CS/HJR 197

1	House Joint Resolution
2	A joint resolution proposing an amendment to Section 8
3	of Article V and the creation of a new section in
4	Article XII of the State Constitution to create term
5	limits for Supreme Court justices and judges of the
6	district courts of appeal; limiting applicability to
7	
	justices and judges appointed after the effective date
8	of the amendment.
9	
10	Be It Resolved by the Legislature of the State of Florida:
11	
12	That the following amendment to Section 8 of Article V and
13	the creation of a new section in Article XII of the State
14	Constitution are agreed to and shall be submitted to the
15	electors of this state for approval or rejection at the next
16	general election or at an earlier special election specifically
17	authorized by law for that purpose:
18	ARTICLE V
19	JUDICIARY
20	SECTION 8. Eligibility
21	(a) No person shall be eligible for office of justice or
22	judge of any court unless the person is an elector of the state
23	and resides in the territorial jurisdiction of the court. No
24	justice or judge shall serve after attaining the age of seventy
25	
	years except upon temporary assignment or to complete a term,
26	one-half of which has been served.
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27 (b) No person is eligible for the office of justice of the supreme court or judge of a district court of appeal unless the 28 29 person is, and has been for the preceding ten years, a member of 30 the bar of Florida. No person is eligible for the office of circuit judge unless the person is, and has been for the 31 32 preceding five years, a member of the bar of Florida. Unless 33 otherwise provided by general law, no person is eligible for the 34 office of county court judge unless the person is, and has been 35 for the preceding five years, a member of the bar of Florida. 36 Unless otherwise provided by general law, a person shall be 37 eligible for election or appointment to the office of county 38 court judge in a county having a population of 40,000 or less if 39 the person is a member in good standing of the bar of Florida. 40 (c) No person may appear on the ballot for retention to 41 the office of justice of the supreme court or judge of a 42 district court of appeal if, by the end of the current term of 43 office, the person has ever served or, but for resignation, 44 would have served, in that office for two consecutive full 45 terms. 46 ARTICLE XII 47 SCHEDULE 48 Applicability of limitations on the terms of justices and 49 judges.-The amendment to Section 8 of Article V shall take 50 effect upon approval by the electors. The limitations of the 51 amendment on the terms of justices of the supreme court and 52 judges of the district courts of appeal apply only to justices

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53 and judges appointed to office after the effective date of the 54 amendment. 55 BE IT FURTHER RESOLVED that the following statement be 56 placed on the ballot: 57 CONSTITUTIONAL AMENDMENT 58 ARTICLE V, SECTION 8 59 ARTICLE XII 60 TERM LIMITS FOR APPELLATE COURTS.-Proposing an amendment to the State Constitution to limit the terms of Supreme Court 61 62 justices and judges of the district courts of appeal. They 63 currently serve unlimited 6-year terms, if retained, until age 64 70 or beyond that age, if less than one-half of a term remains 65 at age 70. The amendment limits them to two full terms, with 66 partial terms not counting toward the limits. The amendment does 67 not apply to current justices and judges.

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