

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Steinberg offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove everything after the resolving clause and insert:

5 That the following amendment to Section 14 of Article V of  
6 the State Constitution is agreed to and shall be submitted to  
7 the electors of this state for approval or rejection at the next  
8 general election:

9 ARTICLE V

10 JUDICIARY

11 SECTION 14. Funding.-

12 (a) All justices and judges shall be compensated only by  
13 state salaries fixed by general law. Funding for the state  
14 courts system, state attorneys' offices, public defenders'  
15 offices, and court-appointed counsel, except as otherwise

337039

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Amendment No.

16 provided in subsection (c), shall be provided from state  
17 revenues appropriated by general law.

18 (b) All funding for the offices of the clerks of the  
19 circuit and county courts performing court-related functions,  
20 except as otherwise provided in this subsection and subsection  
21 (c), shall be provided by adequate and appropriate filing fees  
22 for judicial proceedings and service charges and costs for  
23 performing court-related functions as required by general law.  
24 Selected salaries, costs, and expenses of the state courts  
25 system may be funded from appropriate filing fees for judicial  
26 proceedings and service charges and costs for performing court-  
27 related functions, as provided by general law. Where the  
28 requirements of either the United States Constitution or the  
29 Constitution of the State of Florida preclude the imposition of  
30 filing fees for judicial proceedings and service charges and  
31 costs for performing court-related functions sufficient to fund  
32 the court-related functions of the offices of the clerks of the  
33 circuit and county courts, the state shall provide, as  
34 determined by the legislature, adequate and appropriate  
35 supplemental funding from state revenues appropriated by general  
36 law.

37 (c) No county or municipality, except as provided in this  
38 subsection, shall be required to provide any funding for the  
39 state courts system, state attorneys' offices, public defenders'  
40 offices, court-appointed counsel or the offices of the clerks of  
41 the circuit and county courts performing court-related  
42 functions. Counties shall be required to fund the cost of  
43 communications services, existing radio systems, existing multi-  
337039

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Amendment No.

44 agency criminal justice information systems, and the cost of  
45 construction or lease, maintenance, utilities, and security of  
46 facilities for the trial courts, public defenders' offices,  
47 state attorneys' offices, and the offices of the clerks of the  
48 circuit and county courts performing court-related functions.  
49 Counties shall also pay reasonable and necessary salaries,  
50 costs, and expenses of the state courts system to meet local  
51 requirements as determined by general law.

52 (d) The judiciary shall have no power to fix  
53 appropriations.

54 (e) Commencing with the 2013-2014 fiscal year, the total  
55 appropriation of general revenue and State Courts Revenue Trust  
56 Fund funds to the state courts system in a fiscal year shall  
57 equal no less than 2.25 percent of the total general revenue  
58 funds appropriated in the general appropriations act for that  
59 fiscal year. Federal funds, grants, and funds received for the  
60 benefit of agencies and subdivisions not included in the state  
61 courts system shall not be included in the calculation of the  
62 2.25 percent. The funds allocated to the state courts system  
63 shall not be reduced in any special appropriations act by an  
64 amount greater than the percentage reduction taken to general  
65 revenue funds in the act as compared to the general  
66 appropriations act then in effect. The funding allocated to the  
67 state courts system shall not be automatically reduced due to  
68 declines in general revenue. For purposes of this subsection,  
69 state courts system shall include the courts included in Section  
70 1 of this article, including their direct administrative and  
71 support entities and the Judicial Qualifications Commission.

337039

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Amendment No.

72 BE IT FURTHER RESOLVED that the following statement be  
73 placed on the ballot:

74 CONSTITUTIONAL AMENDMENT

75 ARTICLE V, SECTION 14

76 STATE COURTS.—Proposing an amendment to the State  
77 Constitution regarding the courts. State appropriations are made  
78 annually by general law. Current law does not require any  
79 specific level of funding for any agency or department. This  
80 amendment requires that the courts, including their direct  
81 administrative and support entities and the Judicial  
82 Qualifications Commission, be appropriated a minimum of 2.25  
83 percent of general revenue and State Courts Revenue Trust Fund  
84 funding beginning with the 2013-2014 fiscal year.

85  
86  
87 -----  
88 **T I T L E A M E N D M E N T**

89 Remove the entire title and insert:

90 House Joint Resolution

91 A joint resolution proposing an amendment to Section 14 of  
92 Article V of the State Constitution to require that a specified  
93 minimum percentage of general revenue and State Courts Revenue  
94 Trust Fund funds be appropriated to the state courts system.

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