

By the Committee on Judiciary; and Senators Atwater and Smith

308-2182-04

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Senate Joint Resolution No. 2392

A joint resolution proposing an amendment to Section 5 of Article XI and creating Section 26 of Article XII of the State Constitution; requiring that a proposed amendment to or revision of the State Constitution be approved by at least a three-fifths vote of the electors of the state voting on the measure; providing for the requirement to apply only to amendments or revisions filed with the Secretary of State after a specified date.

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

That the following amendment to Section 5 of Article XI and the following creation of Section 26 of Article XII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

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

1 each house of the legislature and limited to a single
2 amendment or revision, it is submitted at an earlier special
3 election held more than ninety days after such filing.

4 (b) The legislature shall provide by general law,
5 prior to the holding of an election pursuant to this section,
6 for the provision of a statement to the public regarding the
7 probable financial impact of any amendment proposed by
8 initiative pursuant to section 3.

9 (c) Once in the tenth week, and once in the sixth week
10 immediately preceding the week in which the election is held,
11 the proposed amendment or revision, with notice of the date of
12 election at which it will be submitted to the electors, shall
13 be published in one newspaper of general circulation in each
14 county in which a newspaper is published.

15 (d) If the proposed amendment or revision is approved
16 by vote of at least three-fifths of the electors voting on the
17 measure, it shall be effective as an amendment to or revision
18 of the constitution of the state on the first Tuesday after
19 the first Monday in January following the election, or on such
20 other date as may be specified in the amendment or revision.

21 ARTICLE XII

22 SCHEDULE

23 SECTION 26. APPROVAL OF CONSTITUTIONAL AMENDMENTS AND
24 REVISIONS.--The amendment to Section 5 of Article XI,
25 requiring a vote of at least three-fifths of the electors
26 voting on the measure for the approval of a proposed amendment
27 to or revision of this constitution, shall take effect upon
28 approval by the electors and shall apply only to a proposed
29 amendment or revision, however proposed, which is filed with
30 the custodian of state records after 12 p.m. on July 16, 2004.

31

1 BE IT FURTHER RESOLVED that the following statement be
2 placed on the ballot:

3 CONSTITUTIONAL AMENDMENT

4 ARTICLE XI, SECTION 5

5 ARTICLE XII, SECTION 26

6 APPROVAL OF CONSTITUTIONAL AMENDMENTS OR
7 REVISIONS.--Proposing an amendment to the State Constitution
8 to require that, effective for any proposed constitutional
9 amendment or revision filed with the Secretary of State after
10 12 p.m. on July 16, 2004, the amendment or revision must be
11 approved by at least three-fifths of the electors of the state
12 voting on the measure rather than by a simple majority.

13
14 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
15 COMMITTEE SUBSTITUTE FOR
16 Senate Joint Resolution 2392

17 - The Committee Substitute for Senate Joint Resolution 2392
18 changes the underlying joint resolution by providing that
19 the three-fifths voting requirement for the adoption of a
20 constitutional amendment will apply to a proposed
21 amendment or revision filed with the custodian of state
22 records after 12 p.m. July 16, 2004, instead of June 1,
23 2004.
24
25
26
27
28
29
30
31