDF available)
- [Lexis](#) (login required) (1824 to date, PDF available)
- [ProQuest Congressional](#) (login required) (1824 to date, PDF available)
- [ProQuest Legislative Insight](#) (login required) (1929 to date, PDF available)  
Hearings are only available for enacted legislation.
- [Westlaw](#) (login required) (1993 to date)  
See also [Westlaw's GAO Federal Legislative Histories](#) for official transcripts of hearings for enacted federal statutes (1921 to 1995, PDF available).

### **Committee Reports**

During the legislative process, bills are introduced and then typically referred to one or more legislative committees for further consideration before being considered by the entire chamber. If a bill is considered by a committee according to the regular rules of the committee process, then each bill that is successfully voted out of committee and referred to the entire chamber for debate is accompanied by a committee report. In many cases, but not all, there are separate House and Senate reports available for each enacted law, as well as a conference report if the final language was developed by a conference committee.

As noted previously, committee reports are the most useful sources of legislative history. Their importance stems from being written for purposes of explaining the proposal and its likely effects by the legislators who looked at the bill most closely.

Congressional committee reports are published in separate numerical sequence for each Congressional session. If a conference committee is convened to reconcile differences between House and Senate versions of a bill, a conference committee report is issued. There are separate numbered series of House and Senate reports for each two-year Congress. Conference reports are numbered within either the House or Senate series. The documents are commonly referred to by a number including that of Congress, e.g., "H. Rep. No. 97-857." *The Bluebook* citation form is as follows:

- S. REP. No. 84-2 (1955).
- H.R. REP. No. 97-857 (1982).

There are several sources for locating Congressional committee reports, including:

### Print

U.S. Congressional Serial Set (Law Library, Level 3, [Government Document Stacks](#))

The U.S. Congressional Serial Set (the “Serial Set”) began publication with the 15th Congress, 1st Session (1817). The Serial Set contains House and Senate Documents and the House and Senate Reports. The documents and reports are first published as separate pamphlets and then later bound by session of Congress. The Law Library has Serial Set bound volumes and pamphlets from 1967 to date.

### Online

- [Bloomberg Law](#) (login required) (1995 to date, PDF available)
- [Congress.gov](#) (1995 to date, PDF available)
- [govinfo](#) (1995 to date, PDF available)
- [HeinOnline](#) (login required) (selective coverage, 1817 to 1977; full coverage 1978 to date, PDF available)
- [Lexis](#) (login required) (selective coverage 1981 to 1982 and 1989 to 1992; full coverage 1993 to date)
- [Library of Congress, American Memory](#) (selective coverage, 1833 to 1917, PDF available)
- [ProQuest Congressional](#) (login required) (1817 to date, PDF available)
- [ProQuest Legislative Insight](#) (login required) (1929 to date, PDF available)  
Reports are only available for enacted legislation.
- [Westlaw](#) (login required) (1948 to date)  
See also [Westlaw’s GAO Federal Legislative Histories](#) for reports (1921 to 1995, PDF available) for enacted legislation. Reports are also available by selecting session laws from the credits of code sections and selecting “Legislative History Materials.”

### **Committee Prints**

Many committee studies and reports are published under the general classification “committee prints” and often contain statistics and other background information. Although not widely distributed in hard copy, post-1970 prints are available through the general *CIS* indexes.

Like committee reports, these are assigned consecutive numbers in a series for either a House or Senate session. There are several sources for locating Congressional committee prints, including:

### Microform

The Law Library has selected prints on microfiche from approximately 1980 to date. Prints are arranged by SuDoc number and are located on Level 1, Media Microfiche (Microform Cabinets). The SuDoc number for Congressional hearings begins with Y4.

### Print

The Law Library has selected committee prints. Most prints are organized as separate pamphlets by SuDoc number on Level 1, Government Document Stacks (Compact Shelving). The SuDoc number for committee prints begins with Y4. Some prints, however, are cataloged as individual titles and are located throughout the collection and must be found using the Law Library's online catalog.

