

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL:           SJR 1426

SPONSOR:     Senator Posey

SUBJECT:     Constitutional amendment approval

DATE:         March 24, 2001           REVISED:     \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bradshaw	Bradshaw	EE	Favorable
2.	_____	_____	RC	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

Senate Joint Resolution 1426 proposes an amendment to the constitution to require approval of at least 2/3, rather than a simple majority, of the voters voting on the amendment in order for the amendment to take effect.

This bill substantially amends Article XI, section 5, Florida Constitution.

**II. Present Situation:**

Most constitutional amendments submitted to the voters must be approved by a majority of the electors voting on the amendment. Art. X, s. 12(d), Fla. Const.; Art. XI, s. 5(c), Fla. Const. Constitutional amendments which impose a new state tax or fee must be approved by 2/3 of the electors voting in the election in which the proposed amendment is considered. Art. XI, s. 7, Fla. Const.

**III. Effect of Proposed Changes:**

Senate Joint Resolution 1426 provides that future amendments to the State Constitution must be approved by 2/3 of the voters voting on the proposed amendment.

In 1998 and 2000, 13 of 14 constitutional amendments passed. Had the language in the joint resolution been in effect, 7 of the amendments which passed would have failed:

- Historic Property Tax Exemption and Assessment
- Local Option For Selection of Judges and Funding of State Courts
- Cabinet Reorganization

- Basic Rights
- Ballot Access, Public Campaign Financing, and Election Process Revisions
- Miscellaneous Matters and Technical Revisions
- Florida Transportation Initiative—High Speed Rail

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

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

None.

**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 on the length of the amendment; however, it is estimated that the cost per amendment averages \$30,000.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.