

1                   A bill to be entitled  
 2           An act relating to judicial nominating commissions;  
 3           amending s. 43.291, F.S.; revising the procedures for  
 4           appointing members to judicial nominating commissions;  
 5           providing an effective date.

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

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 9           Section 1. Paragraph (a) of subsection (1) and subsection  
 10          (3) of section 43.291, Florida Statutes, are amended to read:

11           43.291 Judicial nominating commissions.—

12           (1) Each judicial nominating commission shall be composed  
 13          of the following members:

14           (a) Four members of The Florida Bar, ~~appointed by the~~  
 15          ~~Governor,~~ who are engaged in the practice of law, each of whom  
 16          is a resident of the territorial jurisdiction served by the  
 17          commission to which the member is appointed. The President of  
 18          the Senate and the Speaker of the House of Representatives ~~The~~  
 19          ~~Board of Governors of The Florida Bar~~ shall each appoint two  
 20          members to fill positions as they expire or are vacated. For  
 21          each position:

22                   1. The Board of Governors of The Florida Bar shall  
 23                   recommend three qualified individuals for appointment to the  
 24                   position.

25                   2. The President of the Senate or the Speaker of the House

26 of Representatives, as appropriate, shall publish a list of  
27 qualified individuals under consideration for appointment that  
28 includes the recommendations of the Board of Governors of The  
29 Florida Bar.

30 3. The President of the Senate or the Speaker of the House  
31 of Representatives, as appropriate, shall accept comments on the  
32 individuals on the list and shall wait at least 30 days after  
33 publication of the list before making the appointment ~~submit to~~  
34 ~~the Governor three recommended nominees for each position. The~~  
35 ~~Governor shall select the appointee from the list of nominees~~  
36 ~~recommended for that position, but the Governor may reject all~~  
37 ~~of the nominees recommended for a position and request that the~~  
38 ~~Board of Governors submit a new list of three different~~  
39 ~~recommended nominees for that position who have not been~~  
40 ~~previously recommended by the Board of Governors.~~

41 (3) Notwithstanding any other provision of this section,  
42 each current member of a judicial nominating commission  
43 ~~appointed directly by the Board of Governors of The Florida Bar~~  
44 shall serve the remainder of his or her term, unless removed for  
45 cause. For each position previously held by a member nominated  
46 by the Board of Governors of The Florida Bar, the replacement at  
47 the end of the term shall be as follows:

48 (a) For appointments to the Supreme Court Judicial  
49 Nominating Commission, the President of the Senate shall appoint  
50 the members for the first and third vacant positions and the

51 Speaker of the House of Representatives shall appoint the  
52 members for the second and fourth vacant positions.

53 (b) For appointments to the other judicial nominating  
54 commissions:

55 1. For each even-numbered district court or circuit court,  
56 the President of the Senate shall appoint the members for the  
57 first and third vacant positions and the Speaker of the House of  
58 Representatives shall appoint the members for the second and  
59 fourth vacant positions.

60 2. For each odd-numbered district court or circuit court,  
61 the Speaker of the House of Representatives shall appoint the  
62 members for the first and third vacant positions and the  
63 President of the Senate shall appoint the members for the second  
64 and fourth vacant positions. ~~The terms of all other members of~~  
65 ~~a judicial nominating commission are hereby terminated, and the~~  
66 ~~Governor shall appoint new members to each judicial nominating~~  
67 ~~commission in the following manner:~~

68 ~~(a) Two appointments for terms ending July 1, 2002, one of~~  
69 ~~which shall be an appointment selected from nominations~~  
70 ~~submitted by the Board of Governors of The Florida Bar pursuant~~  
71 ~~to paragraph (1) (a);~~

72 ~~(b) Two appointments for terms ending July 1, 2003; and~~

73 ~~(c) Two appointments for terms ending July 1, 2004.~~

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75 Every subsequent appointment, except an appointment to fill a

76 | vacant, unexpired term, shall be for 4 years. Each expired term  
77 | or vacancy shall be filled by appointment in the same manner as  
78 | the member whose position is being filled.

79 |       Section 2. This act shall take effect January 8, 2019.