

By Senator Torres

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Senate Joint Resolution

A joint resolution proposing the creation of Section 22 of Article III and the amendment of Section 10 of Article IV of the State Constitution to authorize the proposal and enactment of legislation by initiative and to provide for Supreme Court review of initiative petitions proposing legislation.

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

That the following creation of Section 22 of Article III and the amendment of Section 10 of Article IV of the State Constitution are 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. Legislation by initiative.-

(a) The power to propose legislation by initiative is reserved to the people. The power may be invoked by filing with the custodian of state records a petition that contains a copy of the proposed legislation, which petition is signed by a number of electors in each of one-half of the congressional districts of the state, and of the state as a whole, equal to four percent of the votes cast in each such district, respectively, and in the state as a whole in the previous election in which presidential electors were chosen.

(b) Laws that provide for the number or assignment of

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30 judges or the jurisdiction of courts, laws that the legislature
31 is prohibited from passing or must pass by an extraordinary
32 vote, and laws that change the boundaries of any municipality,
33 county, or special, legislative, or congressional district may
34 not be proposed by initiative.

35 (c) Legislation proposed by initiative must comply with the
36 requirements of this constitution applicable to laws enacted by
37 the legislature with respect to single subject and prohibition
38 of amendment by reference. Laws that are enacted by initiative
39 shall not be subject to the veto power of the governor.

40 Notwithstanding section 7 of this article, the legislature may
41 only amend or repeal legislation approved by vote of the
42 electors under this section by a vote of four-fifths of the
43 membership of each house of the legislature within one year of
44 the effective date of such legislation or three-fifths of the
45 membership of each house of the legislature one year or later
46 after the effective date of such legislation. The enacting
47 clause of every law proposed by initiative shall read: "Be It
48 Enacted by the People of the State of Florida by Initiative:".

49 (d) Legislation proposed by initiative shall be submitted
50 to the electors at the next general election held more than
51 ninety days after the initiative petition is filed with the
52 custodian of state records. The ballot must include a statement
53 expressing the chief purpose of the proposed legislation, in
54 clear and unambiguous language not exceeding 75 words in length,
55 and a statement of the economic impact of the proposed
56 legislation. If the legislation proposed by initiative is
57 approved by a majority of the electors voting in that election,
58 it shall be effective on the first day of July after the next

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59 regular session of the legislature.

60 (e) The legislature shall establish by general law, by July
 61 1, 2019, procedures to be used in invoking and approving
 62 legislation proposed by initiative and for providing sufficient
 63 prior public notice.

64 ARTICLE IV

65 EXECUTIVE

66 SECTION 10. Attorney General.—The attorney general shall,
 67 as directed by general law, request the opinion of the justices
 68 of the supreme court as to the validity of any initiative
 69 petition proposing legislation circulated pursuant to Section 22
 70 of Article III or any initiative petition circulated pursuant to
 71 Section 3 of Article XI. The justices shall, subject to their
 72 rules of procedure, permit interested persons to be heard on the
 73 questions presented and shall render their written opinion no
 74 later than April 1 of the year in which the initiative is to be
 75 submitted to the voters pursuant to Section 5 of Article XI.

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

78 CONSTITUTIONAL AMENDMENT

79 ARTICLE III, SECTION 22

80 ARTICLE IV, SECTION 10

81 LEGISLATION BY INITIATIVE.—Proposing amendment to the State
 82 Constitution to allow the proposal of laws by initiative without
 83 legislative or gubernatorial approval; prescribe requirements
 84 for subject matter, proposal, and approval of such initiatives;
 85 require extraordinary vote of each house of Legislature to amend
 86 or repeal laws approved by voters; require Legislature to adopt
 87 procedures for initiatives; provide for Supreme Court review of

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88 initiative petitions; and require ballot statements for such
89 initiatives to include statement of economic impact.