

Statutes: A Source of Primary Law

Professor Lisa Smith-Butler

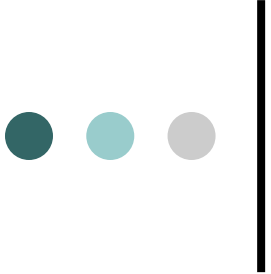
2007

Nova Southeastern University



Introduction

- Statutes, like cases, are a primary source of law.
- In the modern world, statutory research is extremely important.

- 
- Whenever beginning a research project, one should always check to see if there is a statute on point.
 - Today, judicial decisions frequently involve either the application of or interpretation of a statute.



What is a Statute?

- Statutes are legislation enacted by a governing body (i.e. Congress, City Council) to regulate behavior or conduct.
- Legislation can take any of the following forms:
 - Statutes
 - Constitutions
 - Treaties
 - Interstate Compacts
 - Municipal Charters & Ordinances



Publication of Statutes

- Typically both federal and state jurisdictions of the U.S. publish their statutory materials in the following manner:
 - initially as a slip law;
 - next as a session law;
 - next as a code; and
 - finally as an annotated code.



Slip Laws

- Initially legislation is published as a slip law which is:
 - a separately issued pamphlet;
 - containing the text of a single legislative act; and
 - issued officially by the government.



Session Laws

- Session laws are:
 - the publication of both public and private laws;
 - enacted during a particular legislative session; &
 - arranged in chronological order.



Session Laws

- In most jurisdictions, session laws constitute the ***positive law form*** of legislation.
- As the positive law form, session laws are the authoritative and binding source in the event that a dispute arises because of textual variations in later versions.



Session Laws

- Session Laws have a ***subject index*** for each volume; however, these indexes do not cumulate.
- Session Laws also have ***Tables*** which list the repeals and modifications of existing laws.

Codes



- A code is:
 - a subject arrangement
 - of the laws of a jurisdiction
 - that are currently in force.



Annotated Code



- While codes can either be **official** (published or sanctioned by the government) or **unofficial** (not published or sanctioned by the government), an annotated code is typically unofficial and is usually published by a commercial publisher.



Annotated Code

- Again, an annotated code, like a code, contains:
 - the laws currently in force in a jurisdiction
 - in a subject arrangement.
- The difference between an annotated code and a code then becomes the fact that the annotated code editorially enhances material to assist the researcher.



Annotated Code

- How is the material editorially enhanced?
 - references to appropriate cases, law reviews, and regulations are included after the text of a statutory provision;
 - good indexing;
 - updated more frequently than official government publications.

Federal Legislation

- Federal legislation includes:
 - U.S. Constitution
 - U.S. Treaties
 - Interstate Compacts
 - Bills and Joint Resolutions enacted by U.S. Congress.



Federal Legislation

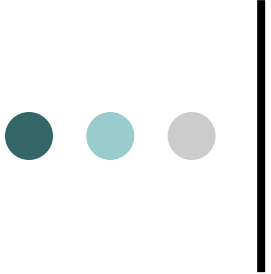
- Article I, Sec. 8, of the ***U.S. Const.*** provides the U.S. Congress with the power to make laws “necessary and proper” to carry out the enumerated Congressional powers listed in the Constitution.





How a Bill Becomes a Law

- It is important to understand how a bill becomes a law in order to understand the resources that may need to be located and consulted in order to obtain:
 - the laws currently in force (i.e. a code);
 - historical laws (i.e. session laws); and
 - information containing legislative intent (i.e. committee reports and or hearings.)

- 
- Elected legislators may introduce proposed laws, also known as bills, in either chamber during a legislative session.
 - These bills, when introduced into either the U.S. House or Senate, receive a chronological bill number, i.e. H.R. 1 or S.1.

http://thomas.loc.gov/home/bills_res.html

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Bills, Resolutions - THOMAS (Library of Congress)

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THOMAS provides many options for finding legislation and information about legislation. These options are described below.

Search Bill Text

Search the full text of legislation for words or phrases or search by bill number.

Coverage: The Bill Text feature covers the 101st Congress (1989) to the current Congress. Users must select the Congress that they would like to search.

- [Search Bill Text](#)

Search Bill Summary & Status

Bill Summary & Status (BSS) contains information **about** bills and amendments. Whereas the Bill Text feature (described above) searches the full text of legislation, the BSS feature searches everything but the actual text of the legislation. The BSS information includes: sponsor(s); cosponsor(s); official, short and popular titles; floor/executive actions; detailed legislative history; Congressional Record page references; bill summary; committee information; amendment information; subjects (indexing terms assigned to each bill); a link to the full text versions of the bill; and if the bill has been enacted into law, a link to the full text of the law on the Government Printing Office Web site.

Coverage: BSS covers the 93rd Congress (1973) through the current Congress. Users must select the Congress that they would like to search

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Search Bill Text for the 110th Congress (2007-2008)

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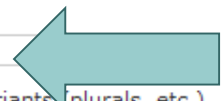
Select Congress: 110 | [109](#) | [108](#) | [107](#) | [106](#) | [105](#) | [104](#) | [103](#) | [102](#) | [101](#)

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➤ [Browse by Bill Number](#)

Enter Search

Word/Phrase



Exact Match Only Include Variants (plurals, etc.)

Which Bills?

- All Bills
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From Where?

- Both House and Senate
- House Bills Only

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Exact Match Only Include Variants (plurals, etc.)

Which Bills?

All Bills

Bills with Floor Action [What is a floor action?](#)

Enrolled Bills Sent to the President [What is an enrolled bill?](#)

From Where?

Both House and Senate

House Bills Only

Senate Bills only

When? (This date is usually a few days after the date of introduction in Congress. [More about selecting the date.](#))

All (2007 - 2008)

First Session

Second Session

Enter date in this format: mm/dd/yyyy or mm-dd-yyyy

From through

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24 Bills from the 110th Congress ranked by relevance on "terrorism".
24 bills containing your phrase **exactly as entered**.

Listing of 24 bills containing your phrase **exactly as entered**.

- 1 . Lane Evans Veterans Health and Benefits Improvement Act of 2007 (Introduced in Senate)[\[S.117.IS\]](#)
- 2 . To direct the Secretary of Homeland Security to streamline the SAFETY Act and anti-terrorism technology procurement processes. (Introduced in House)[\[H.R.599.IH\]](#)
- 3 . Implementing the 9/11 Commission Recommendations Act of 2007 (Engrossed as Agreed to or Passed by House)[\[H.R.1.EH\]](#)
- 4 . Implementing the 9/11 Commission Recommendations Act of 2007 (Introduced in House)[\[H.R.1.IH\]](#)
- 5 . Foreign Surveillance Expedited Review Act (Introduced in Senate)[\[S.139.IS\]](#)
- 6 . To provide for payment of certain claims against the Government of Iran. (Introduced in House)[\[H.R.394.IH\]](#)
- 7 . India-Pakistan Peace Resolution (Introduced in House)[\[H.RES.30.IH\]](#)
- 8 . Nunn-Lugar Cooperative Threat Reduction Act of 2007 (Introduced in Senate)[\[S.198.IS\]](#)

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To direct the Secretary of Homeland Security to streamline the SAFETY Act and anti-terrorism technology procurement processes. (Introduced in House)

HR 599 IH

110th CONGRESS

1st Session

H. R. 599

To direct the Secretary of Homeland Security to streamline the SAFETY Act and anti-**terrorism** technology procurement processes.

IN THE HOUSE OF REPRESENTATIVES

January 22, 2007

Mr. LANGEVIN (for himself, Mr. ROGERS of Alabama, Mr. THOMPSON of Mississippi, Mr. MCCAUL of Texas, Mr. MEEK of Florida, Mr. REICHERT, Ms. HARMAN, Mr. KING of New York, Ms. JACKSON-LEE of Texas, Mr. SHAYS, Mrs. CHRISTENSEN, Mr. DAVID DAVIS of Tennessee, Mr. CARNEY, Mr. SOUDER, Mr. CUELLAR, Mr. DENT, and Mr. PASCRELL) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

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H.R.599

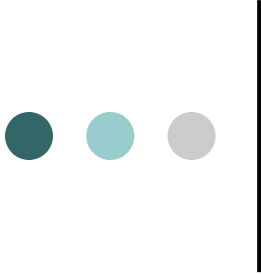
Title: To direct the Secretary of Homeland Security to streamline the SAFETY Act and anti-terrorism technology procurement processes.

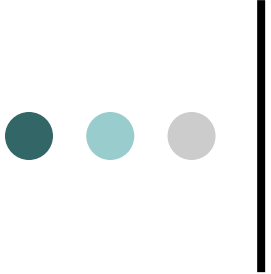
Sponsor: [Rep Langevin, James R.](#) [RI-2] (introduced 1/22/2007) [Cosponsors](#) (16)

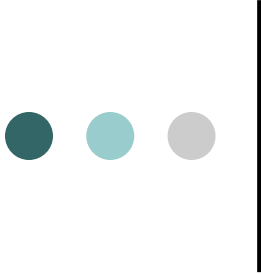
Latest Major Action: 1/22/2007 Referred to House committee. Status: Referred to the House Committee on Homeland Security.

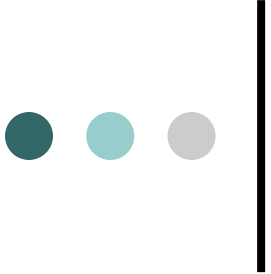
All Information (except text)	Text of Legislation	Summary	Major Congressional Actions All Congressional Actions All Congressional Actions with Amendments With links to <i>Congressional Record</i> pages, votes, reports
Titles	Cosponsors (16)	Committees	
Related Bills	Amendments	Related Committee Documents	
CBO Cost Estimates	Subjects		

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- 
- After being introduced in the appropriate chamber, the bill would most likely then be referred to the appropriate committee.
 - As an example, tax bills introduced in the House are often referred to the House Ways and Means Committee.
 - A bill may either languish and die in committee or emerge, perhaps with amendments, to the chamber's floor. If the bill passes the chamber, it is then referred to the other chamber.
 - Once the bill passes both chambers, it is then referred to the President.

- 
- The President can do several things:
 - sign the bill into law;
 - ignore the bill for 10 days and do nothing in which case it automatically becomes law; or
 - veto the bill which prevents it from becoming law unless the veto is overridden by 2/3s of both chambers.

- 
- As an example of this process, consider H.R. 2882.
 - This bill was introduced in the House by Rep. Jerrold Nadler of New York on September 13, 2001.
 - It provided for the “expedited payment of certain benefits for a public safety officer who was killed or suffered a catastrophic injury as a direct and proximate result of a personal injury sustained in the line of duty in connection with the terrorist attacks of September 11, 2001.”

- 
- This bill was introduced, read, and passed by the House on September 13, 2001.
 - It then was received in the Senate, read twice, considered and passed on September 13, 2001.
 - Having passed both houses, it was then sent to the President on September 14, 2001.
 - On September 18, 2001, the President signed the bill and it became Pub. L. 107-37, i.e. the 37th piece of legislation enacted during the 107th Congress.



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Enter Word/Phrase to Search Bill Text

H.R. 2882

Exact Match Only Include Variants (plurals, etc.)

Select Congress

110 109 108 107 106 105 104 103 102 101

Which Bills?

All

Bills with Floor Action

Enrolled Bills Sent to President

From Where?

Both House and Senate

House Bills Only

Senate Bills Only



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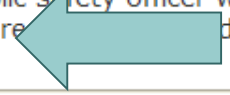
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Hit List	Best Sections	Help
	Contents Display	

927 Bills from the 107th Congress ranked by relevance on "**H.R.+2882**".

- 1** bill containing your phrase **exactly as entered**.
- 0** bills containing all your search words **near each other in any order**.
- 1** bill containing all your search words **but not near each other**.
- 925** bills containing **one or more of your search words**.

Listing of **1** bill containing your phrase **exactly as entered**.

