

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: SJR 758

SPONSOR: Senator Forman

SUBJECT: Eligibility for judicial office

DATE: March 6, 1999 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Johnson</u>	<u>Johnson</u>	<u>JU</u>	<u>Favorable</u>
2.	_____	_____	<u>RC</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This joint resolution would place on the ballot a constitutional amendment to raise the mandatory retirement age for justices and judges from seventy years to seventy-five.

This bill substantially amends s. 8 of Article V of the Florida Constitution.

II. Present Situation:

Section 8 of Article V of the Florida Constitution, sets out the requirements for holding a position as a justice or judge of a Florida court. This section provides that no justice or judge may serve after attaining the age of seventy years except on temporary assignment or to complete a term, one-half of which has been served.

The Legislature may propose an amendment to the constitution by joint resolution which has been agreed to by three-fifths of the membership of each house. s. 1., Art. XI, Fla. Const. Any proposal adopted will be submitted to the electors at the next general election held more than ninety days after the joint resolution is filed with the Secretary of State. A single proposal may be presented to the voters at an earlier special election pursuant to law enacted by the affirmative vote of three-fourths of each house of the Legislature.

III. Effect of Proposed Changes:

The joint resolution would raise the mandatory retirement age for judges from seventy to seventy-five.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None

C. Government Sector Impact:

The bill would have a minimal impact beyond salary increases which may be awarded on the higher salaries of judges having served a longer period of time with salaries significantly above the minimum for the position.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.