

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1784

SPONSOR: Senator McKay

SUBJECT: Florida Statutes

DATE: March 13, 2000

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Johnson</u>	<u>Johnson</u>	<u>JU</u>	<u>Favorable</u>
2.	_____	_____	<u>RC</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

Senate bill 1784 repeals obsolete provisions of law:

- Requesting the Supreme Court to adopt rules of juvenile procedure by October 1, 1989 and such rules have been adopted;
- Establishing the Child Support Depository Trust Fund which is no longer used and repealed as of July 1, 2000; and,
- Directing the establishment of a state disbursement unit for child support collection by October 1, 1999 and that unit has been established.

This bill repeals the following sections of the Florida Statutes: s. 39.824(1), 61.182, and s. 409.2559.

II. Present Situation:

During the 1999-2000 legislative interim, staff of the House of Representatives reviewed each chapter of the five volumes of the Florida Statutes to find provisions which were outdated or obsolete. Upon completion of the first draft, staff of Senate counterpart committees reviewed the work product to further refine the sections identified. The final list of some one thousand original sections of Florida law contained an identification of statutory sections which shared one or more of the following characteristics:

1. A reference to a dormant board, council or other non-governing authority;
2. A provision rendered obsolete due to passage of time;
3. A requirement which was nonrecurring due to the completion of the activity;
4. A statement of legislative intent, findings or purpose so generalized as to provide no specific interpretive guidance on the context or particularity of the statute or its application;

5. A cross-reference to another section which was otherwise repealed;
6. The use of boilerplate language, such as a severability clause, which is assumed as part of legislative style and drafting or of judicial interpretation;
7. The creation of a short title, or popular name, unrelated to the purpose of the statute;
8. The use of archaic language or descriptions; and
9. A redundancy in text or reference no longer needed.

Section 39.824(1), F.S., requests the Supreme Court to adopt rules of juvenile procedure by October 1, 1989. The Supreme Court adopted such rules by the requested date, and the subsection is now obsolete.

Section 61.182, F.S., relates to the Child Support Depository Trust Fund at the Department of Children and Families. Chapter 99-205, Laws of Florida, provided for repeal of this section effective July 1, 2000. The section is now obsolete.

Section 409.2559, F.S., directs the Department of Revenue to establish and operate a state disbursement unit by October 1, 1999, in accordance with federal law. The Department has complied with this directive and there is extensive legislation related to the operation of this unit in s. 61.1824, F.S.

III. Effect of Proposed Changes:

Section 1. Repeals subsection (1) of s. 39.824, F.S.

Section 2. Repeals s. 61.182, F.S.

Section 3. Repeals s. 409.2559, F.S.

Section 4. Provides that this act shall take effect upon becoming a law.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
