

By Representative Bullard

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House Joint Resolution

A joint resolution proposing amendments to Section 8 of Article II, Section 15 of Article III, and Section 4 of Article VI of the State Constitution relating to legislative campaign contributions, terms, and term limitations.

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

That the following amendments to Section 8 of Article II, Section 15 of Article III, and Section 4 of Article VI 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 II

GENERAL PROVISIONS

SECTION 8. Ethics in government.--A public office is a public trust. The people shall have the right to secure and sustain that trust against abuse. To assure this right:

(a) All elected constitutional officers and candidates for such offices and, as may be determined by law, other public officers, candidates, and employees shall file full and public disclosure of their financial interests.

(b) All elected public officers and candidates for such offices shall file full and public disclosure of their campaign finances.

(c) Any public officer or employee who breaches the public trust for private gain and any person or entity inducing such breach shall be liable to the state for all

1 financial benefits obtained by such actions. The manner of
2 recovery and additional damages may be provided by law.

3 (d) Any public officer or employee who is convicted of
4 a felony involving a breach of public trust shall be subject
5 to forfeiture of rights and privileges under a public
6 retirement system or pension plan in such manner as may be
7 provided by law.

8 (e) No member of the legislature or statewide elected
9 officer shall personally represent another person or entity
10 for compensation before the government body or agency of which
11 the individual was an officer or member for a period of two
12 years following vacation of office. No member of the
13 legislature shall personally represent another person or
14 entity for compensation during term of office before any state
15 agency other than judicial tribunals. Similar restrictions on
16 other public officers and employees may be established by law.

17 (f) A member of the legislature who seeks re-election
18 or a candidate for legislative office may not solicit or
19 accept campaign contributions sooner than one year before the
20 general election held to fill such office.

21 (g)~~(f)~~ There shall be an independent commission to
22 conduct investigations and make public reports on all
23 complaints concerning breach of public trust by public
24 officers or employees not within the jurisdiction of the
25 judicial qualifications commission.

26 (h)~~(g)~~ This section shall not be construed to limit
27 disclosures and prohibitions which may be established by law
28 to preserve the public trust and avoid conflicts between
29 public duties and private interests.

30 (i)~~(h)~~ Schedule--On the effective date of this
31 amendment and until changed by law:

1 (1) Full and public disclosure of financial interests
2 shall mean filing with the secretary of state by July 1 of
3 each year a sworn statement showing net worth and identifying
4 each asset and liability in excess of \$1,000 and its value
5 together with one of the following:

6 a. A copy of the person's most recent federal income
7 tax return; or

8 b. A sworn statement which identifies each separate
9 source and amount of income which exceeds \$1,000. The forms
10 for such source disclosure and the rules under which they are
11 to be filed shall be prescribed by the independent commission
12 established in subsection (g)~~(f)~~, and such rules shall include
13 disclosure of secondary sources of income.

14 (2) Persons holding statewide elective offices shall
15 also file disclosure of their financial interests pursuant to
16 subsection (i)(1)~~(h)(1)~~.

17 (3) The independent commission provided for in
18 subsection (g)~~(f)~~ shall mean the Florida Commission on Ethics.

19 ARTICLE III

20 LEGISLATURE

21 SECTION 15. Terms and qualifications of legislators.--

22 (a) SENATORS. Senators shall be elected for terms of
23 six ~~four~~ years, those from ~~odd-numbered~~ districts the number
24 in the years the numbers of which is divisible by three in
25 each even-numbered year the number of which is a multiple of
26 three; those from even-numbered districts the number of which
27 is not divisible by three in the second year following an
28 even-numbered year the number of which is a multiple of three
29 and those from odd-numbered districts the number of which is
30 not divisible by three in the fourth year following an
31 even-numbered year the number of which is a multiple of three

1 ~~are multiples of four and those from even-numbered districts~~
2 ~~in even-numbered years the numbers of which are not multiples~~
3 ~~of four;~~ except, at the election next following a
4 reapportionment, some senators shall be elected for terms of
5 two years and some for terms of four years when necessary to
6 maintain staggered terms.

7 (b) REPRESENTATIVES. Members of the house of
8 representatives shall be elected for terms of four ~~two~~ years,
9 those from odd-numbered districts in the years the numbers of
10 which are multiples of four and those from even-numbered
11 districts in even-numbered years the numbers of which are not
12 multiples of four; except, at the election next following a
13 reapportionment, some representatives shall be elected for
14 terms of two years when necessary to maintain staggered terms
15 ~~in each even-numbered year.~~

16 (c) QUALIFICATIONS. Each legislator shall be at least
17 twenty-one years of age, an elector and resident of the
18 district from which elected and shall have resided in the
19 state for a period of two years prior to election.

20 (d) ASSUMING OFFICE; VACANCIES. Members of the
21 legislature shall take office upon election. Vacancies in
22 legislative office shall be filled only by election as
23 provided by law.

24 ARTICLE VI

25 SUFFRAGE AND ELECTIONS

26 SECTION 4. Disqualifications.--

27 (a) No person convicted of a felony, or adjudicated in
28 this or any other state to be mentally incompetent, shall be
29 qualified to vote or hold office until restoration of civil
30 rights or removal of disability.

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1 (b) No person may appear on the ballot for re-election
2 to any of the following offices:

- 3 (1) Florida representative,
4 (2) Florida senator,
5 (3) Florida Lieutenant governor,
6 (4) any office of the Florida cabinet,
7 (5) U.S. Representative from Florida, or
8 (6) U.S. Senator from Florida

9
10 if, by the end of the current term of office, the person will
11 have served (or, but for resignation, would have served) in
12 that office for eight consecutive years; provided, however,
13 that for a person seeking re-election to the office of Florida
14 representative or Florida senator the person will have served
15 (or, but for resignation, would have served) in that office
16 for twelve consecutive years.

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

21 LIMITATION ON CAMPAIGN
22 CONTRIBUTIONS AND EXTENSION
23 OF TERMS FOR LEGISLATORS

24 Proposing amendments to Section 8 of Article II,
25 Section 15 of Article III, and Section 4 of Article VI of the
26 State Constitution to prohibit legislators and legislative
27 candidates from soliciting or accepting campaign contributions
28 sooner than 1 year before the election; to extend the term of
29 Senators to 6 years and Representatives to 4 years; and to
30 increase the limit on legislators' terms from 8 to 12 years.

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