

ENROLLED

HJR 1723, Engrossed 1

2005 Legislature

House Joint Resolution

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

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

That the amendment to Section 5 of Article XI of the State Constitution set forth below is 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 XI

AMENDMENTS

SECTION 5. Amendment or revision election.--

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

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

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

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

45 (e) Unless otherwise specifically provided for elsewhere
46 in this constitution, if the proposed amendment or revision is
47 approved by vote of at least sixty percent of the electors
48 voting on the measure, it shall be effective as an amendment to
49 or revision of the constitution of the state on the first
50 Tuesday after the first Monday in January following the
51 election, or on such other date as may be specified in the
52 amendment or revision.

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

55 REQUIRING BROADER PUBLIC SUPPORT FOR

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56 | CONSTITUTIONAL AMENDMENTS OR REVISIONS

57 | Proposes an amendment to Section 5 of Article XI of the
58 | State Constitution to require that any proposed amendment to or
59 | revision of the State Constitution, whether proposed by the
60 | Legislature, by initiative, or by any other method, must be
61 | approved by at least 60 percent of the voters of the state
62 | voting on the measure, rather than by a simple majority. This
63 | proposed amendment would not change the current requirement that
64 | a proposed constitutional amendment imposing a new state tax or
65 | fee be approved by at least 2/3 of the voters of the state
66 | voting in the election in which such an amendment is considered.