Chapter 8
Illinois Legislative History

By Jean M. Wenger
Director of the Law Library/Senior Lecturer
Chicago-Kent College of Law Library

What Is Legislative History?

Legislative history encompasses those documents created by the legislature during the process of a bill’s passage. Legislative history can assist a researcher seeking to understand the meaning of a statute. A researcher examining these documents can gain insight into the legislature’s intent in passing the law. This chapter will describe the process of compiling a legislative history for Illinois statutes using the Illinois General Assembly website [ilga.gov]. (See Figure 1.)

This chapter will describe the steps for compiling a legislative history using an Illinois law passed in 2007. Legislative documents available on the ILGA website differ depending on the year. For some years, the researcher may need to consult additional resources not available on the ILGA website.
The Documents of an Illinois Legislative History

In Illinois, the important documents for legislative history are the floor debates in the Senate and the House of Representatives (House) and the texts of bill amendments and Governor’s message as found in the House and Senate Journals. The 1970 Illinois Constitution states, “Each house shall keep a journal of its proceedings and a transcript of its debates. The journal shall be published and the transcript shall be available to the public.” (Article IV, Section 7(b)) When Illinois courts interpret a statute, they will look first to the language of the statute and other relevant court decisions. If additional interpretation is necessary, the courts may look to the legislative history of the statute as an extrinsic aid to interpretation. Illinois courts are not required to consider legislative history, but if they do, the courts look to the published transcripts of the floor debates of the House and the Senate and the Journals as described in the Constitution. According to the Illinois Constitution, the General Assembly (G.A.) website provides transcripts of House and Senate floor debates starting from October 1971 in the 77th G.A. (1971-1972).

Compiling a Legislative History

Identify the Public Act

The Illinois Compiled Statutes (ILCS) are a cumulative organization of Illinois statutes, known as Public Acts, grouped according to the subject matter. A statute, passed by the Illinois General Assembly, is a Public Act. A researcher, seeking to compile a legislative history of a statute section in the ILCS, needs to identify the Public Act that created or amended the statute. These Public Act numbers appear at the end of the ILCS statute section. The example used in this chapter is P.A. 95-580, which added a new act concerning education, the College Campus Press Act. The first two digits after the P.A. indicate the General Assembly number and the second number is the chronological order of the law’s passage. Knowing the correct General Assembly is critical for legislative history research. Every General Assembly lasts for two years.

Select the General Assembly

Documents for the current General Assembly are available via links on the main page of the ILGA website. For a Public Act from the current General Assembly, select the Public Acts link under Legislation & Laws on the ILGA homepage. The Public Act will provide the bill number. (See Figure 2.)
To find the bill numbers for earlier years, select the link for Previous General Assemblies from the lower left on the ILGA homepage. (See Figure 3.) Previous General Assemblies have floor debates back to October 1971 in the 77th G.A. (1971-1972).

After selecting the link for previous General Assemblies, use the pull-down menu to choose the 95th G.A. for P.A. 95-580 and hit the “Go” button. (See Figure 4.)

Identify the Bill Number for the Public Act

Every Public Act begins as either a House or Senate bill in the General Assembly. During the legislative process, the proposed law is a bill, not a Public Act. Bills originate in either the House or the Senate. A bill receives the designation of its originating chamber and retains that designation (Senate Bill – S.B. or House Bill – H.B.) throughout the legislative process.

The pages for each Previous General Assembly provide tables or links to find the Public Act’s corresponding bill number. The 77th to the 93rd G.A. provides a link for the “Public Act to Bill Number Conversion Table.” (See Figure 5.)
To find bill numbers corresponding to a Public Act starting with the 90th G.A., select Public Act – Listing. Groups of links to Public Acts will appear. Find the Public Act sought and click on it. The bill number will then appear.

After selecting the 95th G.A. from the Previous General Assemblies, select Public Act – Listing. (See Figure 6.)

Next, scroll down to find P.A. 95-580. S.B. (Senate Bill) 729 is the corresponding bill number. Use the bill number when searching for the bill status and House and Senate floor debates. (See Figure 7.)
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Remember, S.B. 729 retains its designation as a Senate bill when it moves to the House.

**Locate the Bill Status**

The bill status is a chronological listing of legislative actions on a bill in both chambers, detailing information about sponsors, amendments, floor debates, and any actions by the Governor, such as a veto. The bill status provides the dates for all actions in both chambers of the General Assembly. Researchers often find it is helpful to have the bill status available, as a point of reference, when they read the floor debates.

For the current G.A., return to the ILGA homepage. Use the Public Acts link to find the bill number, or select the Bills & Resolutions link if it is known. (See Figure 8.)

