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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/23/2020	.	
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The Committee on Judiciary (Simmons) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 25.025, Florida Statutes, is amended to
read:

25.025 Headquarters.—

(1) (a) A Supreme Court justice who permanently resides
outside Leon County is eligible for the designation of ~~shall, if~~
~~he or she so requests,~~ have a district court of appeal
courthouse, a county courthouse, or another appropriate facility



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12 in his or her district of residence ~~designated~~ as his or her
13 official headquarters for purposes of ~~pursuant to~~ s. 112.061.
14 This official headquarters may serve only as the justice's
15 private chambers.

16 (b)1. A justice for whom an official headquarters is
17 designated in his or her district of residence under this
18 subsection is eligible for subsistence at a rate to be
19 established by the Chief Justice for each day or partial day
20 that the justice is at the headquarters of the Supreme Court to
21 Building for the conduct court ~~of the~~ business, as authorized by
22 the Chief Justice ~~of the court~~. The Chief Justice may authorize
23 a justice to choose between subsistence based on lodging at a
24 single-occupancy rate and meal reimbursement as provided in s.
25 112.061 and subsistence at a fixed rate prescribed by the Chief
26 Justice.

27 2. In addition to ~~the~~ subsistence allowance, a justice is
28 eligible for reimbursement for travel ~~transportation~~ expenses as
29 provided in s. 112.061(7) and (8) for travel between the
30 justice's official headquarters and the headquarters of the
31 Supreme Court to ~~Building for the~~ conduct court ~~of the~~ business
32 ~~of the court~~.

33 (c) Payment of subsistence and reimbursement for travel
34 ~~transportation~~ expenses ~~relating to travel~~ between a justice's
35 official headquarters and the headquarters of the Supreme Court
36 shall ~~Building must~~ be made to the extent that appropriated
37 funds are available, as determined by the Chief Justice.

38 (2) The Chief Justice shall coordinate with each affected
39 justice and other state and local officials as necessary to
40 implement subsection (1) ~~paragraph (1)(a)~~.



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41 (3) (a) This section does not require a county to provide
42 space in a county courthouse for a justice. A county may enter
43 into an agreement with the Supreme Court governing the use of
44 space in a county courthouse.

45 (b) The Supreme Court may not use state funds to lease
46 space in a district court of appeal courthouse, county
47 courthouse, or other facility to allow a justice to establish an
48 official headquarters pursuant to subsection (1).

49 (4) The Chief Justice may establish parameters governing
50 the authority provided in this section, including, but not
51 limited to, specifying minimum operational requirements for the
52 designated headquarters, limiting the number of days for which
53 subsistence and travel reimbursement may be provided, and
54 prescribing activities that qualify as the conduct of court
55 business.

56 (5) If any term of this section conflicts with s. 112.061,
57 this section shall control to the extent of the conflict.

58 Section 2. Section 35.051, Florida Statutes, is created to
59 read:

60 35.051 Subsistence and travel reimbursement for judges with
61 alternate headquarters.—

62 (1) (a) A district court of appeal judge is eligible for the
63 designation of a county courthouse or another appropriate
64 facility in his or her county of residence as his or her
65 official headquarters for purposes of s. 112.061 if the judge
66 permanently resides more than 50 miles from:

67 1. The appellate district's headquarters as prescribed
68 under s. 35.05(1), if the judge is assigned to such
69 headquarters; or



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70 2. The appellate district's branch headquarters established
71 under s. 35.05(2), if the judge is assigned to such branch
72 headquarters.

73
74 The official headquarters may serve only as the judge's private
75 chambers.

76 (b)1. A district court of appeal judge for whom an official
77 headquarters is designated in his or her county of residence
78 under this subsection is eligible for subsistence at a rate to
79 be established by the Chief Justice for each day or partial day
80 that the judge is at the headquarters or branch headquarters of
81 his or her appellate district to conduct court business, as
82 authorized by the chief judge of that district court of appeal.
83 The Chief Justice may authorize a judge to choose between
84 subsistence based on lodging at a single-occupancy rate and meal
85 reimbursement as provided in s. 112.061 and subsistence at a
86 fixed rate prescribed by the Chief Justice.

87 2. In addition to subsistence, a district court of appeal
88 judge is eligible for reimbursement for travel expenses as
89 provided in s. 112.061(7) and (8) for travel between the judge's
90 official headquarters and the headquarters or branch
91 headquarters of the appellate district to conduct court
92 business.

93 (c) Payment of subsistence and reimbursement for travel
94 expenses between the judge's official headquarters or branch
95 headquarters and the headquarters of his or her appellate
96 district shall be made to the extent that appropriated funds are
97 available, as determined by the Chief Justice.

98 (2) The Chief Justice shall coordinate with each affected



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99 district court of appeal judge and other state and local
100 officials as necessary to implement subsection (1).

101 (3) (a) This section does not require a county to provide
102 space in a county courthouse for a district court of appeal
103 judge. A county may enter into an agreement with a district
104 court of appeal governing the use of space in a county
105 courthouse.

106 (b) A district court of appeal may not use state funds to
107 lease space in a county courthouse or other facility to allow a
108 district court of appeal judge to establish an official
109 headquarters pursuant to subsection (1).

110 (4) The Chief Justice may establish parameters governing
111 the authority provided in this section, including, but not
112 limited to, specifying minimum operational requirements for the
113 designated headquarters, limiting the number of days for which
114 subsistence and travel reimbursement may be provided, and
115 prescribing activities that qualify as the conduct of court
116 business.

117 (5) If any term of this section conflicts with s. 112.061,
118 this section shall control to the extent of the conflict.

119 Section 3. This act shall take effect July 1, 2020.

120

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

122 And the title is amended as follows:

123 Delete everything before the enacting clause
124 and insert:

125 A bill to be entitled
126 An act relating to official headquarters of judicial
127 officers; amending s. 25.025, F.S.; revising



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128 provisions governing the payment of subsistence and
129 travel reimbursement for Supreme Court justices who
130 designate an official headquarters other than the
131 headquarters of the Supreme Court; authorizing the
132 Chief Justice of the Supreme Court to establish
133 certain parameters in administering the act; providing
134 for construction; creating s. 35.051, F.S.;

135 authorizing district court of appeal judges who meet
136 certain criteria to have an appropriate facility in
137 their county of residence designated as their official
138 headquarters; providing restrictions; specifying
139 eligibility for subsistence and travel reimbursement,
140 subject to the availability of funds; requiring the
141 Chief Justice to coordinate with certain officials in
142 implementing the act; providing that a county is not
143 required to provide space for a judge in a county
144 courthouse; authorizing counties to enter into
145 agreements with a district court of appeal for use of
146 county courthouse space; prohibiting a district court
147 of appeal from using state funds to lease space to
148 establish a judge's official headquarters; authorizing
149 the Chief Justice to establish certain parameters in
150 administering the act; providing for construction;
151 providing an effective date.