

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 5B Special Election
SPONSOR(S): Rivera
TIED BILLS: HJR 3B **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Policy & Budget Council	32 Y, 0 N	Diez-Arguelles & Jacobik	Hansen
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 90 days after the proposed amendment is filed with the custodian of state records. The next general election is scheduled for November 4, 2008. There is a presidential preference primary scheduled for January 29, 2008.

The bill provides for a special election to be held on January 29, 2008 to submit to the electors for approval or rejection of HJR 3B.

HJR 3B increases the homestead exemption, and allows persons whose current homestead exemption plus Save-Our-Homes benefit exceeds the new homestead exemption to retain Save-Our Homes in the future.

HJR 3B provides for an exemption from ad valorem taxation for tangible personal property, provides for assessing rent-restricted affordable housing and working waterfront property by general law, authorizes the Legislature to limit ad valorem tax levies, and provides for transitional assessment of homestead properties.

The bill contains an appropriation of \$60,000 to the Department of State to implement the special election.

The bill has an effective date of upon becoming law, contingent on passage of HJR 3B or SJR 4B.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any house principles.

B. EFFECT OF PROPOSED CHANGES:

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C. SECTION DIRECTORY:

Section 1. Provides for the special election.

Section 2. Provides for publication of notice.

Section 3. Provides an appropriation of \$60,000 to the Department of State.

Section 4. Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill appropriates \$60,000 in non-recurring general revenue to the Department of State in order to advertise the special election.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

Supervisors of Elections may incur additional costs from adding one additional issue to the ballot. These costs are expected to be minimal.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill is exempt from the mandates provision because it is an elections 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