The General Assembly website provides the bill statuses back to the 90th G.A. (1985-1986). Using the example, after selecting the Previous General Assemblies link, scroll to the 95th G.A., and find P.A. 95-580. Refer back to Figure 7. Click the link that shows S.B. 729. The next page on the ILGA website provides the text of P.A. 95-580 with a bill status link at the top of the page. (See Figure 9.)
Below is the bill status for S.B. 729 (P.A. 95-580). The arrows mark actions that contain debates. Debates can occur during the second and third readings, and during the concurrence or conference committee, if applicable. The researcher will confirm these dates using the Master Index or the transcript search feature. (See Figure 10.)
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**Legislative Synopsis and Digest**

The Legislative Reference Bureau, the General Assembly’s bill drafting agency, publishes the Legislative Synopsis and Digest. The Legislative Synopsis and Digest contains summaries of the bills and all actions taken concerning them. The Legislative Synopsis and Digest is the resource to use to find a bill status from before the 90th G.A. Digitized versions of the Final Legislative Synopsis and Digest are available at the Legislative Reference Bureau website from 2001 to 2018 and the University of Illinois at Urbana-Champaign from 1985 to 2005. Earlier editions are available in print at many law libraries and some public libraries. (See Figure 11.)

![Figure 11](image)

**LEGISLATIVE SYNOPSIS AND DIGEST**

Current Issue(s)

- Legislative Synopsis and Digest - 101st General Assembly No. 5 (includes action through 3/6/2020)

The current issue is updated on this website only after a bound issue goes to press (about 15 times a year).

**Final Legislative Synopsis and Digest**

- Final Legislative Synopsis and Digest - 100th General Assembly
- Final Legislative Synopsis and Digest - 99th General Assembly
- Final Legislative Synopsis and Digest - 98th General Assembly
- Final Legislative Synopsis and Digest - 97th General Assembly
- Final Legislative Synopsis and Digest - 96th General Assembly
- Final Legislative Synopsis and Digest - 95th General Assembly
- Final Legislative Synopsis and Digest - 94th General Assembly
- Final Legislative Synopsis and Digest - 93rd General Assembly
- Final Legislative Synopsis and Digest - 92nd General Assembly

- Final Legislative Synopsis and Digest 1985-2005 (from University of Illinois)

**Identify Dates of Floor Debates**

As previously mentioned, the primary component of legislative history that courts consider are floor debates. According to the 1970 Illinois Constitution, “[A] bill shall be read by title on three different days in each house.” (Art. IV, Sec. 8(d)) Every bill has three readings in each chamber. The first reading introduces the bill to the chamber but does not include floor debate. After being introduced to the House or Senate during the first reading, a bill is assigned to a committee. The committee holds hearings on the bill. Committee hearings do not have the same stature as floor debates for purposes of legislative history. Since 1975, the House recorded committee hearings. Recordings are available from the Office of the Clerk of the House. Contact the office at (217) 782-8100. The Senate does not record their committee hearings.

When the bill leaves the originating chamber, it is known as an engrossed bill. An engrossed bill incorporates amendments adopted in its originating chamber as it moves to the second (other) chamber. If the second chamber makes amendments to the bill and passes a version with different language, the bill returns to the originating chamber for the legislators in that chamber to concur in these amendments. If the originating chamber does not concur in the changes, a conference committee is appointed to discuss and resolve the differences, so a singular bill that both chambers
agree to can be sent to the Governor. Both the House and Senate must agree to the same language before the bill goes to the Governor for signature. The version of the bill that goes to the Governor is known as the enrolled bill, incorporating amendments adopted by both chambers.

Legislators’ decisions to add or remove language from a bill through amendments can indicate legislative intent. In addition to the House and Senate Journals discussed later, starting with the 93rd G.A., the bill status provides links to the texts of bill amendments and amendatory veto messages of the Governor.

**Locate Floor Debates in the Transcripts**

Several methods are available to locate floor debates – the Master Index, selecting dates from the bill status (see Figure 10), and searching transcripts. Depending on the legislative resources available on the ILGA website, not every method will work for all General Assemblies. For P.A. 95-508, the researcher will need to use the Master Index to find Senate floor debates and the transcript search method to find House floor debates. (See Figure 12.)

![Figure 12](image)

**The Master Index**

The Master Index provides the dates, legislative action, and page numbers for transcripts of both Senate and House bills. The 77th - 90th General Assemblies have Master Indexes available for both the House and Senate. For the 91st - 97th General Assemblies, only the Senate has a Master Index. For example, the Master Index for the Senate will contain dates of debates for both the Senate and House bills that arrive in the Senate. Remember that a bill keeps the designation of the originating chamber.

