

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 851

Florida Legal Resource Center

SPONSOR(S): Grady

TIED BILLS:

IDEN./SIM. BILLS: SB 2236

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	Criminal & Civil Justice Policy Council		Mato	Havlicak
2)				
3)				
4)				
5)				

SUMMARY ANALYSIS

This bill repeals an obsolete statute, s. 16.58, F.S., relating to the creating and duties of the Florida Legal Resource Center.

The Florida Legal Resource Center was created in 1993 within the Department of Legal Affairs (DLA), to facilitate interagency legal information sharing and communications, and for establishing and maintaining a statewide legal research bank. This Legal Resource Center was never widely used due to problems with technology compatibility between agencies and the growth of the Internet making this information widely available through agency websites.

The bill appears to have no fiscal impact.

The bill takes effect July 1, 2010.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation:

In 1993, Chapter 93-161, created s. 16.58, F.S. This created, within the Department of Legal Affairs (DLA), the Florida Legal Resource Center (Center) for facilitating interagency legal information sharing and communications, and for establishing and maintaining a statewide legal research bank. The statute also requires that DLA adopt a procedure for state agencies, special districts, universities, community colleges and junior colleges to submit legal information to include memoranda, briefs, and opinions, for deposit into the research bank and that all resources of the Center be made equally available to various governmental entities. The statute further requires that on or before January 1 of each year, DLA must prepare and transmit to the Governor and Legislature a report of Center activities for the preceding fiscal year.

Early attempts to gather this information were unsuccessful due to reluctance and technology incompatibility. As a result, the Center was disbanded by the DLA and a report has not been provided to the Governor and the Legislature since 1996.

The growth of the Internet has made s. 16.58 F.S. obsolete since agencies can now access research materials through agency websites. For example, the Attorney General's opinions can be found on the Attorney General's website and reports by the Florida Department of Law Enforcement can be found on it's website.¹

The Auditor General, in a 2008 report, recommended that the Legislature consider repealing this section.²

Effect of Proposed Changes:

The bill repeals s. 16.58 F.S.

¹ Attorney General Opinions available at: <http://myfloridalegal.com/pages.nsf/4492d797dc0bd92f85256cb80055fb97/dd177569f8fb0f1a85256cc6007b70ad!OpenDocument>; Florida Department of Law Enforcement available at: <http://www.fdle.state.fl.us/Content/getdoc/036671bc-4148-4749-a891-7e3932e0a483/Publications.aspx>.

² Auditor General Report number 2008-021 available at: www.myflorida.com/audgen/pages/pdf_files/2008-021.pdf

B. SECTION DIRECTORY:

Section 1 – repeals s. 16.58, F.S., relating to the Florida Legal Resource Center.

Section 2 – provides an effective date of July 1, 2010.

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.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require counties or municipalities to take an action requiring the expenditure to funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

3. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES