

The Florida Senate
HOUSE MESSAGE SUMMARY

Prepared By: The Professional Staff of the Judiciary Committee

[2011h7111.hms.docx]

BILL: CS/HJR 7111 (SJR 2084)

INTRODUCER: Judiciary Committee, Civil Justice Subcommittee, Rep. Eisnaugle, and others
(Senate Judiciary Committee)

SUBJECT: Supreme Court

DATE: May 4, 2011

I. Amendments Contained in Message:

House Amendment 1 – 611389 to Senate Amendment 1 – 289464 (body with title)

II. Summary of Amendments Contained in Message:

House Amendment 1 makes conforming, clarifying, and technical edits to the Senate amendment to the House joint resolution that proposes revisions to Article V of the State Constitution (governing the Judiciary).

The Senate amended the House joint resolution to narrow its scope by removing provisions:

- Reorganizing the Florida Supreme Court into two divisions;
- Expanding the Court’s jurisdiction; and
- Providing a guaranteed funding level for the courts (based on a percentage relationship to General Revenue).

The removal of these provisions necessitates some technical and conforming changes to other portions of the joint resolution. The House amendment addresses these issues while still adhering to the substance of the Senate’s approach of not including the reorganization, jurisdiction, and funding provisions. The House amendment also revises and clarifies some of the wording in the proposed constitutional amendment relating to repeal of rules.

In particular, the House amendment:

- Clarifies the language regarding court rule repeal and re-adoption;
- Restores current constitutional references to the clerk and the marshal;
- Aligns the language relating to repeal of judicial nominating commission rules with the language relating to repeal of Judicial Qualifications Commission rules (so that both provide for repeal by general law with no special vote requirement); and
- Clarifies and corrects the alternative ballot summaries to accurately reflect the substance of the proposed constitutional revision.