

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 7195 PCB PBC 07-10 Special Election

SPONSOR(S): Policy & Budget Council and Sansom

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.: Policy & Budget Council	30 Y, 1 N	Diez-Arguelles	Hansen
1) _____	_____	_____	_____
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

Section 5 of Article XI of the Florida Constitution provides that proposed amendments to the constitution are to be submitted to the electors at a general election. However, pursuant to a law enacted by the affirmative vote of three-fourths of the membership of each house, the legislature may submit a proposed amendment to the voters at a special election held no sooner than ninety days after the proposed amendment is filed with the custodian of state records.

The bill provides for a special election to be held on the first Tuesday after the first Monday in November 2007 (November 6) to submit to the electors for approval or rejection House Joint Resolution 7207.

HJR 7207 provides for the ability of homeowners to transfer their Save Our Homes benefit when they establish a new homestead, under certain circumstances.

The Department of State has estimated that the statewide cost of holding a special election is \$23,112,598. The bill does not specify who will pay for the special election.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any House Principles

B. EFFECT OF PROPOSED CHANGES:

Section 5 of Article XI of the Florida Constitution provides that proposed amendments to the constitution are to be submitted to the electors at a general election. However, pursuant to a law enacted by the affirmative vote of three-fourths of the membership of each house, the legislature may submit a proposed amendment to the voters at a special election held no sooner than ninety days after the proposed amendment is filed with the custodian of state records.

The bill provides for a special election to be held on the first Tuesday after the first Monday in November 2007 to submit to the electors for approval or rejection HJR 7207.

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C. SECTION DIRECTORY:

Section 1. Provides for the special election.

Section 2. Provides for publication of notice.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

See Fiscal Comments, below.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

See Fiscal Comments, below

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None

D. FISCAL COMMENTS:

The Department of State has estimated that the statewide cost of holding a special election is \$23,112,598. The bill does not specify who will pay for the special election.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

If the counties are required to pay for a special election, the mandates provision appears to apply because the bill requires counties to spend funds: however, the bill is exempt from the mandates provision because it is an election law.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

D. STATEMENT OF THE SPONSOR

None

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES