

By Senator Pruitt

313-2402-02

1 A bill to be entitled

2 An act relating to constitutional amendments

3 proposed by initiative; amending ss. 100.371,

4 101.161, F.S.; requiring that the Revenue

5 Estimating Conference provide an analysis of

6 the fiscal impact to state or local governments

7 resulting from any constitutional amendment

8 proposed by initiative; authorizing the Revenue

9 Estimating Conference to solicit information

10 regarding a proposed initiative amendment;

11 providing for a decision in the event of a tie

12 vote among members of the Revenue Estimating

13 Conference; requiring that a summary of the

14 estimated fiscal impact be included within the

15 ballot summary of the initiative; providing for

16 construction of the act in pari materia with

17 laws enacted during the Regular Session of the

18 Legislature; providing an effective date.

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

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22 Section 1. Present subsection (6) of section 100.371,

23 Florida Statutes, is redesignated as subsection (7) and

24 amended, and a new subsection (6) is added to that section, to

25 read:

26 100.371 Initiatives; procedure for placement on

27 ballot.--

28 (6) Within 45 days after approval of the proposed

29 ballot language by the Supreme Court pursuant to s. 3(b)(10),

30 Art. V of the State Constitution or, for any initiative

31 approved for the general election ballot for 2002, within 45

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

18 (7)(6) The Department of State may adopt ~~shall have~~
19 ~~the authority to promulgate~~ rules in accordance with s. 120.54
20 to carry out the provisions of subsections (1)-(5) of this
21 section.

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

24 101.161 Referenda; ballots.--

25 (1) Whenever a constitutional amendment or other
26 public measure is submitted to the vote of the people, the
27 substance of such amendment or other public measure shall be
28 printed in clear and unambiguous language on the ballot after
29 the list of candidates, followed by the word "yes" and also by
30 the word "no," and shall be styled in such a manner that a
31 "yes" vote will indicate approval of the proposal and a "no"

1 vote will indicate rejection. The wording of the substance of
2 the amendment or other public measure and the ballot title to
3 appear on the ballot shall be embodied in the joint
4 resolution, constitutional revision commission proposal,
5 constitutional convention proposal, taxation and budget reform
6 commission proposal, or enabling resolution or ordinance.
7 Except for amendments and ballot language proposed by joint
8 resolution, the substance of the amendment or other public
9 measure shall be an explanatory statement, not exceeding 75
10 words in length, of the chief purpose of the measure, plus a
11 separate summary of the fiscal impact of the measure prepared
12 by the Revenue Estimating Conference, not exceeding 30 words
13 in length, in accordance with s. 100.371(6). The ballot title
14 shall consist of a caption, not exceeding 15 words in length,
15 by which the measure is commonly referred to or spoken of.

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

21 Section 4. This act shall take effect upon becoming a
22 law.

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25 SENATE SUMMARY

26 Requires the Revenue Estimating Conference to estimate
27 the fiscal impact of constitutional amendments proposed
28 by initiative. Requires that a summary of the estimated
29 fiscal impact be included within the ballot summary of
30 the initiative. (See bill for details.)
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