

1                   A bill to be entitled  
 2           An act relating to judicial nominating commissions;  
 3           amending s. 43.291, F.S.; authorizing the Board of  
 4           Governors of The Florida Bar to appoint some of the  
 5           members of judicial nominating commissions; requiring that  
 6           each judicial nominating commission satisfy certain  
 7           prerequisites for racial and gender diversity; providing  
 8           for the prerequisites to be satisfied over a period of  
 9           time; providing an effective date.

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

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 13           Section 1. Subsection (1) of section 43.291, Florida  
 14   Statutes, is amended to read:

15           43.291 Judicial nominating commissions.—

16           (1) Each judicial nominating commission shall be composed  
 17   of the following ~~members~~:

18           (a) Three ~~Four~~ members, at least one of whom must be a  
 19   member of a racial or ethnic minority group or a woman,  
 20   appointed by the Board of Governors of The Florida Bar from  
 21   among The Florida Bar members, ~~appointed by the Governor,~~ who  
 22   are actively engaged in the practice of law with offices within  
 23   ~~each of whom is a resident of the territorial jurisdiction of~~  
 24   the affected court, or in the district or circuit; served by the  
 25   ~~commission to which the member is appointed. The Board of~~  
 26   ~~Governors of The Florida Bar shall submit to the Governor three~~  
 27   ~~recommended nominees for each position. The Governor shall~~  
 28   ~~select the appointee from the list of nominees recommended for~~

29 ~~that position, but the Governor may reject all of the nominees~~  
 30 ~~recommended for a position and request that the Board of~~  
 31 ~~Governors submit a new list of three different recommended~~  
 32 ~~nominees for that position who have not been previously~~  
 33 ~~recommended by the Board of Governors.~~

34 (b) Three electors, at least one of whom must be a member  
 35 of a racial or ethnic minority group or a woman, who reside in  
 36 the territorial jurisdiction of the court or in the circuit,  
 37 appointed by the Governor; and ~~Five members appointed by the~~  
 38 ~~Governor, each of whom is a resident of the territorial~~  
 39 ~~jurisdiction served by the commission to which the member is~~  
 40 ~~appointed, of which at least two are members of The Florida Bar~~  
 41 ~~engaged in the practice of law.~~

42 (c) Three electors, at least one of whom must be a member  
 43 of a racial or ethnic minority group or a woman, who reside in  
 44 the territorial jurisdiction of the court or in the circuit and  
 45 who are not members of The Florida Bar, selected and appointed  
 46 by a majority vote of the other six members of the commission.

47 Section 2. If, on July 1, 2010, the composition of a  
 48 judicial nominating commission does not comply with s.  
 49 43.291(1), Florida Statutes, at least every other appointment to  
 50 that commission must be a member of a racial or ethnic minority  
 51 group or a woman until the diversity requirements of s.  
 52 43.291(1), Florida Statutes, are satisfied.

53 Section 3. This act shall take effect July 1, 2010.