

Bill No. SB 2200

Barcode 443948

CHAMBER ACTION

Senate

House

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The Committee on Ethics and Elections (Jones) recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 1, lines 7-12, delete those lines

and insert:

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

That the amendment to Section 7 of Article XI 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 at an earlier special election specifically authorized by law for that purpose:

ARTICLE XI

AMENDMENTS

SECTION 7. Tax, or fee, or significant financial impact limitation.--Notwithstanding Article X, Section 12(d) of this constitution:7

(a) No amendment or revision to this constitution

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1 which imposes, or authorizes the imposition of, a new State  
2 tax or fee shall become effective ~~be imposed on or after~~  
3 ~~November 8, 1994 by any amendment to this constitution unless~~  
4 the proposed amendment or revision is approved by not fewer  
5 than two-thirds of the voters voting in the election in which  
6 such proposed amendment or revision is considered. For  
7 purposes of this section, the phrase "new State tax or fee"  
8 shall mean any tax or fee which would produce revenue subject  
9 to lump sum or other appropriation by the Legislature, either  
10 for the State general revenue fund or any trust fund, which  
11 tax or fee is not in effect on November 7, 1994. ~~including~~  
12 ~~without limitation such taxes and fees as are the subject of~~  
13 ~~proposed constitutional amendments appearing on the ballot on~~  
14 ~~November 8, 1994. This section shall apply to proposed~~  
15 ~~constitutional amendments relating to State taxes or fees~~  
16 ~~which appear on the November 8, 1994 ballot, or later ballots,~~  
17 ~~and~~ Any such proposed amendment or revision that ~~which~~ fails  
18 to gain the two-thirds vote required hereby shall be null,  
19 void, and without effect.

20 (b) No amendment or revision to this constitution  
21 which increases, or authorizes the increase of, an existing  
22 State tax or fee shall become effective unless the proposed  
23 amendment or revision is approved by not fewer than two-thirds  
24 of the voters voting in the election in which such proposed  
25 amendment or revision is considered. For purposes of this  
26 section, the phrase "existing State tax or fee" shall mean any  
27 tax or fee that produces revenue subject to lump sum or other  
28 appropriation by the Legislature, either for the State general  
29 revenue fund or any trust fund, which tax or fee is in effect  
30 at the time of the election at which the proposed amendment or  
31 revision is considered. Any such proposed amendment or

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1 revision that fails to gain the two-thirds vote required by  
2 this subsection shall be null, void, and without effect.

3 (c) No amendment or revision to this constitution  
4 which imposes a significant financial impact on state  
5 government shall become effective unless the proposed  
6 amendment or revision is approved by not fewer than two-thirds  
7 of voters voting in the election in which such proposed  
8 amendment or revision is considered. For purposes of this  
9 section, the phrase "significant financial impact" shall mean  
10 an amount greater than one-tenth of one percent of the total  
11 state budget for the state fiscal year ending in the year  
12 prior to the election in which such proposed amendment or  
13 revision is considered. The dollar amount for establishing a  
14 significant financial impact shall be determined pursuant to  
15 general law. Any such proposed amendment or revision that  
16 fails to gain the two-thirds vote required by this subsection  
17 shall be null, void, and without effect.

18 BALLOT STATEMENT AMENDMENT

19 BE IT FURTHER RESOLVED that the following statement be  
20 placed on the ballot:

21 CONSTITUTIONAL AMENDMENT

22 ARTICLE XI, SECTION 7

23 TAX, FEE, AND SIGNIFICANT FINANCIAL IMPACT LIMITATION

24 AMENDMENT.--Proposing amendments to the State Constitution  
25 requiring that a proposed amendment to or revision of the  
26 State Constitution which authorizes the imposition of a new  
27 state tax or fee, or increases or authorizes the increase of  
28 an existing state tax or fee, by state government must be  
29 approved by at least two-thirds of those voters voting in the  
30 election in which such amendment or revision is considered.

31 For the purposes of this amendment, "existing state tax or

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1 fee" means any tax or fee that produces revenue subject to  
2 lump-sum or other appropriation by the Legislature, either for  
3 the state general revenue fund or any trust fund, if that tax  
4 or fee is in effect at the time of the election when the  
5 proposed amendment or revision is considered. The amendment  
6 also requires that a proposed amendment to or revision of the  
7 State Constitution which imposes a significant financial  
8 impact on state government must be approved by at least  
9 two-thirds of those voters voting in the election in which  
10 such amendment or revision is considered. For the purposes of  
11 this amendment, a "significant financial impact" means any  
12 amount greater than one-tenth of one percent of the total  
13 state budget for the state fiscal year ending in the year  
14 prior to the general election in which such proposed amendment  
15 or revision is considered. Currently, such a proposal must be  
16 approved only by a simple majority of those voting on the  
17 proposal, unless it imposes a new state tax or fee. This  
18 amendment repeals obsolete language in this section of the  
19 State Constitution relating to items on the November 8, 1994,  
20 ballot.

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23 ===== T I T L E A M E N D M E N T =====

24 And the title is amended as follows:

25       On page 1, lines 1 through 5, delete those lines

26

27 and insert:

28                   Senate Joint Resolution No. 2200

29       A joint resolution proposing an amendment to

30       Section 7 of Article XI of the State

31       Constitution; requiring that a proposed

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1 amendment to or revision of the State  
2 Constitution that authorizes the imposition of  
3 a new State tax or fee by State government must  
4 be approved by at least two-thirds of those  
5 voters voting in the election in which such  
6 amendment or revision is considered; requires  
7 that a proposed amendment to or revision of the  
8 State Constitution that increases, or  
9 authorizes the increase of, an existing State  
10 tax or fee by State government must be approved  
11 by at least two-thirds of those voters voting  
12 in the election in which such amendment or  
13 revision is considered; provides the phrase  
14 "existing State tax or fee" means any tax or  
15 fee producing revenue subject to lump sum or  
16 other appropriation by the Legislature, either  
17 for the State general revenue fund or any trust  
18 fund, which tax or fee is in effect at the time  
19 of the election when the proposed amendment or  
20 revision is considered; requires that a  
21 proposed amendment to or revision of the State  
22 Constitution that imposes a significant  
23 financial impact on state government be  
24 approved by at least two-thirds of those voters  
25 voting in the election in which such amendment  
26 or revision is considered; provides the phrase  
27 "significant financial impact" means an amount  
28 greater than one-tenth of one percent of the  
29 total state budget for the state fiscal year  
30 ending in the year prior to the general  
31 election in which such proposed amendment or

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1 revision is considered; deletes obsolete  
2 language.  
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