PREFACE

THE CONTINUOUS REVISION SYSTEM

In its continuous revision system, Florida has an efficient method for keeping general statutory law up to date and readily available. Since 1999, the *Florida Statutes* has been published in its entirety annually. Previously, the statutes were published following each odd-year regular session, and a supplement was published following each even-year regular session. With annual publication of the *Florida Statutes*, other key features of the continuous revision system are provided more frequently as well. The Division of Law Revision now submits reviser's bills and the adoption act to the Legislature annually rather than every 2 years.

Adoption of the *Florida Statutes*.—The enactment of the adoption act, which provides for adoption of the official statutory law of the state, is a vital part of the continuous revision system. The act amends ss. 11.2421, 11.2422, 11.2424, and 11.2425. With the change to annual publication of the *Florida Statutes*, the adoption act is now submitted to the Legislature annually instead of biennially.

The 2-year "curing period" was reduced to 1 year in chapter 2003-25, *Laws of Florida*, the 2003 adoption act. The 2026 adoption act adopted material from the 2025 edition. The annual adoption act prospectively adopts as an official document the edition of the *Florida Statutes* to be published following that session. Perhaps more importantly, it will adopt as the official statutory law of the state those portions that are carried forward from the previous year's published edition. Pursuant to s. 11.242(5)(c), these standing provisions are combined with the laws of a general and permanent nature enacted during the current legislative session. The final product is the *Florida Statutes*.

Consequences.—As a result of the concurrent operation of s. 11.242(5)(c) and the adoption act, the evidentiary value of material published in the edition of the *Florida Statutes* that was most recently adopted (the previous year's edition per the change to a 1-year curing period by chapter 2003-25, *Laws of Florida*) is different from that of the current edition. The portions of the text as it was published in the adopted edition that are carried forward unchanged into the current edition are the official law of the state by operation of the adoption act and, therefore, the best evidence of the law. Material enacted since the adopted edition is only prima facie evidence of the law. During the period that a provision is characterized as prima facie evidence, the enrolled act stands as the best evidence of the law and will prevail in the event of a conflict.

The Florida continuous revision system greatly simplifies statutory research. A researcher seeking the current enacted general law needs to examine the latest edition of the *Florida Statutes*, as well as session laws enacted since publication of the latest statutes edition, printed in the *Laws of Florida* or enacted but not yet printed in the *Laws*.

Any "statute of a general and permanent nature" enacted prior to the period since publication of the last adopted regular edition of the *Florida Statutes* which does not appear in the current edition stands repealed, both by the logic of the system and by the operation of s. 11.2422. *See National Bank v. Williams*, 38 Fla. 305, 20 So. 931 (1896).

The adoption of the *Florida Statutes* cures title defects that existed in an act as originally passed. *See State ex rel. Badgett v. Lee,* 156 Fla. 291, 22 So. 2d 804 (1945). Thus, general legislation may be attacked on this ground only during the period between its original enactment and its subsequent adoption as the official law of the state. An act with a title defect is considered valid only from adoption and not from the date of original enactment. *See Thompson v. Intercounty Tel. & Tel. Co.,* 62 So. 2d 16 (Fla. 1952).

Analogously, once reenacted as a portion of the *Florida Statutes,* a statute is no longer subject to challenge on the ground that it violates the single subject requirement of s. 6, Art. III of the State Constitution. *See State v. Combs,* 388 So. 2d 1029 (Fla. 1980); *Loxahatchee River Environmental Control District v. School Board of Palm Beach County,* 515 So. 2d 217 (Fla. 1987); *State v. Johnson,* 616 So. 2d 1 (Fla. 1993).

ADDITIONAL FEATURES OF THE FLORIDA STATUTES

Arrangement of chapters and titles.—The object of any arrangement of compiled statutes is to facilitate the finding of the law. Two methods of arrangement in general use in the United States are the "logical" or "topical" grouping of related subjects, as used in many digests, and the "alphabetical" arrangement, as used in legal encyclopedias. Florida follows the majority of states in using the logical or topical arrangement. The Numerical Title and Chapter Index printed in the front part of volume 1 provides a quick reference to the arrangement of the statutes under the logical title system. It lists groups of related chapters in numerical order under general subject fields.

Numbering system.—After the chapters of the *Florida Statutes* are arranged by subject matter, each is assigned a whole number. Each section within a chapter is identified by a decimal number consisting of the chapter number followed by two to five digits appearing to the right of the decimal point. For example, "s. 16.01" would identify a section in chapter 16 of the *Florida Statutes*. Various designations thus indicate the hierarchical arrangement of textual subdivisions. Chapters are identified by whole Arabic numbers; sections, by numbers containing a decimal point; subsections, by whole Arabic numbers enclosed by parentheses; paragraphs, by lowercase letters enclosed by parentheses; subparagraphs, by whole Arabic numbers followed by a period; sub-subparagraphs, by lowercase letters followed by a period; sub-sub-subparagraphs, by Roman numerals in parentheses; and sub-sub-sub-subparagraphs by uppercase letters in parentheses.

The principal advantage of the decimal numbering system is its flexibility, allowing for the insertion of a new section between two existing sections in the vast majority of cases. For example, a new section inserted between ss. 16.12 and 16.13 can be assigned any number from 16.121 through 16.129 without using more than three digits to the right of the decimal point. The number of a section has no significance other than to indicate its location. A section that is identified by a number containing four digits to the right of the decimal point is of no less importance than a section having a number with two or three digits to the right of the decimal point.

Finding the law.—There are two general methods of finding sections of the *Florida Statutes* that deal with a particular subject. One who is familiar with the subject may use the catchline index appearing at the beginning of the appropriate chapter or part. The proper chapter can be determined by use of the Numerical Title and Chapter Index located at the front of volume 1. One who is less familiar with the subject, or who is conducting a more wide-ranging search, may prefer to use the General Index, located in volume 7. The Foreword to the General Index contains detailed instructions regarding its use.

History notes.—Each section is followed by a history note containing citations to the section and chapter number of the creating act and each subsequent amendatory act as located in the *Laws of Florida*. The chapter law should be consulted to determine the effective date of a creating law or particular amendment. Abbreviations to early compilations are set forth on page viii in "Former Revisions and Compilations."

Table of section changes.—A table indicating changes to sections of the *Florida Statutes* is located in volume 7. This table includes entries showing: (1) the sections, by number, that have been changed in any way and (2) whether the change consisted of creation of a new section, an amendment, a repeal, or a transfer. It is a convenient device for pinpointing changes to a given segment of the general law.

Tracing tables.—The Table Tracing Session Laws into *Florida Statutes*, located in volume 7, traces all general laws of a permanent nature to their first placement in the *Florida Statutes*. Tracing tables encompassing prior years may be found on the Florida Legislature's website. The entry "omitted" indicates that the act or section of an act was deemed not of a "general and permanent nature" and was not published in the *Florida Statutes*. Consult the appropriate volume of the *Laws of Florida* for the text of an omitted provision. The table includes no entries for most effective date clauses.

A table that traces various provisions of the State Constitution of 1885, as amended, to their placement in the *Florida Statutes* follows the Table Tracing Session Laws into *Florida Statutes*. The conversion of constitutional provisions into statutory law occurred pursuant to the provisions of s. 10, Art. XII of the State Constitution as revised in 1968.

Table of Repealed and Transferred Sections.—This table, which immediately precedes the General Index in volume 7, is most useful to the researcher who is interested in the movement of the law as well as its current content. It lists the inactive section numbers of each repealed or transferred section of the *Florida Statutes*, along with the chapter number of the repealing or transferring act or the year in which the reviser transferred the section. The table also lists the new location of any transferred section. Consult the edition of the *Florida Statutes* published prior to the repeal or transfer for the text of the section or the content of its history note.

Miscellaneous materials.—Section 11.242(4) provides that, in addition to the general laws, the State Constitution, and complete indexes, the *Florida Statutes* may include "such other matters, notes, data, and other material as may be deemed necessary or admissible by the Office of Legislative Services for reference, convenience, or interpretation." Most items published under this authority are located in volume 7 and are identified in the Table of Contents at the front of each volume. Notes following statutory sections may also include such miscellaneous material.

STATUTORY CONSTRUCTION

Multiple acts in the same session affecting a statutory provision.—A provision of the *Florida Statutes* may be affected by the enactment of two or more bills in the same session. Where multiple amendatory acts affecting a provision are reconcilable, the language is meshed and full effect is given to both. If the amendatory acts are irreconcilable, the editors must publish both versions of the amended provision. The version that is most strongly supported by legislative intent as determined from the best evidence available (usually the law version "last passed" by the Legislature) is placed in the text. A note is inserted calling attention to the conflict and setting forth the alternative text pending resolution by further legislative action. *See* s. 1.04, F.S.

An act that amends or adds provisions to a section of the *Florida Statutes* which has been repealed by an earlier act is published as a new enactment if the amended or added provisions make sense standing alone. If they do not, they are omitted along with the repealed provision. Of course, if an act repeals a provision that an earlier act has amended, the provision is deleted.

Cross-references.—Legislative enactments frequently incorporate portions of the *Florida Statutes* by reference. A cross-reference to a general body of law (without reference to a specific statute) incorporates the referenced law and any subsequent amendments to or repeal of the referenced law. *See Williams v. State ex rel. Newberger,* 100 Fla. 1567, 125 So. 358 (1930), rev'd on other grounds on rehearing, 100 Fla. 1570, 131 So. 864 (1930); *State ex rel. Springer v. Smith,* 189 So. 2d 846 (Fla. 4th D.C.A. 1966); *Reino v. State,* 352 So. 2d 853 (Fla. 1977).

