

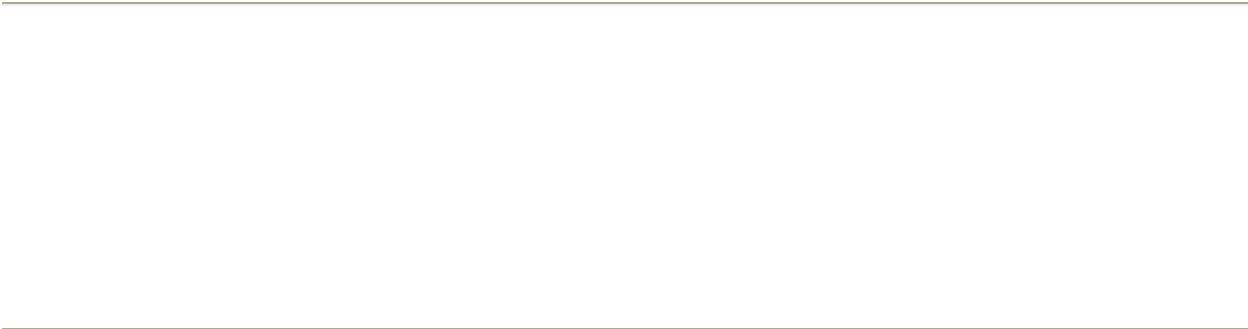
Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Ross offered the following:

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3 **Amendment (with title amendment)**

4 Remove line(s) 158-206, and insert:

5 Section 6. Effective April 1, 2005, section 35.03, Florida
6 Statutes, is amended to read:

7 35.03 Second Appellate District.--The Second Appellate
8 District is composed of the Fifth, ~~Sixth~~, Tenth, Twelfth,
9 ~~Thirteenth~~, and Twentieth Judicial Circuits.

10 Section 7. Effective April 1, 2005, section 35.042,
11 Florida Statutes, is amended to read:

12 35.042 Fourth Appellate District.--The Fourth Appellate
13 District is composed of the Fifteenth and, ~~Seventeenth~~, ~~and~~
14 ~~Nineteenth~~ Judicial Circuits.

15 Section 8. Effective April 1, 2005, section 35.043,
16 Florida Statutes, is amended to read:

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17 35.043 Fifth Appellate District.--The Fifth Appellate
18 District is composed of the ~~Fifth~~, Seventh, Ninth, and
19 Eighteenth, and Nineteenth Judicial Circuits.

20 Section 9. Effective April 1, 2005, section 35.044,
21 Florida Statutes, is created to read:

22 35.044 Sixth Appellate District.--The Sixth Appellate
23 District is composed of the Sixth and Thirteenth Judicial
24 Circuits.

25 Section 10. Effective April 1, 2005, subsection (1) of
26 section 35.05, Florida Statutes, is amended to read:

27 35.05 Headquarters.--

28 (1) The headquarters of the First Appellate District shall
29 be in the Second Judicial Circuit, Tallahassee, Leon County; of
30 the Second Appellate District in the Tenth Judicial Circuit,
31 Lakeland, Polk County; of the Third Appellate District in the
32 Eleventh Judicial Circuit, Dade County; of the Fourth Appellate
33 District in the Fifteenth Judicial Circuit, Palm Beach County;
34 of and the Fifth Appellate District in the Seventh Judicial
35 Circuit, Daytona Beach, Volusia County; and of the Sixth
36 Appellate District in the Thirteenth Judicial Circuit,
37 Hillsborough County.

38 Section 11. Effective April 1, 2005, section 35.06,
39 Florida Statutes, is amended to read:

40 35.06 Organization of district courts of appeal.--A
41 district court of appeal shall be organized in each of the six
42 ~~five~~ appellate districts to be named District Court of Appeal,
43 _____ District. The number of judges of each district court of
44 appeal shall be as follows:

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- 45 (1) In the first district there shall be 15 judges.
- 46 (2) In the second district there shall be 9 ~~14~~ judges.
- 47 (3) In the third district there shall be 11 judges.
- 48 (4) In the fourth district there shall be 11 ~~12~~ judges.
- 49 (5) In the fifth district there shall be 11 ~~10~~ judges.
- 50 (6) In the sixth district there shall be 9 judges.

51 Section 12. Effective April 1, 2005, the newly created
52 sixth district shall be controlled by case law as established in
53 rule of the Supreme Court.

54 Section 13. No vacancy in the office of district court
55 judge shall be deemed to occur by reason of the provisions of
56 this act and the continuing tenure in judicial office of current
57 judges shall not be affected hereby. A district judge residing
58 in a circuit, the district of which has been realigned, may at
59 his or her option be a judge of the new district or remain with
60 the present district by filing sworn notice with the Secretary
61 of State, within 30 days after the effective date of this act,
62 of intent to change residence in order to continue to serve the
63 district in which he or she is presently serving. In the absence
64 of such notice, a judge residing in a circuit which is realigned
65 shall become a judge of the district into which such circuit is
66 transferred. A judge filing such notice shall remain a judge of
67 the judge's present district, provided the judge complies with
68 the residency requirement of s. 8, Art. V of the Florida
69 Constitution. If, pursuant to the operation of this act, the
70 number of judges in any district exceeds the number of judges
71 authorized in s. 35.06, Florida Statutes, no vacancy in office

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72 | shall be filled by appointment until necessary to maintain the
73 | number of judges authorized by s. 35.06, Florida Statutes.

74 |
75 | ===== T I T L E A M E N D M E N T =====

76 | Remove line(s) 17, and insert:
77 | effective date of newly created seats for judges; providing for
78 | continued tenure of certain judges under certain circumstances;
79 | authorizing certain judges to remain in certain districts under
80 | certain circumstances; requiring certain notice to the Secretary
81 | of State; restricting appointments to vacancies in office under
82 | certain circumstances; amending