

By Representatives Burroughs, Flanagan, Fasano,
Littlefield and Feeney

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House Joint Resolution

A joint resolution proposing amendments to
Section 10 of Article V and Section 4 of
Article VI of the State Constitution relating
to judicial terms and term limitations.

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

That the following amendments to Section 10 of Article
V and Section 4 of Article VI of the State Constitution are
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 V

JUDICIARY

SECTION 10. Retention; election and terms.--

(a) Any justice of the supreme court or any judge of a
district court of appeal may qualify for retention by a vote
of the electors in the general election next preceding the
expiration of his term in the manner prescribed by law. If a
justice or judge is ineligible or fails to qualify for
retention, a vacancy shall exist in that office upon the
expiration of the term being served by the justice or judge.
When a justice of the supreme court or a judge of a district
court of appeal so qualifies, the ballot shall read
substantially as follows: "Shall Justice (or Judge) ...(name
of justice or judge)... of the ...(name of the court)... be
retained in office?" If a majority of the qualified electors
voting within the territorial jurisdiction of the court vote
to retain, the justice or judge shall be retained for a term

1 of four ~~six~~ years commencing on the first Tuesday after the
2 first Monday in January following the general election. If a
3 majority of the qualified electors voting within the
4 territorial jurisdiction of the court vote to not retain, a
5 vacancy shall exist in that office upon the expiration of the
6 term being served by the justice or judge.

7 (b) Circuit judges and judges of county courts shall
8 be elected by vote of the qualified electors within the
9 territorial jurisdiction of their respective courts. The
10 terms of circuit judges shall be for six years. The terms of
11 judges of county courts shall be for four years.

12 ARTICLE VI

13 SUFFRAGE AND ELECTIONS

14 SECTION 4. Disqualifications.--

15 (a) No person convicted of a felony, or adjudicated in
16 this or any other state to be mentally incompetent, shall be
17 qualified to vote or hold office until restoration of civil
18 rights or removal of disability.

19 (b) No person may appear on the ballot for re-election
20 or retention to any of the following offices:

- 21 (1) Florida representative,
22 (2) Florida senator,
23 (3) Florida Lieutenant governor,
24 (4) any office of the Florida cabinet,
25 (5) U.S. Representative from Florida, ~~or~~
26 (6) U.S. Senator from Florida,
27 (7) justice of the supreme court, or
28 (8) judge of a district court of appeal

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1 if, by the end of the current term of office, the person will
2 have served (or, but for resignation, would have served) in
3 that office for eight consecutive years.

4 BE IT FURTHER RESOLVED that in accordance with the
5 requirements of section 101.161, Florida Statutes, the title
6 and substance of the amendment proposed herein shall appear on
7 the ballot as follows:

8 LIMITATION ON TERMS OF
9 APPELLATE JUSTICES AND JUDGES

10 Proposing amendments to Section 10 of Article V and
11 Section 4 of Article VI of the State Constitution shortening
12 the terms of supreme court justices and district courts of
13 appeal judges from six to four years and prohibiting a supreme
14 court justice or a judge of a district court of appeal from
15 seeking retention in office if he or she will have served
16 eight consecutive years in that judicial office when the new
17 term begins.

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