Introduction to Legislative History:

Legislative history is a term that encompasses both:

- The background and events leading to the enactment of a statute, and
- The documents that are produced in that process

Federal legislative histories are used to aid in determining the intent of Congress (often referred to as “legislative intent”) at the time a statute was planned and enacted or amended.

Courts sometimes look to legislative intent when a statute’s meaning is ambiguous on its face.

This can, however, be controversial: not all judges support the use of legislative intent. Some believe they should base opinions only on the plain language of the enacted statute, rather than what it appears the legislature intended to enact.

Other judges acknowledge that looking to legislative intent can help correct drafting errors, avoid absurd results, explain the specialized meanings of terms not otherwise defined, or assist the court in choosing among reasonable interpretations of a provision.

The legislative history of a law includes the following items:

- The text of a Bill in all of its versions
- Transcripts of hearings conducted by the Congressional Committees responsible for the Bill
- Committee Reports written about the Bill
- Transcripts of the debates related to the Bill that occurred on the floor of Congress
- And the Public Law, which is the law that is the end result after a bill has been passed by Congress and signed by the President.

The next tutorial will discuss the legislative process and the documents it produces.