

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Governmental Oversight and Accountability Committee

BILL: SB 2236

INTRODUCER: Senator Richter

SUBJECT: Florida Legal Resource Center

DATE: April 8, 2010

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Anderson</u>	<u>Maclure</u>	<u>JU</u>	Favorable
2.	<u>Howes</u>	<u>Yeatman</u>	<u>CA</u>	Favorable
3.	<u>Harmsen</u>	<u>Wilson</u>	<u>GO</u>	Favorable
4.	_____	_____	<u>JA</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill will eliminate the Florida Legal Resource Center from the Florida Statutes. The Florida Legal Resource Center was never widely used due to problems with technology compatibility between agencies and the growth of the Internet, which made this information widely available through agency websites.

This bill repeals section 16.58, Florida Statutes.

II. Present Situation:

In 1993, the Legislature created the Florida Legal Resource Center (FLRC or Center) within the Department of Legal Affairs (DLA), for facilitating interagency legal information sharing and communications, and for establishing and maintaining a statewide legal research bank.¹ Section 16.58, F.S., requires that DLA adopt a procedure for state agencies, special districts, universities, community colleges, and junior colleges to submit legal information into the research bank at the FLRC. It is required that all resources of the FLRC be made equally available to various governmental entities. The statute further requires that on or before January 1 of each year, DLA must prepare and transmit to the Governor and Legislature a report of FLRC activities for the previous fiscal year. Early attempts to gather this information were unsuccessful due to reluctance and technology incompatibility. As a result, the Center was disbanded by the DLA, and a report has not been provided to the Governor and the Legislature since 1996.²

¹ Chapter 93-161, s.6, Laws of Fla.

² Auditor General, *Department of Legal Affairs Selected Administrative Functions and Follow-up on Selected Prior Audit Findings*, Report No. 2008-021, 7-8 (Oct. 2007), www.myflorida.com/audgen/pages/pdf_files/2008-021.pdf (last visited April 8, 2010).

The growth of the Internet has made s. 16.58, F.S., obsolete since agencies can now access research materials through agency websites. For example, the Attorney General's opinions can be found on the Office of the Attorney General's website,³ and reports by the Florida Department of Law Enforcement can be found on the department's website.⁴

The Auditor General, in a 2008 report, recommended: "Given the current technological environment and availability of Web-based resources, as well as the expressed difficulty of obtaining research materials from governmental entities, the Legislature should consider amending or repealing those provisions of Section 16.58, Florida Statutes, related to the Statewide legal research bank."⁵

III. Effect of Proposed Changes:

This bill eliminates the Florida Legal Research Center from Florida Statutes, by repealing s. 16.58, F.S.

This bill takes effect on July 1, 2010.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

³ Office of the Attorney General of Florida, *Frequently Asked Questions About Attorney General Opinions*, <http://myfloridalegal.com/pages.nsf/4492d797dc0bd92f85256cb80055fb97/dd177569f8fb0f1a85256cc6007b70ad!OpenDocument> (last visited April 8, 2010).

⁴ Florida Department of Law Enforcement, *Publications*, <http://www.fdle.state.fl.us/Content/getdoc/036671bc-4148-4749-a891-7e3932e0a483/Publications.aspx> (last visited April 8, 2010).

⁵ Auditor General, *supra* note 2, at 8.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Section 16.58, F.S., is also repealed by CS/SB 1412, which deletes numerous agency program, planning, and reporting requirements.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.