1 . To provide for the expedited payment of certain benefits for a public safety officer who was killed or suffered a catastrophic injury as a direct and proximate result of a personal... (Enrolled as Agreement by Both House and Senate)
[\[H.R.2882.ENR\]](#)



To provide for the expedited payment of certain benefits for a public safety officer who was killed or suffered a catastrophic injury as a direct and proximate result of a personal... (Enrolled as Agreed to or Passed by Both House and Senate)

--H.R. 2882--

H.R. 2882

One Hundred Seventh Congress of the United States of America AT THE FIRST SESSION

Begun and held at the City of Washington on Wednesday,

the third day of January, two thousand and one

An Act

To provide for the expedited payment of certain benefits for a public safety officer who was killed or suffered a catastrophic injury as a direct and proximate result of a personal injury sustained in the line of duty in connection with the terrorist attacks of September 11, 2001.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXPEDITED PAYMENT FOR HEROIC PUBLIC SAFETY OFFICERS.

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http://thomas.loc.gov/cgi-bin/bdquery/z?d107:HR02882:@@X

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ALL ACTIONS:

9/13/2001:

Referred to the House Committee on the Judiciary.

9/13/2001 11:25am:

Mr. Sensenbrenner asked unanimous consent to discharge from committee and consider.

9/13/2001 11:25am:

Committee on Judiciary discharged. (consideration: CR [H5598-5605](#))

9/13/2001 11:25am:

Considered by unanimous consent.

9/13/2001 12:11pm:

The previous question was ordered pursuant to a previous order of the House.

9/13/2001 12:37pm:

On passage Passed by the Yeas and Nays: 413 - 0 ([Roll no. 339](#)). (text: CR [H5598](#))

9/13/2001 12:37pm:

Motion to reconsider laid on the table Agreed to without objection.

9/13/2001:

Received in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent. (consideration: CR [S9409-9410](#))

9/13/2001:

Cleared for White House.

9/14/2001:

Message on Senate action sent to the House.

9/14/2001:

Presented to President.

9/18/2001:

Signed by President.

9/18/2001:

Became Public Law No: 107-37.

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Sources to Consult

- There are numerous sources that could be consulted about Pub. L. 107-37.
- Some of these sources include:
 - ***Congressional Record***
 - ***Statutes at Large***
 - ***Weekly Compilation of Presidential Papers***
 - ***United States Code***



Federal Legislation

- Acts and Joint Resolutions of the U.S. Congress are the most basic forms of legislation.
- Each new act is designated either a Public or Private law.
- Private laws are passed for the specific benefit of an individual or small group of individuals.
- Public laws are passed for the benefit of all.



Federal Legislation

- Federal laws are first officially published as slip laws.
- Each new law contains a public law number consisting of the congressional session and indicating the chronological sequence of its enactment, i.e. 93-105.
- 93-105 indicates that this law was enacted during the 93rd Congress, and was the 105th law of that session to be passed.



Federal Legislation

- After initially being published as a slip law/pamphlet, federal laws are next published as a session law. There are both commercial and official session law publications.
- Commercial publications include:
 - ***United States Code Congressional and Administrative News*** (USCCAN); &
 - ***USCS Advance Service.***



Federal Legislation/Session Laws

- ***United States Code Congressional Administrative News*** (USCCAN) is published by West. It is initially published in an advance sheet format and eventually in a hardback edition. ***USCS Advance*** is published by Lexis. There is no hardbound edition. Pamphlets should be discarded when the appropriate new volume of the ***USCS*** arrives.



Federal Legislation/Session Laws

- Both ***USCCAN*** and ***USCS Advance*** sheets contain the text of:
 - newly enacted public laws, presidential proclamations, executive orders, amendments to court rules, and selected administrative regulations; and
 - a cumulative index and various tables.



Federal Legislation/Session Laws

- While **USCCAN** and **USCS Advance** are commercial publications of U.S. session laws, the **United States Statutes at Large**, cited as **Stat.**, is the official publication of U.S. session laws.
- At the end of each annual session of Congress, the enacted public and private laws are cumulated and published in chronological order in the **Statutes at Large**.



