

PART IV

SAMPLE LEGISLATION

The sample bills which follow are included primarily to show the format and general organization that is preferred. These samples do not address the more complex situations that are often encountered; but by using them as a guide in combination with other examples that can be found among bills from previous sessions, the novice drafter should be able to achieve a result which will be satisfying to everyone concerned.

GENERAL BILL AMENDING FLORIDA STATUTES

1 A bill to be entitled
2 An act relating to railroads; amending s. 860.04, F.S.,
3 relating to persons riding or attempting to ride on a
4 railroad train with intent to ride free; increasing the
5 penalty for such offense; providing an effective date.
6

7 Be It Enacted by the Legislature of the State of Florida:
8

9 Section 1. Section 860.04, Florida Statutes, is amended to
10 read:

11 860.04 Riding or attempting to ride on a railroad train
12 with intent to ride free.--Any person who, without permission of
13 those having authority, with the intention of being transported
14 free, rides or attempts to ride on any railroad train in this
15 state commits ~~shall be guilty of~~ a misdemeanor of the first
16 ~~second~~ degree, punishable as provided in s. 775.082 or s.
17 775.083.

18 Section 2. This act shall take effect October 1, 2009.

**GENERAL BILL AMENDING SUBDIVISIONS OF
FLORIDA STATUTES**

1 A bill to be entitled
2 An act relating to anatomical gifts; amending s. 765.511,
3 F.S.; revising the definition of "donor"; defining
4 "donee"; providing an effective date.

5
6 Be It Enacted by the Legislature of the State of Florida:

7
8 Section 1. Subsections (4) and (5) of section 765.511,
9 Florida Statutes, are renumbered as subsections (5) and (6),
10 respectively, subsection (3) of said section is amended, and a
11 new subsection (4) is added to said section, to read:

12 765.511 Definitions.--For the purpose of this act:

13 (3) "Donor" means an individual who makes a gift of ~~all or~~
14 part of his or her body.

15 (4) "Donee" means an individual who receives a part of the
16 body of a donor.

17 Section 2. This act shall take effect upon becoming a law.

JOINT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

House Joint Resolution

A joint resolution proposing an amendment to Section 2 of Article VI of the State Constitution, relating to electors, to limit the right to vote to women only.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 2 of Article VI of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VI

SUFFRAGE AND ELECTIONS

Section 2. Electors.--Every female citizen of the United States who is at least eighteen years of age and who is a permanent resident of the state, if registered as provided by law, shall be an elector of the county where registered.

BE IT FURTHER RESOLVED that the following statement be placed on the ballot:

CONSTITUTIONAL AMENDMENT

ARTICLE VI SECTION 2

LIMITING VOTING RIGHT TO WOMEN.--Proposes an amendment to Section 2 of Article VI of the State Constitution to limit the right to vote to women only.

***IMPORTANT:** WHEN PREPARING A JOINT RESOLUTION, ALWAYS SHOW THE NUMBER OF THE APPROPRIATE ARTICLE [AS INDICATED ON LINE 13 OF THIS SAMPLE] AND THE TITLE OF THE ARTICLE [AS INDICATED ON LINE 14 OF THIS SAMPLE] CENTERED, WITHOUT UNDERLINING, ON SEPARATE LINES, BEFORE SETTING FORTH THE SECTION OR SECTIONS OF THE CONSTITUTION.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

HOUSE RESOLUTION OF COMMENDATION

House Resolution

1
2 A resolution commending the New World Festival of the
3 Arts.

4
5 WHEREAS, the New World Festival of the Arts in Dade County,
6 June 6-30, 2009, will be one of the biggest cultural events ever
7 undertaken in the United States, and

8 WHEREAS, the New World Festival of the Arts will contribute
9 significantly to the enhancement of the reputation of the State
10 of Florida in the art world, and

11 WHEREAS, the New World Festival of the Arts will have a
12 tremendous effect toward fostering tourism in Florida by
13 attracting residents of other states and citizens from abroad to
14 the state, and

15 WHEREAS, the New World Festival of the Arts will greatly
16 strengthen the economy of the State of Florida, NOW, THEREFORE,

17
18 Be It Resolved by the House of Representatives of the State of
19 Florida:

20
21 That 2009 is declared to be the Year of the New World
22 Festival of the Arts.

23 BE IT FURTHER RESOLVED that a copy of this resolution be
24 presented to the Board of Directors of the New World Festival of
25 the Arts as a tangible token of the sentiments expressed herein.

CONCURRENT RESOLUTION

House Concurrent Resolution

A concurrent resolution extending the 2009 regular legislative session under the authority of Article III, Section 3(d) of the State Constitution and establishing limitations on the scope of legislation to be considered.

