

By Senator Simmons

9-01630-20

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1                   A bill to be entitled  
2           An act relating to official headquarters of judicial  
3           officers; amending s. 25.025, F.S.; revising  
4           provisions governing the payment of subsistence and  
5           travel reimbursement for Supreme Court justices who  
6           designate an official headquarters other than the  
7           headquarters of the Supreme Court; amending s. 35.05,  
8           F.S.; conforming a provision to changes made by the  
9           act; creating s. 35.051, F.S.; authorizing district  
10          court of appeal judges who meet certain criteria to  
11          have an appropriate facility in their county of  
12          residence designated as their official headquarters;  
13          providing restrictions; specifying eligibility for  
14          subsistence and travel reimbursement, subject to the  
15          availability of funds; requiring the Chief Justice to  
16          coordinate with certain officials in implementation of  
17          the act; providing that a county is not required to  
18          provide space for a judge in a county courthouse;  
19          authorizing counties to enter into agreements with a  
20          district court of appeal for use of county courthouse  
21          space; prohibiting a district court of appeal from  
22          using state funds to lease space to establish a  
23          judge's official headquarters; authorizing the Chief  
24          Justice of the Supreme Court to establish certain  
25          parameters in administering the act; providing an  
26          effective date.

27  
28   Be It Enacted by the Legislature of the State of Florida:  
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30 Section 1. Section 25.025, Florida Statutes, is amended to  
31 read:

32 25.025 Headquarters.—

33 (1) (a) A Supreme Court justice who permanently resides  
34 outside Leon County is eligible for the designation of ~~shall, if~~  
35 ~~he or she so requests, have~~ a district court of appeal  
36 courthouse, a county courthouse, or another appropriate facility  
37 in his or her district of residence ~~designated~~ as his or her  
38 official headquarters pursuant to s. 112.061. This official  
39 headquarters may serve only as the justice's private chambers.

40 (b) 1. A justice for whom an official headquarters is  
41 designated in his or her district of residence under this  
42 subsection is eligible for subsistence at a rate to be  
43 established by the Chief Justice for each day or partial day  
44 that the justice is at the headquarters of the Supreme Court  
45 Building to ~~for the conduct~~ court of the business, as authorized  
46 by the Chief Justice of the court. The Chief Justice may  
47 authorize a justice to choose between subsistence based on  
48 lodging at a single-occupancy rate and meal reimbursement as  
49 provided in s. 112.061 or subsistence at a fixed rate prescribed  
50 by the Chief Justice.

51 2. In addition to ~~the~~ subsistence allowance, a justice is  
52 eligible for reimbursement for travel ~~transportation~~ expenses as  
53 provided in s. 112.061(7) and (8) for travel between the  
54 justice's official headquarters and the headquarters of the  
55 Supreme Court to ~~Building for the conduct~~ court of the business  
56 ~~of the court.~~

57 (c) Payment of subsistence and reimbursement for travel  
58 ~~transportation~~ expenses ~~relating to travel~~ between a justice's

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59 official headquarters and the headquarters of the Supreme Court  
 60 ~~Building~~ must be made to the extent that appropriated funds are  
 61 available, as determined by the Chief Justice.

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

65 (3)(a) This section does not require a county to provide  
 66 space in a county courthouse for a justice. A county may enter  
 67 into an agreement with the Supreme Court governing the use of  
 68 space in a county courthouse.

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

73 Section 2. Subsection (2) of section 35.05, Florida  
 74 Statutes, is amended to read:

75 35.05 Headquarters.—

76 (2) A district court of appeal may designate other  
 77 locations within its district as branch headquarters for the  
 78 conduct of the business of the court and as the official  
 79 headquarters of its officers or employees pursuant to s. 35.051  
 80 or s. 112.061, as applicable.

81 Section 3. Section 35.051, Florida Statutes, is created to  
 82 read:

83 35.051 Subsistence and travel reimbursement for judges with  
 84 alternate headquarters.—

85 (1)(a) A district court of appeal judge who permanently  
 86 resides more than 50 miles from his or her appellate district's  
 87 headquarters is eligible for the designation of a county

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88 courthouse, or another appropriate facility in his or her county  
89 of residence, as his or her official headquarters for purposes  
90 of s. 112.061. This official headquarters may serve only as the  
91 judge's private chambers.

92 (b)1. A district court of appeal judge for whom an official  
93 headquarters is designated in his or her county of residence  
94 under this subsection is eligible for subsistence at a rate to  
95 be established by the Chief Justice for each day or partial day  
96 that the judge is at the headquarters of his or her appellate  
97 district to conduct court business, as authorized by the Chief  
98 Judge of that district court of appeal. The Chief Justice may  
99 authorize a judge to choose between subsistence based on lodging  
100 at a single-occupancy rate and meal reimbursement as provided in  
101 s. 112.061 and subsistence at a fixed rate prescribed by the  
102 Chief Justice.

103 2. In addition to subsistence, a district court of appeal  
104 judge is eligible for reimbursement for travel expenses as  
105 provided in s. 112.061(7) and (8) for travel between the judge's  
106 official headquarters and the headquarters of the appellate  
107 district to conduct court business.

108 (c) Payment of subsistence and reimbursement for travel  
109 expenses between the judge's official headquarters and the  
110 headquarters of his or her appellate district shall be made to  
111 the extent that appropriated funds are available, as determined  
112 by the Chief Justice.

113 (2) The Chief Justice shall coordinate with each affected  
114 district court of appeal judge and other state and local  
115 officials as necessary to implement subsection (1).

116 (3) (a) This section does not require a county to provide

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117 space in a county courthouse for a district court of appeal  
118 judge. A county may enter into an agreement with a district  
119 court of appeal governing the use of space in a county  
120 courthouse.

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

125 (4) The Chief Justice may establish parameters governing  
126 the authority provided in this section, including specifying  
127 minimum operational requirements for the designated  
128 headquarters, limiting the number of days for which subsistence  
129 and travel reimbursement may be provided, and prescribing  
130 activities that qualify as the conduct of court business.

131 Section 4. This act shall take effect July 1, 2020.