

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government—The bill updates the codified statutes and removes uncertainty about the statutes governing the state.

B. EFFECT OF PROPOSED CHANGES:

The adoption act amends ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes, and provides a 1-year window for finding errors and making changes before statutory material becomes the best evidence of the law. This is consistent with the decision by the Legislature, beginning in 2000, to publish in Florida Statutes on an annual basis, and to have the Division of Statutory Revision submit an adoption act annually, rather than every 2 years.

The 2006 adoption act adopts as the official statute law of the state those portions of the 2006 Florida Statutes edition that are carried forward unchanged from the edition published 1 year previously (2005). Portions carried forward from the 2005 edition are the official law of the state and, therefore, constitute the best evidence of the law.

The adopted statutes that have been enacted, amended, or repealed in a session occurring subsequent to publication of the 2005 edition will be prima facie evidence of the law in all courts of the state. Therefore, the enrolled acts from the December 2005 special session and 2006 regular session will stand as the best evidence of the law.

Any “statute of a general and permanent nature” enacted before publication of the 2005 Florida Statutes that does not appear in the 2006 edition, or is not recognized and continued in force by reference therein or in s. 11.2423 or s. 11.2424, Florida Statutes, will stand repealed, both by the logic of the system and by operation of s. 11.2422, Florida Statutes. See *National Bank v. Williams*, 28 Fla. 305, 20 So. 931 (1896).

C. SECTION DIRECTORY:

Section 1 adopts the 2006 Florida Statutes. It includes the 2005 Florida Statutes and Reviser’s Bill(s) enacted during the 2006 Legislative Session.

Section 2 repeals all statutes enacted by the State of Florida at or prior to the 2005 regular legislative session that are not included in the 2006 Florida Statutes. This does not include any laws adopted during the December 2005 special legislative session or the 2006 regular legislative session.

Section 3 details that the laws adopted during the 2005 special legislative session and 2006 regular legislative session have full effect and are not repealed by section 2 nor are the laws adopted into the 2006 Florida Statutes by section 1.

Section 4 details that the adoption of the 2006 Florida Statutes shall not affect any right that accrued under a statute that was repealed by the 2006 Florida Statutes, nor will it affect any civil remedy where a suit is pending.

Section 5 provides for an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

N/A

2. Expenditures:

N/A

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

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

N/A

2. Other:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. DRAFTING ISSUES OR OTHER COMMENTS:

N/A

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES