

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 23A Judges

**SPONSOR(S):** Kyle and others

**TIED BILLS:** **IDEN./SIM. BILLS:**

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Justice Appropriations Committee	11 Y, 0 N, w/CS	Sneed	DeBeaugrine
2) Fiscal Council		Sneed	Kelly
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

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### SUMMARY ANALYSIS

HB 23A creates 18 new circuit judgeships and 2 new county court judgeships effective March 1, 2005. The judges filling the offices shall be appointed by the Governor. The fiscal impact of creating these additional judgeships effective March 1, 2005 is approximately \$2 million for FY 2004-05.

**This document does not reflect the intent or official position of the bill sponsor or House of Representatives.**

**STORAGE NAME:** h0023Ad.FC.doc

**DATE:** 12/15/2004

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |                              |                             |   |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government?                | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes?                      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom?        | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families?                 | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

NOTE: The Speaker of the House has adopted new House Principles to guide members in evaluating legislation during the 2002-2004 Legislature. These principles are:

Provide limited government,  
Ensure lower taxes,  
Safeguard individual liberty,  
Promote personal responsibility,  
Empower families, and  
Maintain public security.

#### B. EFFECT OF PROPOSED CHANGES:

HB 23A authorizes 18 new circuit judges, effective March 1, 2005. One judge will be authorized for each of the 20 judicial circuits with the exception of the Twelfth and Sixteenth Judicial Circuits. No circuit judges were requested for these two circuits in the recent judicial certification order issued by the Florida Supreme Court.

The bill authorizes 2 new county court judges, effective March 1, 2005. One judge will be authorized for Martin and the other will be authorized for Collier County.

#### C. SECTION DIRECTORY:

- |            |   |
|------------|---|
| Section 1. | Amends s. 26.031, F.S., certifying new circuit judges effective March 1, 2005.      |
| Section 2. | Amends s. 34.022, F.S., certifying new county court judges effective March 1, 2005. |
| Section 3. | Provides that new judgeships are filled by appointment by the Governor.             |
| Section 4. | Provides an appropriation.  |
| Section 5. | Provides an effective date.   |

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

None

2. Expenditures:

This bill provides an appropriation of \$2,045,424 from the General Revenue Fund for the establishment of 46 FTE which represents the 20 additional judgeships and associated support personnel for FY 2004-05. This cost represents 4 months of funding since the positions will be established March 1, 2005. The annualized cost of the additional judgeships is projected to be \$5,144,198.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

None.

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to affect municipal or county government.

2. Other:

N/A

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

### IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On December 15, 2004, the Justice Appropriations Committee adopted a strike-all amendment to HB 23A. The amendment authorizes 20 additional judgeships, effective March 1, 2005, and provides for an appropriation. This analysis was drawn to the strike-all amendment.

