

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: SB 40

INTRODUCER: Senator Mayfield

SUBJECT: Florida Statutes

DATE: February 21, 2023

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Pollitz (DLR)	Twogood	RC	Favorable

I. Summary:

SB 40 is drafted by the Division of Law Revision of the Office of Legislative Services to adopt the Florida Statutes 2023 and designate the portions thereof that are to constitute the official statutory law of the state. This adoption act provides a 1-year window for finding errors and making changes before statutory material becomes the best evidence of the law.

This bill amends the following sections of the Florida Statutes: ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.

II. Present Situation:

The 2023 adoption act will adopt all statute material passed through the May 23-27, 2022, Special Session and printed in the 2022 edition. Material passed in a session occurring since publication of the 2022 edition (the December 12-16, 2022, Special Session through the 2023 Regular Session) must wait 1 more year before being adopted, and the session law form of that material will remain the best evidence of the law for that material.

III. Effect of Proposed Changes:

The adoption act provides a 1-year window for finding errors and making changes before statutory material becomes the best evidence of the law. The 2023 adoption act adopts as the official statute law of the state those portions of the 2023 Florida Statutes edition that are carried forward unchanged from the edition published 1 year previously (2022). Portions carried forward from the 2022 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 2022 edition (the December 12-16, 2022, Special Session through the 2023 Regular Session) 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 2022 Florida Statutes that does not appear in the 2022 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11.2424, Florida Statutes, stands repealed, both by the logic of the system and by operation of s. 11.2422, Florida Statutes.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).

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends the following sections of the Florida Statutes: ss. 11.2421, 11.2422, 11.2424, and 11.2425, F.S.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
