

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Judiciary Committee

BILL: SJR 2036

INTRODUCER: Senator Posey

SUBJECT: Legislative Session Dates

DATE: April 20, 2008

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Cary	Maclure	JU	Pre-meeting
2.			ED	
3.			GA	
4.			RC	
5.				
6.				

I. Summary:

This joint resolution submits to the voters an amendment to Section 3 of Article III of the State Constitution and the creation of Section 27 of Article XII of the State Constitution, which would change the date for convening the regular session of the Florida Legislature from the first Tuesday after the first Monday in March to the first Tuesday after the first Monday in June.

This joint resolution must be approved by a three-fifth majority of the members of each chamber of the Legislature.¹ The amendment would then require a 60 percent vote² in favor by the voters of a general election, or at an earlier special election specifically authorized by law for that purpose.³

The joint resolution substantially amends Section 3 of Article III of the State Constitution and creates Section 27 of Article XII of the State Constitution.

II. Present Situation:

The State Constitution sets the date to convene regular sessions of the Florida Legislature as the first Tuesday after the first Monday in March.⁴ The Constitution allows the Legislature to set another date to convene during even numbered years.⁵

¹ Article XI, s. 1 of the State Constitution.

² Article XI, s. 5(e) of the State Constitution.

³ Article XI, s. 5(a) of the State Constitution allows the Legislature to place the measure up for a special election if three-fourths of the membership of each chamber votes to do so, as long as the special election is held more than 90 days after the proposal is filed with the custodian of state records.

⁴ Article III, s. 3(b) of the State Constitution.

III. Effect of Proposed Changes:

This joint resolution submits to the voters an amendment to Section 3 of Article III of the State Constitution that would change the date for convening the regular session of the Florida Legislature from the first Tuesday after the first Monday in March to the first Tuesday after the first Monday in June.

This joint resolution also submits to the voters a new Section 27 of Article XII of the Florida Constitution. This provision sets 2010 as the first year the new regular session start date would go into effect.

This joint resolution must be approved by a three-fifths majority of the members of each chamber of the Legislature. The amendment would then require a 60 percent vote in favor by the voters of a general election, or at an earlier special election specifically authorized by law for that purpose.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

This joint resolution must be approved by a three-fifths majority of the members of each chamber of the Legislature.⁶ The amendment would then require a 60 percent vote⁷ in favor by the voters of a general election, or at an earlier special election specifically authorized by law for that purpose.⁸

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

⁵ *Id.*

⁶ *See* Footnote 1.

⁷ *See* Footnote 2.

⁸ *See* Footnote 3.

B. Private Sector Impact:

None.

C. Government Sector Impact:

Each constitutional amendment is required to be published in a newspaper of general circulation in each county, once in the sixth week and once in the tenth week preceding the general election. Costs for advertising vary depending upon the length of the amendment; however, the cost per amendment is estimated to be approximately \$60,000.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.