

chicago citation examples for legislation

Chicago Citation Examples for Legislation

chicago citation examples for legislation are crucial for academic and legal writing, ensuring clarity, accuracy, and proper attribution. Navigating the intricacies of citing statutes, bills, and codes requires a thorough understanding of the Chicago Manual of Style (CMOS) provisions for legal sources. This article will delve into the essential components of citing legislation under the Chicago style, providing comprehensive examples for various legislative documents. We will explore the general principles of legal citation within CMOS, the specific formatting for federal and state statutes, and how to handle amendments and repealed laws. Understanding these nuances is vital for anyone engaging with legal texts, from students and researchers to legal professionals. Mastering these citation practices will enhance the credibility and scholarly rigor of your work.

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Understanding Chicago Style for Legal Sources

The Chicago Manual of Style, while primarily known for its broad applicability in humanities and social sciences, also offers guidance for legal citation. However, it's important to note that for highly specialized legal scholarship, dedicated legal citation manuals like *The Bluebook* or *ALWD Guide to Legal Citation* might be preferred. Nevertheless, for general academic purposes requiring adherence to CMOS, understanding its approach to legal materials is essential. The primary goal of Chicago-style citation, including for legislation, is to provide readers with sufficient information to locate the source easily and to understand its context.

When citing legislation, CMOS emphasizes clarity and precision. This means providing all necessary components that uniquely identify the legislative act. These components typically include the title of the act, its session law number or codified section number, the jurisdiction, and the year of enactment or publication. The specific format can vary slightly depending on whether you are citing federal or state legislation, and whether the legislation is currently in effect or has been amended.

General Principles of Citing Legislation in Chicago Style

The overarching principle in Chicago style for citing any source, including legislation, is to offer enough detail for retrieval. For legislation, this translates to identifying the specific law, its origin, and its location within the legal framework. The core elements required are consistent, aiming to remove ambiguity and facilitate research. Even though CMOS doesn't have a dedicated chapter solely for legal citation like specialized legal guides, its general principles apply, requiring authors to be thorough in their presentation of legal sources.

Key information to include when citing legislation generally involves:

- The official title of the act or statute.
- The jurisdiction from which the legislation originates (e.g., United States Congress, State of Illinois).
- The relevant session law designation (e.g., Public Law number) or codified section number.
- The year of enactment or publication of the session law.
- The specific edition or compilation of the statute if applicable.

It is also crucial to distinguish between session laws (the original form of an enacted law) and statutes (laws as they appear in codified form). CMOS advises clarity on which form is being cited, as this can impact the reader's ability to locate the exact text being referenced.

Citing Federal Statutes in Chicago Style

Citing federal statutes under the Chicago Manual of Style follows a structured approach that prioritizes accessibility and specificity. The most common method involves referencing the Public Law number and the year it was enacted. This format allows researchers to quickly identify the particular piece of legislation passed by the U.S. Congress. For instance, a recently passed federal law would be cited by its Public Law designation, its full title, and the year.

A typical format for citing federal statutes in Chicago style is as follows:

Title of Act, Public Law No. [Number], [Volume Number] U.S. Stat. [Page Number] ([Year of Enactment]).

For example:

Affordable Care Act, Public Law No. 111-148, 124 Stat. 119 (2010).

If you are referencing a codified section of the United States Code (U.S.C.), the citation format shifts to reflect its placement within the code. This is particularly useful when referring to an established

body of law rather than a newly enacted statute. The U.S.C. is organized into titles and sections, and these identifiers are crucial for precise referencing. When citing the U.S.C., you should include the title number, the section number, and the year of the specific U.S.C. edition you consulted.

The format for citing the U.S. Code is:

[Title Number] U.S.C. § [Section Number] ([Year of Code Edition]).

An example would be:

42 U.S.C. § 18001 (2018).

It's important to use the most current and authoritative edition of the U.S. Code available. Referencing a specific edition ensures that your reader can find the law as it existed at a particular time, especially if it has undergone subsequent amendments or codification changes.

Citing State Statutes in Chicago Style

Citing state statutes in Chicago style mirrors the principles applied to federal legislation but requires specifying the particular state. Each state has its own legislative system, including its own compilation of statutes. Therefore, when citing state legislation, it is imperative to clearly identify the state and the specific codified version of its laws.

The general format for citing state statutes involves the title of the act, the relevant state code abbreviation, the section number, and the year of the code. The specific abbreviation for state codes can vary, so consulting a style guide or a reliable legal resource for the correct abbreviation is advisable. For instance, statutes in California are found in the California Codes, while those in New York are in the Consolidated Laws of New York.

A common structure for state statutes is:

[State Abbreviation] [Code Name] § [Section Number] ([Year of Code]).

For example, citing a section of the Illinois Compiled Statutes would look like this:

765 Ill. Comp. Stat. § 5/2 (2020).

Similarly, for California legislation:

Cal. Civ. Code § 1714 (West 2021).

When referencing session laws for a state, you would typically include the name of the state, the chapter or act number, and the year. This is similar to citing federal session laws but tailored to the specific state's legislative numbering system.

The format for state session laws is:

[State Name] Laws ch. [Chapter Number], § [Section Number] ([Year]).

An example would be:

New York Laws ch. 405, § 1 (2022).

The key is to provide enough information so that a reader can locate the statute within that state's official legal publications.

Citing Bills and Resolutions

Bills and resolutions are the legislative proposals that may or may not become law. Citing them requires identifying their stage in the legislative process and their designation. This is distinct from citing enacted statutes and needs a clear format to distinguish it from finalized legislation. When a bill is being actively discussed or has been introduced but not yet passed, citing it requires careful attention to its specific identifier.

When referencing a bill, you should include the bill number, the chamber of origin (House or Senate), the Congress or legislative session, and the year. For instance, a bill introduced in the U.S. House of Representatives would be identified with "H.R." followed by its number.

The format for citing federal bills is:

H.R. [Bill Number] ([Congress Session], [Year]).

or

S. [Bill Number] ([Congress Session], [Year]).

For example:

H.R. 1319 (117th Cong., 1st Sess., 2021).

Similarly, state bills are cited using their respective state abbreviations and legislative session identifiers. The exact format can vary based on the state's legislative practices, but generally includes the bill number and the legislative session.

The format for citing state bills is:

[State Abbreviation] [Bill Number] ([Legislative Session], [Year]).

An example might be:

Cal. A.B. 101 (Reg. Sess., 2023).

Resolutions, whether simple or concurrent, are also cited with their specific designations, chamber, and session, similar to bills. These are important for tracking legislative intent and actions that do not necessarily result in statutory law.

Citing Amendments and Subsequent Legislation

When legislation has been amended or superseded, it is crucial to cite both the original legislation and the amending or superseding law accurately. This provides a complete picture of the legal landscape and ensures that the reader understands the current status of the law. Failing to cite amendments can lead to misunderstandings about the legal requirements or protections in place.

When referencing an amended statute, it is often best practice to cite the statute as it currently exists, but to also note the amendment if its historical context is important for your argument. If the amendment itself is the subject of your discussion, then it should be cited as a separate legislative act.

To cite an amendment specifically, you would reference the amending act, often referencing the original act it modifies. For example, if Public Law 115-97 amended a section of the Internal Revenue Code, you would cite Public Law 115-97, and potentially note that it amended the relevant IRC section.

The format for citing an amendment act might resemble:

An Act to Amend the [Original Act Title], Public Law No. [Number], [Volume] U.S. Stat. [Page Number] ([Year]).

If you are discussing a section of a codified statute that has been amended, and the amendment is critical, you might cite the current code section and then a subsequent note referencing the amendment act. This ensures that the reader understands the evolution of the law.

When legislation is repealed, it is still important to cite it accurately to show what law was previously in effect. You would cite the repealed legislation as it existed at the time it was in force, and then clearly state that it has been repealed.

Citing Repealed or Superseded Legislation

Even laws that have been repealed or superseded retain historical importance and may need to be cited in certain contexts, such as legal history, comparative law, or discussions of how legal frameworks have evolved. Citing repealed legislation requires clearly indicating its former status to avoid confusion with current law. The principle of providing sufficient information for retrieval remains paramount.

When citing repealed federal statutes, you would follow the same format as for currently active federal statutes but add a clear indication that the law has been repealed. This can be done parenthetically or within the prose of your writing.

For example:

The *Economic Stimulus Act of 2008*, Public Law No. 110-185, 122 Stat. 618 (2008), was subsequently repealed by Section 1401 of the American Recovery and Reinvestment Act of 2009.

Similarly, for state statutes, you would cite the law and explicitly mention its repeal.

Example:

Former Texas Penal Code § 10.01 (1974), which defined certain criminal offenses, has since been repealed.

It is also crucial to cite the law that repealed or superseded the original legislation, as this provides the reader with the most current legal context and the history of the legislative change. This ensures a complete and accurate representation of the legal precedents and statutes being discussed.

Common Pitfalls in Citing Legislation

Navigating the complexities of citing legislation can lead to several common pitfalls that can undermine the clarity and accuracy of academic and legal writing. One of the most frequent errors is the failure to specify the jurisdiction. Without knowing whether a statute is federal, state, or local, its relevance and application can be unclear. Always ensure the origin of the legislation is evident.

Another common issue is inconsistent formatting. Whether citing session laws or codified statutes, adhering strictly to the chosen citation style (in this case, Chicago) is essential. Mixing formats or omitting key identifiers like volume numbers, section numbers, or enactment years can create confusion.

Other frequent mistakes include:

- Incorrectly identifying the Public Law number or session law chapter.
- Using outdated editions of codified statutes without noting the edition year.
- Failing to distinguish between bills and enacted statutes.
- Not clearly indicating if legislation has been amended, repealed, or superseded.
- Citing unofficial or unreliable versions of legislative texts.
- Omitting crucial information such as the title of the act or the specific section referenced.

Careful proofreading and cross-referencing with official legislative sources are vital steps in avoiding these errors. Paying close attention to the details provided in official government publications will significantly enhance the accuracy of your citations.

FAQ

Q: What is the primary difference between citing session laws and codified statutes in Chicago style?

A: Citing session laws refers to the original, chronological publication of an enacted law, typically identified by a Public Law number (for federal laws) or a chapter number (for state laws) and the year of enactment. Citing codified statutes, on the other hand, refers to laws as they appear organized by subject matter within a legal code (like the U.S. Code or a state's compiled statutes), identified by title and section numbers and the year of the code edition.

Q: Do I need to cite the legislative history when providing Chicago citation examples for legislation?

A: While the Chicago Manual of Style primarily focuses on providing enough information for the reader to locate the primary text of the legislation, in certain academic contexts, including legislative history might be beneficial or even required by specific instructors or journals. If legislative history is necessary, it should be presented clearly, often following the main citation of the statute.

Q: How do I cite a specific section of a federal law that has been amended multiple times?

A: When citing a specific section of a federal law that has been amended, you should cite the most current version of the codified statute, including the year of the code edition. If the historical context of the amendments is important to your argument, you can also note the Public Law numbers of the significant amendments in your text or a footnote, explaining their impact.

Q: What is the proper Chicago citation format for a state bill that has not yet been passed into law?

A: To cite a state bill that has not yet been passed, you should include the abbreviation for the state, the bill number (e.g., A.B. for Assembly Bill, S.B. for Senate Bill), the legislative session, and the year it was introduced. For example: Cal. A.B. 500 (Reg. Sess., 2023).

Q: If a law is repealed, how should I cite it in Chicago style?

A: When citing a repealed law, you should cite it as if it were still in effect, providing its original title, session law designation or code section, and year of enactment or code publication. Crucially, you must clearly indicate within your text or citation that the law has been repealed. For instance: The *[Title of Act]*, Public Law No. [Number], [Volume] U.S. Stat. [Page] ([Year]), was repealed by [Citation of repealing act].

Q: Is there a specific Chicago citation example for a U.S.

Congressional Resolution?

A: Yes, for U.S. Congressional Resolutions, the citation typically includes the resolution number, the chamber (H.Res. for House Resolutions, S.Res. for Senate Resolutions), and the Congress number and session. For example: H.Res. 112 (117th Cong., 1st Sess., 2021).

Q: When citing a state statute, do I always need to include the publisher of the code, like "West"?

A: While the Chicago Manual of Style often encourages providing enough information for retrieval, for state statutes, the specific publisher of the code (like West or LexisNexis) is often included, especially if it helps distinguish between different annotated or unannotated versions. However, the primary elements are the state, code name, section number, and year. Check specific journal or publisher guidelines if unsure.

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