Pennsylvania Legislative History: PA Legislative Process

This guide defines "legislative history", reviews the Pennsylvania legislative process, and reviews what types of Pennsylvania legislative history documents are available.

Overview of the Pennsylvania Legislative Process

The first step in creating a Pennsylvania legislative history is understanding the Pennsylvania legislative process. The Pennsylvania state legislature is called the Pennsylvania General Assembly. There are two houses: the House of Representatives and the Senate.

This is a summary overview of the Pennsylvania legislative process:

Step 1: The idea for a bill is conceived and developed by one or more legislators.

Step 2: At the request of the sponsoring legislator(s), the Legislative Reference Bureau drafts the text of the bill.

Step 3: Chief Clerk of House (or Senate) assigns a bill number to the bill.

Step 4: Speaker of House (or President Pro Tempore of Senate) assigns the bill to a standing committee.

Step 5: The Committee considers the bill, holds hearings, takes evidence, and decides whether to support the bill.
Step 6: If the Committee supports the bill, it is presented to the entire chamber (House or Senate) on three separate days for consideration.

Step 7: If the bill (1) requires an expenditure of funds or (2) results in a loss of revenue for the Commonwealth, the bill must be sent to the Appropriations Committee while it is being considered. The Appropriations Committee provides a fiscal note for each bill it receives that indicates how much the law would cost the Commonwealth if enacted.

Step 8: During its days of consideration, legislators may debate or comment on the bill. These debates and comments are recorded in the House and Senate Journals.

Step 9: On the third day of consideration, the entire chamber votes on the bill.

Step 10: If the chamber approves the bill, it is sent to the other chamber for approval – Steps 4 through 8 are repeated.

Step 11: Once both chambers have passed identical versions of the bill, it is sent to the Governor.

Step 12: If the Governor signs the bill, it becomes law and is given at “Act” number. The Act is published individually as a "slip law."

Step 13: At the end of the legislative session, all of the slip laws from that session are bound into a volume titled the *Laws of Pennsylvania* (also referred to as pamphlet laws or session laws).

Step 14: The slip law is codified as part of the *Pennsylvania Consolidated Statutes*, which are organized by subject (as opposed to the pamphlet laws, which are organized chronologically).

**More Information About the Pennsylvania Legislative Process**

The above box summarizes the legislative process of the Pennsylvania General Assembly. For a more complete description of this process, see this publication from the Pennsylvania House of Representatives:

- *Making Law in Pennsylvania*
Documents Created During Pennsylvania Legislative Process

Various types of documents are created during the Pennsylvania legislative documents. Some but not all of these documents are useful for legislative history purposes.

These documents are created during the Pennsylvania legislative process:

1. Amended Versions of the Bill: The law may be amended as it travels through the legislature as a bill. A review of the different versions of the bill indicating which provisions were added or deleted during the legislative process may be useful in determining legislative intent.

2. Committee Reports: Pennsylvania legislative committees issue reports for bills they choose to support. The reports are usually brief and don't include much information about the committee's decision to support the bill. As a result, committee reports from the Pennsylvania General Assembly usually are not useful for determining legislative intent. Unlike U.S. Congress committee hearings, Pennsylvania legislative hearings are not transcribed. Quotes or summaries of Pennsylvania legislative hearing testimony are sometime available in newspaper articles.

3. Debate and Comments in the Pennsylvania House and Pennsylvania Senate Journals: Both the Pennsylvania House and the Pennsylvania Senate publish an official journal that records debate and comments about bills. These debates and comments are the main source of legislative history for Pennsylvania laws.

4. Fiscal Notes from the Appropriations Committee: If a bill (1) requires and expenditure of funds or (2) results in a loss of revenue for the Commonwealth, the bill must be sent to the House or Senate Appropriations Committee while it is being considered. The Appropriations Committee provides a fiscal note for each bill it receives that indicates how much the law would cost the Commonwealth if enacted. Fiscal notes issued since 2010 are posted on the General Assembly's Web site.

5. Final Version of the Law: After the bill becomes law, the final version of the law is published in the Pennsylvania session laws. The final version of the law will sometimes include a preamble or other information that includes some expression of the legislature's intent in creating the law.