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## *Legislative History in Virginia*

Legislative history encompasses the tracking of the history of a bill and the research to analyze the intent of legislators when they submitted, discussed, and passed or rejected a bill. As a result, documents such as legislative or executive reports and floor debates preceding the enactment of a bill into law are important to determine **legislative intent**. Such history becomes crucial when the meaning of a law or statute is challenged in court and clarification is required.

In Virginia, little information is available to determine legislative intent compared to that offered by other states or on the congressional level. There are no official transcripts of the House or Senate debates or of the proceedings of the standing committees.

Documents published by the General Assembly provide the history of bills, the approved and rejected amendments, the actions and votes of the committees, the vote of each house, and the final approved edition of each bill that becomes law.

Bills that are enacted into law during each legislative session become chapters and constitute the *Acts of Assembly* for every given year. Each chapter in the *Acts* refers to the Senate or House bill that created it. This information is essential for further research within the House and Senate journals and calendars.

The *Acts of Assembly* are codified every year into the *Code of Virginia*. Every section of the *Code* makes reference to the chapter or chapters and years of enactment of that particular *Code* section. This information is found in parentheses at the end of each section and states the chapter or chapters that created or amended it. For example:

(Code 1950, §64-16; 1968, c. 656; 1978, c. 647; 1986, c. 526; 1990, c. 831)

The phrase “Code 1950, §64-16” refers to the language incorporated into the *1950 Code of Virginia*. Often this language was part of the previous “edition” of the *Code*. The Library of Virginia maintains full copies of all the Codes of Virginia along with the updates from each session to enable historical research into the status of a law at a particular time.

## RESOURCES AT THE LIBRARY OF VIRGINIA

### LEGISLATIVE MATERIALS IN THE LIBRARY COLLECTION

*The Library maintains copies of the following materials in the print collection. Since 1994, this information has also been available on the Legislative Information System (LIS) at <http://leg1.state.va.us>.*

#### House and Senate Bills, Joint Resolutions, Resolutions

The various versions of a bill delineate the changes in text and, consequently, in intent from the time the bill is introduced until it becomes law. A bill always mentions the section of the *Code* that it will amend. Text in standard type indicates existing law. Text in *italics* indicates proposed language for amendment or addition to the current law. Text with a line through it is **stricken**, signifying proposed deletion. If a bill is drafted as a result of a legislative, executive, or agency study, this information will often be mentioned in the bill summary. Many of these studies are included in House and Senate Documents.

#### House and Senate Documents

House and Senate documents contain reports and recommendations by various agencies, committees, and commissions on topics for pending legislation.

#### House and Senate Calendars

House and Senate calendars are the agendas for each house, published daily when the General Assembly is in session. They contain the following:

- the bills and resolutions discussed each day
- the status of reported bills
- the reported bills from committees and the committees' votes
- the line amendments from the committees and the floor (crucial to determine intent)
- the recommendations or veto justifications of the governor

## House and Senate Journals

House and Senate journals incorporate information from the calendars, the final vote, and the minutes of each daily session.

## ARCHIVAL MATERIALS

*The following materials are housed in the State Archives at the Library of Virginia. For information about availability, restrictions, and copying, please contact Archives Research Services, 804-692-3888.*

### Enrolled Bills (1776–present)

These original documents are signed by the speaker of the house, the president of the Senate, and, starting in 1870, the governor.

### Executive Papers of the Governors (1776–present)

These records include appointments, commissions, correspondence, executive orders, invitations, minutes, proclamations, recommendations, reports, and speeches of the governors of the commonwealth.

### Video Recordings

The office of the Clerk of the House of Delegates keeps the latest five years of video recordings of sessions. Recordings of earlier years (1982–) are housed in the Library of Virginia Archives.

## ADDITIONAL RESOURCES

### LEGISLATIVE DRAFT FILES

All bills have a legislative draft file created by the Division of Legislative Services. The files may contain the bill request, background information justifying the proposal of the bill, copies with drafting changes, and any correspondence between the drafting attorney and the legislator. These files are in the custody of the Legislative Reference Center (804-786-3591) of the Division of Legislative Services at the General Assembly building. The files for bills that have passed since 1989 are available to the public in the Legislative Reference Center. For bills that did not pass or bills that passed prior to 1989, permission from the chief patron of a bill must be obtained before the file can be viewed. Additional information about the Legislative Draft Files is available at the Legislative Reference Center and online at <http://dls.state.va.us/lrc/leghist.htm>.

### VIDEO RECORDINGS

The House and Senate floor sessions have been recorded on video since 1982. The recordings are available for viewing or purchase for a fee through the clerk's office of each house. The House clerk's office keeps the latest five years of the recordings, while all previous years since 1982 are available in the Archives at the Library of Virginia. The Senate clerk's office keeps the tapes for six months following the reconvened session. After this period, the Senate recordings are no longer available. Contact the House or Senate clerk's office for additional information (House clerk's office, 804-698-1619; Senate Clerk's office, 804-698-7400).

### FISCAL IMPACT STATEMENTS

Occasionally bills require a fiscal impact statement. These statements are usually prepared by the Department of Planning and Budget and contain anticipated costs of the proposed legislation. Fiscal impact statements are available through the Legislative Reference Center or the appropriate clerk's office. Also, beginning in 2001, if a fiscal impact statement is prepared for a bill, a copy is linked to the bill text in the Legislative Information System.

## HOW TO OBTAIN COPIES OF DOCUMENTS

Copies of the Constitution, the *Code of Virginia*, bills and resolutions, minutes, daily floor calendars, House and Senate documents, and the cumulative index to bills, resolutions, and documents for 1994 through the current session are available online at the Legislative Information System Web site <http://leg1.state.va.us/lis.htm>.

Limited print copies of bills, resolutions, and calendars are available in the Bill Room in the Capitol, free of charge on request. In addition, the House Information and Publications Office and the Senate Information Office will provide copies of the roll call (the floor vote on each bill), and the final edition of each bill or enrolled copy is available free of charge on request.

Legislative Bill Room: 804-786-6984

House Information and Publications Office: 804-698-1500

Senate Information Office: 804-698-7410

General Assembly Web site: <http://legis.state.va.us>