○ Electronic formats of recently enacted federal legislation include:

- **GPO Access** at <http://www.access.gpo.gov/>
- **Thomas** at <http://thomas.loc.gov/>
- Lexis in the **USCS-Public Laws** file
- Westlaw in the **US-PL database**.

Federal Legislation/Codification

- There are three codifications (i.e. subject arrangements) of U.S. law as well as the ***Revised Statutes of the United States, 1873, and 1876.***





Historical Federal Codification

- In the 1870s, the U.S. Congress decide to create the first codification from the ***Statutes at Large (Stat.)***.
- This first attempt at codification became known as the ***Revised Statutes of the United States of 1875***.
- In 1875, the ***Revised Statutes of 1875*** was introduced as a bill. It subsequently became law. This law repealed provisions of the ***Statutes at Large*** between 1789 and 1873. Thus the ***Revised Statutes*** rather than the ***Statutes at Large*** then became the positive form of law.



Historical Federal Codification

- This version contained numerous errors and was difficult to use because of lack of indexing.
- Attempts were made to correct the problems in 1878 with a second edition being authorized. However, it was not enacted. Traumatized by the experience, Congress did nothing until 1924.



Historical Federal Codification

- Thus by 1926, the positive form of law for federal legislation was the ***Revised Statutes of 1875***, covering 1789 – 1873, and the ***Statutes at Large*** for the years 1874-1926.
- In 1926, the ***United States Code (USC)*** was created. This was a subject codification of U.S. law, currently in force. It was arranged in 50 titles. Since it was not submitted to Congress as a bill, the code never became the positive form of law. Instead the ***Statutes at Large*** remain the positive form of law for federal legislation.



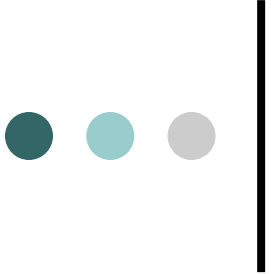
Features of the *United States Code*

- Thus the *United States Code* became the official codification of U.S. laws. If there is a textual conflict between the *U.S.C.* and the *Stat.*, the *Stat.* governs.
- Some features of the *U.S.C.* include:
 - a topical index;
 - a table of popular names;
 - cross references to other sections of the *U.S.C.*; and
 - historical notes about the passage of the law or any amendments to it.

Federal Codification

- Today, there are 3 codifications of U.S. law currently in force. They are:
 - ***United States Code***
 - ***United States Code Annotated***
 - ***United States Code Service***



- 
- The ***United States Code***, the official codification, is published by the Government Printing Office.
 - Initially published in 1926, the ***USC*** is now published every six years. The 2000 edition has recently completed publication.
 - Laws currently in force are arranged in a subject arrangement, consisting of 50 titles.



United States Code Annotated

- The ***United States Code Annotated (USCA)*** is published by West. Its arrangement of the law is virtually identical to that of the ***U.S.C.***
- It differs from the ***U.S.C.*** by offering:
 - better indexing, including a *Table of Popular Names*;
 - annotated notes to court decisions involving a statute; &
 - cross references to secondary sources.



United States Code Service

- Like the *USCA*, the *United States Code Service (USCS)* is a commercial publication, again arranged similarly to the *USC*. It is published by Lexis.
- Again, it contains editorial enhancements, including:
 - more frequent updating than the *USC*;
 - cross references to secondary legal sources;
 - annotations to cases;
 - & better indexing, including a *Table of*



Electronic Formats

- The full text of the **USCA** is available on Westlaw while Lexis contains the full text of the **USCS**.
- At GPO Access, Cornell's Legal Information Institute, and Findlaw, the full text of the USC is also available.
- The code can be searched by citation, keyword, or Popular Name.

