

House Joint Resolution

A joint resolution proposing the creation of Section 28 of Article I of the State Constitution to assert the sovereignty of the state and declare the right of the people of the state to refuse to comply with unconstitutional federal mandates or certain compulsory federal legislation.

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

That the following creation of Section 28 of Article I 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 I

DECLARATION OF RIGHTS

SECTION 28. Sovereignty of the state; refusal to comply with unconstitutional federal mandates or certain compulsory federal legislation.-

(a) The people of this state assert their residual and inviolable sovereignty under the Tenth Amendment to the Constitution of the United States over all powers not otherwise enumerated and granted to the Federal Government by that Constitution.

(b) The people of this state also refuse to comply with mandates issued by any branch of the Federal Government which are beyond the scope of such constitutionally delegated powers

29 and demand that the Federal Government cease and desist from
 30 issuing mandates that are beyond the scope of such powers.

31 (c) The people of this state further refuse to recognize
 32 or comply with any compulsory federal legislation that directs
 33 the state to comply or requires the state to pass specific
 34 legislation in order not to lose federal funding and demand that
 35 any such existing legislation be repealed.

36 BE IT FURTHER RESOLVED that the following statement be
 37 placed on the ballot:

38 CONSTITUTIONAL AMENDMENT

39 ARTICLE I, SECTION 28

40 SOVEREIGNTY OF THE STATE.—This proposed amendment to the
 41 State Constitution asserts the sovereignty of this state, under
 42 the Tenth Amendment to the Constitution of the United States, to
 43 all powers that are not otherwise granted to the Federal
 44 Government. It also declares the right of the people to refuse
 45 to comply with federal mandates that exceed the scope of powers
 46 constitutionally delegated to the Federal Government and demands
 47 that the Federal Government stop issuing mandates that exceed
 48 its lawful powers. The proposed amendment further provides that
 49 the people of this state may refuse to recognize or comply with
 50 federal legislation that requires compliance or the passage of
 51 state legislation to prevent the loss of federal funding and
 52 demands that such existing legislation be repealed.