

By the Committee on Judicial & Commissioners Sundberg & Zack

1 A proposal to revise
2 ARTICLE V, s. 14, Fla. Const., and create
3 ARTICLE V, s. 21, Fla. Const.; providing for
4 salaries, costs, and expenses of the judiciary,
5 state attorneys, public defenders, and clerks
6 of the circuit court, and their respective
7 staffs, to be funded from state revenues
8 appropriated by general law; providing for
9 counties to fund the cost of construction,
10 maintenance, utilities, and security of
11 facilities for the judiciary, public defenders,
12 state attorneys, and clerks of the circuit
13 court, and their respective staffs; requiring
14 the Legislature to appropriate funds according
15 to a phase-in schedule established by general
16 law; authorizing the Legislature to require
17 that counties remit fines, costs, and
18 forfeitures for the purpose of funding the
19 operation of the judiciary, state attorneys,
20 and public defenders.
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22 It is proposed by the Florida Constitution Revision Commission
23 that:
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25 Section 1. Section 14 of Article V of the Florida
26 Constitution is revised by amending that section, and section
27 21 is added to Article V of the Florida Constitution, to read:
28 ARTICLE V
29 JUDICIARY
30 SECTION 14. Judicial salaries.--
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1 (a) All justices and judges shall be compensated only
2 by state salaries fixed by general law. All other salaries,
3 costs, and expenses of the judiciary, state attorneys, public
4 defenders, including court-appointed counsel, and clerks of
5 the circuit court performing judicial functions, and their
6 respective staffs, shall, except as otherwise provided in this
7 section, be funded from state revenues appropriated by general
8 law. No county or municipality shall be obligated to pay for
9 any salaries, costs, or expenses of the judiciary, state
10 attorneys, public defenders, or clerks of the circuit court
11 performing judicial functions, or their respective staffs,
12 except as otherwise provided in this section.

13 (b) Counties shall be responsible for funding the cost
14 of construction, maintenance, utilities, and security of
15 facilities for the trial courts, public defenders, state
16 attorneys, and clerks of the circuit court, and their
17 respective staffs.

18 (c) The judiciary shall have no power to fix
19 appropriations.

20 SECTION 21. Schedule to Article V Amendments.--

21 (a) Commencing with fiscal year 2000-2001, the
22 legislature shall appropriate funds to pay for the expenses
23 set forth in the amendment to Section 14 of Article V pursuant
24 to a phase-in schedule established by general law.

25 (b) Nothing contained in the amendment to Section 14
26 shall preclude the legislature by law from requiring that
27 counties remit to the state, in accordance with the phase-in
28 schedule for this amendment, fines, costs, and forfeitures
29 retained by counties for the sole purpose of funding the
30 operation of the trial courts, state attorneys, and public
31 defenders.

1 (c) Unless otherwise provided herein, the amendment to
2 Section 14 shall take effect July 1, 2004.
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