

ENROLLED
HJR 1177, Engrossed 1

2005 Legislature

House Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article VI and the creation of Section 26 of Article XII of the State Constitution relating to limitations on the number of consecutive years during which certain elected constitutional officers may hold office before being denied the right to have their names appear on the ballot.

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

That the amendment to Section 4 of Article VI and the creation of Section 26 of Article XII of the State Constitution set forth below are agreed to and shall be submitted to the electors of Florida for approval or rejection at the general election to be held in November 2006:

ARTICLE VI

SUFFRAGE AND ELECTIONS

SECTION 4. Disqualifications.--

(a) No person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability.

(b) No person may appear on the ballot for re-election to any of the following offices:

- (1) Florida representative, or
- (2) Florida senator,
- ~~(3) Florida Lieutenant governor,~~
- ~~(4) any office of the Florida cabinet,~~
- ~~(5) U.S. Representative from Florida, or~~
- ~~(6) U.S. Senator from Florida~~

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31 if, by the end of the current term of office, the person will
 32 have served (or, but for resignation, would have served) in that
 33 office for twelve ~~eight~~ consecutive years.

34 (c) No person may appear on the ballot for re-election to
 35 any office of the Florida cabinet or the office of Florida
 36 lieutenant governor if, by the end of the current term of
 37 office, the person will have served (or, but for resignation,
 38 would have served) in that office for eight consecutive years.

39 ARTICLE XII

40 SCHEDULE

41 SECTION 26.--The amendment to Section 4 of Article VI
 42 denying ballot access for re-election to any state legislator
 43 who will have served (or, but for resignation, would have
 44 served) in that office for 12 consecutive years, rather than 8
 45 consecutive years, shall take effect upon approval by the voters
 46 and shall apply only to those officers whose consecutive years
 47 in office begin in November 2006 or thereafter.

48 BE IT FURTHER RESOLVED that the title and substance of the
 49 amendment proposed herein shall appear on the ballot as follows:

50 TERM LIMITS

51 Proposes an amendment to Section 4 of Article VI and the
 52 creation of Section 26 of Article XII of the State Constitution
 53 to increase, from 8 to 12, the number of consecutive years a
 54 state legislator may serve in that office before being denied
 55 the right to have his or her name appear on the ballot for re-
 56 election to that office; applies to those officers whose
 57 consecutive years in office begin in November 2006 or
 58 thereafter; removes provisions that apply term limits by means
 59 of ballot access to members of Congress, which the United States
 60 Supreme Court has determined violate the Federal Constitution.