As noted earlier, S.B. 729 is the corresponding bill number for P.A. 95-580. To find the Master Index for the Senate, select Transcripts – Listing in the 95th G.A. (See Figure 13.)
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The next page is the Senate’s Transcript page. Select Transcript Master Index link near the bottom of the page. (See Figure 14.)

Scroll through the Master Index to find the bill number. The Index provides the action date, the page number in the transcript where the debate about the bill begins, and the specific action. Remember that the first reading does not contain any discussion.

Floor debates can occur during the following actions: second and third readings, recalls to readings, concurrence (or non-concurrence), conference committees, any date that debate is mentioned (except for committee debates), and response(s) to Governor’s veto. Bills that became Public Acts will have second and third readings at a minimum. S.B. 729 has a concurrence in the Senate, meaning that the House amended S.B. 729, and it needed to return to the Senate so the Senators could agree to the House’s changes. (See Figure 15.)
Note the dates and pages from the Master Index. Return to the Available Senate Transcripts page from Figure 14 and use the pull-down menu to find the dates for all actions except the first reading. (See Figure 16.)

The Master Index shows that the Senate held the third reading of S.B. 729 on 3/15/2007. To find the debates for the 3rd reading, select 3/15/2007 from the pull-down menu. Scroll to page 82 in the transcript. Continue reading until the legislators take a vote on the bill or begin a discussion on another bill. Do the same process for other dates, excluding first reading, listed in the Master Index. (See Figure 17.)
Search Transcripts

Without a Master Index for the House floor debates for the 95th G.A., the researcher can use the search function on the Transcripts page to find dates of House floor debates. Return to the main page for the 95th G.A. and select House – Transcripts – Search. (See Figure 18.)

In the search box, enter the chamber and bill number contained in quotes. In the example below: “Senate Bill 729.” Click Go. (See Figure 19.)

The search results provide legislative dates that include the bill number, Senate Bill 729. The results list the legislative day for each debate. A legislative day refers to a day in which the House or the Senate is in session. Click on the links in the results list for the floor debates for that day. The results are not in chronological order, so a bill status can serve as a point of reference and assist with understanding the bill’s progress as it moves through the General Assembly. (See Figure 20.)
Transcripts of debates are in PDF format. As the results do not indicate the page number where the debate begins, the researcher will need to search the PDFs of the transcripts for the bill number. A recommendation is to use the function, Ctrl+F. (Press the Ctrl button and the F key on the keyboard at the same time.) A search box will appear.

Enter the numeric portion of the bill in the search box that appears. (For example, for S.B. 729, enter 729.) Although this search is broad and may result in some unneeded bill numbers such as “1729”, it will capture all instances of “729.”

Read each page that mentions the bill. Continue reading until the legislators take a vote on the bill or begin a discussion on another bill. (See Figure 21.)

On occasion, there may be little to no floor debate for the readings and other actions in the House and the Senate. Members of the House and Senate may vote on a bill without floor debate. Also, the available discussion may not be relevant to the researcher’s issues.

Governor’s Actions

The Governor can sign an enrolled bill, take no action, or use the amendatory veto to seek changes to the enrolled bill. House and Senate Journals contain veto documents. These actions, along with the relevant dates, are found in the bill status. Starting with the 93rd G.A., the ILGA website also provides links to amendatory veto texts in the bill status.

Journals

The House and Senate Journals contain the voting records, texts of amendments, motions, roll calls, the text of conference committee reports, and messages from the Governor. For clarification,
a conference committee report does not contain the analysis of the bill. Instead, it includes the text agreed upon by both chambers resolving the differences in language. The conference committee report becomes the engrossed version of the bill sent to the Governor.

Digital copies of the Journals are available via the ILGA website from the 91st G.A. to present. To find information about a bill in a Journal, select the appropriate General Assembly and select Journals – Search. (See Figure 22.)

<table>
<thead>
<tr>
<th>95th General Assembly (2007-2008)</th>
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<tbody>
<tr>
<td>Legislation, Public Acts</td>
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<tr>
<td>Legislation</td>
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<tr>
<td>Public Acts</td>
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<td>Senate</td>
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<td>Committees</td>
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<td>Journals</td>
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<tr>
<td>Transcripts</td>
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</table>

In the search box, enter the chamber and bill number with quotes. In the example below: “Senate Bill 729.” Click Go. Search the Journals for the House and the Senate. (See Figure 23.)

![Search Journals for bill number.](image)

Find Print Legislative Materials

The Chicago Public Library and public law libraries, such as the Cook County Law Library in the Daley Center, maintain print copies of Illinois laws, Legislative Synopsis and Digests, and House and Senate Journals. Consult a law librarian or government documents librarian with questions about locating and using print or online legislative resources.

**Additional Guide for Illinois Legislative History**

Researching Legislative History
Illinois Legislative Reference Bureau (updated September 2017)