

By the Committee on Ethics and Elections; and Senators Wilson, Lawson and Hill

582-2157-05

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Senate Joint Resolution No. ____

A joint resolution proposing an amendment to Section 4 of Article VI of the State Constitution, relating to suffrage and elections, to provide for restoration of a felony offender's right to vote and hold office upon completion of incarceration and postconviction supervision and payment of all court-ordered restitution.

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

That the following amendment to Section 4 of Article VI 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 an earlier special election specifically authorized by law for that purpose:

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 he or she has been released from incarceration and any postconviction supervision and has paid all court-ordered restitution ~~restoration of civil rights or removal of disability. No person adjudicated in this or any other state to be mentally incompetent shall be qualified to vote or hold office until removal of disability.~~

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

- (1) Florida representative,

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

7 if, by the end of the current term of office, the person will
8 have served (or, but for resignation, would have served) in
9 that office for eight consecutive years.

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

12 CONSTITUTIONAL AMENDMENT

13 ARTICLE VI, SECTION 4

14 RIGHT TO VOTE AND HOLD OFFICE.--Proposing an amendment
15 to the State Constitution to restore a felony offender's right
16 to vote and hold office upon his or her release from
17 incarceration and postconviction supervision and payment of
18 court-ordered restitution. The amendment also deletes
19 inoperative provisions relating to term limits for members of
20 Congress and U.S. Senators, which provisions have been
21 determined by the U.S. Supreme Court to violate the U.S.
22 Constitution.
23

24 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
25 COMMITTEE SUBSTITUTE FOR
26 Senate Joint Resolution 1190

27 The Committee Substitute differs from the original in that it
28 makes the payment of court-ordered restitution a prerequisite
29 to the automatic restoration of an ex-felon's right to vote
30 and hold office.
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