Statutes: What they are and where to find them

A statute is: a written law, enacted by a legislative body, such as Congress, a state legislature, or city council, and signed by an executive such as a president, governor, or mayor.

Statutes are published in three formats:

1. Slip laws, which each contain a single statute,
2. Session laws, which compile all statutes passed in each session of the legislature for a particular jurisdiction, and
3. Statutory codes which compile all statutes currently in force for a particular jurisdiction.

Now let’s take a look at each format in more detail.

A slip law is the first publication of a newly enacted statute. Each statute is published separately in slip law form, both online and in print, but you will rarely use slip laws in your research.

Session laws compile all of the slip laws from a particular session of the legislature. They contain all laws passed, even those that have been amended or repealed, and they are arranged chronologically in the order the laws were passed. You can find session laws online at FDSys.gov and in print. At the federal level, the official source of session laws is the U.S. Statutes at Large.

It is important to know that the term “session laws” is generic. Actual titles vary from jurisdiction to jurisdiction – some other titles include “General Laws,” “Acts and Resolves,” or “Laws of” the jurisdiction in question. Look at Table 1 of the Bluebook if you need to find a state’s official session law title.

In contrast to session laws, Statutory Codes arrange laws by subject matter, and contain only the laws in effect at the time of publication. They are continuously updated to reflect the changes mandated by new statutes. Because codes are arranged by subject, they make it easier to find relevant statutes than session laws which are arranged chronologically and may contain out of date information.

The official source of the federal code is the United States Code, which is available online at FDSys.gov. Unofficial versions of the code are the United States Code Annotated and the United States Code Service. Each state also has its own statutory codes and the titles will vary.

Let’s look at an example to illustrate the differences. In 1990, Congress passed an Act to establish a clear and comprehensive prohibition of discrimination on the basis of disability. This law requires businesses and other “covered entities” to give people with disabilities fair job opportunities, physical accommodations such as ramps and elevators, and other requirements.

When you examine the Session Law, you will see the formal title of the Act, which is more commonly known by its “Popular name,” The Americans with Disabilities Act. The Act is organized into titles, subtitles, and sections.

When you look at the Code section, things get rearranged a bit. The U.S. Code is divided into large categories called “Titles” – here we are in “The Public Health and Welfare” title. When comparing a session law (which has subdivisions called “titles”) and the codified law (which is arranged under numbered “titles”) people sometimes get confused. The codified statute is also divided into sections, but these will not correspond with the section numbers of the session law.
Generally speaking, researchers mostly use the codified versions of statutes, but knowing about session laws can be important. If a law covers more than one topical area, the pieces of the session law may be codified in different places. This law, for instance, is mostly codified under Title 12 (Banks and Banking), but some provisions have been codified under Commerce and Trade or Money and Finance. If you were interested in the history of the entire act, you would need to consult the session law rather than the code.

If you get confused, don’t worry – just contact a librarian.