



890478

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/30/2011	.	
	.	
	.	
	.	

The Committee on Rules (Flores) recommended the following:

Senate Amendment (with title amendment)

Delete lines 162 - 176

and insert:

(d) Any action for a judicial determination that the ballot title or ballot summary embodied in a joint resolution is inaccurate, misleading, or otherwise defective must be commenced within 30 days after the joint resolution is filed with the Secretary of State or at least 150 days before the election at which the amendment will appear on the ballot, whichever occurs later. The court, including any appellate court, shall accord the case priority over other pending cases and render a decision as expeditiously as possible. If the court determines that the



14 ballot title or ballot summary embodied in the joint resolution
15 is defective and further appeals are declined, abandoned, or
16 exhausted, the Attorney General shall promptly prepare a revised
17 ballot title and ballot summary to correct the deficiencies
18 identified by the court, and the Department of State shall
19 furnish a designating number and the revised ballot title and
20 ballot summary to the supervisors of elections for placement on
21 the ballot. The court shall have continuing jurisdiction to
22 correct any revisions by the Attorney General which are alleged
23 to be inaccurate, misleading, or defective. A defect in the
24 ballot title or ballot summary embodied in the joint resolution
25 is not grounds to remove the proposed amendment from the ballot.
26 ~~The ballot title shall consist of a caption, not~~

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

29 And the title is amended as follows:

30 Delete lines 25 - 33

31 and insert:

32 specifying a deadline to commence a legal challenge to
33 an amendment proposed by the Legislature to the State
34 Constitution; requiring the Attorney General to revise
35 the wording of the ballot title and ballot summary for
36 an amendment to the State Constitution proposed by the
37 Legislature if the wording is found by a court to be
38 inaccurate, misleading, or otherwise defective and the
39 decision of the court is not reversed; requiring the
40 Department of State to furnish a designating number
41 and the revised ballot title and ballot summary to the
42 supervisors of elections for placement on the ballot;



890478

43 providing that a defect in a ballot title or ballot
44 summary embodied in the joint resolution is not
45 grounds to remove the proposed amendment from the
46 ballot; making technical and grammatical changes;
47 amending s. 104.185, F.S.;