

THE SUPREME COURT *of* OHIO  
LAW LIBRARY  
Information Series

# 4 Ohio Legislative History



Uncovering the history of Ohio bills and laws is often difficult because the Ohio General Assembly (OGA) does not maintain a formal, comprehensive record of the legislative activity for any given piece of legislation. Despite the absence of a clear paper trail, certain valuable sources of legislative history can be found in the Supreme Court of Ohio Law Library.

#### **OHIO REVISED CODE (READING ROOM, 11<sup>TH</sup> FLOOR)**

Getting started is as simple as looking at the relevant current section of the *Ohio Revised Code* (ORC) and determining what legislation preceded it.

Ohio has two privately published, unofficial versions of the ORC: Anderson Publishing's red volumes and Banks-Baldwin's blue volumes. Consult the ORC index to obtain the relevant code section number(s), and the "History" section following the code section for citations to earlier law.

An unannotated version of the ORC is available online at <http://onlinedocs.andersonpublishing.com>. An annotated version can be accessed on library computers for free through Lexis Nexis. From the Ohio database, select "Statutes and Regulations," or "Legislative Archive" for earlier versions, to begin. Earlier versions are also maintained in the AV Room on the 12<sup>th</sup> Floor.

#### **LAWS OF OHIO (READING ROOM, 11<sup>TH</sup> FLOOR)**

The official, chronological record of all session laws enacted by the OGA, including uncodified laws and laws vetoed by the governor. Though you will find references in the ORC's history sections to Swan and Critchfield, the General Code and the Bureau of Code Revision, all of which provide earlier codifications of Ohio law, the majority of citations will be to session laws found within *Laws of Ohio*.

The most common citation format will resemble 140 v H 250 or 142 v S 149. The first number refers to the *Laws of Ohio* volume number, while the remaining portion indicates House or Senate

bill number. To find the relevant ORC section within a bill, either page through the bill, which is printed in chronological order in the *Laws of Ohio*, or use the volume's index to correlate ORC section number to specific page number(s).

From 1927 to 1969, session laws indicated deletions with asterisks and insertions with italics. Since 1969, old language has been reprinted with lines striking through it, while new language is indicated in upper-case letters. Before 1927, a side-by-side comparison of the statutory language of enactments is necessary. Beginning in 2001, newly proposed language is underlined.

Since 1971, session laws have been reprinted in *Baldwin's Ohio Legislative Service* (KFO 30 B35). Session laws from 1997 forward can be found on the OGA Web site, [www.legislature.state.oh.us](http://www.legislature.state.oh.us). Session laws and related materials from 1997 on are also maintained in CD-ROM format at the circulation desk on the 11<sup>th</sup> Floor. Paper copies of pre-1997 bills not enacted into law are available there as well.

#### **OHIO LAWS AND RELATED MATERIALS ONLINE**

The following databases provide access to documents helpful in tracking specific legislation.

Ohio General Assembly

[www.legislature.state.oh.us](http://www.legislature.state.oh.us)

Bill text and analyses, status reports, fiscal notes, synopses of amendments and conference committees and live coverage of floor proceedings.

Ohio Capitol Connection

[www.ohcapcon.com/ohlink.htm](http://www.ohcapcon.com/ohlink.htm)

Bill text and analyses; committee reports, rosters and schedules; reporters' notes of committee activity; some testimony; biographies of OGA members; and contact information.

LexisNexis

[www.lexisnexis.com/](http://www.lexisnexis.com/)

Free access from all library computer terminals. From the Ohio database, select "Legislation and Politics" and "Ohio Bill Tracking" to obtain full text, synopses and status of bills from 1994 forward.

## ADDITIONAL LAW LIBRARY MATERIALS

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Ohio House/Senate Journals (Reading Room)

- Official minutes printed by each house the day following each OGA session day
- Bill titles and sponsors (primary sponsor first)
- Procedural accounts of the day's activities, such as member votes, referrals to and reports by committees, floor motions and emergency clauses
- Text of recommended amendments, including floor amendments, which may provide a clue to intent. Do not contain debate transcripts.

Ohio courts have given greater weight to the journals than any other source of legislative history aside from the statutes themselves (i.e. *State ex.rel. Peters v. McCollister*, 11 Ohio 46).

Bulletin of the General Assembly (KFO 15 A2)

- Status report of all bills introduced
- Date of action and citation to relevant House or Senate journal for every action taken
- Tables specifying ORC sections affected
- Subject matter indexing, list of bills by sponsor and indication as to whether bill has been amended, vetoed or substituted for.

Digest of Enactments, *formerly Summary of Enactments* (KFO 15 L43)

- Summaries of all bills enacted within an OGA
- ORC sections affected and commentary on effect of specific provisions
- Published twice during every OGA.

Though uncommon, the Supreme Court of Ohio has cited several digest entries as evidence of legislative intent (i.e. *Meeks v. Papadopoulos*, 62 Ohio St.2d 187).

LSC Bill Analyses (KFO 15 L42) or AV Room

- Analysis prepared when a bill is assigned to a committee, then updated as the bill moves through the legislative process. A final analysis is prepared

for all bills passed in the OGA

- Summaries of bills and amended versions of bills
- Indicate differences between bill and existing law
- Point out inconsistencies or problems with bills
- Do not present arguments for or against a bill or implications of passage; of negligible value in determining intent.

The Supreme Court of Ohio has said bill analyses are not controlling. But because they contain impartial descriptions of bill content and are simply written, they may be referred to when deemed helpful to gain better understanding (i.e. *State v. American Dynamic Agency, Inc.*, 70 Ohio St.2d 41).

Locating and Accessing Bill Analyses

- AV Room, 12<sup>th</sup> Floor: 104<sup>th</sup> GA (1961 forward)
- Ohio stacks, 11<sup>th</sup> Floor: 119<sup>th</sup> to 123<sup>rd</sup> GA (1991-2000)
- [www.ohcapcon.com](http://www.ohcapcon.com) (1989 forward) and [www.legislature.state.oh.us](http://www.legislature.state.oh.us) (1997 forward).

## ADDITIONAL RESOURCES

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Ohio Legislative Hotline

Call 1.800.282.0253. Contact only in regard to legislation from the current or immediately preceding OGA.

Ohio Historical Society Bill Files

Call 614.297.2510 or visit [www.ohiohistory.org](http://www.ohiohistory.org) for information regarding bill files from 1949 to the OGA immediately preceding the current one. Files are microfilmed at the close of each OGA and may contain alternate bill versions, fiscal notes, local impact statements, testimony from committee hearings and prepared statements read by witnesses.

Gongwer Ohio Report, [www.gongwer-oh.com](http://www.gongwer-oh.com)

Access from [www.supremecourtofohio.gov/](http://www.supremecourtofohio.gov/)

LawLibrary to obtain information about the OGA.

*For more information contact Public Services Librarian Ellen Seibert at [seiberte@sconet.state.oh.us](mailto:seiberte@sconet.state.oh.us).*

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1. Ohio Case Law: Where to Find It
2. Legal Periodicals: Print, Microform and Online
3. Government Documents
- ▶ 4. Ohio Legislative History
5. Federal Legislative History
6. The U.S. Supreme Court
7. Law Library Collection Guide
8. The Online Catalog
9. Ohio Legal Research
10. Reading Room Murals
11. History of the Rule of Law Oil Paintings
12. The Ohio Constitution
13. The Supreme Court of Ohio
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