20 USCS § 1681 (Copy w/ Cite) Pages: 71

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*** CURRENT THROUGH P.L. 109-481, APPROVED 1/12/2007 ***
*** WITH GAPS OF 109-476 THROUGH 109-480 ***

TITLE 20. EDUCATION
CHAPTER 38. DISCRIMINATION BASED ON SEX OR BLINDNESS

◆ [Go to Code Archive Directory for this Jurisdiction](#)

20 USCS § 1681

§ 1681. Sex

(a) Prohibition against discrimination; exceptions. No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance, except that:

(1) Classes of educational institutions subject to prohibition. in regard to admissions to educational institutions, this section shall apply only to institutions of vocational education, professional education, and graduate higher education, and to public institutions of undergraduate higher education;

(2) Educational institutions commencing planned change in admissions. in regard to admissions to educational institutions, this section shall not apply (A) for one year from the date of enactment of this Act

History

- [Interpretive Notes and Decisions](#)
- [History: Ancillary Laws and Directives](#)
- [Code of Federal Regulations](#)

Resources & Practice Tools

- [Related Statutes & Rules](#)
- [Research Guide](#)

Federal Procedure:

- [17A Moore's Federal Practice \(Matthew Bender 3d ed.\), ch 123, Access to Courts: Eleventh Amendment and State Sovereign Immunity § 123.41.](#)
- [17A Moore's Federal Practice \(Matthew Bender 3d ed.\), ch 124, The Erie Doctrine and Applicable Law § 124.41.](#)

Labor and Employment:

- [1 Larson on Employment](#)

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Find citation: Go
Citing References available KeyCite
History Citing References Monitor With KeyCite Alert
Graphical Statutes NEW!

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20 U.S.C.A. § 1681
United States Code Annotated Currentness
Title 20. Education
Chapter 38. Discrimination Based on Sex or Blindness (Refs & Annos)
§ 1681. Sex

Next Part
(a) Prohibition against discrimination; exceptions

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance, except that:
(1) Classes of educational institutions subject to prohibition
in regard to admissions to educational institutions, this section shall apply only to institutions of

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http://www.law.cornell.edu/uscode/html/uscode20/usc_sec_20_00001681----000-.html

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§ 1681. Sex

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How Current is This?

(a) Prohibition against discrimination; exceptions

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance, except that:

(1) Classes of educational institutions subject to prohibition

in regard to admissions to educational institutions, this section shall apply only to institutions of vocational education, professional education, and graduate higher education, and to public institutions of undergraduate higher education;

(2) Educational institutions commencing planned change in admissions

in regard to admissions to educational institutions, this section shall not apply

(A) for one year from June 23, 1972, nor for six years after June 23, 1972, in the case of an educational institution which has begun the process of changing from being an

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How Current is This? Home RSS Print Page Tools

1. How current is this?

The information in the published US Code is a year or two old, having been subjected to extensive review and codification edits. It is not supposed to directly represent the news from Congress. There are other publications for the latest laws.

The most recent edit of Title **20** of the US Code was released by the Law Revision Counsel - LRC - (<http://uscode.house.gov/>) of the U.S. House of Representative on 2006-08-07

...and most recently processed by the Legal Information Institute on Tue Aug 8 04:28:40 2006

2. Yes, but how current is the information *really*?

The information in the US Code can be a year or two old; but this is the Code as would be published until the next "release."

The page that has the most information about LRC versions (including which titles are "positive law") is <http://uscode.house.gov/about/info.shtml>

3. *Why* isn't it more current than that?

To get the details on what happens before the LRC gets new law to codify, see <http://thomas.loc.gov/home/lawsmade.toc.html>

(note that the goal of "United States Code" is at the end of a very long road)

4. So *where* can I find such-and-such, which was just signed into law?

To look up the latest activity in legislation, see <http://thomas.loc.gov/> (click on "committee reports" if you have a specific bill number)

For a well-maintained cross-reference between the US Code and recent legislation, see the USC Classification Tables at <http://uscode.house.gov/classification/tables.shtml>

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TITLE 20--EDUCATION

CHAPTER 38--DISCRIMINATION BASED ON SEX OR BLINDNESS

Sec. 1681. Sex

(a) Prohibition against discrimination; exceptions

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance, except that:

(1) Classes of educational institutions subject to prohibition

in regard to admissions to educational institutions, this section shall apply only to institutions of vocational education, professional education, and graduate higher education, and to public institutions of undergraduate higher education;

(2) Educational institutions commencing planned change in admissions



Locating Federal Statutory Provisions

- How can you determine whether there is a federal statute on point for your research needs?
 - General index that can be searched by keyword;
 - Popular Names Tables found in ***USCA, USCS, and Shepard's Acts and Cases by Popular Name-- Federal and State.***
 - Parallel Reference Tables/Citation.



Interpreting Federal Statutes

- When the meaning of a federal statute is in doubt, you can use the following sources to help interpret:
 - case law involving the statutory provision;
 - legislative history in the forms of Senate and/or House Reports; &
 - loose leaf services and treatises on the subject.



Updating Federal Statutes

- With print materials, always check the pocket parts. Also check for pamphlet supplements.
- Check the ***Shepard's Federal Statute Citations*** which includes the ***U.S.C., Stat., and Constitution.***



Other Forms of Federal Legislation

- ***U.S. Constitution***
- The full text of the U.S. Constitution is available in the ***USC, USCA***, and the ***USCS*** as well as via Westlaw, Lexis, Cornell's Legal Information Institute, FindLaw, and other items, such as hornbooks.





State Statutes

- Again, the publication process for state statutory provisions is similar to that of the federal process.
- Initially state laws are published as slip laws.
- A chronological arrangement of a state's session laws is published next.
- Finally a code and then an annotated code, a subject arrangement of the laws currently in force, is published.



State Codes

- NSU Law Library & Technology Center has the print version of the state codes for all 50 states.
- You can also obtain the full text of the state codes on fee for service electronic resources such as Lexis, Westlaw, and LoisLaw.



Electronic Versions of State Codes

- In addition to fee for service electronic resources, there are several electronic resources available at no charge.
- **Findlaw** at <http://www.findlaw.com> and **Cornell's Legal Information Institute** at <http://www.law.cornell.edu> as well as **WashLaw** at <http://washlaw.edu> all provide access to the full text of the states' codes.

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Uniform Acts



- For years, there has been a movement to enact uniform laws by the several states, particularly those areas in which uniformity would be helpful.
- The *National Conference of Commissioners on Uniform State Laws* was formed to help this movement become a reality.



Uniform Laws

- Since the Commission was formed, many states have indeed enacted uniform laws, particularly in the area of probate, domestic relations, or sales (UCC).
- Uniform laws that have been adopted by at least one state can be found in the West publication, ***Uniform Laws Annotated***. This is also available via Westlaw.

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Uniform Laws

In this collection

- [Uniform Commercial Code](#) and [UCC locator](#)
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- and uniform laws in the areas of:
 - [matrimonial, family and health](#) and
 - [business and finance](#)

If you are unclear about what Uniform Laws are see the LII "[Uniform Laws](#)" page.

What are Uniform Laws?

In the American federal system, both the federal government and the individual states have the power to pass statutes or laws. (Local governments like counties and cities can as well but have more limited power generally seen as derived from their state.) Both are subject to constitutional limitations. Some topics are largely covered by federal legislation, some are handled almost exclusively by the states, and many are the subject of both state and federal law.

As interstate business and individual movement have increased in the U.S. the felt need for greater uniformity of law on particular subjects has grown. One response to such a need is enactment of a federal law on the subject (e.g., the federal [Securities Act of 1933](#)). Another approach known by the name "Uniform State Laws" seeks adoption of identical or similar laws by all the states. It dates

Florida

- Florida's legislature passes both *general* (applicable statewide) and *special* (applicable to a particular area or group within the state) *laws*. This approach is similar to the federal government's passage of public and private laws.





Florida

- Like the federal government, Florida initially publishes a recently enacted law as a slip law. The Secretary of State publishes each act individually as a *pamphlet law* after the end of a legislative session.
- The Secretary of State assigns each act a chapter number. The first two digits of this number indicate the year of enactment, i.e. ch. 99-2 indicates that it was enacted in 1999.

Florida



- Several months after a legislative session is completed, Florida's session laws are then published in a chronological arrangement of enactment during the session in the hardcover publication, ***Laws of Florida***.
- The commercial publication of Florida's session laws is ***West's Florida Session Law Services***, published in softcover.

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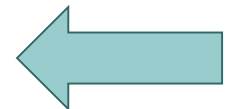


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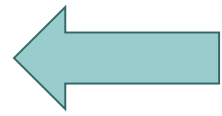
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House Bill No. 7067

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Florida

- Every year, the official compilation of Florida's general and permanent laws, in a subject arrangement, is published. The official publication is known as the ***Florida Statutes***.
- Each compilation has a general index and a tracing table to Florida's session laws.



Florida

- Finally West publishes a commercial compilation of Florida's laws known as the ***Florida Statutes Annotated***. Again, it is a subject arrangement of the laws currently in force and its textual arrangement mirrors that of the ***Florida Statutes***.
- This series includes excellent indexing, frequent updating with pocket parts and/or pamphlets, and annotations to cases and secondary sources.



Interpreting & Updating Florida's Laws

- To interpret Florida's laws, the researcher can use judicial decisions or legislative history. Florida's legislative history is limited but does exist.
- Florida's statutes can be updated with ***Shepard's Florida Citations***.



Florida's Laws Electronically

- Fee for service electronic resources Westlaw, Lexis, and LoisLaw all provide access to the full text of Florida's laws.
- Florida also has an official Internet site for its Legislature, known as ***Online Sunshine*** at ***<http://www.leg.state.fl.us/>***



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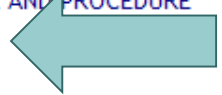
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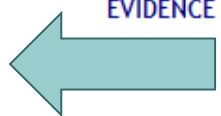
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TITLE VII

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CHAPTER 90

EVIDENCE CODE



- [90.101](#) Short title.
- [90.102](#) Construction.
- [90.103](#) Scope; applicability.





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90.101 Short title.--This chapter shall be known and may be cited as the "Florida Evidence Code."

History.--s. 1, ch. 76-237; s. 1, ch. 77-77; s. 22, ch. 78-361; s. 1, ch. 78-379.





Local Laws

- In addition to federal and state laws, cities and counties can also have laws as well.
- These are known as ordinances. Ordinances are passed by a city/county's council to regulate municipal matters.



- The NSU Law Library & Technology Center also has print copies of the *Broward, Miami/Dade, and Palm Beach Ordinances*.
- Many local municipalities have put their ordinances on the Internet. These items can be found at the *Municipal Code Corporations'* site at <http://www.municode.com/>
- Many of Florida's municipalities' ordinances can be found at this site.



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Important Information:

Municipal Code Corporation is a private sector host for City/County ordinances. We do not provide citizens with counsel, legal advice or research. If you are unable to locate the information you need by performing a keyword search on our site ([see FAQ's](#)), then you may need to contact your local City/County Clerk's office to obtain detailed information, specific to your area and needs.



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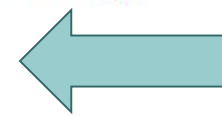
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 - Chapter 15 HEALTH*
 - Chapter 16 HOSPITALS*

**CODE
County of
BROWARD, FLORIDA**

**Codified through
Ord. No. 2006-43, enacted Dec. 12, 2006.
(Supplement No. 15)**

Preliminaries

**CODE
OF
BROWARD COUNTY, FLORIDA**

Published by Order of the Board of County Commissioners, 1976
Republished by Order of the Board of County Commissioners, 2001

Published by Municipal Code Corporation



Suggested Print Resources

- Robert C. Berring & Elizabeth A. Edinger, *Finding the Law* (12th ed. West 2005.)
- Roy M. Mersky, & Donald J. Dunn, *Fundamentals of Legal Research* (8th ed. Foundation Press 2002).
- Betsy L. Stupski, *Guide to Florida Legal Research* (6th ed. Florida Bar Continuing Legal Education 2001.)



Webliography

○ Federal Materials

- *Cornell's Legal Information Institute* at <http://www.law.cornell.edu/>
- *Findlaw* at <http://www.findlaw.com/>
- *GPO Access* at <http://www.access.gpo.gov/>
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- *Municipal Code Corporations at <http://www.municode.com/>*
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Conclusion

- Questions?
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- We look forward to helping you resolve your research queries!