

Amendment No. 01 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 Representative(s) Negron offered the following:

13 **Amendment**

14 On page 1, line 19, through page 3, line 24
15 remove from the bill: all of said lines

17 and insert in lieu thereof:

18 Section 1. Section 43.291, Florida Statutes, is
19 created to read:

20 43.291 Judicial nominating commissions.--

21 (1) Each judicial nominating commission established
22 pursuant s. 11(d), Art. V of the State Constitution shall
23 consist of nine members, three appointed by the Governor,
24 three appointed by the President of the Senate, three
25 appointed by the Speaker of the House, each of whom shall be a
26 resident of the territorial jurisdiction served by the
27 commission to which the member is appointed. One member
28 appointed by the Governor, two members appointed by the
29 President of the Senate, and two members appointed by the
30 Speaker of the House shall be members in good standing of The
31 Florida Bar who are actively engaged in the practice of law.

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1 The other four members shall be persons who are not current
2 employees of a lawyer or law firm in this state nor shall such
3 four members have ever practiced law or been members of the
4 bar in any state of the United States or in the federal court
5 system of the United States.

6 (2)(a) In making such appointments, the appointing
7 authorities shall seek to ensure that the members of the
8 commissions reflect the racial, ethnic, and gender diversity
9 of the population within the territorial jurisdiction of the
10 court for which nominations will be considered.

11 (b) With respect to members for judicial circuits of
12 this state, there shall be appointed at least one commissioner
13 from each county within the judicial circuit and such
14 commissioner shall reside within the county from which he or
15 she is appointed.

16 (c) With respect to members for court of appeals
17 districts of this state, there shall be appointed at least one
18 commissioner from each judicial circuit within the district
19 and such commissioner shall reside within the judicial circuit
20 from which he or she is appointed.

21 (d) With respect to members for the Supreme Court
22 Judicial Nominating Commission, there shall be appointed at
23 least one commissioner from each court of appeals district
24 within the state and such commissioner shall reside within the
25 court of appeals district from which he or she is appointed.

26 (3) No justice or judge may be a member of a judicial
27 nominating commission. A member of a judicial nominating
28 commission may hold public office other than judicial office.
29 A member of a judicial nominating commission is not eligible
30 for appointment to the state judicial office for which the
31 commission has the authority to make nominations, either

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1 during such term of membership or for a period of 2 years
2 thereafter. All acts of a judicial nominating commission
3 shall be made with concurrence of a majority of its members.

4 (4) All members shall be appointed for a term to end
5 on the date of the next general election. Terms commence upon
6 appointment. No member may be appointed between the date of a
7 gubernatorial election and the first Wednesday after the first
8 Monday in January of the succeeding year. If a member is
9 unable to complete his or her term, the appointing authority
10 shall appoint another individual, qualified under the same
11 subsection of this section as the member previously appointed,
12 to fill the remainder of the member's term. For cause, a
13 member of a judicial nominating commission may be suspended by
14 the Governor pursuant to uniform rules of procedure
15 established by the Executive Office of the Governor consistent
16 with s. 7, Art. IV of the State Constitution and thereafter
17 removed by the Senate.

18 (5) The office of any member of any judicial
19 nominating commission appointed pursuant to s. 43.29 prior to
20 the effective date of this act is abolished upon the effective
21 date of this act and is replaced by those offices created
22 pursuant to subsection (1). Any member of a judicial
23 nominating commission who will not complete a 4-year term
24 because of enactment of this act may be reappointed under this
25 section.