

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Pickens offered the following:

2  
3 **Amendment (with title amendment)**

4 Remove everything after the resolving clause and insert:

5 That the creation of Section 8 of Article XI and Section 26  
6 of Article XII of the State Constitution set forth below are  
7 agreed to and shall be submitted to the electors of Florida for  
8 approval or rejection at the general election to be held in  
9 November 2004:

10 ARTICLE XI

11 AMENDMENTS

12 SECTION 8. Amendments requiring government spending or  
13 imposing costs on taxpayers.--Each amendment or revision  
14 proposed to this constitution that requires spending by  
15 government greater than \$10 million in any state fiscal year, or  
16 that imposes costs on taxpayers greater than \$10 million in any

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17 state fiscal year, must be approved by two-thirds of the voters  
18 voting on the proposed amendment or revision. Spending by  
19 government shall include spending by state government or its  
20 subdivisions, spending by any local government or municipality,  
21 or any combination thereof. Costs on taxpayers shall include any  
22 limitation on the ability to earn or receive income, any  
23 increased expense, any decrease in present or future property  
24 value, any cost of regulatory compliance, or any combination  
25 thereof. However, costs on taxpayers shall not include decreases  
26 in spending by government or changes in eligibility for  
27 benefits, incentives, or preferences that are mandated or  
28 offered by government. The specified amount shall be \$10 million  
29 in any state fiscal year. The spending required and costs  
30 imposed by proposed amendments or revisions shall be determined  
31 in a manner provided by general law and shall include the total  
32 of all spending required and all costs imposed by the  
33 implementation of each proposed amendment or revision. The term  
34 "taxpayers" includes any natural person or legal entity subject  
35 to any federal, state, or local tax authorized by law.

36 ARTICLE XII

37 SCHEDULE

38 SECTION 26. Approval of constitutional amendments and  
39 revisions imposing spending or costs.--The creation of Section 8  
40 of Article XI requiring a vote of at least two-thirds of the  
41 electors voting on the measure for the approval of a proposed  
42 amendment or revision imposing spending by government or  
43 imposing costs on taxpayers in excess of \$10 million shall not  
44 apply to any measure, however proposed, which is filed with the

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45 custodian of state records prior to the 181st day after the  
46 effective date of initial legislation providing the manner of  
47 determining the spending required or costs imposed.

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

50 2/3 VOTE REQUIRED FOR CONSTITUTIONAL  
51 AMENDMENTS THAT INCREASE SPENDING OR IMPOSE  
52 TAXPAYER COSTS

53 Proposes the creation of Section 8 of Article XI of the  
54 State Constitution to increase from a majority to two-thirds the  
55 vote required to adopt any amendment to the constitution that  
56 would require spending by government greater than \$10 million in  
57 any state fiscal year or that would impose costs on taxpayers  
58 greater than such amount. Spending by government would include  
59 spending by state government or its subdivisions, any local  
60 government or municipality, or any combination thereof. Costs on  
61 taxpayers would include any limitation on the ability to earn or  
62 receive income, any increased expense, any decrease in present  
63 or future property value, any cost of regulatory compliance, or  
64 any combination thereof. Costs on taxpayers would not include  
65 decreases in spending by government or changes in eligibility  
66 for benefits, incentives, or preferences that are mandated or  
67 offered by government. The spending required and costs imposed  
68 by proposed amendments or revisions would be determined in a  
69 manner provided by general law and would include the total of  
70 all spending required and costs imposed by the implementation of  
71 each proposed amendment or revision. The term "taxpayers" would  
72 include any natural person or legal entity subject to any

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73 federal, state, or local tax authorized by law. The measure is  
74 not applicable to any amendment or revision filed prior to the  
75 181st day after the effective date of legislation required by  
76 the amendment to provide the manner of determining the spending  
77 required or costs imposed.

78

79 ===== T I T L E A M E N D M E N T =====

80 Remove the entire title and insert:

81 House Joint Resolution

82 A joint resolution proposing the creation of Section 8 of  
83 Article XI and Section 26 of Article XII of the State  
84 Constitution to impose additional requirements on proposed  
85 constitutional amendments that require state spending  
86 above a specified amount.