

By Senator Atwater

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Senate Joint Resolution No. ____

A joint resolution proposing amendments to Sections 3 and 5 and creating Section 8 of Article XI of the State Constitution, relating to proposed amendments to the State Constitution which impose a significant cost on state government.

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

That the following amendments to Sections 3 and 5 and the creation of Section 8 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 XI
AMENDMENTS

SECTION 3. Initiative.--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 as described in section 7 or an amendment that imposes a significant cost on state government as described in section 8, shall embrace but one subject and matter directly connected therewith. 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

1 of such districts respectively and in the state as a whole in
2 the last preceding election in which presidential electors
3 were chosen.

4 SECTION 5. Amendment or revision election.--

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

16 (b) The legislature shall provide by general law,
17 prior to the holding of an election pursuant to this section,
18 for the provision of a statement to the public regarding the
19 probable financial impact of any amendment proposed by
20 initiative pursuant to section 3.

21 (c) Once in the tenth week, and once in the sixth week
22 immediately preceding the week in which the election is held,
23 the proposed amendment or revision, with notice of the date of
24 election at which it will be submitted to the electors, shall
25 be published in one newspaper of general circulation in each
26 county in which a newspaper is published.

27 (d) If the proposed amendment or revision is approved
28 by vote of the electors or by two-thirds of the voters casting
29 ballots in that election as required by section 7 or section 8
30 if the amendment imposes a new state tax or fee, it shall be
31 effective as an amendment to or revision of the constitution

1 of the state on the first Tuesday after the first Monday in
2 January following the election, or on such other date as may
3 be specified in the amendment or revision.

4 SECTION 8. Amendment that imposes costs in excess of
5 one million dollars per fiscal year.--Each amendment proposed
6 to this constitution which imposes a cost on state government
7 greater than one million dollars per fiscal year, as estimated
8 in a manner provided by general law, shall impose new state
9 taxes or fees sufficient to fund the implementation of the
10 amendment, including the cost of imposing the new state taxes
11 or fees. The imposition of such new state taxes or fees shall
12 not be deemed a violation of the single-subject requirement of
13 section 3. Each such amendment shall be adopted only if it is
14 approved by not less than two-thirds of the voters voting in
15 the election in which the proposed amendment is considered, as
16 required by section 7. If such an amendment is approved, the
17 legislature shall appropriate only those funds generated by
18 the imposition of such new state taxes or fees. A proposed
19 amendment that imposes a cost on state government greater than
20 one million dollars per fiscal year may not provide for an
21 exemption from this section.

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

24 CONSTITUTIONAL AMENDMENT

25 ARTICLE XI, SECTIONS 3, 5, and 8

26 AMENDMENTS TO THE STATE CONSTITUTION COSTING MORE THAN
27 \$1 MILLION PER FISCAL YEAR.--Proposing amendments to the State
28 Constitution to require that, (1) if a proposed constitutional
29 amendment would impose a cost on state government which is
30 greater than \$1 million per fiscal year, as estimated in a
31 manner provided by general law, the amendment must impose new

1 state taxes or fees to fund implementation of the amendment;
2 (2) any such proposed amendment imposing new state taxes or
3 fees and increasing state spending by more than \$1 million
4 must be approved by at least two-thirds of the voters casting
5 ballots in the election in which the proposed amendment is
6 considered; and (3) any such proposed amendment may not
7 provide for an exemption from these requirements.
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