

HJR 1723

2005
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CHAMBER ACTION

1 The Justice Council recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 House Joint Resolution

6 A joint resolution proposing an amendment to Section 5 of
7 Article XI of the State Constitution to require that any
8 proposed amendment to or revision of the State
9 Constitution be approved by at least 60 percent of the
10 electors voting on the measure.

11
12 Be It Resolved by the Legislature of the State of Florida:

13
14 That the amendment to Section 5 of Article XI of the State
15 Constitution set forth below is agreed to and shall be submitted
16 to the electors of Florida for approval or rejection at the
17 general election to be held in November 2006:

18 ARTICLE XI

19 AMENDMENTS

20 SECTION 5. Amendment or revision election.--

21 (a) A proposed amendment to or revision of this
22 constitution, or any part of it, shall be submitted to the
23 electors at the next general election held more than ninety days

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24 | after the joint resolution or report of revision commission,
25 | constitutional convention or taxation and budget reform
26 | commission proposing it is filed with the custodian of state
27 | records, unless, pursuant to law enacted by the affirmative vote
28 | of three-fourths of the membership of each house of the
29 | legislature and limited to a single amendment or revision, it is
30 | submitted at an earlier special election held more than ninety
31 | days after such filing.

32 | (b) A proposed amendment or revision of this constitution,
33 | or any part of it, by initiative shall be submitted to the
34 | electors at the general election provided the initiative
35 | petition is filed with the custodian of state records no later
36 | than February 1 of the year in which the general election is
37 | held.

38 | (c) The legislature shall provide by general law, prior to
39 | the holding of an election pursuant to this section, for the
40 | provision of a statement to the public regarding the probable
41 | financial impact of any amendment proposed by initiative
42 | pursuant to section 3.

43 | (d) Once in the tenth week, and once in the sixth week
44 | immediately preceding the week in which the election is held,
45 | the proposed amendment or revision, with notice of the date of
46 | election at which it will be submitted to the electors, shall be
47 | published in one newspaper of general circulation in each county
48 | in which a newspaper is published.

49 | (e) Unless otherwise specifically provided for elsewhere
50 | in this constitution, if the proposed amendment or revision is
51 | approved by vote of at least sixty percent of the electors

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52 | voting on the measure, it shall be effective as an amendment to
53 | or revision of the constitution of the state on the first
54 | Tuesday after the first Monday in January following the
55 | election, or on such other date as may be specified in the
56 | amendment or revision.

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

59 | REQUIRING BROADER PUBLIC SUPPORT FOR
60 | CONSTITUTIONAL AMENDMENTS OR REVISIONS

61 | Proposes an amendment to Section 5 of Article XI of the
62 | State Constitution to require that any proposed amendment to or
63 | revision of the State Constitution, whether proposed by the
64 | Legislature, by initiative, or by any other method, must be
65 | approved by at least 60 percent of the voters of the state
66 | voting on the measure, rather than by a simple majority.