

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 Committee on Ethics and Elections

BILL: SJR 1424

INTRODUCER: Senator Bean

SUBJECT: Election of Secretary of State/Membership of Cabinet

DATE: January 27, 2016

REVISED: 02/02/16

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Fox	Roberts	EE	Favorable
2.			GO	
3.			RC	

I. Summary:

SJR 1424 restores the election of the Secretary of State as of the 2018 general election and subsequently makes the Secretary a member of the Florida Cabinet — again.

The joint resolution specifically directs the legislature to enact implementing legislation by January 8, 2019.

If passed by a 3/5ths vote of each House of the Legislature, the proposal will be voted on at the general election in November 2016; 60% of those voting on the measure is required for approval.

II. Present Situation:

Since 2003, the position of Florida Secretary of State has been an *appointed, non-Cabinet* post.

Prior to that time, the Secretary was an *elected Cabinet* position — one of six serving members in addition to the Governor. The 2003 change was the result of a 1998 amendment to the Florida Constitution that restructured the Cabinet from 6 to 3 officers¹ (plus the governor), as well as making other governmental operations changes²; the amendment was one of several proposed by the Constitution Revision Commission (“CRC”).

III. Effect of Proposed Changes:

SJR 1424 restores the election of the Secretary of State as of the 2018 general election and thereafter makes the Secretary a member of the Florida Cabinet once again. As such, the

¹ Florida’s Attorney General, Chief Financial Officer, and the Commissioner of Agriculture.

² Constitution Revision Commission Amendment 8 (1998), *Restructuring the State Cabinet* (available at Florida Secretary of State’s web site at: <http://dos.elections.myflorida.com/initiatives/fulltext/pdf/11-4.pdf> (last accessed 27 Jan 2016)).

Secretary would be subject to the eight-year term limits applicable to other members of the Cabinet pursuant to Art. VI., section 4, of the Florida Constitution.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The Division of Elections is required to advertise the full text of proposed constitutional amendments in English and Spanish twice in a newspaper of general circulation in each county before the election in which the amendment shall be submitted to the electors. The Division is also required to provide each Supervisor of Elections with either booklets or posters displaying the full text of proposed amendments.

According to the Division, the cost to advertise constitutional amendments for the 2014 general election was \$135.97 per word. Using 2014 rates, the cost to advertise this amendment for the 2016 general election could be \$106,328.54 at a minimum.

VI. Technical Deficiencies:

None.

VII. Related Issues:

SJR 942 by Senator Garcia adds back the Commissioner of Education to the Florida Cabinet. If both joint resolutions were to pass and be approved by the electors, the Cabinet would expand from 3 to 5 statewide officers (plus the governor), one member shy of the total number prior to the CRC Cabinet changes that took effect in 2003.

VIII. Statutes Affected:

This joint resolution substantially amends Article IV of the Florida Constitution and creates an implementation schedule in Article XII.

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

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

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
