

By Representatives Kendrick and Goodlette

1 A bill to be entitled
2 An act relating to constitutional amendments
3 proposed by initiative; amending s. 100.371,
4 F.S.; increasing the minimum time required
5 between certification of ballot position for a
6 constitutional amendment proposed by initiative
7 and the general election at which the amendment
8 will be voted on; reducing the period for which
9 signatures on petitions for such initiative
10 amendments remain valid; requiring submission
11 of the text of such initiative amendments to
12 the Office of Legislative Services for review
13 and correction; providing for inclusion of
14 fiscal impact statements in the text of such
15 initiative amendments prior to circulation for
16 signatures; providing rulemaking authority;
17 providing an effective date.

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19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Section 100.371, Florida Statutes, is
22 amended to read:

23 100.371 Initiatives; procedure for placement on
24 ballot.--

25 (1) Constitutional amendments proposed by initiative
26 shall be placed on the ballot for the general election
27 occurring in excess of 180 ~~90~~ days from the certification of
28 ballot position by the Secretary of State.

29 (2) Such certification shall be issued when the
30 Secretary of State has received verification certificates from
31 the supervisors of elections indicating that the requisite

1 number and distribution of valid signatures of electors have
2 been submitted to and verified by the supervisors. Every
3 signature shall be dated when made and shall be valid for a
4 period of 11 months ~~4 years~~ following such date, provided all
5 other requirements of law are complied with.

6 (3) The sponsor of an initiative amendment shall,
7 prior to obtaining any signatures, register as a political
8 committee pursuant to s. 106.03 and submit the text of the
9 proposed amendment to the Secretary of State, with the form on
10 which the signatures will be affixed, and shall obtain the
11 approval of the Secretary of State of such form. The
12 Secretary of State shall adopt ~~promulgate~~ rules pursuant to
13 ss. 120.536(1) and ~~s.~~120.54 prescribing the style and
14 requirements of such form.

15 (4) The sponsor of an initiative amendment shall,
16 after registering as a political committee pursuant to s.
17 106.03, but prior to obtaining any signatures, also submit the
18 text of the proposed amendment to the Office of Legislative
19 Services, with the form on which the signatures will be
20 affixed, and shall obtain the approval of the Office of
21 Legislative Services for the text of the proposed amendment in
22 the form in which it will be circulated to obtain signatures.
23 The Office of Legislative Services shall make any changes to
24 the text of the proposed amendment necessary to comply with
25 judicial standards for the drafting of such language. The
26 Office of Legislative Services shall also review the proposed
27 amendment to determine the estimated impact of the amendment
28 on state and local revenues and expenditures, if any, and
29 shall affix a fiscal impact statement to the text that will be
30 circulated to obtain signatures. The Secretary of State shall
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1 adopt rules pursuant to ss. 120.536(1) and 120.54 prescribing
2 the style and requirements of such fiscal impact statement.

3 (5)~~(4)~~ The sponsor shall submit signed and dated forms
4 to the appropriate supervisor of elections for verification as
5 to the number of registered electors whose valid signatures
6 appear thereon. The supervisor shall promptly verify the
7 signatures upon payment of the fee required by s. 99.097.
8 Upon completion of verification, the supervisor shall execute
9 a certificate indicating the total number of signatures
10 checked, the number of signatures verified as valid and as
11 being of registered electors, and the distribution by
12 congressional district. This certificate shall be immediately
13 transmitted to the Secretary of State. The supervisor shall
14 retain the signature forms for at least 1 year following the
15 election in which the issue appeared on the ballot or until
16 the Division of Elections notifies the supervisors of
17 elections that the committee which circulated the petition is
18 no longer seeking to obtain ballot position.

19 (6)~~(5)~~ The Secretary of State shall determine from the
20 verification certificates received from supervisors of
21 elections the total number of verified valid signatures and
22 the distribution of such signatures by congressional
23 districts. Upon a determination that the requisite number and
24 distribution of valid signatures have been obtained, the
25 secretary shall issue a certificate of ballot position for
26 that proposed amendment and shall assign a designating number
27 pursuant to s. 101.161. A petition shall be deemed to be
28 filed with the Secretary of State upon the date of the receipt
29 by the secretary of a certificate or certificates from
30 supervisors of elections indicating the petition has been
31 signed by the constitutionally required number of electors.

1 (7)(6) The Department of State may adopt rules
2 pursuant to ss. 120.536(1) and ~~shall have the authority to~~
3 ~~promulgate rules in accordance with s.120.54~~ to carry out the
4 provisions of this section.

5 Section 2. This act shall take effect July 1, 2002.

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8 HOUSE SUMMARY

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10 Increases the minimum time required between certification
11 of ballot position for a constitutional amendment
12 proposed by initiative and the general election at which
13 the amendment will be voted on. Reduces the period for
14 which signatures on petitions for such initiative
15 amendments remain valid. Requires submission of the text
16 of such initiative amendments to the Office of
17 Legislative Services for review and correction. Provides
18 for inclusion of fiscal impact statements in the text of
19 such initiative amendments prior to circulation for
20 signatures. See bill for details.

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