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House Joint Resolution

A joint resolution proposing an amendment to Section 8 of Article V and the creation of a new section in Article XII of the State Constitution to create term limits for Supreme Court justices and judges of the district courts of appeal, limiting application to justices and judges appointed after the effective date of the amendment.

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 shall be eligible for 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. No justice or judge shall serve after attaining the age of seventy years except upon temporary assignment or to complete a term, one-half of which has been served.

(b) No person is eligible for the office of justice of the

27 | supreme court or judge of a district court of appeal unless the
 28 | person is, and has been for the preceding ten years, a member of
 29 | the bar of Florida. No person is eligible for the office of
 30 | circuit 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, no person is eligible for the
 33 | office of county court judge unless the person is, and has been
 34 | for the preceding five years, a member of the bar of Florida.
 35 | Unless otherwise provided by general law, a person shall be
 36 | eligible for election or appointment to the office of county
 37 | court judge in a county having a population of 40,000 or less if
 38 | the person is a member in good standing of the bar of Florida.

39 | (c) No person may appear on the ballot for retention to
 40 | the office of justice of the supreme court or judge of a
 41 | district court of appeal if, by the end of the current term of
 42 | office, the person has ever served or, but for resignation,
 43 | would have served, in that office for two consecutive full
 44 | terms.

45 | ARTICLE XII

46 | SCHEDULE

47 | Applicability of limitations on the terms of justices and
 48 | judges.—The amendment to Section 8 of Article V shall take
 49 | effect upon approval by the electors. The limitations of the
 50 | amendment on the terms of justices of the supreme court and
 51 | judges of the district courts of appeal only applies to justices

52 and judges appointed to office after the effective date of the
 53 amendment.

54
 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
 61 the State Constitution to limit the terms of Supreme Court
 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. This amendment would limit them to two full terms. A
 66 partial term would not count toward the limit. This amendment
 67 does not apply to current justices and judges.