

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 2920

SPONSOR: Ethics and Elections Committee and Senator Atwater

SUBJECT: Constitutional Amendments; Initiative

DATE: April 12, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Rubinas	Rubinas	EE	Fav/CS
2.	_____	_____	GO	_____
3.	_____	_____	RC	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

Committee Substitute for Senate Bill 2920 provides that petition signatures submitted to appropriate supervisors of elections for constitutional amendments or revisions proposed by initiative must be verified for number and validity by supervisors of elections within 60 days after payment of the fee or the filing of the oath claiming an undue burden required by s. 99.097, Florida Statutes.

Committee Substitute for Senate Bill 2920 also requires the Secretary of State to hold public hearings in each Congressional district of the state on proposed amendments or revisions to the State Constitution. The public hearings must be held at least 60 days prior to the election in which the measure is to be voted upon. The bill also requires publication of notice of the public hearings in a newspaper of general circulation in the Congressional district's most populous municipality at least 14 days prior to the hearing.

This bill embodies recommendations of the Senate Select Committee on Constitutional Amendment Reform.

This act will take effect on January 1, 2005.

This bill substantially amends s. 100.371, Florida Statutes.

II. Present Situation:

Political committees sponsoring initiatives circulate petitions to obtain the signatures of registered voters that support putting their measure on the ballot. The signatures are submitted to each county's supervisor of elections, who verify the validity and registered-electors status of

each signatory. Each supervisor then certifies the number of valid signatures to the Secretary of State. Currently, after submission of signed and dated forms to the appropriate supervisors of elections and payment of the fee required by s. 99.097, F.S., the supervisors are required to “promptly” verify the signatures, but are not given a time certain for completion of the signature verification process.

At the present time there exists no coordinated state-wide public forum for the discussion of amendments or revisions to the State Constitution prior to the election at which the measures are to be voted upon.

III. Effect of Proposed Changes:

Committee Substitute for Senate Bill 2920 would provide that petition signatures submitted to the appropriate supervisor of elections for verification as to the number and validity thereof in connection with constitutional amendments or revisions proposed by initiative would have to be verified by the supervisor of elections within 60 days after the sponsor’s payment of the fee or the filing of the oath claiming an undue burden required by s. 99.097, Florida Statutes.

Committee Substitute for Senate Bill 2920 would also require the Secretary of State to hold public hearings in each Congressional district of the state on amendments or revisions to the State Constitution. The public hearings would be required to be held at least 60 days prior to the general election in which the measure is to be voted upon. The bill also requires publication of notice of the public hearings in a newspaper of general circulation in the Congressional district’s most populous municipality at least 14 days prior to the public hearing.

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IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Sponsors of amendments or revisions to the State Constitution may incur indeterminate costs associated with attending and presenting evidence or testimony at the public hearings to be scheduled by the Secretary of State in each of the current 25 Congressional districts in the state of Florida.

C. Government Sector Impact:

The Secretary of State would incur indeterminate costs associated with the scheduling and facilitating of the public hearings on amendments or revisions to the State Constitution which are to be held in each of the state's current 25 Congressional districts. There would be additional costs for the publication of the notice of the public hearings in a newspaper of general circulation in the most populous municipality in each of Florida's 25 Congressional districts which is estimated to cost approximately \$20,000.

VI. Technical Deficiencies:

None.

VII. Related Issues:

This bill embodies recommendations of the Senate Select Committee on Constitutional Amendment Reform.

VIII. Amendments:

None.