

STORAGE NAME: h1059.rc

DATE: February 9, 2000

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
Rules & Calendar
ANALYSIS**

BILL #: HB 1059 PCB RC 00-38 (RB2000-6)

RELATING TO: Florida Statutes / Reviser's Bill

SPONSOR(S): Committee on Rules & Calendar and Representative Arnall

TIED BILL(S): none

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

(1) Rules & Calendar YEAS 16 NAYS 0

(2)

(3)

(4)

(5)

I. SUMMARY:

The Division of Statutory Revision of the Office of Legislative Services is required, by statute, to conduct a systematic and continuing study of the Florida Statutes. The purpose of this study is to recommend to the Legislature changes that will remove inconsistencies, redundancies, and unnecessary repetition from the statutes; improve clarity and facilitate correct interpretation; correct grammatical and typographical errors; and delete obsolete, repealed, or superseded provisions. These recommendations are submitted to the Legislature in the form of technical, nonsubstantive reviser's bills.

This bill is a reviser's bill drafted by the Division of Statutory Revision under the authority of s. 11.242(5)(i), Florida Statutes. It deletes provisions that have been held invalid by a court of last resort. Except by report of the Committee on Rules & Calendar, a reviser's bill cannot be amended except to delete a bill section.

This bill has no fiscal impact.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

The Division of Statutory Revision, under the authority and requirements of s. 11.242(5)(i), Florida Statutes, must remove by reviser's bill provisions of the statutes that have been held invalid by a court of last resort.

C. EFFECT OF PROPOSED CHANGES:

The effect of this bill is technical only; reviser's bills do not contain substantive changes. The bill will delete sections that have been held unconstitutional by a court of last resort.

D. SECTION-BY-SECTION ANALYSIS:

See bill for details.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

N/A

2. Expenditures:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

N/A

D. FISCAL COMMENTS:

N/A

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

N/A

B. REDUCTION OF REVENUE RAISING AUTHORITY:

N/A

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

N/A

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

Does not raise any constitutional issues; only effect is to delete provisions previously subjected to constitutionality challenges in the courts and invalidated by a court of last resort.

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

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VII. SIGNATURES:

COMMITTEE ON Rules & Calendar:

Prepared by:

Staff Director:

R. Philip Twogood, Ph.D.

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