In contrast, as a general rule, a cross-reference to a specific statute incorporates the language of the referenced statute as it existed at the time the reference was enacted, unaffected by any subsequent amendments to or repeal of the incorporated statute. *See Overstreet v. Blum,* 227 So. 2d 197 (Fla. 1969); *Hecht v. Shaw,* 112 Fla. 762, 151 So. 333 (1933); *Van Pelt v. Hilliard,* 75 Fla. 792, 78 So. 693 (1918); and *State ex rel. Springer v. Smith*, *ibid.* This rule often disappoints the popular expectation that a specific cross-reference incorporates the current text of a statute, which users of the *Florida Statutes* may immediately consult. Consequently, when users encounter a specific cross-reference that appears to be of critical importance to the meaning of the incorporating section, they will be well advised to find and read the language actually incorporated. The cross-reference rules for criminal statutes were affected by s. 775.022(6), created by s. 1, ch. 2019-63, *Laws of Florida*, which provides that "[a] reference to any other chapter, part, section, or subdivision of the Florida Statutes in a criminal statute or a reference within a criminal statute constitutes a general reference under the doctrine of incorporation by reference."

FORMER REVISIONS AND COMPILATIONS

The laws of general application of the territory of Florida and of the State of Florida have either been compiled unofficially or revised under authority of law and adopted as official statutes in the following publications: *Duval's Compilation of Territorial Laws, 1840*

(compilation); *Thompson's Digest, 1847* (compilation); *Bush's Digest, 1872* (compilation); *McClellan's Digest, 1881* (compilation); *Revised Statutes, 1892* (R.S.) (revision enacted as law); *General Statutes, 1906* (G.S.) (revision enacted as law); *Revised General Statutes, 1920* (R.G.S.) (revision enacted as law); *Compiled General Laws, 1927* (C.G.L.) (unofficial compilation); *revision of 1940* (beginning of the continuous revision system); *Florida Statutes 1941* (F.S. 1941) (adoption of the official 1940 revision); *Florida Statutes 1949* (F.S. 1949) (consolidation of 1941 statutes and supplements printed during 1943, 1945, and 1947); and *Florida Statutes,* published biennially from 1951-1997, with even-year supplements, and annually from 1999-2025.

DIVISION OF LAW REVISION

The 1943 Legislature enacted chapter 22012, *Laws of Florida*, creating a permanent statutory revision and legislative drafting and reference department under the supervision and control of the Attorney General. The department published the general laws of the state and maintained a bill drafting department and legislative reference library. The 1967 Legislature enacted chapter 67-472, *Laws of Florida*, removing the Statutory Revision Department from the Office of the Attorney General and establishing it as a part of the Legislative Reference Bureau under the supervision of the Legislative Council. Chapter 69-52, *Laws of Florida*, renamed the Legislative Reference Bureau as the Legislative Service Bureau; the Statutory Revision Department became the Statutory Revision Service within the bureau, and its work was made subject to the supervision of the Joint Legislative Management Committee, which replaced the Legislative Council. In 1971, the Joint Legislative Management Committee consolidated the statutory revision and indexing functions into the Division of Statutory Revision and Indexing, a new division of the Joint Legislative Management Committee. The division was renamed the Division of Statutory Revision in 1978. The division was placed under the Office of Legislative Services in 1998.

The Division of Statutory Revision and the Division of Legislative Information were merged to form the Division of Law Revision and Information within the Office of Legislative Services in 2012. Functions relating to bill analysis and tracking were allocated to the Senate and the House of Representatives in 2018, and the division was renamed the Division of Law Revision.

Section 11.242, *Florida Statutes*, sets out the powers, duties, and functions of the Office of Legislative Services relating to maintenance of a statutory revision program. These functions include: (1) to conduct a systematic and continuing study of the statutes and laws of the state to reduce their number and bulk; remove inconsistencies, redundancies, and unnecessary repetition; and otherwise improve their clarity and facilitate their correct interpretation; (2) to publish the *Florida Statutes*; and (3) to index various publications of the Office of Legislative Services.

The Office of Legislative Services has broad authority over the arrangement and grammatical structure of the *Florida Statutes* pursuant to s. 11.242, *Florida Statutes*. The statutes work product constitutes prima facie evidence of the law until formally adopted by the Legislature. Nevertheless, the revision staff exercises its editorial prerogatives with self-restraint and strictly within the framework of legislative intent.

The Division of Law Revision is a clearinghouse where attorneys, judges, legislators, and administrators may help to improve the statutory law of the state. Any feedback calling attention to errors, omissions, conflicts, and other defects in the law can be a material help in administering Florida's continuous revision system.

For information on obtaining the Laws of Florida, additional copies of the Florida Statutes, or other publications, visit **www.flalegistore.com** or contact the Law Book Services office at (850) 488-2323.

The Florida Statutes, chapter laws, and bill information, as well as general information about the Florida Legislature can be found on the Internet through the Florida Legislature's home page at: **http://www.leg.state.fl.us**