### Online

- [Bloomberg Law](#) (login required) (coverage varies, PDF available)  
Access provided from the *Legislative Resources* content page: [House Prints](#) (1995 to date), [Senate Prints](#) (1997 to date), and [Joint Committee Prints](#) (1995 to date).
- [govinfo](#) (1995 to date, PDF available)
- [Lexis](#) (login required) (Aug. 1994 to Dec. 2003)
- [ProQuest Congressional](#) (login required) (1817 to date, PDF available)

### **Floor Debates**

Floor debate usually occurs after a bill has been reported out of committee and includes comments made about the bill by sponsors and other legislators during consideration or while on the floor. The *Congressional Record* (CR) has been the official source for Congressional floor debates since 1873. Members have always had the ability to correct or revise remarks prior to publication. Differing systems (bullet symbols or variations in typeface) have been in use since 1978 to indicate material inserted or substituted after the fact. The *Congressional Record* is published in both a daily edition and, after about five years, a permanent or bound edition. The two editions are paginated differently.

Predecessors to the *Congressional Record* are the *Journals of the Continental Congress* (1774 to 1789), *Annals of Congress* (1789 to 1824), *Register of Debates* (1824 to 1837), and the *Congressional Globe* (1833 to 1873). Sources for floor debate include:

### Microform

The Law Library has the *Congressional Record* (Permanent Edition) on microfilm (1873 to 1975) and on microfiche (1985 to 2012). The *Congressional Record* (Daily Edition) is available on microfiche (1993 to 2012). These collections are located on Level 1, Media Microfiche. The Law Library also has the *Annals of Congress*, *Register of Debates*, and the *Congressional Globe*, on microfiche, Level 1, Media Microfiche.

### Print

The Law Library has the *Congressional Record* (Permanent Edition) in print (1945 to 1984) on Level 3, General Stacks ([KF35 .R3](#)). The Law Library also has the multi-volume set, *Abridgment of the Debates of Congress: From 1789 to 1856*, on Level 3, General Stacks ([KF36 .B4](#)). This set contains various editions of the *Annals of Congress*, *Register of Debates*, and the *Congressional Globe*.

### Online

- [Bloomberg Law](#) (login required) (1933 to date, CR (Daily ed.))
- [Congress.gov](#) (1925 to date, CR (Daily ed.), PDF available)
- [govinfo](#) (coverage varies, PDF available)  
Provides access to the [CR \(Permanent ed.\)](#) (called the “Bound Edition”) (1873 to 2016) and the [CR \(Daily ed.\)](#) (1994 to date).
- [HeinOnline](#) (login required) (coverage varies, PDF available)  
Provides access to the [CR \(Permanent ed.\)](#) (1873 to 2015), [CR \(Daily ed.\)](#) (1980 to date), *Journals of the Continental Congress* (1774 to 1789), *Annals of Congress* (1789 to 1824), *Register of Debates* (1824 to 1837), and the *Congressional Globe* (1833 to 1873).
- [Lexis](#) (login required) (1985 to date, CR (Daily ed.))  
Also has [CR Permanent Ed.](#) (1873-1997, PDF available)
- [Library of Congress, American Memory](#) (coverage varies, PDF available)  
Provides access to the [CR \(Permanent ed.\)](#) (1873 to 1875) *Journals of the Continental Congress* (1774 to 1789), *Annals of Congress* (1789 to 1824), *Register of Debates* (1824 to 1837), and the *Congressional Globe* (1833 to 1873).
- [ProQuest Congressional](#) (login required) (coverage varies)  
Provides access to the CR (Permanent ed.) and predecessors (1789 to 2013, PDF available) and the CR (Daily ed.) (1985 to date).
- [ProQuest Legislative Insight](#) (login required) (1929 to date, PDF available)  
Floor debate is only available for enacted legislation.
- [Westlaw](#) (login required) (1985 to date, CR (Daily ed.))  
For floor debate regarding enacted legislation, see also Westlaw’s [Legislative History](#) library (1948 to date) and [GAO Federal Legislative Histories](#) library (1921 to 1995, PDF available).

### **Presidential Signing Statements**

Sometimes presidents issue statements upon signing a bill into law to indicate the President’s opinion about the purpose or constitutionality of a law. These signing statements are frequently included as part of a law’s legislative history. The *Weekly Compilation of Presidential Documents*, which was published from 1965 to 2009, and the *Daily Compilation of Presidential Documents*, which has been published since 2009, are the most complete sources for signing statements and other presidential documents. *Public Papers of the President* cumulates material from the *Weekly/Daily Compilation of Presidential Documents* into bound format. Prior to the Carter presidency, materials were included in the bound volumes only on a selective basis. Sometimes presidential messages relating to proposed or enacted legislation can be found in the *Congressional Record* or printed as Congressional Documents. Sources for signing statements include:

### Microform

The Law Library has the *Weekly Compilation of Presidential Documents* on microfiche, Level 1, Media Microfiche (1992 to 2009).

