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Understanding Colorado Statutory Source Notes

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INTRODUCTORY NOTE

Source notes, which provide the legislative history of Colorado statutes, are invaluable tools to the legislative researcher. However, some source notes, particularly those predating the 1973 recodification of the Colorado Revised Statutes (C.R.S.), can be difficult to interpret and understand. The purpose of this article is to assist the legislative researcher in understanding Colorado's statutory source notes. This article will explain the evolution of source notes over time and provide a "key", if you will, for understanding the elements of a statutory source note.

Source Note Information

What is a source note? A source note is a compilation of the legislative history of a particular statute. It immediately follows the text of the statute and serves as a roadmap of the law's history from its enactment. The current source note information found in the Colorado Revised Statutes includes references to prior codifications marked in boldface, followed by the section numbers assigned to the particular provision of law in the respective codifications. The source note for each section of law, as applicable, indicates the year in which the section is added or amended in the session laws "**L. year**" in boldface, the page of the session laws where the provision is located, and the section "§" of the act where the amendment is found. Because the source note information was not compiled on an ongoing basis, or even compiled in a format similar to what currently appears in the Colorado Revised Statutes, until the publication of the Colorado Revised Statutes in 1953, there may be errors in the information within the source notes. J. Myron Jacobstein, a professor of law and the head librarian of the law school at the University of Colorado in 1959, noted:

as the General Assembly had provided for annotations, a complete index, perpetual revision, and for a Revisor of Statutes, the Colorado Revised Statutes of 1953 should be a model of statutory compilation. But something has gone amiss . . . [A] Wyoming lawyer has available to him a set of tables enabling him to trace any

session law since 1877 into the current Wyoming compiled statutes. If lawyers in other states, no larger than Colorado, can have the many advantages available in a good codification, then why can not lawyers in Colorado?

One of the purposes of this article is to enable an individual researching the history of a section to recognize any information that is apparently out of sequence or incomplete. Since there are no comparative tables available for the earlier editions of statutes until the comparative table referencing the Revised Statutes of Colorado 1908 and subsequent session laws to the Compiled Laws of Colorado 1921, tracking a section of law from one edition to the other can only be accomplished using the subject index of each of the editions. Complicating this research is the fact that entries in the index from one compilation are not necessarily consistent with entries in the next; therefore, some creative thinking is required when tracking provisions from one compilation to the next. The authors recommend reading the front pages of the compilations, browsing through the pages of the various compilations for a better understanding of their contents, and examining the session laws to gain insight into how the statutes and session laws work together for each version of the state's laws.

Below are two examples of source notes for statutes first enacted in 1872. These examples illustrate how the format changed over the years. Each bit of information is a clue to the different versions of statutes and codes that the state of Colorado has used since 1868. The source notes contain references to years, page numbers, section numbers, codification numbers, statutory section numbers, and then back to session laws. This article will hopefully explain how to "decode" the clues in the source note so that a researcher can find the correct document to see how the law changed over the years.¹

EXAMPLES:

Source: L. 1872: p. 162, § 1. **G.L.** § 2145. **G.S.** § 1317. **R.S. 08:** § 2498. **C.L.** § 6544. **CSA:** C. 63, § 10. **CRS 53:** § 52-1-10. **C.R.S. 1963:** § 52-1-10.

Source: L. 1872: p. 163, § 4. **G.L.** § 2148. **G.S.** § 1320. **R.S. 08:** § 2501. **C.L.** § 6547. **CSA:** C. 63, § 13. **CRS 53:** § 52-1-13. **C.R.S. 1963:** § 52-1-13. **L. 73:** p. 631, § 1.

The first thing to understand is how years are referred to in source notes. Beginning in 1901 and ending in 1999, the year in the source notes was abbreviated as the last two digits of the year as seen above beginning with R.S. 08 with the exception of the Colorado Revised Statutes 1963 (C.R.S. 1963), to differentiate the codification from the Colorado Revised Statutes 1953 (CRS 53). Displaying the year in its entirety began in 2000.

¹ <https://leg.colorado.gov/sites/default/files/chart-for-decoding-colorado-source-notes.pdf>

Chronological Listing Of Publications Of Colorado Statutes And The Correct Citation For Each Publication

Second, the source note is meaningless unless the legislative researcher has a basic knowledge of the abbreviations commonly used in source notes to represent the various codifications and early compilations of Colorado law over the years². The following is a chronological listing of the publications of Colorado law and the correct citation for each:

Revised Statutes of Colorado	(1868) R.S. p. __, § __.
General Laws of Colorado ³	(1877) G.L. § __.
General Statutes of Colorado	(1883) G.S. § __.
Revised Statutes of Colorado	(1908) R.S. 08: § __.
Compiled Laws of Colorado	(1921) C.L. § __.
Colorado Statutes Annotated	(1935) CSA: C. __, § __.
Colorado Revised Statutes 1953 *	(1953) CRS 53: § __.
Colorado Revised Statutes 1963 **	(1963) C.R.S. 1963: § __.
Colorado Revised Statutes ***	(1973) C.R.S.

*There are biennial supplements compiled into a hardbound supplement containing the laws of a general and permanent nature enacted by the General Assembly at each session, beginning with the second regular session of the thirty-ninth General Assembly (1954) and concluding with the second regular session of the forty-second General Assembly (1960). There is a separate supplement for the laws enacted by the forty-third General Assembly at its first regular session in 1961 and at its first extraordinary session in 1961.

