

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) Negrón 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. Each appointing
28 authority shall appoint at least one, but not more than two
29 members, who are members in good standing of The Florida Bar
30 who are actively engaged in the practice of law. All other
31 members shall be persons who are not current employees of a

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1 lawyer or law firm in this state nor shall such other members
2 have ever practiced law or been members of the bar in any
3 state of the United States or in the federal court system of
4 the United States.

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

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

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

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

25 (3) No justice or judge may be a member of a judicial
26 nominating commission. A member of a judicial nominating
27 commission may hold public office other than judicial office.
28 A member of a judicial nominating commission is not eligible
29 for appointment to the state judicial office for which the
30 commission has the authority to make nominations, either
31 during such term of membership or for a period of 2 years

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1 thereafter. All acts of a judicial nominating commission
2 shall be made with concurrence of a majority of its members.

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

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

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