

By the Committee on Judiciary; and Senator Simmons

590-02413-20

20201392c1

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; authorizing the
8 Chief Justice of the Supreme Court to establish
9 certain parameters in administering the act; providing
10 for construction; creating s. 35.051, F.S.;
11 authorizing district court of appeal judges who meet
12 certain criteria to have an appropriate facility in
13 their county of residence designated as their official
14 headquarters; providing restrictions; specifying
15 eligibility for subsistence and travel reimbursement,
16 subject to the availability of funds; requiring the
17 Chief Justice to coordinate with certain officials in
18 implementing the act; providing that a county is not
19 required to provide space for a judge in a county
20 courthouse; authorizing counties to enter into
21 agreements with a district court of appeal for use of
22 county courthouse space; prohibiting a district court
23 of appeal from using state funds to lease space to
24 establish a judge's official headquarters; authorizing
25 the Chief Justice to establish certain parameters in
26 administering the act; providing for construction;
27 providing an effective date.

28
29 Be It Enacted by the Legislature of the State of Florida:

590-02413-20

20201392c1

30
31 Section 1. Section 25.025, Florida Statutes, is amended to
32 read:

33 25.025 Headquarters.—

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

42 (b) 1. A justice for whom an official headquarters is
43 designated in his or her district of residence under this
44 subsection is eligible for subsistence at a rate to be
45 established by the Chief Justice for each day or partial day
46 that the justice is at the headquarters of the Supreme Court to
47 ~~Building for the conduct~~ court of the business, as authorized by
48 the Chief Justice of the court. The Chief Justice may authorize
49 a justice to choose between subsistence based on lodging at a
50 single-occupancy rate and meal reimbursement as provided in s.
51 112.061 and subsistence at a fixed rate prescribed by the Chief
52 Justice.

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

590-02413-20

20201392c1

59 (c) Payment of subsistence and reimbursement for travel
60 ~~transportation~~ expenses ~~relating to travel~~ between a justice's
61 official headquarters and the headquarters of the Supreme Court
62 shall ~~Building must~~ be made to the extent that appropriated
63 funds are available, as determined by the Chief Justice.

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

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

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

75 (4) The Chief Justice may establish parameters governing
76 the authority provided in this section, including, but not
77 limited to, specifying minimum operational requirements for the
78 designated headquarters, limiting the number of days for which
79 subsistence and travel reimbursement may be provided, and
80 prescribing activities that qualify as the conduct of court
81 business.

82 (5) If any term of this section conflicts with s. 112.061,
83 this section shall control to the extent of the conflict.

84 Section 2. Section 35.051, Florida Statutes, is created to
85 read:

86 35.051 Subsistence and travel reimbursement for judges with
87 alternate headquarters.-

590-02413-20

20201392c1

88 (1) (a) A district court of appeal judge is eligible for the
89 designation of a county courthouse or another appropriate
90 facility in his or her county of residence as his or her
91 official headquarters for purposes of s. 112.061 if the judge
92 permanently resides more than 50 miles from:

93 1. The appellate district's headquarters as prescribed
94 under s. 35.05(1), if the judge is assigned to such
95 headquarters; or

96 2. The appellate district's branch headquarters established
97 under s. 35.05(2), if the judge is assigned to such branch
98 headquarters.

99
100 The official headquarters may serve only as the judge's private
101 chambers.

102 (b)1. A district court of appeal judge for whom an official
103 headquarters is designated in his or her county of residence
104 under this subsection is eligible for subsistence at a rate to
105 be established by the Chief Justice for each day or partial day
106 that the judge is at the headquarters or branch headquarters of
107 his or her appellate district to conduct court business, as
108 authorized by the chief judge of that district court of appeal.
109 The Chief Justice may authorize a judge to choose between
110 subsistence based on lodging at a single-occupancy rate and meal
111 reimbursement as provided in s. 112.061 and subsistence at a
112 fixed rate prescribed by the Chief Justice.

113 2. In addition to subsistence, a district court of appeal
114 judge is eligible for reimbursement for travel expenses as
115 provided in s. 112.061(7) and (8) for travel between the judge's
116 official headquarters and the headquarters or branch

590-02413-20

20201392c1

117 headquarters of the appellate district to conduct court
118 business.

119 (c) Payment of subsistence and reimbursement for travel
120 expenses between the judge's official headquarters or branch
121 headquarters and the headquarters of his or her appellate
122 district shall be made to the extent that appropriated funds are
123 available, as determined by the Chief Justice.

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

127 (3) (a) This section does not require a county to provide
128 space in a county courthouse for a district court of appeal
129 judge. A county may enter into an agreement with a district
130 court of appeal governing the use of space in a county
131 courthouse.

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

136 (4) The Chief Justice may establish parameters governing
137 the authority provided in this section, including, but not
138 limited to, specifying minimum operational requirements for the
139 designated headquarters, limiting the number of days for which
140 subsistence and travel reimbursement may be provided, and
141 prescribing activities that qualify as the conduct of court
142 business.

143 (5) If any term of this section conflicts with s. 112.061,
144 this section shall control to the extent of the conflict.

145 Section 3. This act shall take effect July 1, 2020.