

DATE: 4/23/78

COMMITTEE ACTION: 1. Favorable-5/2/78

ANALYST

STAFF DIRECTOR

2. \_\_\_\_\_

1. Hurley

Overstreet

SENATE STAFF ANALYSIS  
AND ECONOMIC IMPACT  
STATEMENT

3. \_\_\_\_\_

2. \_\_\_\_\_

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3. \_\_\_\_\_

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Governmental Operations Committee

BILL NO. AND SPONSOR:

HB 1075 by Committee on  
Governmental Operations, and others

Subject:  
Administrative  
Procedures

REFERENCES: GOVERNMENTAL OPERATIONS

I. SUMMARY:

Removes from the Florida Statutes provisions and language made obsolete by the enactment of the Administrative Procedure Act. Provides limited exceptions to application of the APA. Clarifies questions of construction of certain provisions of existing statutes.

II. PURPOSE:

A. Present Situation

The Florida Statutes contain many provisions made obsolete by the enactment of the Administrative Procedure Act in 1974. The APA Subcommittee of the House Committee on Governmental Operations has prepared a bill to remove from the statutes those obsolete provisions. The subcommittee held a series of hearings soliciting comments on the proposed bill from affected agencies. Although many agencies sought substantive changes in the APA and in other statutes imposing procedural constraints, most were satisfied with the final draft of this legislation. Staffs of the standing committees in the Senate were presented with those sections of this bill which pertain to their specific agency assignments, and were requested to review these and note any problem areas. No specific substantive problems were noted, however, several comments indicated concern that certain chapters would no longer advise readers of their right to a hearing.

B. Effect on Present Situation

This bill would affect existing statutes in three ways. First, certain obsolete procedures and language would be entirely deleted. Second, questions of construction of particular provisions would be clarified. Third, certain procedures which conflict with the APA would be retained as express exceptions to that act. If an agency wanted to retain existing procedural requirements more stringent than those in the APA, such requirements were made exceptions to the APA. A summary of those sections of the bill which provide limited exceptions to the APA, clarify questions of construction, or are otherwise of particular interest appears on the back of this page

III. ECONOMIC CONSIDERATIONS:

A. Economic Impact on the Public: YES \_\_\_ NO X

B. Economic Impact on State or Local Government: YES X NO \_\_\_

Some agencies not currently in strict compliance with the APA may incur additional expenses in implementing changes in agency procedure. However, some agencies now complying with requirements more strict than those in the APA may realize cost savings. The overall impact is unquantifiable.

IV. COMMENTS:

This bill has become law with the approval of the Governor.