

By Senator Perry

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Senate Joint Resolution

A joint resolution proposing the creation of Section 22 of Article III of the State Constitution to provide for legislative review of a judicial ruling declaring a legislative act void.

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

That the following creation of Section 22 of Article III 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 III
LEGISLATURE

SECTION 22. Legislative review of judicial ruling declaring a legislative act void.-Any law, resolution, or other legislative act declared void by the supreme court, district court of appeal, circuit court, or county court of this state may be deemed active and operational, notwithstanding the court's ruling, if agreed to by the legislature pursuant to a resolution adopted by a two-thirds vote of each house within five years after the date that the ruling becomes final. Such resolution is exempt from section 8 of this article and shall take effect immediately upon passage.

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

CONSTITUTIONAL AMENDMENT
ARTICLE III, SECTION 22

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30 LEGISLATIVE REVIEW OF JUDICIAL RULING DECLARING A
31 LEGISLATIVE ACT VOID.—Proposing an amendment to the State
32 Constitution to allow the Legislature, by a resolution adopted
33 by two-thirds vote of each house, to declare a law or other
34 legislative act active and operational after being declared void
35 by the Supreme Court or a lower state or county court if adopted
36 within 5 years after the court's ruling. The amendment provides
37 that the resolution is not subject to veto by the Governor and
38 takes effect immediately.