

By Senator Rossin

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Senate Joint Resolution No. ____

A joint resolution proposing amendments to Section 15 of Article III, Section 5 of Article IV, and Sections 8, 17, and 18 of Article V and the creation of Section 7 of Article VIII of the State Constitution to provide additional qualifications on persons running for elective office.

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

That the following amendments to Section 15 of Article III, Section 5 of Article IV, and Sections 8, 17, and 18 of Article V, and the following creation of Section 7 of Article VIII, 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 III

LEGISLATURE

SECTION 15. Terms and qualifications of legislators.--

(a) SENATORS. Senators shall be elected for terms of four years, those from odd-numbered districts in the years the numbers of which are multiples of four and those from even-numbered districts in even-numbered years the numbers of which are not multiples of four; except, at the election next following a reapportionment, some senators shall be elected for terms of two years when necessary to maintain staggered terms.

1 (b) REPRESENTATIVES. Members of the house of
2 representatives shall be elected for terms of two years in
3 each even-numbered year.

4 (c) QUALIFICATIONS. Each legislator shall be at least
5 twenty-one years of age, an elector and resident of the
6 district from which elected and shall have resided in the
7 state for a period of two years prior to election. A person is
8 not qualified to run for legislative office unless that person
9 has passed the eighth-grade-level Florida comprehensive
10 assessment test.

11 (d) ASSUMING OFFICE; VACANCIES. Members of the
12 legislature shall take office upon election. Vacancies in
13 legislative office shall be filled only by election as
14 provided by law.

15 ARTICLE IV

16 EXECUTIVE

17 SECTION 5. Election of governor, lieutenant governor
18 and cabinet members; qualifications; terms.--

19 (a) At a state-wide general election in each calendar
20 year the number of which is even but not a multiple of four,
21 the electors shall choose a governor and a lieutenant governor
22 and members of the cabinet each for a term of four years
23 beginning on the first Tuesday after the first Monday in
24 January of the succeeding year. In primary elections,
25 candidates for the office of governor may choose to run
26 without a lieutenant governor candidate. In the general
27 election, all candidates for the offices of governor and
28 lieutenant governor shall form joint candidacies in a manner
29 prescribed by law so that each voter shall cast a single vote
30 for a candidate for governor and a candidate for lieutenant
31 governor running together.

1 (b) When elected, the governor, lieutenant governor
2 and each cabinet member must be an elector not less than
3 thirty years of age who has resided in the state for the
4 preceding seven years. The attorney general must have been a
5 member of the bar of Florida for the preceding five years. No
6 person who has, or but for resignation would have, served as
7 governor or acting governor for more than six years in two
8 consecutive terms shall be elected governor for the succeeding
9 term. A person is not qualified to run for governor,
10 lieutenant governor, or cabinet member unless that person has
11 passed the eighth-grade-level Florida comprehensive
12 achievement test.

13 ARTICLE V

14 JUDICIARY

15 SECTION 8. Eligibility.--No person shall be eligible
16 for office of justice or judge of any court unless the person
17 is an elector of the state,~~and~~ resides in the territorial
18 jurisdiction of the court, and has passed the
19 eighth-grade-level Florida comprehensive assessment test. No
20 justice or judge shall serve after attaining the age of
21 seventy years except upon temporary assignment or to complete
22 a term, one-half of which has been served. No person is
23 eligible for the office of justice of the supreme court or
24 judge of a district court of appeal unless the person is, and
25 has been for the preceding ten years, a member of the bar of
26 Florida. No person is eligible for the office of circuit
27 judge unless the person is, and has been for the preceding
28 five years, a member of the bar of Florida. Unless otherwise
29 provided by general law, no person is eligible for the office
30 of county court judge unless the person is, and has been for
31 the preceding five years, a member of the bar of Florida.

1 Unless otherwise provided by general law, a person shall be
2 eligible for election or appointment to the office of county
3 court judge in a county having a population of 40,000 or less
4 if the person is a member in good standing of the bar of
5 Florida.

6 SECTION 17. State attorneys.--In each judicial circuit
7 a state attorney shall be elected for a term of four years. A
8 person is not qualified to run for state attorney unless that
9 person has passed the eighth-grade-level Florida comprehensive
10 assessment test.Except as otherwise provided in this
11 constitution, the state attorney shall be the prosecuting
12 officer of all trial courts in that circuit and shall perform
13 other duties prescribed by general law; provided, however,
14 when authorized by general law, the violations of all
15 municipal ordinances may be prosecuted by municipal
16 prosecutors. A state attorney shall be an elector of the
17 state and reside in the territorial jurisdiction of the
18 circuit; shall be and have been a member of the bar of Florida
19 for the preceding five years; shall devote full time to the
20 duties of the office; and shall not engage in the private
21 practice of law. State attorneys shall appoint such assistant
22 state attorneys as may be authorized by law.

23 SECTION 18. Public defenders.--In each judicial
24 circuit a public defender shall be elected for a term of four
25 years, who shall perform duties prescribed by general law. A
26 person is not qualified to run for public defender unless that
27 person has passed the eighth-grade-level Florida comprehensive
28 assessment test.A public defender shall be an elector of the
29 state and reside in the territorial jurisdiction of the
30 circuit and shall be and have been a member of the Bar of
31 Florida for the preceding five years. Public defenders shall

1 appoint such assistant public defenders as may be authorized
2 by law. A public defender shall be an elector of the state and
3 reside in the territorial jurisdiction of the circuit and
4 shall be and have been a member of the Bar of Florida for the
5 preceding five years. Public defenders shall appoint such
6 assistant public defenders as may be authorized by law.

7 ARTICLE VIII

8 LOCAL GOVERNMENT

9 SECTION 7. Elected local officers.--A person is not
10 qualified to run for any elective office of a county,
11 municipality, or special district unless that person has
12 passed the eighth-grade-level Florida comprehensive assessment
13 test.

14 BE IT FURTHER RESOLVED that the following statement be
15 placed on the ballot:

16 CONSTITUTIONAL AMENDMENT

17 ARTICLE III, SECTION 15; ARTICLE IV, SECTION 5;
18 ARTICLE V, SECTIONS 8, 17, 18; ARTICLE VIII, SECTION 7
19 QUALIFICATION FOR ELECTIVE OFFICE.--Proposing an
20 amendment to the State Constitution to require a candidate for
21 state, county, municipal, or special-district elective office
22 to have passed the eighth-grade-level Florida comprehensive
23 assessment test.