

By Senator Simmons

22-00380A-12

2012408

Senate Joint Resolution

A joint resolution proposing an amendment to Section 8 of Article V of the State Constitution to increase the age after which a justice or judge may no longer serve in a judicial office.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 8 of Article V of the State Constitution is 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~~ eligible for the office of justice or judge of any court unless the person is an elector of the state and resides in the territorial jurisdiction of the court. A ~~No~~ justice or judge may not ~~shall~~ serve after attaining the age of seventy-five ~~seventy~~ years except upon temporary assignment or to complete a term, one-half of which has been served. A ~~No~~ person is not eligible for the office of justice of the supreme court or judge of a district court of appeal unless the person is, and has been for the preceding ten years, a member of the bar of Florida. A ~~No~~ person is not eligible for the office of circuit judge unless the person is, and has been for the preceding five years, a member of the bar of Florida. Unless otherwise provided by general law, a ~~no~~ person is not eligible for the office of

22-00380A-12

2012408__

30 county court judge unless the person is, and has been for the
31 preceding five years, a member of the bar of Florida. Unless
32 otherwise provided by general law, a person is ~~shall be~~ eligible
33 for election or appointment to the office of county court judge
34 in a county having a population of 40,000 or fewer ~~less~~ if the
35 person is a member in good standing of the bar of Florida.

CONSTITUTIONAL AMENDMENT

ARTICLE V, SECTION 8

38 REVISING AGE LIMITS FOR JUDGES AND JUSTICES.—The State
39 Constitution currently prohibits a justice or judge from serving
40 in a judicial office after attaining the age of 70 years except
41 upon temporary assignment or to complete a judicial term, if
42 one-half of the term has been served. This proposed amendment
43 increases the age after which a justice or judge may no longer
44 serve to 75 years of age. However, a justice or judge who has
45 attained the age of 75 years may continue to serve upon
46 temporary assignment or to complete a judicial term.