

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Appropriations Committee
 2 Representative Gregory offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Effective January 1, 2023, paragraph (a) of subsection (2) of section 16.71, Florida Statutes, is amended to read:

16.71 Florida Gaming Control Commission; creation; meetings; membership.—

(2) MEMBERSHIP.—

(a) The commission shall consist of five members appointed by the Governor, and subject to confirmation by the Senate, for terms of 4 years. Members of the commission must be appointed by January 1, 2022. The Governor shall consider appointees who reflect Florida's racial, ethnic, and gender diversity. Of the

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17 initial five members appointed by the Governor, and immediately
18 upon appointment, the Governor shall appoint one of the members
19 as the initial chair and one of the members as the initial vice
20 chair. At the end of the initial chair's and vice chair's terms
21 pursuant to subparagraph 1., the commission shall elect one of
22 the members of the commission as chair and one of the members of
23 the commission as vice chair.

24 1. For the purpose of providing staggered terms, of the
25 initial appointments, two members shall be appointed to 4-year
26 terms, two members shall be appointed to 3-year terms, and one
27 member shall be appointed to a 2-year term.

28 2. Of the five members, at least one member must have at
29 least 10 years of experience in law enforcement and criminal
30 investigations, at least one member must be a certified public
31 accountant licensed in this state with at least 10 years of
32 experience in accounting and auditing, and at least one member
33 must be an attorney admitted and authorized to practice law in
34 this state for at least the preceding 10 years.

35 3. Of the five members, no two members may be residents of
36 the same each appellate district ~~shall have one member appointed~~
37 ~~from the district to the commission who is a resident of the~~
38 ~~district~~ at the time of the original appointment.

39 Section 2. Effective January 1, 2023, paragraph (f) is
40 added to subsection (4) of section 27.51, Florida Statutes, to
41 read:

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42 27.51 Duties of public defender.—

43 (4) The public defender for the judicial circuit specified
44 in this subsection shall, after the record on appeal is
45 transmitted to the appellate court by the office of the public
46 defender which handled the trial and if requested by any public
47 defender within the indicated appellate district, handle all
48 circuit court and county court appeals within the state courts
49 system and any authorized appeals to the federal courts required
50 of the official making such request:

51 (f) Public defender of the sixth judicial circuit, on
52 behalf of any public defender within the district comprising the
53 Sixth District Court of Appeal.

54 Section 3. Effective January 1, 2023, subsection (1) of
55 section 27.511, Florida Statutes, is amended to read:

56 27.511 Offices of criminal conflict and civil regional
57 counsel; legislative intent; qualifications; appointment;
58 duties.—

59 (1) It is the intent of the Legislature to provide
60 adequate representation to persons entitled to court-appointed
61 counsel under the Federal or State Constitution or as authorized
62 by general law. It is the further intent of the Legislature to
63 provide adequate representation in a fiscally sound manner,
64 while safeguarding constitutional principles. Therefore, an
65 office of criminal conflict and civil regional counsel is
66 created within the geographic boundaries of each of ~~the~~ five

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67 regions of the state ~~district courts of appeal~~. The regional
68 counsel shall be appointed as set forth in subsection (3) for
69 each of the five regional offices. For the purposes of an office
70 of criminal conflict and civil regional counsel, the state is
71 divided into five geographic regions by judicial circuit as
72 follows:

73 (a) The first region consists of the first, second, third,
74 fourth, eighth, and fourteenth circuits.

75 (b) The second region consists of the sixth, tenth,
76 twelfth, thirteenth, and twentieth circuits.

77 (c) The third region consists of the eleventh and
78 sixteenth circuits.

79 (d) The fourth region consists of the fifteenth,
80 seventeenth, and nineteenth circuits.

81 (e) The fifth region consists of the fifth, seventh,
82 ninth, and eighteenth circuits.

83 Section 4. Effective July 1, 2022, subsection (34) of
84 section 34.022, Florida Statutes, is amended to read:

85 34.022 Number of county court judges for each county.—The
86 number of county court judges in each county shall be as
87 follows:

COUNTY	TOTAL
(34) Lake.....	43

90 Section 5. Effective January 1, 2023, section 35.01,
91 Florida Statutes, is amended to read:

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92 35.01 District courts of appeal; districts.—~~Six Five~~
93 district courts of appeal are created, and the state is divided
94 into six ~~five~~ appellate districts of contiguous circuits.

