

House Bill No. 1685

An act relating to the Bay County Law Library; codifying, amending, reenacting, and repealing chapters 69-835, 75-328, 96-464, and 96-530, Laws of Florida, relating to the Bay County Law Library; providing legislative intent; providing a governing body; providing that the district is a dependent district; providing a district charter; eliminating obsolete provisions; providing an effective date.

WHEREAS, the proper and expeditious administration of justice in the courts of Bay County makes it desirable and necessary that there be available to the county officials and the judges and officers of said county's several courts a central and adequate law library located in Bay County, and

WHEREAS, the establishment and maintenance of such central law library is a public need and serves a general county purpose. The library, under the direction of a library board created by this act, will be maintained and operated under such rules and regulations as the law library board shall from time to time prescribe, 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 Bay County Law Library. 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 Chapters 69-835, 75-328, 96-464, and 96-530, Laws of Florida, are codified, reenacted, amended, and repealed as herein provided.

Section 3. This act may be cited as the "Bay County Law Library Act."

Section 4. The charter for the Bay County Law Library is re-created and reenacted to read:

Section 1. The Bay County Law Library is created and established as a dependent special district in Bay County for the purposes of providing a central, adequate law library for the use of county officials, judges, officers of the several courts of Bay County, and the citizens of Bay County. The library is to be operated by a library board. The board shall operate and maintain the library under rules and regulations as it shall from time to time prescribe.

Section 2. (1) The governing body of the Bay County Law Library is created, to be known as the "Bay County Law Library Board," and shall be composed of three practicing members of the Bay County bar association who shall be appointed by the Bay County Board of County Commissioners for terms of 4 years each, a judge of the fourteenth judicial circuit court residing in Bay County, and a county judge of Bay County, and their successors in office. The members of the board shall meet within 30 days after their

appointment and quarterly thereafter. Members shall elect one member chair, one member vice chair, and one member secretary/treasurer. Three members of the board shall constitute a quorum. Vacancies occurring on the board shall be filled by appointment by the Bay County Board of County Commissioners for the unexpired portion of the term. The library board shall have full power to purchase, or acquire by gift, books, library equipment, and supplies on time payments or for cash and to enter into binding contracts for the purchase thereof. The board is authorized to expend moneys to reimburse Bay County for all library personnel expenses. The board is authorized to promulgate and adopt all rules and regulations for the governing of the library.

(2) All meetings shall be open to the public and conducted in accordance with chapter 286, Florida Statutes. Minutes of the meetings shall be recorded and shall be signed by the chair or, in his or her absence, by the vice chair.

Section 3. The Bay County Commissioners and the Bay County Law Library Board as established hereby shall, jointly and severally, have the right to acquire and provide for the maintenance and operation of the law library from existing facilities or by establishing new, independent facilities, and for such purposes shall jointly and severally have the right to acquire real and personal properties and to borrow and encumber moneys for the purpose of financing same.

Section 4. The law library hereby created, established, and organized in conformity with the provisions of its legislative acts shall belong to and be the property of the Bay County Board of County Commissioners.

Section 5. The designated chair of the law library board shall provide annual reports to the Bay County Board of County Commissioners giving such statistics and other information as may be requested by the Board of County Commissioners.

Section 6. No profit from the operation of the library or its facilities herein described shall inure to Bay County or any person, firm, association, or corporation or other organizations.

Section 7. All funds allocated for the use of the law library or moneys donated shall be expended by the law library board and only for the purpose of maintaining and operating the law library.

Section 5. Chapters 69-835, 75-328, 96-464, and 96-530, Laws of Florida, are repealed.

Section 6. This act shall take effect upon becoming a law.

Approved by the Governor June 1, 2005.

Filed in Office Secretary of State June 1, 2005.