

1 A bill to be entitled
 2 An act relating to judicial nominating commissions;
 3 repealing s. 43.291, F.S.; repealing provisions relating
 4 to judicial nominating commissions; creating s. 43.292,
 5 F.S.; creating judicial commissions; specifying membership
 6 and composition of judicial nominating commissions;
 7 providing for appointment of members by the Governor;
 8 providing for terms; abolishing prior offices; requiring
 9 the Governor to consider racial, ethnic, gender and
 10 geographic diversity in making appointments; providing for
 11 suspension of a member of a judicial nominating
 12 commission; establishing quorum; providing for
 13 administrative support; providing an effective date.

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 15 Be It Enacted by the Legislature of the State of Florida:

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 17 Section 1. Section 43.291, Florida Statutes, is repealed.

18 Section 2. Section 43.292, Florida Statutes, is created to
 19 read:

20 43.292 Judicial nominating commissions.—

21 (1) Each judicial nominating commission established
 22 pursuant to s. 11(d), Art. V of the State Constitution shall
 23 consist of seven members appointed by the Governor, each of whom
 24 is a resident of the territorial jurisdiction served by the
 25 commission to which the member is appointed. At least four
 26 members shall be members in good standing of The Florida Bar who
 27 are actively engaged in the practice of law. The Governor shall
 28 name the chair and vice chair of each judicial nominating

29 commission. The members of a commission may elect from their
 30 number a temporary chair should the appointed chair and vice-
 31 chair be unable to attend a meeting of the commission.

32 (2) A justice or judge may not be a member of a judicial
 33 nominating commission. A member of a judicial nominating
 34 commission may hold public office other than judicial office. A
 35 member of a judicial nominating commission is not eligible for
 36 appointment, during his or her term of office and for a period
 37 of 2 years thereafter, to any state judicial office for which
 38 that commission has the authority to make nominations. All acts
 39 of a judicial nominating commission must be made with a
 40 concurrence of a majority of its members.

41 (3) (a) All members shall be appointed for a term to end
 42 concurrent with the term to which the Governor was elected. The
 43 terms of all members shall be concurrent, and the terms may
 44 commence at any time following the inauguration of the Governor
 45 as a result of a general election. If a member is unable to
 46 complete his or her term, the Governor shall appoint another
 47 qualified individual to fill the remainder of the member's term.
 48 All terms shall end at midnight on the evening prior to the next
 49 inauguration of a Governor following a general election.

50 (b) The office of any member of any judicial nominating
 51 commission appointed pursuant to former s. 43.291 prior to the
 52 effective date of this act is abolished upon the effective date
 53 of this act and is replaced by those offices created pursuant to
 54 subsection (1). Any member of a judicial nominating commission
 55 who will not complete a 4-year term because of enactment of this
 56 section may be reappointed by the Governor.

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57 (4) In making an appointment, the Governor shall seek to
58 ensure that, to the extent possible, the membership of the
59 commission reflects the racial, ethnic, and gender diversity, as
60 well as the geographic distribution, of the population within
61 the territorial jurisdiction of the court for which nominations
62 will be considered. The Governor shall also consider the
63 adequacy of representation of each county within the judicial
64 circuit.

65 (5) A member of a judicial nominating commission may be
66 suspended for cause by the Governor pursuant to uniform rules of
67 procedure established by the Executive Office of the Governor
68 consistent with s. 7 of Art. IV of the State Constitution.

69 (6) A quorum of the judicial nominating commission is
70 necessary to take any action or transact any business. For
71 purposes of this section, a quorum consists of a majority of
72 commission members currently appointed.

73 (7) The Executive Office of the Governor shall provide all
74 administrative support for each judicial nominating commission.

75 Section 3. This act shall take effect upon becoming law.