

By the Committee on Civil Justice & Claims and
Representatives Wallace, Wise, Fasano, Byrd, Posey, Melvin,
Dockery, Ziebarth, Thrasher and Feeney

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

House Joint Resolution

A joint resolution proposing an amendment to
Section 1 of Article VII of the State
Constitution relating to the limitation on
state revenues.

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

That the amendment to Section 1 of Article VII of the
State Constitution set forth below is agreed to and shall be
submitted to the electors of Florida for approval or rejection
at the general election to be held in November 1998:

SECTION 1. Taxation; appropriations; state expenses;
state revenue limitation.--

(a) No tax shall be levied except in pursuance of law.
No state ad valorem taxes shall be levied upon real estate or
tangible personal property. All other forms of taxation shall
be preempted to the state except as provided by general law.

(b) Motor vehicles, boats, airplanes, trailers,
trailer coaches and mobile homes, as defined by law, shall be
subject to a license tax for their operation in the amounts
and for the purposes prescribed by law, but shall not be
subject to ad valorem taxes.

(c) No money shall be drawn from the treasury except
in pursuance of appropriation made by law.

(d) Provision shall be made by law for raising
sufficient revenue to defray the expenses of the state for
each fiscal period.

(e) Except as provided herein, state revenues
collected for any fiscal year shall be limited to state
revenues allowed under this subsection for the prior fiscal

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

1 year plus an adjustment for growth. As used in this
2 subsection, "growth" means an amount equal to the average
3 annual rate of growth in Florida median household ~~personal~~
4 income over the most recent 5 years ~~twenty quarters~~ times the
5 state revenues ~~allowed under this subsection~~ for the prior
6 fiscal year. For the 1995-1996 fiscal year, the state revenues
7 allowed under this subsection for the prior fiscal year shall
8 equal the state revenues collected for the 1994-1995 fiscal
9 year. Florida median household ~~personal~~ income shall be
10 determined by the legislature, from information available from
11 the United States Department of Commerce or its successor on
12 the first day of February prior to the beginning of the fiscal
13 year. State revenues collected for any fiscal year in excess
14 of this limitation shall be transferred to the budget
15 stabilization fund until the fund reaches the maximum balance
16 specified in Section 19(g) of Article III, and thereafter
17 shall be refunded to taxpayers as provided by general law.
18 State revenues allowed under this subsection for any fiscal
19 year may be increased by a two-thirds vote of the membership
20 of each house of the legislature in a separate bill that
21 contains no other subject and that sets forth the dollar
22 amount by which the state revenues allowed will be increased.
23 The vote may not be taken less than seventy-two hours after
24 the third reading of the bill. For purposes of this
25 subsection, "state revenues" means taxes, fees, licenses, and
26 charges for services imposed by the legislature on
27 individuals, businesses, or agencies outside state government.
28 However, "state revenues" does not include: revenues that are
29 necessary to meet the requirements set forth in documents
30 authorizing the issuance of bonds by the state; revenues that
31 are used to provide matching funds for the federal Medicaid

1 program with the exception of the revenues used to support the
2 Public Medical Assistance Trust Fund or its successor program
3 and with the exception of state matching funds used to fund
4 elective expansions made after July 1, 1994; proceeds from the
5 state lottery returned as prizes; receipts of the Florida
6 Hurricane Catastrophe Fund; balances carried forward from
7 prior fiscal years; taxes, licenses, fees, and charges for
8 services imposed by local, regional, or school district
9 governing bodies; or revenue from taxes, licenses, fees, and
10 charges for services required to be imposed by any amendment
11 or revision to this constitution after July 1, 1994. An
12 adjustment to the revenue limitation shall be made by general
13 law to reflect the fiscal impact of transfers of
14 responsibility for the funding of governmental functions
15 between the state and other levels of government. The
16 legislature shall, by general law, prescribe procedures
17 necessary to administer this subsection.

18 BE IT FURTHER RESOLVED that in accordance with the
19 requirements of section 101.161, Florida Statutes, the title
20 and substance of the amendment proposed herein shall appear on
21 the ballot as follows:

22 REVISION OF GROWTH ADJUSTMENT
23 TO LIMITATION ON STATE REVENUE COLLECTIONS
24 Proposing an amendment to Section 1 of Article VII of
25 the State Constitution to provide that Florida median
26 household income, rather than Florida personal income, and
27 state revenues, rather than state revenues allowed, for the
28 prior fiscal year shall be the bases for the calculation of
29 the growth adjustment to the constitutional limitation on
30 state revenue collections.

31