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LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/2R

02/28/2012 09:23 AM

Senator Simmons moved the following:

Senate Amendment (with title amendment)

Delete everything after the resolving clause
and insert:

That the following amendment to Section 8 of Article V and
the creation of a new section in Article XII of the State
Constitution are agreed to and shall be submitted to the
electors of this state for approval or rejection at the next
general election or at an earlier special election specifically
authorized by law for that purpose:

ARTICLE V

JUDICIARY

SECTION 8. Eligibility. - A ~~No~~ person is not ~~shall be~~



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14 eligible for the office of justice or judge of any court unless
15 the person is an elector of the state and resides in the
16 territorial jurisdiction of the court. A ~~Ne~~ justice or judge may
17 not ~~shall~~ serve after attaining the age of seventy-five ~~seventy~~
18 years except upon temporary assignment or to complete a term,
19 one-half of which has been served. A ~~Ne~~ person is not eligible
20 for the office of justice of the supreme court or judge of a
21 district court of appeal unless the person is, and has been for
22 the preceding ten years, a member of the bar of Florida. A ~~Ne~~
23 person is not eligible for the office of circuit judge unless
24 the person is, and has been for the preceding five years, a
25 member of the bar of Florida. Unless otherwise provided by
26 general law, a ~~ne~~ person is not eligible for the office of
27 county court judge unless the person is, and has been for the
28 preceding five years, a member of the bar of Florida. Unless
29 otherwise provided by general law, a person is ~~shall be~~ eligible
30 for election or appointment to the office of county court judge
31 in a county having a population of 40,000 or fewer ~~less~~ if the
32 person is a member in good standing of the bar of Florida.

33 ARTICLE XII

34 SCHEDULE

35 Eligibility of justices and judges.—The amendment to
36 Section 8 of Article V changing the age after which a justice or
37 judge is no longer eligible for the office of justice or judge
38 of any court except upon temporary assignment or to complete a
39 term and this section shall take effect January 1, 2013, and
40 apply to justices and judges elected or appointed on or after
41 that date.

42 CONSTITUTIONAL AMENDMENT



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ARTICLE V, SECTION 8

REVISING AGE LIMITS FOR JUSTICES AND JUDGES.—The State Constitution currently prohibits a justice or judge from serving in a judicial office after attaining the age of 70 years except upon temporary assignment or to complete a judicial term if one-half of the term has been served. This proposed amendment increases the age after which a justice or judge may no longer serve to 75 years of age. However, a justice or judge who has attained the age of 75 years may continue to serve upon temporary assignment or to complete a judicial term. The proposed amendment takes effect January 1, 2013, and applies to justices or judges elected or appointed on or after that date.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the resolving clause
and insert:

Senate Joint Resolution

A joint resolution proposing an amendment to Section 8 of Article V and the creation of a new section to Article XII of the State Constitution to increase the age after which a justice or judge may no longer serve in a judicial office, to provide for the amendment to apply to justices and judges appointed on or after a specified date, and to provide an effective date.