By the Committee on Judiciary; and Senators Atwater and Smith

308-2189-04

Senate Joint Resolution No. 2396
A joint resolution proposing an amendment to
Section 3 of Article XI of the State
Constitution, relating to the type of amendment
or revision which may be proposed by citizen
initiative.

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

That the following amendment to Section 3 of Article XI 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 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. The amendment or revision must also:
- (1) seek to alter, amend, or repeal an existing article of or amendment to this constitution;
- (2) address a basic right of a citizen of this state; or
- (3) change the basic structure of state government as established in Article II, Article III, Article IV, or Article V.

(b) The initiative power 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.

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

CONSTITUTIONAL AMENDMENT

ARTICLE XI, SECTION 3

CONSTITUTIONAL AMENDMENTS AND REVISIONS PROPOSED BY INITIATIVE.—Proposing an amendment to the State Constitution to provide that a constitutional amendment or revision proposed by citizen initiative must alter, amend, or repeal an existing article or amendment to the State Constitution; address a basic right of a citizen of this state; or change the basic structure of state government as established in Article II, Article III, Article IV, or Article V.

STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR Senate Bill 2396

- Revises language to limit amendments or revisions to those that address a basic, rather than a fundamental right.

Specifies that amendments are authorized where they change the basic structure of state government as established in certain provisions of the state constitution.