Print

*Public Papers of the Presidents* (Law Library, Level 1, General Stacks, J82 .D to J82 .E)

The Law Library has the *Public Papers* for the following presidents: Hoover, Truman, Eisenhower, Kennedy, Johnson, Nixon, Ford, Carter, Reagan, G. Bush, Clinton, G. W. Bush, and Obama. Papers for subsequent presidents will be added as published.

*A Compilation of the Messages and Papers of the Presidents: 1789-1897* / James D. Richardson (Law Library, Level 1, J81 .B96)

A multi-volume series that consists of selected proclamations, messages, and speeches, from several presidents beginning with Harrison and ending with T. Roosevelt.

Online

- [govinfo](#) (1992 to date, PDF available)
- [HeinOnline](#) (login required) (coverage varies, PDF available)  
The U.S. Presidential Library on HeinOnline provides access to the [Compilation of Presidential Documents](#) (1965 to date), [Public Papers](#) (1931 to 2014), and many other collections of presidential documents.
- [Lexis](#) (login required) (1981 to date, documents added a month after publication)
- [ProQuest Congressional](#) (login required) (1969 to date, PDF available)  
Includes presidential signing statements for selected enacted legislation.
- [ProQuest Legislative Insight](#) (login required) (1929 to date, PDF available)  
Includes presidential signing statements for selected enacted legislation.
- [Westlaw](#) (login required) (2000 to date)  
For presidential signing statements for enacted legislation, see also Westlaw's [Legislative History](#) library (1948 to date) and [GAO Federal Legislative Histories](#) library (1921 to 1995, PDF available).

## RESEARCHING MARYLAND LEGISLATIVE HISTORY

### General Information

Researching the legislative history of a Maryland session law can be a time-consuming undertaking that ultimately results in little new insight into the thinking behind a particular legislative enactment. Nonetheless, there is often information of some value to be found and the following is an overview of both the sources to use and some tips on how to use them effectively.

Much of the information that follows is taken from an article by Michael S. Miller and Judith C. Levinson entitled *Ghost Hunting: Searching for Maryland Legislative History*. The full article provides more background and detail about the sources highlighted below. The Maryland State Law, which makes the Ghost Hunting article available, also provides a companion [Guide to Maryland Legislative History Research](#) and a [Checklist for Maryland Legislative History Research](#), that are very useful for researchers.

## Maryland Legislative Bill Files

Researching the legislative history of a Maryland statute frequently requires consulting Maryland legislative bill files. Bill files are usually created for every bill introduced in the Maryland General Assembly and have been consistently compiled since 1975. The bill files are generally retained by the various General Assembly standing committees for one year, then turned over to the Maryland Department of Legislative Services Library for filming. Bill files are organized by chronologically by year, chamber (House or Senate) and bill number. Although coverage varies by year and by bill, most bill files contain some or all the following materials:

- bill drafting data such as who requested the bill, who drafted it, the purpose statement, various amending steps;
- a copy of the bill as first submitted and subsequent readers;
- the fiscal note that must accompany every bill;
- witness lists, copies of written testimony submitted at Committee hearings, and, occasionally, notes on oral testimony;
- amendments prepared for a bill, whether or not submitted to a vote;
- committee votes;
- committee reports;
- miscellaneous notes, including any study commission reports;
- floor votes on the bill, if any;
- Attorney General's bill-review letter for every bill reaching the Governor's desk for signing; and
- reference to bill(s) in previous sessions on same topic.

Unfortunately, there is often a substantial lag time (sometimes more than a *decade*) in creating digitized or microfilmed bill files for wider public distribution. However, more recent bill files are usually available for public inspection at the Legislative Services Library in Annapolis, Maryland.

Sources for Maryland legislative bill files include:

### Microform

The Law Library has a collection of Maryland legislative bill files (1976, 1978 to 2004) on microfilm, Level 1, Media Microform ([KFM1288.5 .M37](#)).

### CD-ROM

The Law Library has a collection of Maryland legislative bill files (2003 to 2008) on CD-ROM Level 2, Media ([KFM1288.5 .M37](#)).

