

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 1437 Alachua County
SPONSOR(S): Watson Jr.
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local, Federal & Veterans Affairs Subcommittee	12 Y, 0 N	Darden	Miller
2) Government Accountability Committee	23 Y, 0 N	Darden	Williamson

SUMMARY ANALYSIS

The John A.H. Murphree Law Library was created by a special act of the Legislature in 1957 to provide “convenient and effective access to legal information to the public, including members of the judiciary, officers of the court, and county officials.” The Library is located in the Alachua County Family and Civil Justice Center.

The Library has a five member Board of Trustees. The Board consists of the Chief Judge of the Eighth Judicial Circuit, the clerk of the circuit court for Alachua County, a member designated by the Alachua County Board of County Commissioners, and two attorneys practicing in the county appointed by the president of the bar association of the Eighth Judicial Circuit. The Library must be located in the headquarters of the Alachua County Library District.

The bill allows the chief judge of the Eighth Judicial Circuit and the clerk of the circuit court for Alachua County to name a designee to serve in their stead on the Board of Trustees for the Library. The bill also authorizes the Board of Trustees to designate a location for the library and removes surplus language.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

The John A.H. Murphree Law Library (Library) provides “convenient and effective access to legal information to the public, including members of the judiciary, officers of the court, and county officials” in the Eighth Judicial Circuit.¹ The Library attempts to enhance the community by expanding their knowledge of the law and to facilitate access to the justice system” by “providing complete access to an organized and relevant collection” of legal documents.

The Library was established by special act in 1957.² The Library was renamed as the John A.H. Murphree Law Library in 1979 to honor a retired Circuit Judge who had been instrumental in the creation of the Library. The library is located in Alachua County Family and Civil Justice Center. From September 2011 to March 2016, the library was located in the downtown branch of the Alachua County Library District.

The Library has a five member Board of Trustees.³ The Board consists of the Chief Judge of the Eighth Judicial Circuit, the clerk of the circuit court for Alachua County, a member designated by the Alachua County Board of County Commissioners, and two attorneys practicing in the county appointed by the president of the bar association of the Eighth Judicial Circuit.⁴

The Library must be located in the headquarters of the Alachua County Library District.⁵ The Library is financed by appropriations from the Alachua County Board of County Commissioners.⁶ The appropriated funds are placed in the Alachua County Law Library Fund and may only be used for operating the law library, including providing for furnishings, equipment, and necessary employees.⁷ All purchases made by the Library and all donations to the Library must be held as a charitable public trust and are exempt from taxation.⁸

Effect of Proposed Changes

The bill allows the chief judge of the Eighth Judicial Circuit and the clerk of the circuit court for Alachua County to name a designee to serve in their stead on the Board of Trustees for the Library. The bill also authorizes the Board of Trustees to designate a location for the library and removes surplus language.

B. SECTION DIRECTORY:

Section 1: Amends ch. 57-1118, as amended by ch. 2012-263, Laws of Florida, to enable certain Board of Trustees members to appoint a designee and to designate a location for the library.

Section 2: Provides an effective date of upon becoming a law.

¹ Eighth Judicial Circuit of Florida, *About the John H. Murphree Law Library*, <http://circuit8.org/law-library/about> (last visited Mar. 10, 2017).

² *Id.* See also ch. 57-1118, Laws of Fla.

³ Chapter 57-1118, s. 1, Laws of Fla.

⁴ *Id.*

⁵ *Id.*

⁶ Chapter 57-1118, s. 2, Laws of Fla., as amended by ch. 2012-263, s. 1, Laws of Fla.

⁷ Chapter 57-1118, s. 3, Laws of Fla., as amended by ch. 2012-263, s. 1, Laws of Fla.

⁸ Chapter 57-1118, s. 4, Laws of Fla., as amended by ch. 2012-263, s. 1, Laws of Fla.

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes ☒ No ☐

IF YES, WHEN? February 5, 2017

WHERE? The *Gainesville Sun*, a daily newspaper published in Alachua County, Florida.

B. REFERENDUM(S) REQUIRED? Yes ☐ No ☒

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached ☒ No ☐

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached ☒ No ☐

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

The bill does not provide rulemaking authority or require executive branch rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.