

By Representative Goodlette

1 A bill to be entitled
 2 An act relating to constitutional amendments
 3 proposed by initiative; amending ss. 100.371
 4 and 101.161, F.S.; requiring the Revenue
 5 Estimating Conference to provide an analysis of
 6 the estimated fiscal impact to state or local
 7 governments resulting from any constitutional
 8 amendment proposed by initiative; authorizing
 9 the Revenue Estimating Conference to solicit
 10 information regarding a proposed initiative
 11 amendment; providing for a decision in the
 12 event of a tie vote among members of the
 13 Revenue Estimating Conference; requiring that a
 14 summary analysis of the estimated fiscal impact
 15 be included on the ballot following the ballot
 16 title and substance of the initiative;
 17 providing for construction of the act in pari
 18 materia with laws enacted during the Regular
 19 Session of the Legislature; providing an
 20 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. Present subsection (6) of section 100.371,
 25 Florida Statutes, is renumbered as subsection (7) and amended,
 26 and a new subsection (6) is added to said section, to read:

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

29 (6) Within 45 days after approval of the proposed
 30 ballot language by the Supreme Court pursuant to s. 3(b)(10),
 31 Art. V of the State Constitution or, for any initiative

1 approved for the general election ballot for 2002, within 45
2 days after this act becoming a law, whichever occurs later,
3 the Revenue Estimating Conference shall provide an analysis
4 and summary analysis of the estimated fiscal impact of the
5 proposed initiative. For purposes of this subsection,
6 "estimated fiscal impact" means the estimated increase or
7 decrease in any revenues or costs to the state or local
8 governments resulting from the proposed initiative. The
9 Revenue Estimating Conference shall solicit information from
10 any proponents or opponents of the initiative and may solicit
11 information or analysis from any other entities or agencies,
12 including the Office of Economic and Demographic Research. The
13 members of the Revenue Estimating Conference shall reach a
14 consensus or majority concurrence on the estimated fiscal
15 impact of the initiative. If the Revenue Estimating Conference
16 does not reach consensus and a tie vote exists, the tie shall
17 be decided in favor of the estimate of the Governor's designee
18 to the Revenue Estimating Conference. A summary analysis of
19 the estimated fiscal impact must be included on the ballot
20 following the ballot title and substance as required in s.
21 101.161(1).

22 (7)(6) The Department of State may adopt ~~shall have~~
23 ~~the authority to promulgate~~ rules in accordance with s. 120.54
24 to carry out the provisions of subsections (1)-(5) of this
25 section.

26 Section 2. Subsection (1) of section 101.161, Florida
27 Statutes, is amended to read:

28 101.161 Referenda; ballots.--

29 (1) Whenever a constitutional amendment or other
30 public measure is submitted to the vote of the people, the
31 substance of such amendment or other public measure shall be

1 printed in clear and unambiguous language on the ballot after
2 the list of candidates, followed by the word "yes" and also by
3 the word "no," and shall be styled in such a manner that a
4 "yes" vote will indicate approval of the proposal and a "no"
5 vote will indicate rejection. The wording of the substance of
6 the amendment or other public measure and the ballot title to
7 appear on the ballot shall be embodied in the joint
8 resolution, constitutional revision commission proposal,
9 constitutional convention proposal, taxation and budget reform
10 commission proposal, or enabling resolution or ordinance.
11 Except for amendments and ballot language proposed by joint
12 resolution, the substance of the amendment or other public
13 measure shall be an explanatory statement, not exceeding 75
14 words in length, of the chief purpose of the measure. The
15 ballot title shall consist of a caption, not exceeding 15
16 words in length, by which the measure is commonly referred to
17 or spoken of. A summary analysis of the estimated fiscal
18 impact of each constitutional amendment proposed by
19 initiative, provided in accordance with s. 100.371(6) and not
20 exceeding 30 words in length, shall be included on the ballot
21 following the ballot title and substance.

22 Section 3. If any law that is amended by this act was
23 also amended by a law enacted at the 2002 Regular Session of
24 the Legislature, such laws shall be construed as if they had
25 been enacted at the same session of the Legislature, and full
26 effect should be given to each if that is possible.

27 Section 4. This act shall take effect upon becoming a
28 law.

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HOUSE SUMMARY

Requires the Revenue Estimating Conference to estimate the fiscal impact of constitutional amendments proposed by initiative. Requires that a summary analysis of the estimated fiscal impact be included on the ballot following the ballot title and substance of the initiative. See bill for details.