

By Senator Crist

12-01408B-10

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1 A bill to be entitled
2 An act relating to Capital Collateral Regional
3 Counsel; amending s. 27.701, F.S.; requiring that the
4 Governor appoint each capital collateral regional
5 counsel to a term of 4 years; removing a provision
6 that prohibited a person appointed as a capital
7 collateral regional counsel from running for or
8 accepting an appointment to any state office for a
9 specified period after leaving that office; providing
10 an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Section 27.701, Florida Statutes, is amended to
15 read:

16 27.701 Capital collateral regional counsel.—

17 (1) There are created three regional offices of capital
18 collateral counsel, which shall be located in a northern,
19 middle, and southern region of the state. The northern region
20 shall consist of the First, Second, Third, Fourth, Eighth, and
21 Fourteenth Judicial Circuits; the middle region shall consist of
22 the Fifth, Sixth, Seventh, Ninth, Tenth, Twelfth, Thirteenth,
23 and Eighteenth Judicial Circuits; and the southern region shall
24 consist of the Eleventh, Fifteenth, Sixteenth, Seventeenth,
25 Nineteenth, and Twentieth Judicial Circuits. Each regional
26 office shall be administered by a regional counsel. A regional
27 counsel must be, and must have been for the preceding 5 years, a
28 member in good standing of The Florida Bar or a similar
29 organization in another state. Each capital collateral regional

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30 counsel shall be appointed by the Governor, and is subject to
31 confirmation by the Senate. The Supreme Court Judicial
32 Nominating Commission shall recommend to the Governor three
33 qualified candidates for each appointment as regional counsel.
34 The Governor shall appoint a regional counsel for each region
35 from among the recommendations, or, if it is in the best
36 interest of the fair administration of justice in capital cases,
37 the Governor may reject the nominations and request submission
38 of three new nominees by the Supreme Court Judicial Nominating
39 Commission. Each capital collateral regional counsel shall be
40 appointed to a term of 4 ~~3~~ years. Vacancies in the office of
41 capital collateral regional counsel shall be filled in the same
42 manner as appointments. ~~A person appointed as a regional counsel~~
43 ~~may not run for or accept appointment to any state office for 2~~
44 ~~years following vacation of office.~~

45 Section 2. This act shall take effect July 1, 2010.