

**STORAGE NAME:** h0657.ree.doc  
**DATE:** February 22, 2001

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
RULES, ETHICS, & ELECTIONS  
ANALYSIS**

**BILL #:** HB 657 (PCB REE 01-01a)  
**RELATING TO:** Florida Statutes  
**SPONSOR(S):** Rules, Ethics, & Elections & Rep. Goodlette  
**TIED BILL(S):** None

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

- (1) RULES, ETHICS, & ELECTIONS (PRC) YEAS 14 NAYS 0
  - (2)
  - (3)
  - (4)
  - (5)
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I. SUMMARY:

This bill adopts the Florida Statutes 2001 and designate the portions thereof that are to constitute the official statutory law of the state. The adoption act amends ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes, and provides a one-year window for finding errors and making changes before statutory material becomes the best evidence of the law.

This bill has no fiscal impact.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- |                                   |                              |                             |   |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u>         | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u>             | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u>      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

The adoption act is enacted annually during each regular session. It prospectively adopts as an official document the edition of the Florida Statutes to be published following that session and provides a 2-year curing period for any possible errors in statutory material before it becomes the best evidence of the law. The 2001 adoption act adopts as the official statute law of the state those portions of the 2001 Florida Statutes edition that are carried forward unchanged from the edition published 2 years previously (1999). Portions carried forward from the 1999 edition are the official law of the state and, therefore, constitute the best evidence of the law. The portions resulting from sessions occurring subsequent to publication of the 1999 edition are prima facie evidence of the law in all courts of the state; for this material, the enrolled acts stand as the best evidence of the law. Any "statute of a general and permanent nature" enacted before publication of the 1999 Florida Statutes that does not appear in the 2001 Florida Statutes, or is not recognized and continued in force by reference therein or in s. 11.2423 or s. 11.2424, Florida Statutes, stands repealed, both by the logic of the system and by operation of s. 11.2422, Florida Statutes. *See National Bank v. Williams*, 28 Fla. 305, 20 So. 931 (1896).

Currently, all statutes material passed through the 1997 Regular Session and printed in the 1999 edition has been adopted. Material passed after that date must wait 2 years before being adopted; for this material, the session law form of the material remains the best evidence of the law.

C. EFFECT OF PROPOSED CHANGES:

The adoption act amends ss. 11.2421, 11.2422, 11.2424, and 11.2425, Florida Statutes, and provides a one-year window for finding errors and making changes before statutory material becomes the best evidence of the law. This is consistent with the decision by the Legislature, beginning in 2000, to publish the Florida Statutes on an annual basis, and to have the Division of Statutory Revision submit an adoption act annually, rather than every two years.

D. SECTION-BY-SECTION ANALYSIS:

See bill for details.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

N/A

2. Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

N/A

2. Expenditures:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

N/A

D. FISCAL COMMENTS:

N/A

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

N/A

B. REDUCTION OF REVENUE RAISING AUTHORITY:

N/A

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

N/A

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

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C. OTHER COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

An amendment to the original PCB was adopted in committee and changes the Florida Statutes Adoption Act to allow for a one-year curing period.

VII. SIGNATURES:

COMMITTEE ON RULES, ETHICS, & ELECTIONS:

Prepared by:

Staff Director:

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Edith Pollitz

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R. Philip Twogood, Ph.D.