

By Senator Berman

31-02374-19

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Senate Joint Resolution

A joint resolution proposing the creation of Section 22 of Article III and Section 40 of Article XII of the State Constitution to require a supermajority vote of each house of the Legislature to enact a general law preempting a subject of legislation to the state.

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

That the following creation of Section 22 of Article III and Section 40 of Article XII 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. Preemption to the state.—The legislature may not, except by a general law passed by a two-thirds vote of each house, preempt to the state a field of regulation or other subject of legislation not preempted to it by this Constitution.

ARTICLE XII

SCHEDULE

SECTION 40. Preemption to the state.—This section and section 22 of Article III, which requires approval by a supermajority vote by each house of the legislature for a general law that preempts a subject of legislation to the state, shall take effect January 1, 2021.

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

CONSTITUTIONAL AMENDMENT

ARTICLE III, SECTION 22

ARTICLE XII, SECTION 40

LEGISLATIVE PREEMPTION.—Proposing an amendment to the State Constitution, to take effect January 1, 2021, to prohibit the Legislature from preempting to the state any subject of legislation unless approved by a two-thirds vote of each house.