

*Note: a bill analysis does not present arguments for or against a proposed bill or any implication of its passage. It may or may not shed light on legislative 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 (e.g. *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.hannah.com](http://www.hannah.com) (1989 forward) and [www.legislature.state.oh.us](http://www.legislature.state.oh.us) (1997 forward).

### ADDITIONAL RESOURCES

#### Ohio Legislative Hotline

Call 1.800.282.0253. Contact only in regard to legislation from the current or immediately preceding Ohio General Assembly (OGA).

#### Ohio Historical Connection 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 session 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.

#### A Guide to Legislative History in Ohio

[www.lsc.state.oh.us/membersonly/128legislativehistory.pdf](http://www.lsc.state.oh.us/membersonly/128legislativehistory.pdf)  
Ohio Legislative Service Commission's Members-Only Brief, January 26, 2010.

*For more information, contact the library staff at [libref@sc.ohio.gov](mailto:libref@sc.ohio.gov).*

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# 4 Ohio Legislative History



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When applied to Ohio legislation, the term “legislative history” refers to the compilation of a record that tracks the action of a bill as it moves through the Ohio General Assembly (OGA). Uncovering the history of Ohio bills and laws — including discovering any indication of legislative intent — can be challenging because formal documents reflecting legislative activity are not always available. However, even in the absence of a clear paper trail, certain valuable sources of information are available at the Supreme Court of Ohio Law Library.

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

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To begin, consult the relevant current section of the *Ohio Revised Code* (ORC), the codification of all laws currently in effect in Ohio. There are two privately published editions of the ORC, Lexis Nexis black volumes and Baldwin’s blue volumes. If you don’t have the relevant ORC citation, check the index volume to obtain it. Consult the “History” notes following the code section for citations to earlier versions of the law. Although you’ll find references to the *Ohio General Code* (GC) and other early codifications, the majority of citations will look something like: *140 v H 250*, where 140 refers to the Laws of Ohio volume number (see below) and 250 refers to the House bill number.

*Note: Exercise caution when using either version of the ORC. Though unlikely, citations may be inaccurate, in which case the language of the enrolled act as originally filed with the Secretary of State’s office prevails. To locate earlier editions of Ohio’s code, check with staff at the Circulation Desk on the 11<sup>th</sup> Floor.*

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

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*Laws of Ohio* is the official published record of all session laws enacted by the OGA. It includes uncodified laws and laws vetoed by the governor. To find specific ORC sections within a session law, you can page through it (ORC sections within each law are chronologically arranged), or consult the volume’s index or the “Revised Code Sections Affected” table to obtain a specific page number.

From 1927 to 1969, session laws indicated deletions with asterisks and insertions with italics. From 1969 to 2000, old language was reprinted with lines striking through it, and new language is indicated in upper-case letters. Beginning in 2001, deletions have been shown by strikethroughs and new language by underlining. Before 1927, a side-by-side comparison of the statutory language of enactments is necessary.

Since 1971, session laws have been reprinted in Baldwin’s *Ohio Legislative Service* (KFO 30 B35). Paper copies of pre-1997 bills not enacted into law are available at the circulation desk on the 11<sup>th</sup> Floor.

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

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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)

From 1997 on, provides bill text and analyses, status reports, fiscal notes, synopses of amendments and conference committees and live coverage of floor proceedings.

#### **Ohio Capitol Connection/Hannah Report**

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

From 1989 on, provides bill text and analyses, committee reports, rosters and schedules, reporters’ notes of committee activity, some testimony, biographies of OGA members and contact information.

#### **Lexis and Westlaw**

Free access is provided from select library public access terminals. In addition to bill text and codes, numerous other documents that have been prepared for specific Ohio legislation are available through these databases.

#### **The Ohio Channel**

[www.ohiochannel.org](http://www.ohiochannel.org)

Provides video recordings of floor debates back to 1997.

### **ADDITIONAL LAW LIBRARY MATERIALS**

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#### **Ohio House/Senate Journals (11th Floor)**

Official minutes printed by each house the day following each OGA session day. They include:

- 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 (e.g. *State ex.rel. Peters v. McCollister*, 11 Ohio 46).

#### **Bulletin of the General Assembly (KFO 15 A2)**

- Status reports 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 session.

Though uncommon, the Supreme Court of Ohio has cited several digest entries as evidence of legislative intent (e.g. *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. Final analyses include:

- Summaries of bills and their amended versions
- Commentary on differences between proposed bills and existing law
- Commentary on any inconsistencies or problems with bills.