

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 9 Legislative Session Dates

**SPONSOR(S):** State Affairs Committee; Nuñez

**TIED BILLS:** **IDEN./SIM. BILLS:** SB 72

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Government Operations Subcommittee	13 Y, 0 N	Harrington	Williamson
2) State Affairs Committee	14 Y, 2 N, As CS	Harrington	Camechis
3) Rules & Calendar Committee			

### SUMMARY ANALYSIS

The State Constitution provides that, in odd-numbered years, the regular session of the Legislature must begin on the first Tuesday after the first Monday in March. The State Constitution, however, permits the Legislature to fix by law the date for convening the regular legislative session for each even-numbered year. The Legislature has not fixed a date in law; as such, the regular legislative session for all years convenes on the first Tuesday after the first Monday in March.

The bill requires the regular session of the Legislature to convene on the first Tuesday after the second Monday in January of each even-numbered year, beginning in 2016.

The bill provides that it takes effect upon becoming a law.

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

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Background**

The State Constitution prescribes the date for convening the 60-day regular session of the Legislature. Specifically, the State Constitution provides that, in odd-numbered years, the regular session of the Legislature must begin on the first Tuesday after the first Monday in March. The State Constitution, however, permits the Legislature to fix by law the date for convening the regular session in each even-numbered year.<sup>1</sup>

Presently, the Legislature has not fixed a specific date in law for convening in each even-numbered year; as such, the regular legislative session for all years convenes on the first Tuesday after the first Monday in March.<sup>2</sup>

##### **Effect of the Bill**

The bill requires the regular session of the Legislature to convene on the first Tuesday after the second Monday in January of each even-numbered year, beginning in 2016. For 2016, the regular legislative session would convene on Tuesday, January 12, 2016.

#### B. SECTION DIRECTORY:

Section 1 creates an unnumbered section of law and fixes the date for convening the regular session of the Legislature in even-numbered years.

Section 2 provides that the act is effective upon becoming a law.

### 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.

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<sup>1</sup> Subsection 3(b), Art. III, Fla. Const.

<sup>2</sup> Traditionally, the Legislature fixes an early start date for the regular session in apportionment (redistricting) years. For example, in 2012, the regular legislative session started on January 10, 2012. See chapter 2010-91, L.O.F.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

By moving the start of the regular legislative session in even-numbered years, the Legislature would enact the state budget approximately six weeks earlier in those years. As such, state agencies would have additional time prior to the start of the fiscal year to implement or react to any budgetary changes.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Other Comments: Governor's Recommended Budget

Current law requires the Governor to submit a recommended balanced budget to the state at least 30 days before the scheduled annual legislative session, unless a later date is approved in writing by the President of the Senate and the Speaker of the House of Representatives.<sup>3</sup> Moving the start date of the regular legislative session in even-numbered years would require the Governor to submit a recommended balanced budget earlier in those years.

Other Comments: Declaration of Impasse

Current law requires the Governor to declare an impasse in all collective bargaining negotiations for which he or she is deemed to be the public employer and for which a collective bargaining agreement has not been executed at the same time the Governor is required to furnish his or her recommended budget to the Legislature.<sup>4</sup> Moving the start date of the regular legislative session in even-numbered years would require the Governor to declare an impasse in collective bargaining issues earlier in those years.

### IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 3, 2014, the State Affairs Committee adopted one technical amendment and reported the bill favorably with a committee substitute.

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<sup>3</sup> Section 216.162(1), F.S.

<sup>4</sup> Section 216.163(6), F.S.