



HJR 0437

2003

House Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution to make optional the implementation by the Legislature of constitutional amendments proposed by initiative, including those which were previously adopted, which require an increase in taxes or which the Legislature determines would adversely affect other state priorities.

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

That the amendment to Section 3 of Article XI of the State Constitution set forth below is agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November 2004:

ARTICLE XI

AMENDMENTS

SECTION 3. Initiative.--The power to propose the revision or amendment of any portion or portions of this constitution by initiative is reserved to the people, provided that, any such revision or amendment, except for those limiting the power of government to raise revenue, shall embrace but one subject and matter directly connected therewith. It may be invoked by filing with the custodian of state records a petition containing a copy of the proposed revision or amendment, signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to eight percent of the votes cast in each of such districts respectively and in the state as a whole in the last preceding election in which presidential electors were chosen. Amendments adopted, or which



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31 have previously been adopted, pursuant to this section must be
32 implemented by the Legislature only to the extent the amendment
33 does not require the imposition of taxes and the Legislature
34 determines that the implementation will not adversely affect
35 other state priorities. Nothing herein shall be interpreted as
36 prohibiting the Legislature from implementing such amendments or
37 portions thereof.

38 BE IT FURTHER RESOLVED that the title and substance of the
39 amendment proposed herein shall appear on the ballot as follows:

40 BALANCING FISCAL PRIORITIES

41 Proposes an amendment to Section 3 of Article XI of the
42 State Constitution to provide that the Legislature shall only be
43 required to implement a constitutional amendment proposed by
44 initiative or to continue to implement a constitutional
45 amendment previously adopted through the initiative process if
46 the amendment does not require an increase in taxes and the
47 Legislature determines that implementation will not adversely
48 affect the implementation of other state priorities.