

By the Procedural & Redistricting Council and
 Representatives Kendrick, Goodlette and Green

1 A bill to be entitled
 2 An act relating to constitutional amendments
 3 proposed by initiative; amending s. 100.371,
 4 F.S.; reducing the period for which signatures
 5 on petitions for constitutional amendments
 6 proposed by initiative remain valid; requiring
 7 disclosure on the petition form of the use of
 8 paid persons to gather signatures; requiring
 9 submission of the text of such amendments to
 10 the Revenue Estimating Conference for
 11 determination of any fiscal impact; providing
 12 for affixing of fiscal impact statements to the
 13 text of such amendments prior to their
 14 circulation for signatures; providing a
 15 deadline for sponsors to submit signed and
 16 dated forms to the supervisors of elections;
 17 providing a deadline for supervisors of
 18 elections to certify signatures to the
 19 Secretary of State; providing rulemaking
 20 authority; providing an effective date.

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

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 24 Section 1. Section 100.371, Florida Statutes, is
 25 amended to read:

26 100.371 Initiatives; procedure for placement on
 27 ballot.--

28 (1) Constitutional amendments proposed by initiative
 29 shall be placed on the ballot for the general election
 30 occurring in excess of 90 days from the certification of
 31 ballot position by the Secretary of State.

1 (2) Such certification shall be issued when the
2 Secretary of State has received verification certificates from
3 the supervisors of elections indicating that the requisite
4 number and distribution of valid signatures of electors have
5 been submitted to and verified by the supervisors. Every
6 signature shall be dated when made and shall be valid for a
7 period of 18 months ~~4 years~~ following the such date of
8 certification of the signature to the Secretary of State,
9 provided all other requirements of law are satisfied ~~complied~~
10 ~~with~~.

11 (3) The sponsor of an initiative amendment shall,
12 prior to obtaining any signatures, register as a political
13 committee pursuant to s. 106.03 and submit the text of the
14 proposed amendment to the Secretary of State, with the form on
15 which the signatures will be affixed, and shall obtain the
16 approval of the Secretary of State of such form. The
17 Secretary of State shall adopt ~~promulgate~~ rules pursuant to
18 ss. 120.536(1) and s.120.54 prescribing the style and
19 requirements of such form, including a requirement that the
20 sponsor of the amendment indicate on the form if a person is
21 or will be paid to gather signatures.

22 (4) The sponsor shall, prior to obtaining any
23 signatures, submit the initiative amendment to the Revenue
24 Estimating Conference for the purpose of determining its
25 estimated impact on state and local revenues and expenditures,
26 if any. The Revenue Estimating Conference shall affix a
27 fiscal impact statement to the text that will be circulated to
28 obtain signatures. The Secretary of State shall adopt rules
29 pursuant to ss. 120.536(1) and 120.54 prescribing the style
30 and requirements of such fiscal impact statement.
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1 (5)~~(4)~~ The sponsor shall, within 60 days after the
2 date of signing, submit signed and dated forms to the
3 appropriate supervisor of elections for verification as to the
4 number of registered electors whose valid signatures appear
5 thereon. The supervisor shall promptly verify the signatures
6 upon payment of the fee required by s. 99.097. Upon
7 completion of verification, the supervisor shall execute a
8 certificate indicating the total number of signatures checked,
9 the number of signatures verified as valid and as being of
10 registered electors, and the distribution by congressional
11 district. This certificate shall be ~~immediately~~
12 to the Secretary of State within 90 days after the
13 supervisor's receipt of the signature forms. The supervisor
14 shall retain the signature forms for at least 1 year following
15 the election in which the issue appeared on the ballot or
16 until 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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