

**HOUSE OF REPRESENTATIVES  
FINAL BILL ANALYSIS**

**BILL #:** HB 4049 (SB 520)

**FINAL HOUSE FLOOR ACTION:**

**SPONSOR(S):** Bernard (Braynon)

118 Y's                      0 N's

**COMPANION** SB 520  
**BILLS:**

**GOVERNOR'S ACTION:** Approved

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**SUMMARY ANALYSIS**

SB 520 passed the Senate on February 8, 2012, and subsequently passed the House on March 7, 2012. The bill repeals an obsolete provision of the guardianship statute. The statutory provision relates to statutory construction of Veteran's Guardianship Act and contains statutory references which have been repealed. The same rules of statutory construction are contained in the Veteran's Guardianship Act without the reference to repealed statutes.

The bill was approved by the Governor on April 6, 2012, ch. 2012-40, Laws of Florida. The effective date of the bill is July 1, 2012.

## I. SUBSTANTIVE INFORMATION

### A. EFFECT OF CHANGES:

Part VIII of ch. 744, F.S., is Florida's "Veteran's Guardianship Law."<sup>1</sup> Section 744.602(2), F.S., provides:

The application of this part is limited to veterans and other persons who are entitled to receive benefits from the United States Department of Veterans Affairs. This part is not intended to replace the general law relating to guardianship except insofar as this part is inconsistent with the general law relating to guardianship; in which event, this part and the general law relating to guardianship shall be read together, with any conflict between this part and the general law of guardianship to be resolved by giving effect to this part.

Section 744.103, F.S., provides:

The provisions of this law shall extend to incapacitated world war veterans, provided for in chapters 293 and 294 or any amendment or revision of them. The provisions of this law are cumulative to those chapters. Any conflict between chapters 293 and 294, or any amendment or revision of them, and this law shall be resolved by giving effect to those chapters.

This bill repeals s. 744.103, F.S., which is obsolete because chapters 293 and 294, F.S., were repealed or transferred to ch. 744, F.S.<sup>2</sup> Section 744.103, F.S., references repealed chapters of the Florida Statutes. The statutory construction provisions in s. 744.103, F.S., are also contained in s. 744.602(2), F.S.

The effect of this bill is to repeal an obsolete statutory section. This bill does not change the law relating to veteran's guardianship.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

The bill does not appear to have any impact on state revenues.

#### 2. Expenditures:

The bill does not appear to have any impact on state expenditures.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

The bill does not appear to have any impact on local government revenues.

#### 2. Expenditures:

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<sup>1</sup> Section 744.602(1), F.S.

<sup>2</sup> Chapter 84-62, L.O.F.

The bill does not appear to have any impact on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill does not appear to have any direct economic impact on the private sector.

D. FISCAL COMMENTS:

None.