

HJR 1951

2004

House Joint Resolution

A joint resolution proposing an amendment to Section 3 of Article XI of the State Constitution to limit the subject matter of revisions and amendments to the State Constitution proposed by initiative.

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.--

(a) 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.

(b) The subject matter of a revision or amendment to this constitution proposed by initiative may not have as its purpose

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31 any purpose that may be accomplished by general law. For
 32 purposes of this subsection, a purpose that may not be
 33 accomplished by general law includes, but is not limited to, a
 34 purpose to increase or decrease constitutional limits on
 35 governmental power. For purposes of this subsection, a purpose
 36 that may be accomplished by general law includes, but is not
 37 limited to, a purpose to direct the exercise of existing
 38 governmental power.

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

41 LIMITING SUBJECT MATTER OF INITIATIVE PROPOSALS

42 Proposes an amendment to Section 3 of Article XI of the
 43 State Constitution to limit the subject matter of constitutional
 44 revisions and amendments proposed by initiative; provides that
 45 the subject matter of such a revision or amendment may not have
 46 as its purpose any purpose that may be accomplished by general
 47 law; provides that a purpose that may not be accomplished by
 48 general law includes, but is not limited to, a purpose to
 49 increase or decrease constitutional limits on governmental
 50 power; provides that a purpose that may be accomplished by
 51 general law includes, but is not limited to, a purpose to direct
 52 the exercise of existing governmental power.