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Basic Citation Forms: Florida Statutes

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Recommended Citation

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5. FLORIDA STATUTES

5.1 AUTHORITY

Cite only to the official codification of Florida law, the Florida Statutes. Do not cite to an annotated edition unless referencing materials not present in the official codification.

5.2 CHAPTERS

A chapter in the Florida Statutes represents all of the relevant statutory law on a particular subject. While the legislature may create specific chapters, the Legislature's Statutory Revision Division has the final authority to determine where in the statutes the legislation will be codified, which is why some laws do not appear in the statutes where the bill identifies their placement. This procedure is explained in detail in the front of any volume of the Florida Statutes. This is a different chapter than a session law chapter.

5.3 SECTIONS

Sections of the statutes represent a further subdivision of each chapter. The Statutory Revision Division of the Florida Legislature has the final authority over the location of the sections within the chapters. The Division provides numerous cross-reference tables in each volume of the statutes. This is a different section than a session law section.

5.4 IN TEXT

5.4.1 Generally

It is not necessary to refer to the Florida Statutes every time a section or chapter is mentioned in the text. When the "Florida Statutes" phrase is included in the text, it follows the section or chapter phrase.

The primary Florida exemption is found in section 517.06(12), Florida Statutes.

House Bill 287 makes only a minor change in the vested rights provisions of chapter 380.

5.4.2 Citing Multiple Sections

Use the designation "section" even if the reference is to paragraphs or other subunits of the section. When the reference is to multiple units, use the plural.

Section 119.07(1)(b) provides that when the nature or the volume of a request

Sunset and Sundown reports are required by sections 11.61 and 11.611, Florida Statutes.

5.4.3 Citing An Entire Chapter

An entire chapter is cited in the same manner as a section.

Chapter 380 requires that prior to undertaking

5.5 IN FOOTNOTES

The Florida Statutes are abbreviated in footnote citations but not in textual discussions.

1. FLA. STAT. § 895.03 (1985).
2. Section 895.03, Florida Statutes, provides

5.5.1 Sections

Abbreviate section references in a footnote citation sentence by using the section symbol.

(a) *Single Section*

Use a single section symbol with a space between the section symbol and the section's number.

2. FLA. STAT. § 286.011 (1983).

(b) *Consecutive Sections*

Use two section symbols with no space between them, though there is a space between the two section symbols and the sections' numbers.

325. FLA. STAT. §§ 161.011-.45 (1983).
345. FLA. STAT. §§ 380.19-.25 (1983).

(c) Nonconsecutive Sections

Use two section symbols with no space between them, though there is a space between the two section symbols and the sections' numbers.

121. See FLA. STAT. §§ 517.211(1), .301(1) (1983).

(d) Multiple Subdivisions Within a Single Section

Use a single section symbol with a space between the section symbol and the section's number.

27. FLA. STAT. § 120.57(1)(a), (1)(b)(13) (1985).

328. *Id.* § 380.22(1), (3).

5.6 YEAR OF A STATUTE

5.6.1 In Text

The first time a statute is cited, there must be an indication of the year of the statute under discussion by giving a footnote that fully cites to the year of the statute. When the statute is subsequently discussed in the text it is not necessary to give the year each time just as it is not necessary to include the phrase "Florida Statutes" each time so long as the year of the statutes discussed is the same.

Section 201.22, Florida Statutes, requires that the excise tax on documents "shall be applicable to transactions covered by the Uniform Commercial Code to the same extent that it would be if the code had not been enacted."¹

1. FLA. STAT. § 201.22 (1985).

5.6.2 In Footnotes

Each time a full citation to a statute occurs, include the year. If a short form citation is used (i.e., an "*id.*" form), do not include the year of the statute with the citation unless the short form citation is to a statute of a different year.

27. FLA. STAT. § 712.03(3) (1983).

28. FLA. STAT. §§ 402.301-.316 (1983 & Supp. 1984).

29. *Id.* § 402.308 (1983).
30. *Id.* § 402.309.

5.8 HISTORICAL REFERENCE

When the discussion concerns the present state of the law, cite to the current edition of the Florida Statutes. When the discussion deals with the law of an earlier time, as in a discussion of an earlier court opinion construing a statute, the cite should be to the earlier edition of the Florida Statutes with which the discussion deals.

54. FLA. STAT. § 627.7262 (Supp. 1976).

5.9 NAME OF A STATUTE

A statute has a name only if there is a specific statement to that effect in the statute itself; do not confuse names of statutes with titles of acts. Often the official name of the statute is the same as that for the act and is found in the section of the statute referring to "Short Title."

Florida Statutes section 163.3161 (1983) states: "This act shall be known and may be cited as the 'Local Government Comprehensive Planning Act of 1975.'"

The phrase, "Local Government Comprehensive Planning Act of 1975," is the name of the statute and the act. It is not the title of the act, nor the bill. This name may be used in a textual discussion, but never as a part of a citation.

5.9 FORM OF QUOTATION OF CONSTITUTIONS AND STATUTES

5.9.1 Basic Form of Constitutions and Statutes

In the official publication, most statutes and constitutional provisions begin with a section number and catchline followed by the text of the statute.

5.9.2 Form of Block Quotation: Complete Quotation

When doing a block-indented quote, eliminate the section number and catchline unless needed for some specific purpose, which virtually never occurs. Note that the paragraph is still indented since technically titles and catchlines are not part of the codification but only editorial devices.

EXAMPLE [FLA. STAT. § 11.2422 (1983)]:

Every statute of a general and permanent nature enacted by the State or by the Territory of Florida at or prior to the regular and special 1981 legislative sessions, and every part of such statute, not included in Florida Statutes 1983 as adopted by s. 11.2421, as amended, or recognized and continued in force by reference therein or in ss. 11.2423 and 11.2424, as amended, is repealed.

5.9.3 Form of Block Quotation: Incomplete Quotation

If anything more than the section number and catchline is omitted, do not indent the paragraph for the block quotation.

EXAMPLE [FLA. STAT. § 11.2422 (1983)]:

the State or by the Territory of Florida at or prior to the regular and special 1981 legislative sessions, and every part of such statute, not included in Florida Statutes 1983 as adopted by s. 11.2421, as amended, or recognized and continued in force by reference therein or in ss. 11.2423 and 11.2424, as amended, is repealed.

5.9.4 Quoting Further Internal Subdivisions

While the following is an example of a correct citation, try to avoid quotations consisting of large omissions by using narrative to tie the blocks of material together.

19. Section 11.148, Florida Statutes, provides:

The Joint Legislative Management Committee shall be responsible for the administration of the following functions: . . .

(21) Maintaining a permanent and continuous statutory revision plan under the supervision of the joint committee and in the manner provided in ss. 11.242-11.246, including the periodic publication of the Florida Statutes

(23) Analyzing all prefiled bills and all bills introduced during legislative sessions and, with respect thereto: . . .

(c) Determining the classification of bills as general, special, or general laws of local application.