### Online

The Maryland State Law Library has created an [online collection of Maryland legislative bill files](#). Comprehensive coverage is available from 2003 to 2007; selected coverage from 1993 to 2002 and 2008.

### ***Laws of Maryland (Session Laws)***

Maryland session laws, as enacted by the legislature and signed by the governor, are published chronologically in the *Laws of Maryland*. They are arranged by chapter number, which is a sequential number assigned as enacted legislation is signed into law. A new sequence of chapter numbers begins with each session of the legislature. Going to the session law is by far the most efficient way to determine the number of the bill that was enacted. Knowing the bill number is critical to using all additional legislative history sources. Some sources for Maryland session laws and the *Laws of Maryland* include:

#### Print

The Law Library has the *Laws of Maryland* in print (1860 to 2017) on Level 2, General Stacks ([KFM1225](#)).

#### Microform

The Law Library has the *Laws of Maryland* in microfiche (1979 to 2005) on Level 1, Media Microfiche.

#### Online

- [Archives of Maryland Online](#) (1634 to date, PDF available)
- [Bloomberg Law](#) (login required) (2000 to date)
- [HeinOnline](#) (login required) (1692 to date, PDF available)
- [Lexis](#) (login required) (1989 to date)
- [Maryland General Assembly](#) (1996 to date, PDF available)  
Also has volumes of the [Laws of Maryland](#) (2007 to 2020, PDF available)
- [Westlaw](#) (login required) (1990 to date)

### **Maryland Code Superseded Volumes**

Superseded volumes of the Maryland Code are older volumes that have been replaced by newer volumes. In addition to providing a snapshot of statutory language at a particular point in the past, these volumes can be a significant part of legislative history research. The Maryland State Law Library provides a [master list of all superseded volumes](#) of the Maryland Annotated Code published by Lexis/Michie since 1957.

From 1974 to 2016, the edition of the code that was first published in 1957 was gradually replaced by a new and reformatted edition. The numbered articles of the 1957 edition were replaced by named articles. The first time a volume appears in the new format it includes Revisor's Notes, which explain in some detail the editorial and substantive changes that were made in recompiling from the format of the 1957 edition. Unfortunately, these Revisor's Notes are only included in this first publication and not in any subsequent republications of the volume. If a "Replacement Volume" is the current volume, then reference must be made back to the superseded volume that first introduced the named subject article to locate the Revisor's Notes. The Revisor's Notes are also available in the *Laws of Maryland*.

In addition, the new edition of the Maryland Code uses the 1957 edition of the code as a “platform” for session law information. Reference must be made to a superseded volume of the 1957 edition to find earlier session laws that have contributed to the section of the code as it currently stands. There are many instances where these session laws date back to the eighteenth century.

The Law Library has a nearly comprehensive collection of superseded Maryland Code volumes in print and microfiche. Print volumes are found on Level 2, Superseded Maryland Codes ([KFM1230 1957. A2](#)). The microfiche collection covers 1960 to date and is available on Level 1, Media Microfiche ([KFM1230 1957.A2a](#)).

## **Maryland House and Senate Journals**

The *Journal of Proceedings of the House of Delegates of Maryland* (Maryland House Journal) and the *Journal of the Proceedings of the Senate of Maryland* (Maryland Senate Journal) contain records of proceedings of the Maryland House and Senate. Access to the journals is by bill number and subject in an index that is published in the last volume of every year. The contents of the journals include the committee to which the bill was referred, subsequent amendments, the vote on amendments, and the final roll call vote. However, the results of searching in these volumes are often less than the researcher might expect, as much of the information provided is purely procedural. Sources for Maryland House Journal and Maryland Senate Journal include:

### Print

The Law Library has print volumes of the *Maryland House Journal* (1922 to 2013), on Level 2, General Stacks ([KFM1218 .H5](#)); and the *Maryland Senate Journal* (selected volumes 1908 to 1947, 1950 to 2013), on Level 2, General Stacks ([KFM1218 .S3](#)).

