

STORAGE NAME: h0827z.lgva.doc
DATE: July 1, 2002

****AS PASSED BY THE LEGISLATURE****
CHAPTER #: 2002-344, Laws of Florida

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
LOCAL GOVERNMENT & VETERANS AFFAIRS
FINAL ANALYSIS – LOCAL LEGISLATION**

BILL #: HB 827, 1ST ENG.
RELATING TO: Putnam Co./Law Library
SPONSOR(S): Representative Pickens

TIED BILL(S):

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

- (1) LOCAL GOVERNMENT & VETERANS AFFAIRS (SGC) YEAS 9 NAYS 0
 - (2) COUNCIL FOR SMARTER GOVERNMENT (W/D)
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

This bill repeals a special act relating to the Putnam County Law Library that is currently obsolete, and has been superceded by general law.

According to the economic impact statement, this bill does not have a 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"/> |

This bill repeals a special act relating to the Putnam County Law Library that is currently obsolete, and has been superceded by general law.

B. PRESENT SITUATION:

In 1961 chapter 61-2723, Laws of Florida, established a law library, which was placed in the Putnam County Circuit Courthouse. The act provided the Clerk of the Circuit Court with the authority to collect filing fees from individuals filing civil actions.

However, according to a representative of the 7th Judicial Circuit in Putnam County (representative), the fund-raising provisions of chapter 61-2723, Laws of Florida, are currently obsolete, and have been superceded by sections 28.2401, 28.241, and 34.041, Florida Statutes.

These Florida Statutes provide circuit and county courts with fund-raising authority, and designate the amounts that the clerks may collect on actions that are filed.

C. EFFECT OF PROPOSED CHANGES:

This bill repeals special acts relating to the Putnam County Law Library that are currently obsolete, and have been superceded by general law.

Circuit Courts may employ the fund-raising procedures granted to them under general law, rather than continually passing local bills each time the special act becomes obsolete. The Putnam County Circuit Court does not currently employ the obsolete fund-raising provisions outlined in chapters 1953, 29462; 1955, 31203; and 61-2723, Laws of Florida. Rather, the Court operates in accordance with the authority granted to it by sections 28.2401, and 28.241, Florida Statutes. Therefore, the repeal of chapters 1953, 29462; 1955, 31203; and 61-2723, Laws of Florida, is warranted.

D. SECTION-BY-SECTION ANALYSIS:

Section 1: Repeals chapters 1953, 29462; 1955, 31203; and 61-2723, Laws of Florida.

Section 2: Provides that this act shall take effect on July 1, 2002.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? November 19, 2001

WHERE? The Daily News: Palatka, Putnam 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

IV. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None

B. RULE-MAKING AUTHORITY:

None

C. OTHER COMMENTS:

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

House Floor Amendment

On March 14, 2002 the House considered HB 827, adopted a traveling amendment, and passed the bill.

Committee on Local Government and Veterans Affairs

Chapters 1953, 29462, and 1955, 31203, Laws of Florida, were not included for repeal in the bill, as it was introduced.

The Committee on Local Government and Veterans Affairs, at its meeting on February 12, 2002, considered, and adopted two amendments to correct this technical concern, and approved the bill. The amendments traveled with the bill to the House floor. (See Section V. "AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES").

VI. SIGNATURES:

COMMITTEE ON LOCAL GOVERNMENT & VETERANS AFFAIRS:

Prepared by:

Alex Abdo

Staff Director:

Joan Highsmith-Smith

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FINAL ANALYSIS PREPARED BY THE COMMITTEE ON LOCAL GOVERNMENT & VETERANS AFFAIRS:

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Staff Director:

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Joan Highsmith-Smith