

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/CS/SJR 488

SPONSOR: Committees on Rules and Calendar, Ethics and Elections, and Senator Rossin

SUBJECT: Legislative terms and term limits

DATE: April 10, 2001 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fox	Bradshaw	EE	Favorable/CS
2.		Johnson	JU	Withdrawn
3.	Fox	Kassack	RC	Favorable/CS
4.				
5.				
6.				

I. Summary:

Committee Substitute for Committee Substitute for Joint Resolution 488 does the following:

- Increases the terms of office for Florida Senators from 4 to 6 years and for Florida Representatives from 2 years to 4 years, and provides for staggered terms;
- Increases the current term limits disqualification for Florida Representatives and Florida Senators from 8 years to 12 years.

The joint resolution, if passed by a 3/5ths vote of each house of the Legislature, will be voted on the 2002 general election ballot.¹ If approved by the voters at that election, the joint resolution will take effect January 1, 2006.

This joint resolution proposes substantial amendments to the following provisions of the Florida Constitution: Art. III, s. 15 and Art. VI, s. 4.

II. Present Situation:

The term of office for Florida Senators is four years (some Senators may serve two year terms following reapportionment) and the term for Florida Representatives is two years. The Florida Lieutenant Governor and Cabinet members serve four year terms.

The Florida Constitution provides that a Florida Senator, Florida Representative, Florida Lieutenant Governor, Florida Cabinet member, U.S. Representative from Florida, or U.S. Senator from Florida, may not have his or her name on the ballot if the person has served eight

¹ A single-subject amendment to the Constitution can be submitted to the voters in in a special election, provided each house of the Legislature so requires by a law enacted by an affirmative three-fourths vote. Art. XI, section 5(a), Fla. Const.

consecutive years in that office. [The U.S. Supreme Court has held that state limits on the terms of federal office holders violate the U.S. Constitution. See generally, *U.S. Term Limits, Inc. v. Thornton*, 115 S.Ct. 1842 (1995).]

III. Effect of Proposed Changes:

This joint resolution increases the terms of office for Florida Senators from 4 to 6 years and for Florida Representatives from 2 years to 4 years, and provides for staggered terms. It also increases, from 8 to 12 years, the number of consecutive years during which Florida Representatives and Florida Senators may hold office before being prohibited from having their name listed on the ballot for re-election.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None

VI. Technical Deficiencies:

None.

VII. Related Issues:

Florida voters approved a 1992 constitutional amendment adopting the current “eight is enough” term limit scheme by a margin of about 3 to 1.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
