

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 Committee on Rules

BILL: CS/SB 72

INTRODUCER: Judiciary Committee and Senators Flores and Others

SUBJECT: Legislature

DATE: April 1, 2014

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Carlton</u>	<u>Roberts</u>	<u>EE</u>	Favorable
2.	<u>Davis</u>	<u>Cibula</u>	<u>JU</u>	Fav/CS
3.	<u>Carlton</u>	<u>Phelps</u>	<u>RC</u>	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 72 requires the Legislature to convene in Regular Session on January 12, 2016.

II. Present Situation:

The date to convene the 60-day Regular Session¹ of the Legislature is prescribed by the State Constitution. Specifically, Subsection (b) of Section 3 of Article III of the State Constitution provides:

A regular session of the legislature shall convene on the first Tuesday after the first Monday in March of each odd-numbered year, and on the first Tuesday after the first Monday in March, or such other date as may be fixed by law, of each even-numbered year.²

Because the Legislature has not chosen to establish another date in law for the beginning of the legislative session in an even-numbered year, the session begins on the first Tuesday after the first Monday in March. The exception to this generally occurs in an apportionment year which is the second year following the decennial census. For example, in 2012, the Legislature chose an early start date and convened on January 10, 2012.³

¹ The length of the Regular Session is prescribed in article III, s. 3(d) of the Florida Constitution.

² FLA. CONST. art. III, s. 3(b).

³ Chapter 2010-91, s. 1, Laws of Fla.

III. Effect of Proposed Changes:

CS/SB 72 requires that the Regular Session of the Legislature convene on Tuesday, January 12, 2016.

The bill takes effect upon becoming law.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

This bill does not appear to be a mandate. The bill does not require counties or municipalities to spend funds or take action requiring the expenditure of funds, reduce the authority counties or municipalities have to raise revenue, or reduce the percentage of a state tax shared with counties or municipalities.

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.

C. Government Sector Impact:

By moving the legislative session 6 weeks earlier into the year, this bill will require the Legislature to enact the state budget 6 weeks earlier than otherwise would occur. Staff has been unable to find any statutory conflict with this earlier start date. However, the Governor is required to submit a copy of his or her recommended balanced budget⁴ for the state at least 30 days before the scheduled annual legislative session, unless a later date is requested and approved in writing by the President of the Senate and the Speaker of the House of Representatives. This bill will require the submission of the Governor's budget several weeks earlier than usual. Additionally, revenue estimates for the projected budget would be based on data further removed from the beginning of the fiscal year.

⁴ Section 216.162(1), F.S.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates an unnumbered section of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Judiciary on March 25, 2014:

The CS differs from the original bill by changing the date for the Legislature to convene for the year 2016 only, and not for all future even-numbered years.

- B. **Amendments:**

None.