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604-02782-10

Proposed Committee Substitute by the Committee on Criminal and
Civil Justice Appropriations

A bill to be entitled

An act relating to Capital Collateral Regional
Counsel; amending s. 27.701, F.S.; requiring that the
Governor appoint each capital collateral regional
counsel to a term of 4 years; removing a provision
that prohibited a person appointed as a capital
collateral regional counsel from running for or
accepting an appointment to any state office for a
specified period after leaving that office; providing
an effective date.

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

Section 1. Section 27.701, Florida Statutes, is amended to
read:

27.701 Capital collateral regional counsel.—

(1) There are created three regional offices of capital
collateral counsel, which shall be located in a northern,
middle, and southern region of the state. The northern region
shall consist of the First, Second, Third, Fourth, Eighth, and
Fourteenth Judicial Circuits; the middle region shall consist of
the Fifth, Sixth, Seventh, Ninth, Tenth, Twelfth, Thirteenth,
and Eighteenth Judicial Circuits; and the southern region shall
consist of the Eleventh, Fifteenth, Sixteenth, Seventeenth,
Nineteenth, and Twentieth Judicial Circuits. Each regional
office shall be administered by a regional counsel. A regional
counsel must be, and must have been for the preceding 5 years, a



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28 member in good standing of The Florida Bar or a similar
29 organization in another state. Each capital collateral regional
30 counsel shall be appointed by the Governor, and is subject to
31 confirmation by the Senate. The Supreme Court Judicial
32 Nominating Commission shall recommend to the Governor three
33 qualified candidates for each appointment as regional counsel.
34 The Governor shall appoint a regional counsel for each region
35 from among the recommendations, or, if it is in the best
36 interest of the fair administration of justice in capital cases,
37 the Governor may reject the nominations and request submission
38 of three new nominees by the Supreme Court Judicial Nominating
39 Commission. Each capital collateral regional counsel shall be
40 appointed to a term of 4 ~~3~~ years. Vacancies in the office of
41 capital collateral regional counsel shall be filled in the same
42 manner as appointments. ~~A person appointed as a regional counsel~~
43 ~~may not run for or accept appointment to any state office for 2~~
44 ~~years following vacation of office.~~

45 Section 2. This act shall take effect July 1, 2010.