

HJR 1949

2004

House Joint Resolution

A joint resolution proposing an amendment to Section 5 of Article XI of the State Constitution to require a supermajority vote to pass an amendment to or revision of the State Constitution proposed by initiative.

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

That the amendment to Section 5 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 5. Amendment or revision election.--

(a) A proposed amendment to or revision of this constitution, or any part of it, shall be submitted to the electors at the next general election held more than ninety days after the joint resolution, initiative petition or report of revision commission, constitutional convention or taxation and budget reform commission proposing it is filed with the custodian of state records, unless, pursuant to law enacted by the affirmative vote of three-fourths of the membership of each house of the legislature and limited to a single amendment or revision, it is submitted at an earlier special election held more than ninety days after such filing.

(b) The legislature shall provide by general law, prior to the holding of an election pursuant to this section, for the provision of a statement to the public regarding the probable

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30 financial impact of any amendment proposed by initiative  
 31 pursuant to section 3.

32 (c) Once in the tenth week, and once in the sixth week  
 33 immediately preceding the week in which the election is held,  
 34 the proposed amendment or revision, with notice of the date of  
 35 election at which it will be submitted to the electors, shall be  
 36 published in one newspaper of general circulation in each county  
 37 in which a newspaper is published.

38 (d) If the proposed amendment or revision is approved by  
 39 vote of the electors, it shall be effective as an amendment to  
 40 or revision of the constitution of the state on the first  
 41 Tuesday after the first Monday in January following the  
 42 election, or on such other date as may be specified in the  
 43 amendment or revision. For purposes of this subsection, an  
 44 amendment or revision proposed by initiative pursuant to section  
 45 3 must be approved by vote of at least three-fifths of the  
 46 electors voting on the proposal.

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

49 SUPERMAJORITY TO AMEND STATE CONSTITUTION BY INITIATIVE

50 Proposes an amendment to Section 5 of Article XI of the  
 51 State Constitution to require the approval of at least three-  
 52 fifths of the voters voting on the proposal to adopt an  
 53 amendment to or revision of the State Constitution proposed by  
 54 initiative.