

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Ritter offered the following:

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3 **Amendment (with title amendment)**

4 Remove everything after the resolving clause and insert:

5 That the amendments to Sections 3 and 5 of Article XI of
6 the State Constitution set forth below are agreed to and shall
7 be submitted to the electors of Florida for approval or
8 rejection at the general election to be held in November 2004:

9 ARTICLE XI

10 AMENDMENTS

11 SECTION 3. Initiative.--

12 (a) The power to propose the revision or amendment of any
13 portion or portions of this constitution or to propose
14 legislation by initiative is reserved to the people, provided
15 that, any such revision or amendment or legislation, except for

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16 those limiting the power of government to raise revenue, shall
17 embrace but one subject and matter directly connected therewith.

18 (b) The power to propose the revision or amendment of this
19 constitution by initiative ~~It~~ may be invoked by filing with the
20 custodian of state records a petition containing a copy of the
21 proposed revision or amendment, signed by a number of electors
22 in each of one half of the congressional districts of the state,
23 and of the state as a whole, equal to eight percent of the votes
24 cast in each of such districts respectively and in the state as
25 a whole in the last preceding election in which presidential
26 electors were chosen.

27 (c) The power to propose legislation by initiative may be
28 invoked by filing with the custodian of state records a petition
29 containing a copy of the proposed legislation, signed by a
30 number of electors in each of one half of the congressional
31 districts of the state, and of the state as a whole, equal to
32 four percent of the votes cast in each of such districts
33 respectively and in the state as a whole in the last preceding
34 election in which presidential electors were chosen.

35 SECTION 5. Amendment or revision election.--

36 (a) A proposed amendment to or revision of this
37 constitution, or any part of it, or any legislation proposed by
38 initiative shall be submitted to the electors at the next
39 general election held more than ninety days after the joint
40 resolution, initiative petition or report of revision
41 commission, constitutional convention or taxation and budget
42 reform commission proposing it is filed with the custodian of
43 state records, unless, pursuant to law enacted by the

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44 affirmative vote of three-fourths of the membership of each
45 house of the legislature and limited to a single amendment or
46 revision, it is submitted at an earlier special election held
47 more than ninety days after such filing.

48 (b) The legislature shall provide by general law, prior to
49 the holding of an election pursuant to this section, for the
50 provision of a statement to the public regarding the probable
51 financial impact of any amendment or legislation proposed by
52 initiative pursuant to section 3.

53 (c) Once in the tenth week, and once in the sixth week
54 immediately preceding the week in which the election is held,
55 the proposed amendment or revision or the proposed legislation,
56 with notice of the date of election at which it will be
57 submitted to the electors, shall be published in one newspaper
58 of general circulation in each county in which a newspaper is
59 published.

60 (d) If the proposed amendment or revision or the proposed
61 legislation is approved by vote of the electors, it shall be
62 effective as an amendment to or revision of the constitution of
63 the state or as part of the Florida Statutes on the first
64 Tuesday after the first Monday in January following the
65 election, or on such other date as may be specified in the
66 amendment or revision or legislation.

67 (e) Legislation approved by the voters under this section
68 may not be amended or repealed by the legislature unless three-
69 fourths of the membership of each house votes for such amendment
70 or repeal.

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

73 PROPOSAL OF LEGISLATION BY INITIATIVE

74 Proposes amendments to Sections 3 and 5 of Article XI of
75 the State Constitution to provide a right of the people to
76 propose legislation by initiative; provides for invoking such
77 power by filing with the custodian of state records a petition
78 containing a copy of the proposed legislation, signed by a
79 number of electors in each of one-half of the congressional
80 districts of the state, and of the state as a whole, equal to
81 four percent of the votes cast in each of such districts
82 respectively and in the state as a whole in the last preceding
83 election in which presidential electors were chosen; provides
84 for submission of such proposal to the electors at the next
85 general election held more than ninety days after the initiative
86 petition proposing it is filed with the custodian of state
87 records; requires a financial impact statement; requires
88 publication in the tenth and sixth weeks immediately preceding
89 the week in which the election is held; provides for taking
90 effect on the first Tuesday after the first Monday in January
91 following the election or on such other date as may be specified
92 therein; and prohibits the Legislature from amending or
93 repealing it except by a vote of three-fourths of the membership
94 of each house.

95
96 ===== T I T L E A M E N D M E N T =====

97 Remove the entire title and insert:
98 Senate Joint Resolution No. 2392

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99 | A joint resolution proposing amendments to Sections 3 and
100 | 5 of Article XI of the State Constitution to provide the
101 | people the right to propose legislation by initiative.