95 Section 6. Effective January 1, 2023, section 35.02,
96 Florida Statutes, is amended to read:

97 35.02 First Appellate District.—The First Appellate
98 District is composed of the First, Second, Third, ~~Fourth,~~
99 Eighth, and Fourteenth Judicial Circuits.

100 Section 7. Effective January 1, 2023, section 35.03,
101 Florida Statutes, is amended to read:

102 35.03 Second Appellate District.—The Second Appellate
103 District is composed of the Ninth ~~Sixth,~~ Tenth, ~~Twelfth,~~
104 ~~Thirteenth,~~ and Twentieth Judicial Circuits.

105 Section 8. Effective January 1, 2023, section 35.043,
106 Florida Statutes, is amended to read:

107 35.043 Fifth Appellate District.—The Fifth Appellate
108 District is composed of the Fourth, Fifth, Seventh, ~~Ninth,~~ and
109 Eighteenth Judicial Circuits.

110 Section 9. Effective January 1, 2023, section 35.044,
111 Florida Statutes, is created to read:

112 35.044 Sixth Appellate District.—The Sixth Appellate
113 District is composed of the Sixth, Twelfth, and Thirteenth
114 Judicial Circuits.

115 Section 10. Effective January 1, 2023, subsection (1) of
116 section 35.05, Florida Statutes, is amended to read:

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117 35.05 Headquarters.—

118 (1) The headquarters of the First Appellate District shall
119 be in the Second Judicial Circuit, Tallahassee, Leon County; of
120 the Second Appellate District in the Tenth Judicial Circuit,
121 Lakeland, Polk County; of the Third Appellate District in the
122 Eleventh Judicial Circuit, Miami-Dade County; of the Fourth
123 Appellate District in the Fifteenth Judicial Circuit, Palm Beach
124 County; of and the Fifth Appellate District in the Seventh
125 Judicial Circuit, Daytona Beach, Volusia County; and of the
126 Sixth Appellate District in the Sixth Judicial Circuit, Pinellas
127 County.

128 Section 11. Effective January 1, 2023, section 35.06,
129 Florida Statutes, is amended to read:

130 35.06 Organization of district courts of appeal.—A
131 district court of appeal shall be organized in each of the six
132 ~~five~~ appellate districts to be named District Court of Appeal,
133 District. The number of judges of each district court of
134 appeal shall be as follows:

135 (1) In the first district there shall be 13 ~~15~~ judges.

136 (2) In the second district there shall be 9 ~~16~~ judges.

137 (3) In the third district there shall be 10 judges.

138 (4) In the fourth district there shall be 12 judges.

139 (5) In the fifth district there shall be 12 ~~11~~ judges.

140 (6) In the sixth district there shall be 15 judges.

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141 Section 12. Effective January 1, 2023, paragraph (b) of
142 subsection (2) of section 440.45, Florida Statutes, is amended
143 to read:

144 440.45 Office of the Judges of Compensation Claims.—

145 (2)

146 (b) Except as provided in paragraph (c), the Governor
147 shall appoint a judge of compensation claims from a list of
148 three persons nominated by a statewide nominating commission.
149 The statewide nominating commission shall be composed of the
150 following:

151 1. Six ~~Five~~ members, at least one of whom must be a member
152 of a minority group as defined in s. 288.703, one of each who
153 resides in each of the territorial jurisdictions of the district
154 courts of appeal, appointed by the Board of Governors of The
155 Florida Bar from among The Florida Bar members ~~who are~~ engaged
156 in the practice of law. ~~The Board of Governors shall appoint~~
157 ~~members who reside in the odd-numbered district court of appeal~~
158 ~~jurisdictions to 4-year terms each, beginning July 1, 1999, and~~
159 ~~members who reside in the even-numbered district court of appeal~~
160 ~~jurisdictions to 2-year terms each, beginning July 1, 1999.~~
161 ~~Thereafter,~~ Each member shall be appointed for a 4-year term;

162 2. Six ~~Five~~ electors, at least one of whom must be a
163 member of a minority group as defined in s. 288.703, one of each
164 who resides in each of the territorial jurisdictions of the
165 district courts of appeal, appointed by the Governor. ~~The~~

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166 ~~Governor shall appoint members who reside in the odd-numbered~~
167 ~~district court of appeal jurisdictions to 2-year terms each,~~
168 ~~beginning July 1, 1999, and members who reside in the even-~~
169 ~~numbered district court of appeal jurisdictions to 4-year terms~~
170 ~~each, beginning July 1, 1999. Thereafter, Each member shall be~~
171 ~~appointed for a 4-year term; and~~