**There are hardbound biennial supplements to the C.R.S. 1963 from 1965 through 1971.

***The softbound publication of the "Official Report of the Committee on Legal Services", the precursor to the official version of the Colorado Revised Statutes 1973, was not intended as an official publication of the state's laws. Copies were distributed to the members of the General Assembly for the purpose of certifying the laws enacted in the 1972 and 1973 sessions for inclusion in the compilation of Colorado Revised Statutes 1973, which did not become available until 1974. Since a separate supplement was not printed for the laws enacted in 1972 or 1973, refer to

² For a comprehensive, analytical study of Colorado's early law, see J. Myron Jacobstein, "Colorado Statutes: Past, Present, and Future", 33 Rocky Mtn. L. Rev. 36-45 (1960).

³ Two separate publications were created in 1877, both of which were referred to as the General Laws of Colorado. The first publication included the acts as they became law (similar to our current session laws), and the second publication represented the codified law and included all the laws that were in effect in 1877 when the General Laws of Colorado were first compiled.

the session laws of 1972 or 1973.

UNDERSTANDING EARLY COMPILATIONS OF COLORADO LAW

In order to research the history of a statute, it is helpful to have some knowledge of the idiosyncracies of previous compilations. With the publication of the codifications prior to 1973, there is some confusion in interpreting the meaning of the source note information. This emanates from the fact that, prior to the recodification of the Colorado Revised Statutes in 1973, there was not an annual printing of supplements to the statutes or a reprinting of the statutes themselves. Consequently, researching a section of law requires the use of the original sources of the law beginning with the Revised Statutes of Colorado 1868 and the other compilations and subsequent session laws. Another source of confusion derives from the transition from one edition of the statutes to another. The following examples and rationales attempt to explain the variations.

I. REVISED STATUTES OF COLORADO (1868) [R.S.]

A. Compilation of Territorial Law.

Legislative assemblies of the Colorado territory convened in 1861, 1862, and 1864 through 1867. The acts were compiled with the **first** statutory revision of the publication of the Revised Statutes of Colorado in 1868, consolidating the territorial laws and making reference to previous session laws unnecessary.⁴

The sections of law in the Revised Statutes of Colorado (R.S.) edition were arranged alphabetically by topic and divided into chapters containing sections or into chapters further divided into articles containing sections. Each section of a chapter or each section of an article begins with "SECTION 1." Following the last section or article in the chapter, a researcher may see a notation to prior territorial law being repealed. Additionally, the title of the act, the approval date of that act, and the section, year, and page number of the session laws in which the act appears follows the last section of the chapter. Footnotes may appear throughout a chapter concerning cases construing the sections within that chapter.

EXAMPLE:

Source: R.S. p. 107, § 7. G.L. § 166. G.S. § 204. R.S. 08: § 675. C.L. § 4876. CSA: C. 40, § 8. CRS 53: § 118-1-7. C.R.S. 1963: § 118-1-7.

Using the chronological listing of Colorado's statutory publications at the beginning of this article, a researcher can track the history of this section. Because

⁴ See the Revised Statutes of Colorado 1868, pp. 4, 683-694.

there is no entry of session laws "L. (year)" included in the source note above, a researcher concludes that the section originated as territorial law and was never amended.

B. Creation of New Law.

The only other means by which a statute originates is indicated by the session laws entry "L. (year)". After every session of a General Assembly, both regular and extraordinary, a "Session Laws of Colorado" is published containing all laws of both a permanent and a temporary nature enacted at that session. Those laws of a permanent nature are codified into the statutes. The principal rule applicable for inclusion of any new section of law into any of the editions of the statutes is that the session laws entry appears before the edition of the publication in which it is included.

EXAMPLE:

Source: L. 1874: p. 61, § 1. **G.L.** § 376. **G.S.** § 450. **R.S. 08:** § 1087. **C.L.** § 8565. **CSA:** C. 44, § 7. **CRS 53:** § 34-1-7. **C.R.S. 1963:** § 34-1-7.

The one exception to this rule is the publication of the laws adopted at the first session of the General Assembly following statehood. Those laws were compiled into the General Laws of Colorado 1877.

II. GENERAL LAWS OF COLORADO (1877) [G.L.]

A. Transition from Territorial Law to State Law.

After 1868, the legislative assemblies convened in even-numbered years 1870, 1872, 1874, and 1876. The session laws volume to the General Laws of Colorado is entitled General Laws and contains the acts passed in 1870, 1872, 1874, and 1876. The acts from these four legislative assemblies were compiled into the General Laws of Colorado (G.L.). Also included in the compilation of the General Laws of Colorado were the acts enacted or amended during the first session of the General Assembly of the State of Colorado, which convened November 1, 1876, and concluded March 20, 1877. These acts, however, were not compiled into any session laws, nor were the proceedings of the session published in any journals. Instead, these acts were compiled together with the territorial acts passed prior to the first legislative session into the General Laws of Colorado 1877.^{5,6} Because the

⁵ See section 1 of the Schedule located at the end of the Colorado Constitution.