### Online

- [Archives of Maryland Online](#) (1634 to date, PDF available)
- [LLMC Digital](#) (login required) (coverage varies, PDF available)  
Has [Maryland House Journal](#) (1728 to 1990) and [Maryland Senate Journal](#) (1659 to 1990).
- [Maryland General Assembly](#) (2007 to 2019, PDF available)

## **Bills**

Bill number sequences span only one year’s legislative session. HB (House Bill) or SB (Senate Bill) is the prefix depending on the chamber of origin. The Maryland Constitution requires three readings on the floor for all enacted bills. The First Reading takes place before referral to a committee. The Second Reading occurs at the time of action on the floor. At this reading, the bill is open to amendments. The Third Reading occurs when the vote is taken. Amendments are not allowed at the time of the Third Reading. Pre-filed bills are filed before the session begins and are read on opening day. Sources for Maryland bills include:

### Print

Each version of a bill is printed first as a pamphlet. The Law Library later binds the bills in volume

organized by legislative session and bill number. The Law Library has print volumes and pamphlets of Maryland House bills ([KFM1206 .H5](#)) and Maryland Senate bills ([KFM1206. S3](#)) from 1967 to 2019 on Level 2, General Stacks. The Law Library also has volumes containing House Resolutions ([KFM 1206 .R32](#)) and Senate Resolutions ([KFM 1206. R32](#)) are available from 1967 to 2015.

### Online

- [Lexis](#) (login required) (1995 to date)
- [Maryland General Assembly](#) (1996 to date, PDF available)
- [Westlaw](#) (login required) (2005 to date)

### **Hearings**

There is no systematic publication of written transcripts of Maryland General Assembly hearings, but audio and more recently video recordings of committee meetings are available online from the [Maryland General Assembly website](#) (2011 to date). These recordings can be accessed on the General Assembly website by searching a bill number and reviewing the bill summary or by browsing committee name and meeting date. Transcripts of testimony are occasionally found in bill files (see prior section in this chapter, “Maryland Legislative Bill Files”).

### **Committee Reports**

Beginning in 1982, section-by-section analyses and floor reports provided by the committees are contained (if they were created) in the bill files (see prior section in this chapter, “Maryland Legislative Bill Files”).

### **Committee Prints**

While there is no comparable publication to federal committee prints, bill files often contain information such as the fiscal and policy note that must accompany each Maryland bill, study commission reports and miscellaneous notes.

### **Fiscal and Policy Notes**

Fiscal and Policy Notes are short reports that summarize bills and provide an estimate of a bill’s fiscal impact on the State, local governments, and small businesses. Fiscal and Policy Notes typically describe the current state of the law and provide background analysis. The Maryland Department of Legislative Services prepares these reports and legislative committees are required by law to have these reports before voting a bill out of committee (Md. Code Ann., State Gov’t § 2-1505). Fiscal and Policy Notes are included in legislative bill files and are also available from the following sources:

### Online

- [Lexis](#) (login required) (2006 to date)
- [Maryland General Assembly](#) (1996 to date, PDF available)

- [Westlaw](#) (login required) (1996 to date)  
Also available by selecting session laws from the credits of code sections and selecting “Legislative History Materials.”

### **Floor Debate**

Maryland General Assembly floor debates are not published, however audio recordings of Senate (from 1992) and House (from 2000) floor proceedings are available at the Legislative Services Library in Annapolis. Additionally, the [Maryland General Assembly website](#) provides audio and more recently video recordings of floor actions from the 2000 session.

### **General Assembly Website**

The [Maryland General Assembly website](#) includes information about bills introduced in the [current and past legislative sessions](#) (1996 to date). Access is by subject, bill number, sponsor, committee, or statutory section affected. The contents include sponsor, bill synopsis, current legislative history, and text of each bill version. The General Assembly website also provides access to publications such as the *90-Day Report*, a recap of legislative activity from the current session; video recordings of hearings; audio recordings of floor debate; and fiscal reports.

### **Governor’s Messages and Vetoes**

The Governor’s messages can provide insight into the administration’s proposed legislation. The traditional State-of-the-State message of the Governor appears in the House and Senate Journals. All executive orders and proclamations are reprinted and indexed in the Journal volumes and session laws and some also appear in the Annotated Code of Maryland, the Maryland Register, and COMAR. Executive veto messages generally appear in the Maryland House and Senate Journals (usually at the beginning of the session) and the *Laws of Maryland*.

### **Further Information**

Serious Maryland legislative history research may require a trip to the Legislative Services Library in Annapolis. Bill files that are too recent to be covered in the microform or CD collection are available there. As noted above, for a more detailed discussion of sources available, see [Ghost Hunting: Searching for Maryland Legislative History](#) and its more recent companion, [Guide to Maryland Legislative History Research](#).