

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 274

SPONSOR: Senator Lee

SUBJECT: Florida Statutes, Adoption Act

DATE: January 4, 2001

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Pollitz (Stat. Rev.)	Kassack	RC	Favorable
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill is drafted by the Division of Statutory Revision of the Office of Legislative Services to adopt 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 2-year window for finding errors and making changes before statutory material becomes the best evidence of the law.

II. 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 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 the 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 current edition, 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is not recognized and continued in force by reference therein or in s. 11.2423 or s. 11.2424, Florida Statutes, stands repealed, both by the logic of the system and by operation of s. 11.2422, Florida Statutes.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.

III. Effect of Proposed Changes:

The 2001 adoption act will adopt all statutes material passed through the 1999 Regular Session and printed in the 2001 edition. Material passed in a session occurring since publication of the 1999 edition must wait 2 more years before being adopted, and the session law form of that material will remain the best evidence of the law for that material.

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

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.