WHEREAS, the sixty days of the 2009 Regular Session of the Florida Legislature will expire on May 6, 2009, and the necessary tasks of the session have not been completed, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:

That the 2009 Regular Session of the Florida Legislature is extended until 3:00 a.m., Saturday May 7, 2009, under the authority of Article III, Section 3(d) of the State Constitution.

BE IT FURTHER RESOLVED that the regular session so extended shall consider only the following matters:

(1) House Bill 9998, the general appropriations bill, and the Conference Committee Report thereon;

(2) House Bill 9999, the appropriations implementing bill, and the Conference Committee Report thereon;

(3) Any substantive bills necessary to implement budget reductions, transfers, or adjustments contained in the general appropriations bill.

BE IT FURTHER RESOLVED that all other measures in both houses are hereby indefinitely postponed.

MEMORIAL REQUESTING ACTION FROM CONGRESS

House Memorial

A memorial to the Congress of the United States, urging Congress to reauthorize the Older Americans Act.

WHEREAS, since its passage in 1965, the Older Americans Act has been the prime funding source for aging programs benefiting the multiple needs of persons who are age 60 and older, and

WHEREAS, Florida is the year-round home of more than 3.3 million senior citizens, many of whom rely on Older Americans Act Services for their daily sustenance, and

WHEREAS, the Older Americans Act has been calendared for reauthorization in 2006, 2007, and 2008, but placed in a continuation budget for each of the specified years, and

WHEREAS, the legislation is usually reauthorized for a period of three or four consecutive years, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Congress of the United States is requested to reauthorize the Older Americans Act for a five-year period beginning January 1, 2010, or sooner, to help assure the right of older Americans to live their retirement years with merited dignity.

BE IT FURTHER RESOLVED that copies of this memorial be dispatched to the President of the United States, to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Florida delegation to the United States Congress.

GENERAL RELIEF ACT or "CLAIM BILL"

1 A bill to be entitled
2 An act for the relief of Deborah Allen; providing an
3 appropriation to compensate her for injuries and damages
4 sustained as result of the negligence of the Department of
5 Transportation; providing an effective date.

6
7 WHEREAS,[SET FORTH CIRCUMSTANCES]....., and

8 WHEREAS,[SET FORTH CIRCUMSTANCES]....., and

9 WHEREAS, the unpaid amount of the final judgment is
10 \$210,749.68, NOW, THEREFORE,

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. The facts stated in the preamble to this act are
15 found and declared to be true.

16 Section 2. There is appropriated from the General Revenue
17 Fund to the Department of Transportation the sum of \$210,749.68
18 for the relief of Deborah Allen for injuries and damages
19 sustained.

20 Section 3. The Chief Financial Officer is directed to draw
21 a warrant in favor of Deborah Allen in the sum of \$210,749.68
22 upon funds of the Department of Transportation in the State
23 Treasury, and the Chief Financial Officer is directed to pay the
24 same out of such funds in the State Treasury.

25 Section 4. This act shall take effect upon becoming a law.

LOCAL RELIEF ACT or "CLAIM BILL"

1 A bill to be entitled
2 An act for the relief of David Roberts by Washington
3 County; providing for an appropriation to compensate him
4 for injuries sustained as a result of the negligence of
5 Washington County; providing an effective date.

6
7 WHEREAS,[SET FORTH CIRCUMSTANCES]....., and
8 WHEREAS,[SET FORTH CIRCUMSTANCES]....., and
9 WHEREAS, the unpaid amount of the final judgment is
10 \$105,247.15, NOW, THEREFORE,

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. The facts stated in the preamble to this act are
15 found and declared to be true.

16 Section 2. The Board of County Commissioners of Washington
17 County is authorized and directed to appropriate from funds of
18 the county not otherwise appropriated and to draw a warrant in
19 the sum of \$105,247.15 payable to David Roberts as compensation
20 for injuries and damages sustained.

21 Section 3. This act shall take effect upon becoming a law.

HOUSE TRIBUTE

A Tribute to Samuel Rivers

1
2
3 WHEREAS, Samuel Rivers was born August 15, 1909, the eldest
4 of six children; and

5
6 WHEREAS, after attending public schools in Florida, Samuel
7 Rivers entered American University where he earned his doctorate
8 and a law degree; and

9
10 WHEREAS, upon leaving the university, Samuel Rivers began a
11 distinguished 45-year teaching career; and

12
13 WHEREAS, after retiring from teaching, Samuel Rivers began a
14 successful second career as a manufacturer of medical diagnostic
15 equipment; and

16
17 WHEREAS, on August 15, 2009, Samuel Rivers celebrated his
18 100th birthday. NOW, THEREFORE,

19
20 BE IT RESPECTFULLY PROCLAIMED that it is a distinct pleasure
21 and honor to congratulate Mr. Samuel Rivers on the observance of
22 his 100th birthday.

23
24
25
26
27 _____
Lee Clayton
28 Representative, District 135