

By the Committee on Ethics and Elections; and Senators Smith, Posey and Sebesta

313-1878-02

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Senate Joint Resolution No. ____

A joint resolution proposing the creation of Section 20 of Article III of the State Constitution to authorize the proposal of legislation by citizen initiative and prescribe standards and procedures for such proposals and the amendment of Section 5 of Article XI of the State Constitution to modify the requirements for referenda to amend the Constitution.

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

That the following creation of Section 20 of Article III, and the following amendment to Section 5 of Article XI, of the State Constitution are agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE III
LEGISLATURE

SECTION 20. Citizen initiative.--The power to propose legislation by initiative is reserved to the people. The power may be invoked by filing a petition with the chief elections officer of the state which contains a copy of the proposed legislation, which petition is signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to eight percent of the votes cast in each of such districts respectively and in the state as a whole in the last preceding election in which presidential electors were chosen. A statement must appear on the ballot which states the economic impact of each proposal.

1 Legislation proposed by initiative must be approved by vote of
2 the electors in order to be adopted. Special laws and general
3 laws of local application may not be proposed by initiative.
4 Such proposed legislation must comply with the requirements of
5 this constitution applicable to laws enacted by the
6 legislature with respect to single subject and prohibition of
7 amendment by reference. The legislature shall establish by
8 general law, no later than July 1, 2003, procedures to be used
9 in proposing and voting on legislation proposed by initiative.

10 ARTICLE XI

11 AMENDMENTS

12 SECTION 5. Amendment or revision election.--

13 (a) A proposed amendment to or revision of this
14 constitution, or any part of it, shall be submitted to the
15 electors at the next general election held more than ninety
16 days after the joint resolution, initiative petition or report
17 of revision commission, constitutional convention or taxation
18 and budget reform commission proposing it is filed with the
19 secretary of state, unless, pursuant to law enacted by the
20 affirmative vote of three-fourths of the membership of each
21 house of the legislature and limited to a single amendment or
22 revision, it is submitted at an earlier special election held
23 more than ninety days after such filing.

24 (b) Once in the tenth week, and once in the sixth week
25 immediately preceding the week in which the election is held,
26 the proposed amendment or revision, with notice of the date of
27 election at which it will be submitted to the electors, shall
28 be published in one newspaper of general circulation in each
29 county in which a newspaper is published.

30 (c) If the proposed amendment or revision is approved
31 by vote of three-fifths of the electors voting on the issue of

1 ~~the electors~~, it shall be effective as an amendment to or
2 revision of the constitution of the state on the first Tuesday
3 after the first Monday in January following the election, or
4 on such other date as may be specified in the amendment or
5 revision.

6 (d) The ballot statement of a proposed amendment must
7 include a brief statement of the amendment's economic impact.
8 The legislature shall establish by general law the required
9 content of the economic impact statement.

10 BE IT FURTHER RESOLVED that the following statement be
11 placed on the ballot:

12 CONSTITUTIONAL AMENDMENT

13 ARTICLE III, SECTION 20;

14 ARTICLE XI, SECTION 5

15 LEGISLATION BY INITIATIVE; CONSTITUTION AMENDMENT OR
16 REVISION ELECTIONS.--Proposing an amendment to the State
17 Constitution to allow legislation to be proposed by
18 initiative, prescribe standards for such proposals, and
19 require that the Legislature adopt procedures governing such
20 initiatives and to increase the number of votes required to
21 approve a constitutional amendment or revision and require
22 that the ballot statement of a proposed constitutional
23 amendment include a statement of the amendment's economic
24 impact.

25
26 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
27 COMMITTEE SUBSTITUTE FOR
28 SJR 940

29 The committee substitute differs from the original bill in
30 that it: Requires a majority vote for passage of statutory
31 initiatives instead of a three-fifths affirmative vote and
increases the required vote for passage of constitutional
amendments to an affirmative three-fifths vote instead of the
initially proposed two-thirds affirmative vote.