

By Senators Atwater and Smith

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Senate Joint Resolution No. ____

A joint resolution proposing amendments to Section 10 of Article IV and Section 5 of Article XI of the State Constitution; revising the deadline for filing a constitutional amendment proposed by initiative with the Secretary of State for purposes of placing the proposed amendment on the general election ballot; revising the timeframe for the Supreme Court to render an advisory opinion on the validity of an initiative petition.

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

That the following amendments to Section 10 of Article IV and Section 5 of Article XI of the State Constitution are 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 IV

EXECUTIVE

SECTION 10. Attorney General.--The attorney general shall, as directed by general law, request the opinion of the justices of the supreme court as to the validity of any initiative petition circulated pursuant to Section 3 of Article XI. The justices shall, subject to their rules of procedure, permit interested persons to be heard on the questions presented and shall render their written opinion no later than April 1 of the year in which the initiative is to

1 be submitted to the voters pursuant to Section 5 of Article XI
2 expeditiously.

3 ARTICLE XI

4 AMENDMENTS

5 SECTION 5. Amendment or revision election.--

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

17 (b) A proposed amendment or revision of this
18 constitution, or any part of it, by initiative shall be
19 submitted to the electors at the general election provided the
20 initiative petition is filed with the custodian of state
21 records no later than February 1 of the year in which the
22 general election is held.

23 ~~(c)~~ (b) The legislature shall provide by general law,
24 prior to the holding of an election pursuant to this section,
25 for the provision of a statement to the public regarding the
26 probable financial impact of any amendment proposed by
27 initiative pursuant to section 3.

28 ~~(d)~~ (c) Once in the tenth week, and once in the sixth
29 week immediately preceding the week in which the election is
30 held, the proposed amendment or revision, with notice of the
31 date of election at which it will be submitted to the

1 electors, shall be published in one newspaper of general
2 circulation in each county in which a newspaper is published.

3 (e)~~(d)~~ If the proposed amendment or revision is
4 approved by vote of the electors, it shall be effective as an
5 amendment to or revision of the constitution of the state on
6 the first Tuesday after the first Monday in January following
7 the election, or on such other date as may be specified in the
8 amendment or revision.

9 BE IT FURTHER RESOLVED that the following statement be
10 placed on the ballot:

11 CONSTITUTIONAL AMENDMENTS

12 ARTICLE IV, SECTION 10

13 ARTICLE XI, SECTION 5

14 CONSTITUTIONAL AMENDMENTS PROPOSED BY

15 INITIATIVE.--Proposing amendments to the State Constitution to
16 require the sponsor of a constitutional amendment proposed by
17 citizen initiative to file the initiative petition with the
18 Secretary of State by February 1 of the year of a general
19 election in order to have the measure submitted to the
20 electors for approval or rejection at the following November's
21 general election, and to require the Florida Supreme Court to
22 render an advisory opinion addressing the validity of an
23 initiative petition by April 1 of the year in which the
24 amendment is to be submitted to the electors.

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