

House Bill No. 929

An act relating to the Rupert J. Smith Law Library of Saint Lucie County; providing for codification of special laws regarding special districts pursuant to s. 189.429, F.S., relating to the Rupert J. Smith Law Library of Saint Lucie County; providing legislative intent; codifying, amending, and reenacting chapter 57-1790, Laws of Florida, as amended; declaring the district to be an independent special district; providing a district charter; repealing chapters 57-1790, 71-895, 83-512, and 88-516, Laws of Florida; providing an effective date.

WHEREAS, the proper and expeditious administration of justice in the courts of Saint Lucie County, Florida, make it necessary and desirable that there be available to the Judges and Officers of the several courts of said county and the county officials, and members of The Florida Bar and general public, a central and adequate law library located in the City of Fort Pierce, Saint Lucie County and elsewhere within the county, and

WHEREAS, the establishment and maintenance of such library would be beneficial to the public in general and would be of great aid in expediting matters before the courts of said county, and is therefore a public a public need, NOW, THEREFORE,

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

Section 1. Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to the Rupert J. Smith Law Library of Saint Lucie County, an independent special district. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the District, including all current legislative authority granted to the District by its several legislative enactments and any additional authority granted by this act.

Section 2. Chapters 57-1790, 71-895, 83-512, and 88-516, Laws of Florida, relating to the Rupert J. Smith Law Library of Saint Lucie County, are codified, reenacted, amended, and repealed as herein provided.

Section 3. The charter for the Rupert J. Smith Law Library of Saint Lucie County is re-created and reenacted to read:

Section 1. There is hereby created a Board of Trustees to be known as "Board of Trustees, Rupert J. Smith Law Library of Saint Lucie County," which said board shall consist of three members; the membership of the said board shall consist of a Circuit Judge who is a resident of Saint Lucie County, to be designated by the Chief Judge of the Nineteenth Judicial Circuit, one member of the Board of County Commissioners of Saint Lucie County to be chosen by the said Board of County Commissioners biennially, and one active practicing attorney who resides in Saint Lucie County to be appointed by the president of the Saint Lucie County Bar Association. At the time this act takes effect, one attorney shall be appointed for a term of 1

year, beginning on the first Tuesday after the first Monday in January of each year. The Board of Trustees shall have full power and authority to establish, operate, and maintain one or more law library facilities within Saint Lucie County at such place or places as may, from time to time, be designated by said Board of Trustees; to prescribe rules and regulations as to its own functions and organization; and to prescribe and enforce rules and regulations as to the use, maintenance, and operation of said law library. Said Board of Trustees shall purchase books, furniture, equipment, and supplies either for cash or upon retained title or other contracts that shall be payable solely out of said law library fund and not otherwise.

Section 2. There shall be taxed and collected by the Clerk of the Circuit Court of Saint Lucie County the sum of \$30 for each civil action over \$5,000, the sum of \$30 for each petition for dissolution of marriage or annulment, the sum of \$30 for each probate and guardianship case filed, the sum of \$30 for each caveat as to such probate and guardianship filing, the sum of \$30 for each petition and order to admit foreign wills, the sum of \$30 for disposition of personal property without administration, the sum of \$30 for each summary administration, the sum of \$30 for each family administration, the sum of \$30 for each formal administration guardianship, ancillary, curatorship, or conservatorship proceeding, the sum of \$30 for each guardianship proceeding of person, the sum of \$30 for each petition for determination of incompetency, the sum of \$6 for each civil action involving a claim of \$100 or less, the sum of \$6 for each civil action involving a claim of more than \$100 but less than \$2,500, the sum of \$10 for any civil claim of more than \$25, and the sum of \$15 for each action involving an eviction, in addition to the costs otherwise provided by law, the whole of which sum shall be kept apart by said Clerk to be used exclusively for the purchase and maintenance of said law library. The said Clerk shall turn over said funds so collected, at the end of each month, to the Board of Trustees herein established. However, said Board of Trustees may, from time to time, as the circumstances require, determine, by resolution at any regular meeting, that all or a portion of the funds as hereinabove provided is not required for the proper operation and maintenance of said law library, and may direct the Clerk of Circuit Court of Saint Lucie County to collect any lesser amount, until such time as said Board, by similar resolution, may deem it necessary to collect any larger amount not exceeding the sums provided for in this section.

Section 3. The Board of County Commissioners of Saint Lucie County is hereby authorized to provide in the annual budget and thereby appropriate such other available funds to such Board of Trustees, for the use of the law library, as said Board of County Commissioners shall deem necessary and proper for the use of said library; and said Saint Lucie County law library is hereby made a county purpose.

Section 4. All of the funds hereby appropriated for the use of said law library shall be placed by said Board of Trustees into a fund to be known as the "Law Library Fund," which said fund shall be expended by said Board of Trustees only for the purpose of procuring, equipping, and maintaining a law library as herein provided, and for the purpose of securing such furniture, furnishings, and equipment as may be necessary for the proper

operation of said law library, and for the purpose of employing such personnel as may be required for the proper operation of said library.

Section 5. All donations to the Rupert J. Smith Law Library of Saint Lucie County and all property in any wise acquired by donations, purchase, or otherwise shall be deemed to be held and used by said Board of Trustees as a charitable public trust for the benefit and use of the inhabitants of Saint Lucie County and shall be exempt from all taxation.

Section 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

Section 5. In the event of a conflict between the provisions of this act and the provisions of any other act, the provisions of this act shall control to the extent of such conflict.

Section 6. Chapters 57-1790, 71-895, 83-512, and 88-516, Laws of Florida, are repealed.

Section 7. This act shall take effect upon becoming a law.

Approved by the Governor May 25, 2001.

Filed in Office Secretary of State May 25, 2001.