172 3. Six ~~Five~~ electors, at least one of whom must be a
173 member of a minority group as defined in s. 288.703, one of each
174 who resides in the territorial jurisdictions of the district
175 courts of appeal, selected and appointed by a majority vote of
176 the other 10 members of the commission. ~~A majority of the other~~
177 ~~members of the commission shall appoint members who reside in~~
178 ~~the odd-numbered district court of appeal jurisdictions to 2-~~
179 ~~year terms each, beginning October 1, 1999, and members who~~
180 ~~reside in the even-numbered district court of appeal~~
181 ~~jurisdictions to 4-year terms each, beginning October 1, 1999.~~
182 ~~Thereafter, Each member shall be appointed for a 4-year term.~~

183
184 A vacancy occurring on the commission shall be filled by the
185 original appointing authority for the unexpired balance of the
186 term. An ~~No~~ attorney who appears before any judge of
187 compensation claims more than four times a year is not eligible
188 to serve on the statewide nominating commission. The meetings
189 and determinations of the nominating commission as to the judges
190 of compensation claims shall be open to the public.

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191 Section 13. No judicial vacancy may be deemed to occur as
192 a result of the addition of a sixth appellate district or
193 district realignment under this act. Effective January 1, 2023,
194 a current district court of appeal judge residing in a county,
195 the district of which is realigned under this act, shall be a
196 district court of appeal judge of the new district where he or
197 she resides.

198 Section 14. Notwithstanding the amendments made to s.
199 35.05(1) by this act, until the Sixth Appellate District
200 occupies the courthouse authorized in proviso accompanying
201 Specific Appropriation 3147A of chapter law 2021-36, Laws of
202 Florida, the district headquarters may be located in the
203 Thirteenth Judicial circuit, Hillsborough County.

204 Section 15. To effectuate the changes in judicial
205 nominating commissions necessitated by the creation of the Sixth
206 District Court of Appeal and the realignment of the
207 jurisdictional boundaries of other district courts of appeal:

208 (1) Each member of the first, second, and fifth district
209 court of appeal judicial nominating commissions on the date this
210 act becomes law shall continue to serve the same term of office,
211 but the member's seat is transferred to the nominating
212 commission for the district, as the district is composed
213 effective January 1, 2023, in which he or she resides.

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214 (2) Each expired term or vacancy on a commission shall be
215 filled by appointment in the same manner as the vacancy of the
216 member whose position is being filled.

217 (3) Each applicable judicial nominating commission shall
218 complete the application, interview, and nomination process for
219 any new district court of appeal judgeships authorized in this
220 act and funded in the fiscal year 2022-23 General Appropriations
221 Act by November 3, 2022, notwithstanding that the new judgeship
222 is not effective until January 1, 2023.

223 Section 16. Except as otherwise expressly provided in this
224 act, this act shall take effect upon this act becoming a law.
225

226 -----
227 **T I T L E A M E N D M E N T**

228 Remove everything before the enacting clause and insert:
229 An act relating to the judicial branch; amending s. 16.71, F.S.;
230 modifying the qualification requirements for members of the
231 Florida Gaming Control Commission; amending s. 27.51, F.S.;
232 realigning the appellate public defender regions; amending s.
233 27.511, F.S.; providing for the geographic boundaries of the
234 offices of criminal conflict and civil regional counsel;
235 amending s. 34.022, F.S.; adding one additional county court
236 judgeship in Lake County; amending s. 35.01, F.S.; creating a
237 new district court of appeal; amending s. 35.02, F.S.;
238 realigning the First Appellate District; amending s. 35.03,

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239 F.S.; realigning the Second Appellate District; amending s.
240 35.043, F.S.; realigning the Fifth Appellate District; creating
241 s. 35.044, F.S.; creating a Sixth Appellate District; amending
242 s. 35.05, F.S.; providing for a headquarters for the Sixth
243 Appellate District; amending s. 35.06, F.S.; reorganizing the
244 district courts of appeal; amending s. 440.45, F.S.; revising
245 the number of electors for the statewide nominating commission
246 for the Office of the Judges of Compensation Claims; deleting
247 obsolete language; providing that no vacancy in office shall
248 occur by reason of the realignment of the district courts of
249 appeal; providing authorization for temporary headquarters;
250 effectuating the changes in judicial nominating commissions as
251 necessitated by the creation of the Sixth District Court of
252 Appeal; providing a general effective date.

253

254