

By Senator Baker

20-01627A-10

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Senate Joint Resolution

A joint resolution proposing an amendment to Section 5 of Article VII of the State Constitution to change the vote required to amend the State Constitution to authorize or impose a personal income tax.

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

That the following amendment to Section 5 of Article VII 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 VII

FINANCE AND TAXATION

SECTION 5. Estate, inheritance and income taxes.—

(a) NATURAL PERSONS. A ~~No~~ tax upon estates or inheritances or upon the income of natural persons who are residents or citizens of the state may not ~~shall~~ be levied by the state, or under its authority, in excess of the aggregate of amounts which may be allowed to be credited upon or deducted from any similar tax levied by the United States or any state. An amendment to this constitution which has the effect of authorizing or imposing a personal income tax must be approved by a vote of at least 75 percent of the electors voting in the election.

(b) OTHERS. A ~~No~~ tax upon the income of residents and citizens other than natural persons may not ~~shall~~ be levied by the state, or under its authority, in excess of 5 percent ~~5%~~ of net income, as defined by law, or at such greater rate as is

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30 authorized by a three-fifths (3/5) vote of the membership of
31 each house of the legislature or as will provide for the state
32 the maximum amount which may be allowed to be credited against
33 income taxes levied by the United States and other states. At
34 least \$5,000 ~~There shall be exempt from taxation not less than~~
35 ~~five thousand dollars (\$5,000)~~ of the excess of net income
36 subject to tax over the maximum amount allowed to be credited
37 against income taxes levied by the United States and other
38 states shall be exempt from taxation.

39 ~~(c) EFFECTIVE DATE. This section shall become effective~~
40 ~~immediately upon approval by the electors of Florida.~~

41 BE IT FURTHER RESOLVED that the following statement be
42 placed on the ballot:

43 CONSTITUTIONAL AMENDMENT

44 ARTICLE VII, SECTION 5

45 VOTER APPROVAL REQUIRED TO AUTHORIZE OR IMPOSE A STATE
46 PERSONAL INCOME TAX.—This proposed amendment to the State
47 Constitution provides that a future amendment to the State
48 Constitution which has the effect of authorizing or imposing a
49 state personal income tax will not take effect unless the
50 amendment is approved by a vote of at least 75 percent of the
51 electors voting in the election.