⁶ The authors found no evidence that journals or session laws had been published for the first session of the Colorado General Assembly in 1876 after contacting the Colorado Joint Legislative Library, Colorado Supreme Court Library, Colorado Historical Society, State of Colorado Archives, University of Denver Penrose Library, and William A. Wise Law Library at the University of Colorado at Boulder (confirmed in the Check List of Colorado Public Documents, State Board of Library Commissioners, pp. 83, 90).

laws enacted or amended from November 1, 1876, through March 20, 1877, were not published in a separate session laws volume, entries in source notes referencing these acts begin with [**G.L.**] as seen below.

EXAMPLE:

Source: G.L. § 1059. G.S. C. § 238. L. 1885: p. 200, § 1. L. 01: p. 173, § 1. R.S. 08: § 2416. C.L. § 6312. CSA: C. 61, § 2. CRS 53: § 50-1-2. L. 55: p. 368, § 1. C.R.S. 1963: § 50-1-2. L. 64: p. 265, § 154.

The sections of law in the General Laws of Colorado 1877 were arranged into chapters, or chapters divided into articles, and alphabetically arranged by topic and then subdivided into consecutively numbered sections, a change from the previous edition of the Revised Statutes of Colorado 1868.

An act at the beginning of the General Laws of 1877 provides for the printing of the general laws and states that renumbered sections may appear without reference to the former section numbers. In many instances, however, it is apparent that the section number appearing to the right of the General Laws of Colorado 1877 section number corresponds to the former section number from the Revised Statutes of Colorado 1868 or to the section number from the act in which it originated. If, however, a section was amended in such a way as to reorganize its original format, the remaining sections will not correspond to the former section number from the Revised Statutes of Colorado 1868 or to the section number from the act in which it originated. Notes appear in the margins summarizing the contents of the section and advise the reader of any amendments made to the section and in what year; however, there are no page numbers referencing where the amendments can be found as there are in current-day source notes. A general reference to the chapter number of the Revised Statutes of Colorado 1868 appears after the heading, in Roman numerals, or to the session laws of 1870, 1872, 1874, or 1876. The approval date appears at the end of each act passed by the first General Assembly of the state. There is no comparative table.

EXAMPLE:

Source: L. 1874: p. 61, § 1. G.L. § 376. G.S. § 450. R.S. 08: § 1087. C.L. § 8565. CSA: C. 44, § 7. CRS 53: § 34-1-7. C.R.S. 1963: § 34-1-7.

In the example above, the section of law was added after the printing of the edition of the Revised Statutes of Colorado in 1868; therefore, the citation to the session laws appears **before** the edition of the statutes, the General Laws of Colorado 1877, in which it is included.

EXAMPLE:

Source: R.S. p. 455, §2. L. 1874: p. 185, § 1. G.L. § 1759. G.S. § 2278. R.S. 08: § 4190. C.L. §5585. CSA: C. 108, § 10. CRS 53: § 90-2-9. C.R.S. 1963: § 90-2-9.

The example above indicates that the section of law can be tracked back to the codification of the Revised Statutes of Colorado in 1868 and that the section was amended in 1874. This section, as amended, appears in the General Laws of Colorado 1877.

B. Transition from One Codification to Another.

Any subsequent amendments to an existing section of law printed in a prior codification or subsequent session laws to that codification appear **after** it and before the next edition of the statutes in which it is included.

EXAMPLE:

Source: L. 1874: p. 187, § 6. L. 1876: p. 94, § 1. G.L. § 1816. G.S. § 2402. R.S. 08: § 4198. C.L. § 3284. CSA: C. 110, § 174. CRS 53: § 92-22-7. C.R.S. 1963: § 92-22-7.

In the example above, the source note indicates that the section of law was added in 1874. In 1876, since the section had not been codified yet into the edition of the General Laws of Colorado 1877, the only avenue available to amend the section was to amend the session laws in which the section was printed.

III. GENERAL STATUTES OF COLORADO (1883) [G.S.]

After 1877, the General Assemblies convened in odd-numbered years in 1879 through 1949, with the exception of any special sessions.

Laws enacted or amended after 1877 through 1883 were compiled and printed in the edition of the statutes known as the General Statutes of Colorado 1883 (G.S.). Although the sections of law in the General Statutes of Colorado 1883 edition were arranged in a format similar to the General Laws of Colorado 1877, the sections were renumbered. Unlike its predecessors, the General Statutes of Colorado 1883 continued its numbering with chapters but reverted to grouping sections under division headings rather than grouping sections under articles. This practice continued with the compilations of the Revised Statutes of Colorado 1908 and the Compiled Laws of Colorado 1921.

Historical information is provided after each section⁷ appearing in the Revised Statutes of Colorado 1868 and the General Laws of Colorado 1877 and subsequent session laws. There is no comparative table.

⁷ After certain sections in the General Statutes of Colorado 1883, Illinois law (e.g. Illinois Rev. St. 1845) is cited before Colorado's historical information in the source notes. The authors believe that these sections were derived from Illinois law and the cites were added to provide a broader historical understanding of the sections' roots. This appears to be the first and only year in which this information was provided in the source notes. Section 3 of the act requiring the compilation of the Revised Statutes of Colorado 1908 limited source note information to Colorado publications. (See the act in the front pages of the Revised Statutes of Colorado 1908.)

