

STORAGE NAME: h4051s1.cor

DATE: March 8, 2000

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
COMMITTEE ON CORRECTIONS
ANALYSIS**

BILL #: CS/HB 4051

RELATING TO: Florida Statutes/Repeals

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

TIED BILL(S): SB 1794

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

- (1) RULES AND CALENDAR YEAS 17 NAYS 0
 - (2) COMMITTEE ON CORRECTIONS YEAS 8 NAYS 0
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

This bill as originally proposed repealed six sections of the Florida Statutes on Corrections and the Parole and Probation Commission that have become obsolete, have had their effect, have served their purpose, or have impliedly repealed or superseded. After adoption of an amendment, it changed only five sections.

This bill does not have a fiscal impact on state or local governments.

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:

Sections 775.13 (4), 944.1053, 945.215 (1)(a)5, 947.03 (1), F.S., contain information no longer needed within the Florida Statutes; s. 943.325 (10)(c) and s. 945.215 (1)(a)6, F.S., contain references which will change as a result of the repeals.

C. EFFECT OF PROPOSED CHANGES:

N/A

D. SECTION-BY-SECTION ANALYSIS:

Section 1. Section 775.13 (4), F.S., required the registration of convicted felons residing in counties within this state on October 1, 1997, no later than December 1, 1997. This registration provision has become obsolete.

Section 2. Renumbers a reference in paragraph (c) of subsection (10) of s. 943.325, F.S., from s. 775.13(6) to s. 775.13 (5), F.S., as a result of the change made in section 1.

Section 3. Section 944.1053, F.S., provided for continuation of operation and maintenance agreements for correctional facilities and county detention facilities in operation as of July 1, 1986. The Department of Corrections indicates that all such contracts have ended and that the provisions of Chapter 86-183, Laws of Florida, now apply in all cases.

Section 4. Deletes s. 945.215 (1)(a)5, F.S., which required a one-time repayment to the Inmate Welfare Trust Fund of \$500,000, which repayment has occurred. As a result of the deletion of 5, 6 and 7 have been renumbered.

Section 5. Strikes certain language in s. 947.03, F.S., governing individuals who were parole commissioners on July 1, 1983, and conforms additional language.

Section 6. Original Section 6 struck language concerning the 90 day period before an anticipated vacancy on the Parole Commission. The amendment adopted in the Committee on Corrections preserved the language in s. 947.02 (3).

The final section provides that the bill will become effective upon becoming a law.

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:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None

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

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take any action requiring the expenditure of funds

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

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

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

STORAGE NAME: h4051s1.cor

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PAGE 4

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None

B. RULE-MAKING AUTHORITY:

None

C. OTHER COMMENTS:

None

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

One amendment was adopted in committee which preserved language in s. 947.02 (3) previously selected to be deleted. A committee substitute was prepared.

VII. SIGNATURES:

COMMITTEE ON COMMITTEE ON CORRECTIONS:

Prepared by:

Staff Director:

Jo Ann Levin

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