## Florida Senate - 2002

By the Committee on Ethics and Elections; and Senators Silver, Rossin, Latvala and Sullivan

313-2118-02 Senate Joint Resolution No. 1 2 A joint resolution proposing amendments to 3 Section 5 of Article IV and Section 4 of Article VI and the creation of Section 26 of 4 5 Article XII of the State Constitution, relating to suffrage and elections; revising limitations 6 on the number of consecutive years during which 7 8 certain elected constitutional officers may 9 hold office. 10 11 Be It Resolved by the Legislature of the State of Florida: 12 13 That the following amendments to Section 5 of Article IV and Section 4 of Article VI and the creation of Section 26 14 15 of Article XII of the State Constitution are agreed to and 16 shall be submitted to the electors of this state for approval or rejection at the next general election or an earlier 17 18 special election specifically authorized by law for that 19 purpose: 20 ARTICLE IV EXECUTIVE 21 22 SECTION 5. Election of governor, lieutenant governor 23 and cabinet members; gualifications; terms.--(a) At a state-wide general election in each calendar 24 25 year the number of which is even but not a multiple of four, 26 the electors shall choose a governor and a lieutenant governor 27 and members of the cabinet each for a term of four years 28 beginning on the first Tuesday after the first Monday in 29 January of the succeeding year. In primary elections, candidates for the office of governor may choose to run 30 without a lieutenant governor candidate. In the general 31

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1 election, all candidates for the offices of governor and 2 lieutenant governor shall form joint candidacies in a manner 3 prescribed by law so that each voter shall cast a single vote 4 for a candidate for governor and a candidate for lieutenant 5 governor running together. 6 (b) When elected, the governor, lieutenant governor 7 and each cabinet member must be an elector not less than 8 thirty years of age who has resided in the state for the 9 preceding seven years. The attorney general must have been a 10 member of the bar of Florida for the preceding five years. No 11 person who has, or but for resignation would have, served as governor or acting governor for more than six years in two 12 13 consecutive terms shall be elected governor for the succeeding 14 term. No person may appear on the ballot for reelection to the 15 office of Lieutenant Governor if, by the end of the current term of office, the person will have served, or but for 16 17 resignation would have served, in that office for eight 18 consecutive years. 19 ARTICLE VI SUFFRAGE AND ELECTIONS 20 SECTION 4. Disqualifications.--21 No person convicted of a felony, or adjudicated in 22 (a) this or any other state to be mentally incompetent, shall be 23 24 qualified to vote or hold office until restoration of civil 25 rights or removal of disability. (b) No person may appear on the ballot for re-election 26 27 to any of the following offices: 28 (1) Florida representative, 29 (2) Florida senator, or (3) Florida Lieutenant governor, 30 31 (3) (4) any office of the Florida cabinet, 2

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1 (5) U.S. Representative from Florida, or 2 (6) U.S. Senator from Florida 3 4 if, by the end of the current term of office, the person will 5 have served (or, but for resignation, would have served) in б that office for twelve eight consecutive years. 7 ARTICLE XII 8 SCHEDULE 9 SECTION 26. Term limits. -- The amendment to Section 4 10 of Article VI denying ballot access for reelection to any 11 cabinet officer or state legislator who will have served, or but for resignation would have served, in that office for 12 12 13 consecutive years, rather than 8 consecutive years, shall take 14 effect upon approval by the voters and shall apply only to 15 those officers whose consecutive years in office begin in November 2002 or thereafter. 16 17 BE IT FURTHER RESOLVED that the following statement be placed on the ballot: 18 19 CONSTITUTIONAL AMENDMENT ARTICLE IV, SECTION 5 20 21 ARTICLE VI, SECTION 4 ARTICLE XII, SECTION 26 22 TERM LIMITS. -- Proposing amendments to the State 23 24 Constitution to increase, from 8 consecutive years to 12 25 consecutive years, the limitation on holding office as a Florida Representative, Florida Senator, or member of the 26 Florida Cabinet, to apply such limitation to such officers 27 28 whose consecutive years in office begin in November 2002 or 29 thereafter, and to remove provisions that apply term limits by means of ballot access to members of Congress, which the 30 31

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**Florida Senate - 2002** CS for SJR's 1666 & 1118 313-2118-02

1	United States Supreme Court has determined violate the U.S.
2	Constitution.
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4	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR
5	SJR 1666 and 1118
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7	The committee substitute differs from the original bills in that it: does not impose term limits on Florida Supreme Court
8	justices; does not extend the term of Governor and Lieutenant
9	Governor from 8 consecutive years to 12 consecutive years; provides that the term limits extension from 8 to 12 consecutive years for state legislators and Florida Cabinet
10	members does not apply to current office holders; and, specifically removes ballot access limitations on U.S.
11	Senators and U.S. Representatives, which the U.S. Supreme Court has determined are unenforceable.
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