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Basic Citation Forms: Florida Statutes

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in citations, they are set out below to help interpret any references that may be made by legislators, legislative staff, or legislative documents and publications. The material is based upon the House Bill Drafting Service's *Guidelines For Bill Drafting* (1989).

987.01. **This is a catchline.**—This is a section with its catchline. When a section is subdivided it also sometimes has an “introductory paragraph” such as this paragraph.

(1) **SUBSECTION CATCHLINE.**—This is a subsection. Subsections are designated by arabic numerals within parentheses. If a subsection has its own catchline (most do not), it is capitalized as shown here.

(a) **Paragraph catchline.**—This is a paragraph. If a paragraph has its own catchline, it is styled like a catchline for the whole section.

1. This is a subparagraph. A subparagraph begins with an arabic numeral followed by a period.

a. This is a sub-subparagraph. *Florida Statutes* are seldom broken down any further, but, if the occasion demands it there is the next division.

(I) This is the sub-sub-subparagraph which is designated by a Roman numeral within parentheses.

4.10 APPROPRIATIONS BILLS

4.10.1 General Information

The appropriations bill is essentially the same as any other bill in the Legislature. The only major difference between it and other bills is that a single section of the bill may exceed 100 pages. Therefore, it is often helpful to include a citation to the item number of the appropriation. For an example, see Rule 4.6.2.

4.10.2 Letter of Intent

Each year the Appropriations Committees of the two houses prepare a joint “letter of intent,” a terse annotation of the general Appropriations Act. The letter of intent contains a specific record of how the appropriated money is to be spent. These details are not contained within the bill itself.

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 Do not cite to an annotated edition unless referencing materials not present in the official codification.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 Legislature's Statutory Revision Division 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 phrase "*Florida Statutes*" is not abbreviated in textual discussions. The phrase should be italicized as any other textual reference to a publication. See *Bluebook* Rule 2.1.

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. Do not abbreviate "section(s)" in textual discussions.

During the debate, Representative Abrams noted that section 119.07(1)(b) had provided 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 before undertaking

5.5 IN FOOTNOTES

The phrase “*Florida Statutes*” is abbreviated in footnote citations but not in textual discussions.

54. FLA. STAT. § 90.803 (Supp. 1990).

Section 90.803, *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.

55. FLA. STAT. § 286.011 (1989).

(b) *Consecutive Sections*

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

56. FLA. STAT. §§ 348.95-.952 (1989).

57. FLA. STAT. §§ 380.19-.33 (1989 & Supp. 1990).

(c) *Nonconsecutive Sections*

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

58. See FLA. STAT. §§ 377.606, .701(4) (1989).

(d) Multiple Subdivisions Within a Single Section

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

59. FLA. STAT. § 570.48(1), (2)(b) (1989).

60. *Id.* § 570.544(7), (8).

5.5.2 Subparagraphs

Do not place subparagraphs or sub-subparagraphs within parentheses. Always designate subparagraphs and sub-sub-paragraphs with arabic numbers and lowercase letters followed by periods.

Under sub-sub-paragraph (e) 5.b., the further refinement of such areas should be considered.

61. FLA. STAT. § 380.0555(9)(a)2.a. (1989).

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 the statute is cited. In addition, it is not necessary to include the phrase "*Florida Statutes*" each time the statute is cited so long as the year of the statutes discussed is the same.

Section 90.803(23), *Florida Statutes*, currently provides a hearsay exception for certain statements of a child victim of abuse.⁶²

62. FLA. STAT. § 90.803(23) (1989).

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.

63. FLA. STAT. §§ 92.53(1), .54(1) (1989).
64. FLA. STAT. §§ 95.011-.11 (1989 & Supp. 1990).
65. *Id.* § 95.11 (Supp. 1990).
66. *Id.* § 95.011 (1989).

5.7 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.

67. FLA. STAT. § 61.13(1) (Supp. 1984).

5.8 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 688.001 (1989) states: "Sections 688.001-688.009 may be cited as the Uniform Trade Secrets Act."

The phrase, "Uniform Trade Secrets Act," 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.

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.

Section 23. Right to Privacy. — Every natural person has the right to be let alone

[FLA. CONST. art. I, § 23]

409.405. Court placement of delinquent children. — Any court having jurisdiction to place delinquent children may

[FLA. STAT. § 409.405 (1989)]

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 because technically titles and catchlines are not part of the codification but only editorial devices.

[FLA. STAT. § 120.68(10) (1989)]:

If the agency's action depends on any fact found by the agency in a proceeding meeting the requirements of s. 120.57, the court shall not substitute its judgment for that of the agency as to the weight of the evidence on any disputed finding of fact. The court shall, however, set aside agency action or remand the case to the agency if it finds that the agency's action depends on any finding of fact that is not supported by competent substantial evidence in the record.

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.

[FLA. STAT. § 286.011(1) (1989)]:

The Government-in-the-Sunshine Act requires in part that [a]ll meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting.

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.

68. Under section 680.1031(1)(g), *Florida Statutes* (Supp. 1990), a finance lease is defined as a lease in which:

1. The lessor does not select, manufacture, or supply the goods; . . . and

3. Either:

a. The lessee receives a copy of the contract evidencing the lessor's purchase of the goods on or before signing the lease contract; . . . or

d. Only if the lease is not a consumer lease, on or before the signing of the lease contract by the lessee the lessor: . . .

III. Advises the lessee in writing to contact the supplier for a description of any such rights.

6. FLORIDA SESSION LAWS

6.1 BASIC FORM

Bills that have passed the Florida Legislature and become law are reproduced in their entirety in the session laws. A session law's section numbers will be identical with those that appeared in the bill.

The statutes are the selected reproduction of those portions of each session law that have general applicability. For example, the title of the bill and the "Whereas" clauses that appear at the beginning of a bill are not reproduced in the statutes, but they do appear in the session laws, and they are sometimes used by the courts to help identify the legislative intent of the act.

The session law should be cited only when it is the subject of discussion. Thus, if the text refers to an earlier legislative action, it is appropriate to cite to the session law, because that is the product of the legislative action. Similarly, if a court deals with a new law before it has been codified, a cite to the session law would be required.

The basic form is:

Ch. [number], [year of reporter] Fla. Laws [page number where session law begins].

69. Ch. 90-40, 1990 Fla. Laws 48.