

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

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Prepared By: Judiciary Committee

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BILL: CS/SB 1566

INTRODUCER: Education Committee and Senator Lynn

SUBJECT: Building and Facility Designations

DATE: March 21, 2006

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>deMarsh-Mathues</u>	<u>Matthews</u>	<u>ED</u>	<u>Fav/CS</u>
2.	<u>Maclure/Marconnet</u>	<u>Maclure</u>	<u>JU</u>	<u>Favorable</u>
3.	_____	_____	<u>EA</u>	_____
4.	_____	_____	<u>WM</u>	_____
5.	_____	_____	<u>RC</u>	_____
6.	_____	_____	_____	_____

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## I. Summary:

This bill allows a state university board of trustees to name a university building or facility for a living person without the university having to seek the approval of the Legislature. The Board of Governors of the State University System (BOG) must adopt a uniform set of policies for designating a building for a living person. The university board of trustees, in turn, must adopt policies in accordance with the uniform policy established by the BOG. The bill makes a conforming change to the naming of university buildings under the University Facility Enhancement Challenge Grant Program.

Finally, the Legislature may continue to name university buildings or facilities for a living person, and a university board of trustees may not supersede that designation.

This bill substantially amends sections 267.062 and 1013.79, Florida Statutes.

## II. Present Situation:

Section 267.062, F.S., requires approval in law before naming a state building or other facility for a living person. Pursuant to this requirement, if a university wishes to name a building or facility after a living person, the designation must be approved by the Legislature. The Legislature addresses the naming of buildings or facilities for living persons through designation or "naming" bills. Community colleges are not required to obtain legislative approval to designate their buildings or facilities.<sup>1</sup>

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<sup>1</sup> See s. 1011.32(12), F.S., the Community College Facility Enhancement Challenge Grant Program, which provides that a facility constructed under that section may not be named after a living person without prior approval by the State Board of Education. The comparable statute for universities currently requires prior approval by the Legislature (s. 1013.79(11), F.S.).

Section 1013.79, F.S., relating to the University Facility Enhancement Challenge Grant Program, allows a facility constructed pursuant to the program to be named in honor of a donor at the option of the university and the State Board of Education. However, a facility may not be named for a living person without prior approval by the Legislature.

### **III. Effect of Proposed Changes:**

This bill would conform the designation of university buildings for a living person to a process similar to the community college system. It allows a state university board of trustees to name a university building or facility for a living person without the university having to seek the approval of the Legislature. The Board of Governors of the State University System (BOG) must adopt a uniform set of policies for designating a building for any living person. The university board of trustees, in turn, must adopt policies in accordance with the uniform policy established by the BOG. The bill makes a conforming change to the naming of university buildings under the University Facility Enhancement Challenge Grant Program.

Finally, the Legislature may continue to name university buildings or facilities for a living person, and a university board of trustees may not supersede that designation. Accordingly, if the Legislature designates a building or facility for a certain individual, the university would need to return to the Legislature and seek approval to rename the structure.

The bill would take effect July 1, 2006. It would appear that a university would be required to seek approval of the Legislature to rename a building that the Legislature has previously designated.

### **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.

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

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## **VIII. Summary of Amendments:**

None.

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