

FINAL BILL ANALYSIS

BILL #: HB 4067

FINAL HOUSE FLOOR ACTION:

118 Y's 0 N's

SPONSOR: Rep. McBurney

GOVERNOR'S ACTION: Approved

COMPANION BILLS: SB 1100

SUMMARY ANALYSIS

HB 4067 passed the House on March 24, 2011, and subsequently passed the Senate on April 6, 2011. The bill was approved by the Governor on April 27, 2011, chapter 2011-10, Laws of Florida, and becomes effective July 1, 2011.

In every county, there is a clerk of the circuit court. Current law requires that the clerk, or a deputy employed by the clerk, must reside at the county seat or within 2 miles of the county seat.

This bill repeals the requirement that the clerk or a deputy reside within 2 miles of the county seat.

This bill does not appear to have a fiscal impact on state or local government.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Section 28.08, F.S., requires the clerk of the circuit court, or a deputy, to reside at the county seat or within 2 miles thereof. The law was passed in 1871.¹ The act creating the requirement included the same requirement applicable to the county sheriff. The original act required compliance within 3 months, and allowed the court to fine the clerk between \$100 and \$500 for noncompliance. It is unknown why this requirement was enacted.

This bill repeals the requirement that the clerk of the circuit court, or a deputy, must reside at the county seat or within 2 miles thereof.

The bill has an effective date of July 1, 2011.

II. 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.

¹ Chapter 1851.