The following are two examples of source notes from sections citing the General Statutes of Colorado and the General Laws of Colorado, respectively:

EXAMPLES:

1. Source: **L. 1883:** p. 275, § 3. **G.S.** § 3112. **R.S. 08:** § 6029. **C.L.** § 8051. **CSA:** C. 145, § 18. **CRS 53:** § 124-9-17. **C.R.S. 1963:** § 124-9-10.
2. Source: **G.L.** § 1059. **G.S.** C. § 238. **L. 1885:** p. 200, § 1. **L. 01:** p. 173, § 1. **R.S. 08:** § 2416. **C.L.** § 6312. **CSA:** C. 61, § 2. **CRS 53:** § 50-1-2. **L. 55:** p. 368, § 1. **C.R.S. 1963:** § 50-1-2. **L. 64:** p. 265, § 154.

In source note example #2, "**G.S. C.**" means that this section is found in the Code of Civil Procedure located in the back of the index to the General Statutes of Colorado 1883.

IV. REVISED STATUTES OF COLORADO (1908) [R.S. 08]

The compilation of the Revised Statutes 1908 (R.S. 08) includes laws enacted or amended after the printing of the General Statutes of Colorado in 1883 through 1907, as seen in the two source note examples below.

EXAMPLES:

Source: **L. 1885:** p. 270, § 1. **R.S. 08:** § 6914. **C.L.** § 507. **CSA:** C. 168, § 16. **CRS 53:** § 142-1-16. **C.R.S. 1963:** § 143-1-16.

Source: **L. 07:** p. 158, § 4. **R.S. 08:** § 5865. **C.L.** § 8252. **CSA:** C. 154, § 37. **CRS 53:** § 131-5-1. **C.R.S. 1963:** § 131-5-1.

As with earlier compilations, the sections of law in the Revised Statutes of Colorado 1908 were renumbered⁸. Implied repeals were no longer made in the Revised Statutes of Colorado 1908 due to the limited authority provided by the General Assembly to the Secretary of State and the commissioner appointed by the Supreme Court of the State of Colorado to revise, compile, edit, and prepare for publication the Revised Statutes of Colorado 1908. Instead, acts, and parts of acts, in conflict were codified and included. These sections included footnotes placed after the source notes indicating that conflicts existed.

Historical information is provided in the Revised Statutes of Colorado in **inverse** order immediately following the text for each section appearing in the Revised Statutes of Colorado 1868, the General Laws of Colorado 1877, and the General Statutes of Colorado 1883 and subsequent session laws, **precisely in the following format** as follows:

⁸ See the preface of the Revised Statutes of Colorado 1908.

EXAMPLE:

[G. S., §981; G. L., §840; R. S., p. 252, §239.

V. COMPILED LAWS OF COLORADO (1921) [C.L.]

Laws enacted or amended after the printing of the Revised Statutes of Colorado 1908 were incorporated into the Compiled Laws of Colorado 1921 (C.L.), including laws enacted at the extraordinary session in 1922, as seen in the example below.

EXAMPLE:

Source: L. 22: p. 88, § 1. **C.L.** § 9590.

The sections of law in the Compiled Laws of Colorado 1921 were arranged by subject matter in a logical sequence rather than alphabetically and placed into twenty-nine separate titles divided into chapters and sections. References in some source notes to "Code 08", "Code 21", and "Code 35" refer to the Code of Civil Procedure located in the front of the Revised Statutes of Colorado 1908, Compiled Laws of Colorado 1921, and Colorado Statutes Annotated 1935, respectively. All volumes also set forth the general statutes of the State of Colorado.

EXAMPLE:

Source: L. 1887: p. 216, § 431. **Code 08:** § 466. **Code 21:** § 467. **Code 35:** § 467. **CRS 53:** § 12-1-20. **C.R.S. 1963:** § 12-1-20. **L. 64:** p. 208, § 14.

This edition of the statutes includes a comparative table of the Revised Statutes of Colorado 1908 and the subsequent session laws to the Compiled Laws of Colorado 1921 but not to earlier compilations of the statutes. Prior to 1921, in instances in which historical information is missing or inaccurate for any of the compilations, determining the subject matter in the statutory index from the earlier compilations of the statutes is the only choice for tracking the history of a statute, since a statute did not retain its original number. Although there was no directive to annotate the laws, references to decisions explaining or limiting the meaning of sections and cross references directing the reader to related provisions were provided.

Historical information is provided after each section in the Compiled Laws of Colorado 1921 in primarily inverse order for sections appearing in the Revised Statutes of Colorado 1868, the General Laws of Colorado 1877, the General Statutes of Colorado 1883, and the Revised Statutes of Colorado 1908 and subsequent session laws, **precisely in the following format** as follows:

EXAMPLES:

[L. '07, p. 562, §1; amending G. S., §3044; L. '83, p. 263, §1; R. S. '08, §5914.

[G. S., §3381; G. L., §2718; R. S. '08, §6553.

It is important to understand that, in all of the compilations discussed above, because there was a hiatus with the compilations and printing of the statutes, amending the session laws or amending a previous compilation became necessary, as illustrated in the example below. This section was added in 1915 after the compilation of the Revised Statutes of Colorado 1908 and before the compilation of the Compiled Laws of Colorado 1921. The amendment in 1921 was made to the session laws of 1915 because it was the only place in which the section, as amended, was printed. This is typical with all of the earlier compilations of the statutes. The section, as enacted in 1915, appeared in the Compiled Laws of Colorado 1921, as it was amended in 1921.

EXAMPLE:

Source: L. 15: pp. 562, 563, §§ 1, 2, 4. L. 21: p. 828, § 2. C.L. §§ 4325, 4326, 4328. CSA: C. 97, §§ 1, 2, 4. CRS 53: §§ 80-1-1 to 80-1-3. C.R.S. 1963: §§ 80-1-1 to 80-1-3.

VI. COLORADO STATUTES ANNOTATED (1935) [CSA]

A. Original Volumes.

The publication of the Colorado Statutes Annotated 1935 (CSA) in 1937 consists of laws enacted or amended after the printing of the Compiled Laws of Colorado 1921, including amendments made or laws enacted from 1923 through the extraordinary session of 1936. It also incorporates annotations. Historical information follows each section. Included in the Colorado Statutes Annotated 1935 is the general statutes of the State of Colorado, the constitutions of the United States and Colorado, the Code of Civil Procedure, and the Colorado Supreme Court Rules.

B. Court Rules - Subsequent Replacement Volume.

On January 6, 1941, the Colorado Supreme Court adopted the new Rules of Civil Procedure, which became effective April 6, 1941, resulting in the publication of a replacement volume. Thereafter, the publication of the Colorado Court Rules, although a continuing part of the Colorado Revised Statutes, contained a combination of the Federal Rules and the Colorado Code of Civil Procedure and included some provisions entirely distinct from both the Federal Rules and the Colorado Code of Civil Procedure, as adopted or amended by the Supreme Court of Colorado.

EXAMPLE:

Source: L. 35: p. 263, § 1. CSA: C. 25, § 67. CRS 53: § 122-7-1. C.R.S. 1963: § 122-6-1. L. 2004: (1)(c) amended, p. 140, § 26, effective July 1.

The example above illustrates the inclusion of new law into the Colorado Statutes Annotated 1935.

C. Supplements and Replacement Volumes to Original Volumes.

Although no provision was made for perpetual revision or for the publication of annual supplements, cumulative supplements to the Colorado Statutes Annotated 1935 were printed in 1938, 1941, 1942, 1951, and 1953. Replacement volumes were printed in 1949 (volumes 4A and 4B) and 1952 (volumes 3A and 3B). The indices located in the back of the 1951 and 1953 cumulative supplements make note of this fact with an asterisk next to the entry with the section referencing the reader to the applicable replacement volume.

1949 Replacement Volumes 4A and 4B.

Any newly enacted laws and any amendments made to chapters 104 to 178 prior to 1949 were incorporated into the 1949 replacement volumes 4A and 4B. Any newly enacted laws and any amendments made to the chapters after the 1949 replacement volumes appeared in the 1951 and 1953 cumulative supplements.

1952 Replacement Volumes 3A and 3B.

Any newly enacted laws and any amendments made to chapters 58 to 103A were incorporated into the 1952 replacement volumes 3A and 3B. Any newly enacted laws and any amendments made to those chapters after the 1952 replacement volumes appeared in the 1953 cumulative supplement.

EXAMPLE:

Source: L. 29: p. 533, § 5. **L. 35:** p. 963, § 1. **CSA:** C. 15, § 36. **L. 41:** p. 626, § 6.

The source note above is an example in which an amendment was made in 1935 to the session laws of 1929 simply because it was the only place in which the section was printed prior to the compilation of the Colorado Statutes Annotated 1935 (CSA) in 1937. The source note indicates that the section was further amended in 1941, and, because this section was not within any of the chapters incorporated into either the 1949 or 1952 replacement volumes, it appeared in the 1941, 1942, 1951, and 1953 cumulative supplements.

EXAMPLE:

Source: L. 15: p. 254, § 1. **C.L.** § 6. **CSA:** C. 74, § 6. **L. 45:** p. 366, § 1. **L. 47:** p. 479, § 1. **L. 51:** p. 439, § 1. **CRS 53:** § 63-2-5. **C.R.S. 1963:** § 63-2-5.

In the example above, chapter 74, § 6, Colorado Statutes Annotated 1935 (CSA: C. 74, § 6.) was amended in 1945. In 1947, an amendment was made to the

1945 session laws because it was the only place that section, as amended, was printed. This section, as amended in 1947, appeared in the 1951 cumulative supplement and the 1952 replacement volume.

VII. COLORADO REVISED STATUTES 1953 (1953) [CRS 53]

The General Assemblies convened every year with the commencement of the first regular session of the thirty-eighth General Assembly in 1951 and the second regular session convening in 1952.

A. Formatting of CRS 53.

Although all of the codifications of the statutes were arranged into chapters, starting with the codifications of Colorado Revised Statutes 1953 and Colorado Revised Statutes 1963, the chapter and section numbers were incorporated into one statutory section number rather than separated out as with the Colorado Statutes Annotated 1935.

In the source note below for CRS 53, in the three-part section number shown as 63-2-5, "63" represents the chapter number, "2" represents the article number, and "5" represents the section number. The three numbers combined "63-2-5" form a section of CRS 53. The same applies to C.R.S. 1963.

EXAMPLE:

Source: L. 15: p. 254, § 1. C.L. § 6. CSA: C. 74, § 6. L. 45: p. 366, § 1. L. 47: p. 479, § 1. L. 51: p. 439, § 1. **CRS 53:** § 63-2-5. **C.R.S. 1963:** § 63-2-5.

The Colorado Revised Statutes 1953 (CRS 53) were published and printed in seven volumes containing all the laws of a general and permanent nature from prior codifications and laws enacted or amended after the publication of the Colorado Statutes Annotated 1935 through 1953. Biennial supplements were printed for the Colorado Revised Statutes 1953 from 1955 through 1961. A permanent hardbound supplement entitled "1960 Permanent Supplement" was printed, and it includes all the enacted laws beginning with the second regular session of the thirty-ninth General Assembly in 1954 and concluding with the second regular session of the forty-second General Assembly in 1960. A separate supplement was printed for the laws enacted by the forty-third General Assembly at its first regular session in 1961 and at its extraordinary session in 1961.

B. Source Note Information.

Many of the laws in the Colorado Revised Statutes 1953 (CRS 53) were included in one of the earlier compilations as demonstrated below:

EXAMPLE:

Source: R.S. p. 419, § 1. G.L. § 1928. G.S. § 2474. R.S. 08: § 4672. C.L. § 19. CSA: C. 74, § 19. CRS 53: § 63-2-16. C.R.S. 1963: § 63-2-16. L. 97: Entire section amended, p. 1557, § 10, effective July 1.

Starting with the Colorado Revised Statutes 1953, the source notes were assembled in chronological order rather than inverse order from the earlier compilations, arranging them in a format that closely parallels the format currently used, as shown in the example below.

EXAMPLE:

Source: L. 07, p. 242, § 8; R. S. 08, § 378; L. 11, p. 651, § 1; C. L. § 977; CSA, C. 78, § 111; L. 57, p. 417, § 1.

The source note above is from the 1960 permanent supplement to the Colorado Revised Statutes 1953. As with all the previous codifications of statutes, no reference appears in the source notes to the existing version of the statutes until it is codified into a subsequent edition. See the example below taken from C.R.S. 1963. It is not until the next compilation in 1963 that the 1953 section number is referenced.

EXAMPLE:

Source: L. 07, p. 242, § 8; R. S. 08, § 378; L. 11, p. 651, § 1; C. L. § 977; CSA, C. 78, § 111; CRS 53, § 66-8-7; L. 57, p. 417, § 1.

C. Comparative Tables and Sections Renumbered.

A table comparing the Colorado Statutes Annotated 1935 to Colorado Revised Statutes 1953 and session laws 1935 through 1953 was printed, and the table is located in the front of the index to the Colorado Revised Statutes 1953. In addition, a comparative table for the session laws from 1954 through 1960 was printed, and that table is located in the back of the 1960 permanent supplement. Watch for sections that were renumbered for inclusion in the codifications of the Colorado Revised Statutes 1953, 1963, and 1973 in the comparative tables.⁹

EXAMPLE:

Source: L. 58: p. 128, § 14. L. 59: p. 327, § 4. CRS 53: § 31-30-1. C.R.S. 1963: § 31-4-1.

⁹ In the current publication of Colorado Revised Statutes, an editor's note following the source note informs the reader when a section or any part of the section has been renumbered pursuant to the authority granted in section 2-5-101, Colorado Revised Statutes.

The source note above is an example of a source note for a statute in CRS 1953 that was renumbered in C.R.S. 1963. The comparative table located at the beginning of the C.R.S. 1963 index is a helpful tool when a researcher knows the 1953 statutory number but not the number it became in 1963. The same principal applies for conversion of the C.R.S. 1963 to C.R.S. 1973, presently C.R.S. If a title, an article, or a part is added/repealed and reenacted/amended with relocations/recreated and reenacted, using the comparative tables located in the back of the index is a helpful tool. Editor's notes that are printed following title, article, or part headings inform the reader of renumbered or relocated provisions for which a comparative table has been included in the index.

VIII. COLORADO REVISED STATUTES 1963 (1963) [C.R.S. 1963]

A. Publication Format of C.R.S. 1963 Similar to CRS 53.

The publication of the Colorado Revised Statutes 1963 (C.R.S. 1963) was essentially an extension of the Colorado Revised Statutes 1953, with some renumbering. The C.R.S. 1963 incorporated the revised and reenacted supplements up to and including laws enacted by the 1963 session of the General Assembly. A table comparing the CRS 53 numbers to the C.R.S. 1963 numbers was printed, and it is located in the front of the index to the C.R.S. 1963.

A cumulative table of the additions, amendments, and repeals for the years 1964 through 1971 was printed for the Colorado Revised Statutes 1963, and it is located in the back of the 1971 permanent cumulative supplement to the Colorado Revised Statutes 1963.

Biennial cumulative supplements were printed for the Colorado Revised Statutes 1963 for the years 1965 through 1971; however, any section amended or added and appearing in one of the biennial cumulative supplements does not appear in subsequent supplements unless the section was further amended. Each biennial cumulative supplement from one volume to the next incorporates only those sections amended or added between printings of the cumulative biennial supplements.

There are situations in which newly enacted provisions were further amended in the same year. This is indicated with the double entry of page numbers and section numbers following the year of the session laws entry (**L. 72**). With the exception of an entire article being repealed and reenacted (R&RE) as in the example below, any other form of change to a statutory section, such as an amendment, an addition of new language, or the repeal of existing law, is not indicated prior to 1974.

EXAMPLE:

Source: L. 72: R&RE, pp. 380, 413, §§ 1, 2. C.R.S. 1963: § 63-9-3.

B. Recommendation for Renumbering and Reorganizing Statutes.

In 1966, the Committee on Legislative Procedures recommended that the General Assembly reorganize the statutes into smaller volumes covering subject matter codes and provide for each code's continuous revision and republication¹⁰. The committee recommended that the General Assembly abandon the alphabetical arrangement of chapters and the numbering system then in use in favor of an arrangement by subject matter and a more flexible numbering system.

Accordingly, the Colorado Revised Statutes 1973 were renumbered and reorganized into titles, articles, and parts. Annual paperback supplements and hardbound replacement volumes were utilized to update the Colorado Revised Statutes annually from 1975 to 1996. In 1997, the practice of using supplements and replacement volumes to update the Colorado Revised Statutes, originally entitled Colorado Revised Statutes 1973, was discontinued and replaced with the annual publication of softbound volumes of the law, incorporating all the laws passed at the previous legislative session. As with all the previous codifications of statutes, no reference appears in the source notes to the existing version of the statutes until it is codified into a subsequent edition as is evident with the exclusion of the C.R.S. 1973 numbers from the source notes.

In the back of the index to C.R.S. 1973 and subsequent printings of the index, there are tables comparing the C.R.S. 1963 numbers to the C.R.S. 1973 numbers and several smaller tables showing the disposition of titles or articles that were added/repealed and reenacted/amended with relocations/recreated and reenacted, resulting in the relocation of sections or subject matter.

Oddity

In 1974, any newly enacted sections created under existing chapters in the 1963 Colorado Revised Statutes will not be found in the 1963 to 1973 comparative tables located in the back of the index. The 1963 conversion of new sections to the 1973 Colorado Revised Statutes can **only** be found in the 1974 pre-supplement comparative tabulation table located in the back of the 1974 session laws.

IX. COLORADO REVISED STATUTES (1973) [C.R.S.]

For amendments made after 1973, the source note provides information on each specific provision of the section of law changed by an act, the type of change made to the provision (i.e., added, added with relocations, amended, amended with relocations, repealed, repealed and reenacted, or recreated and reenacted), and the effective date of the act making the change.

¹⁰ See the article, *Legislative Procedures in Colorado*, a report to the Colorado General Assembly, Pub. #119, 1966, pp. 50-52. A copy of this article is available at the Colorado Joint Legislative Library located in the Capitol building.

The legislative history is arranged by year of passage; if a section is amended by two or more acts in the same year, the change that takes effect first is listed first. As mentioned previously, beginning in 1901 and ending in 1999, the year in the source notes was abbreviated as the last two digits of the year. Displaying the year in its entirety began in 2000.

All provisions from the same act appear in numeric order. Provisions within a section are grouped together according to the specific changes (i.e., added, amended, repealed, repealed and reenacted, or recreated and reenacted). Provisions that are amended by more than one act in the same year are separated out by their effective dates and arranged numerically and separated by semicolons, and a period is placed at the end of each year's entry. Starting in 2009, reference to the actual bill number adding, amending, or repealing a provision of the statute has been included in the source note to aid the legislative researcher. If a researcher is researching the Colorado Revised Statutes on the Internet using the Colorado General Assembly's website,¹¹ the bill number reference presents a direct hyper link to the bill itself.

EXAMPLE:

Source: L. 64: R&RE, p. 803, § 1. C.R.S. 1963: § 138-1-90. L. 65: p. 1131, § 1 (1). L. 81: Entire section amended, p. 1866, § 10, effective June 8. L. 91: (5) added, p. 1999, § 2, effective May 1. L. 91, 2nd Ex. Sess.: (2) amended, p. 98, § 4, effective January 1, 1992. L. 99: (5) repealed, p. 629, § 42, effective August 4. L. 2009: (2) and (4) amended, (HB 09-1219), ch. 71, p. 242, § 3, effective March 25; (4) amended, (HB 09-1001), ch. 220, p. 1000, § 2, effective August 5.

CONCLUSION

Legislative research means researching the legislative history to sections found in the Colorado Revised Statutes to shed light on the true intention of the legislation; unfortunately, there are few shortcuts to the process of legislative research. The preceding discussion hopefully gives researchers, or attorneys litigating cases and attempting to determine intent or to clarify vague or ambiguous statutory language, insight into understanding Colorado statutory source notes. With this information, the researcher will be able to locate various changes made to a statute over the years or to locate the original legislative act. The authors suggest that readers retain this article for future reference.

SOURCE NOTE INFORMATION

In order to use source notes effectively, the following list of abbreviations provides further explanation of the information found in a source note:

¹¹ General Assembly web page, <https://leg.colorado.gov/>, navigate to LAWS then the Colorado Revised Statutes link to access the statutes.

"L." is the abbreviation for "Session Laws" and is followed by a number indicating the year when the C.R.S. section was changed by an act generally either creating new law, amending existing law, or repealing existing law; except that, in the constitution, "L." also means constitutional measures referred by the General Assembly and voted on by the people of Colorado at a general or an odd-year election.

"Ex. Sess." is the abbreviation for "Extraordinary Session". When this abbreviation follows the year, the amended provision appears in the Session Laws for an extraordinary session for that year, not in the Session Laws for the regular session of the General Assembly for that year.

"p." is the abbreviation for "page" and is followed by a number indicating the page of the Session Laws where the change to the C.R.S. section can be found.

"§" is the symbol for "section" and is followed by a number indicating the section of the act where the change to the C.R.S. section can be found.

"IP" is the abbreviation for the "introductory portion" to a section, subsection, paragraph, or subparagraph.

"Added" means the provision was newly enacted by the act.

"Added with relocations" means the provision in existing law was relocated from one title, article, part, or section to another title, article, part, or section either with amendments or without amendments by the act.

"Amended" means the provision in existing law was amended by the act.

"Amended with relocations" means the provision in existing law was amended and relocated to reorganize an entire title, article, part, or section by the act.

"Repealed" means the provision was deleted from the existing law by the act through the use of a repeal provision.

"R&RE" is the abbreviation for "Repealed and Reenacted" and means the provision in existing law was repealed and reenacted by the act.

"RC&RE" is the abbreviation for "Recreated and Reenacted" and means a previously repealed provision has been recreated by the act.

"Added by revision" means a provision providing for the repeal of a statutory provision on a specified date was added by the Revisor of Statutes as a C.R.S. provision. Adding the provision is necessary because a separate section of the act provided for the repeal of the provision with a future effective date.

"Initiated" means a provision was amended by means of an initiated petition approved by a vote of the people of Colorado at a general or an odd-year election.

"Referred" means a provision was amended by a measure referred by the General Assembly and voted on by the people of Colorado at a general or an odd-year election; except that, in the constitution, a referred measure is indicated by "L." and also means constitutional measures referred by the General Assembly and voted on by the people of Colorado at a general or an odd-year election.

Starting in 2009, references to the bill number and chapter number are included in the source note. If you are conducting a search on-line, the bill number reference within the source note links directly to the bill itself.

COMPARATIVE TABLES:

R.S. 08 to C.L. 1921 - located in the front of the C.L.1921

C.L. 1921 to CSA 1935 - located in the Index to CSA 1935

CSA 1935 to CRS 1953 - located in the front of the Index to C.R.S. 1953

CRS 1953 to C.R.S. 1963 - located in the front of the Index to C.R.S. 1963

C.R.S. 1963 to current C.R.S. - located in the back of the Index to C.R.S.

Extraordinary Sessions Prior to 1974		
Sess. No.	Extra Sess. Date	Extra Sess. No.
9	1894 - January 10 to March 2	

11	1897 - April 6 to April 8	
13	1902 - January 27 to March 21	
14	1903 - July 20 to July 26	
17	1910 - August 9 to October 18	
19	1914 - May 4 to May 16	
21	1917 - July 18 to August 4	
22	1919 - December 8 to December 19	
23	1922 - April 18 to April 29	
29	1933 - August 2 to August 18	1st
29	1933 - 1934 - December 4 to January 22	2nd
30	1935 - October 30 to November 13	1st
30	1936 - March 23 to April 1	2nd
30	1936 - November 17 to November 20	3rd
32	1939 - April 28 to May 12	
34	1944 - January 28 to February 4	1st
34	1944 - February 4 to February 9	2nd
35	1945 - November 19 to December 4	
36	1948 - October 18 to October 21	
37	1950 - August 21 to August 26	
38	1951 - May 17 to May 21	
39	1953 - June 22 to June 24	
39	1954 - March 17 to March 23	
40	1956 - May 7 to May 13	
41	1958 - June 16 to June 22	
43	1961 - June 7 to June 9	
44	1964 - April 25 to April 29	1st
44	1964 - July 1 to July 8	2nd

45	1965 - July 16 to July 18	1st
45	1966 - May 12 to May 14	2nd
Information has not been included for special sessions convened on or after 1974.		

Acknowledgements

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Additional Sources of Information

- ▶ *Researching Legislative History*, prepared by Peggy Lewis and Matt Dawkins, Colorado Office of Legislative Legal Services ¹²
- ▶ J. Myron Jacobstein, *Colorado Statutes: Past, Present, and Future*, 33 Rocky Mtn. L. Rev. 36-45 (1960)
- ▶ *Legislative Procedures in Colorado*, a report to the Colorado General Assembly, Pub #119, 1966
- ▶ *Colorado Statutes and Related Publications: An Update*, 11 Colo. Law. 2325 (September 1982) - Charles W. Pike
- ▶ *Accessible Sources for the Colorado Revised Statutes*, 19 Colo. Law. 423 (March 1990) - Mary Wilder and Cynthia Rixey Scott
- ▶ *The Colorado Revised Statutes: Publication Options*, 20 Colo. Law. 479 (March 1991) - Phil J. Shuey
- ▶ *A Glimpse at the State's Obligation - Past, Present, and Future*, 26 Colo. Law. 97 (June 1997) - Doug Brown and Charles W. Pike
- ▶ *A Guide to Colorado Legal Research Sources - Part I*, 35 Colo. Law. 79 (February 2006) - Andrea L. Hamilton
- ▶ *A Guide to Colorado Legal Research Sources - Part II*, 35 Colo. Law. 87 (May 2006) - Shannon Vicic
- ▶ *Conducting Colorado Legislative History Research*, 37 Colo. Law. 113 (August 2008) - Andrea L. Hamilton

¹² General Assembly website <https://leg.colorado.gov/sites/default/files/researching-legislative-history.pdf>

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