

House Joint Resolution

A joint resolution proposing amendments to Section 5 of Article II and Section 5 of Article XI and the repeal of Section 2 of Article XI of the State Constitution which provides for the establishment, membership selection and composition, and duties of the Constitution Revision Commission.

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

That the following amendments to Section 5 of Article II and Section 5 of Article XI and the repeal of Section 2 of Article XI 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 II

GENERAL PROVISIONS

SECTION 5. Public officers.—

(a) No person holding any office of emolument under any foreign government, or civil office of emolument under the United States or any other state, shall hold any office of honor or of emolument under the government of this state. No person shall hold at the same time more than one office under the government of the state and the counties and municipalities

26 | therein, except that a notary public or military officer may  
 27 | hold another office, and any officer may be a member of a  
 28 | ~~constitution revision commission,~~ taxation and budget reform  
 29 | commission, constitutional convention, or statutory body having  
 30 | only advisory powers.

31 | (b) Each state and county officer, before entering upon  
 32 | the duties of the office, shall give bond as required by law,  
 33 | and shall swear or affirm:

34 | "I do solemnly swear (or affirm) that I will support,  
 35 | protect, and defend the Constitution and Government of the  
 36 | United States and of the State of Florida; that I am duly  
 37 | qualified to hold office under the Constitution of the state;  
 38 | and that I will well and faithfully perform the duties of  
 39 | ... (title of office) ... on which I am now about to enter. So  
 40 | help me God.",

41 | and thereafter shall devote personal attention to the duties of  
 42 | the office, and continue in office until a successor qualifies.

43 | (c) The powers, duties, compensation and method of payment  
 44 | of state and county officers shall be fixed by law.

45 | ARTICLE XI

46 | AMENDMENTS

47 | SECTION 5. Amendment or revision election.—

48 | (a) A proposed amendment to or revision of this  
 49 | constitution, or any part of it, shall be submitted to the  
 50 | electors at the next general election held more than ninety days

51 after either the effective date of the joint resolution  
52 proposing it or the date the report of revision commission,  
53 constitutional convention or taxation and budget reform  
54 commission proposal ~~proposing it~~ is filed with the custodian of  
55 state records, unless, pursuant to law enacted by the  
56 affirmative vote of three-fourths of the membership of each  
57 house of the legislature and limited to a single amendment or  
58 revision, it is submitted at an earlier special election held  
59 more than ninety days after such filing.

60 (b) A proposed amendment or revision of this constitution,  
61 or any part of it, by initiative shall be submitted to the  
62 electors at the general election provided the initiative  
63 petition is filed with the custodian of state records no later  
64 than February 1 of the year in which the general election is  
65 held.

66 (c) The legislature shall provide by general law, prior to  
67 the holding of an election pursuant to this section, for the  
68 provision of a statement to the public regarding the probable  
69 financial impact of any amendment proposed by initiative  
70 pursuant to section 3.

71 (d) Once in the tenth week, and once in the sixth week  
72 immediately preceding the week in which the election is held,  
73 the proposed amendment or revision, with notice of the date of  
74 election at which it will be submitted to the electors, shall be  
75 published in one newspaper of general circulation in each county

76 | in which a newspaper is published.

77 |       (e) Unless otherwise specifically provided for elsewhere  
 78 | in this constitution, if the proposed amendment or revision is  
 79 | approved by vote of at least sixty percent of the electors  
 80 | voting on the measure, it shall be effective as an amendment to  
 81 | or revision of the constitution of the state on the first  
 82 | Tuesday after the first Monday in January following the  
 83 | election, or on such other date as may be specified in the  
 84 | amendment or revision.

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

87 |                               CONSTITUTIONAL AMENDMENTS

88 |                               ARTICLE II, SECTION 5

89 |                               ARTICLE XI, SECTION 2

90 |                               ARTICLE XI, SECTION 5

91 |       REPEAL OF THE CONSTITUTION REVISION COMMISSION.—Proposing  
 92 | amendments to the State Constitution to repeal the  
 93 | establishment, membership selection and composition, and duties  
 94 | of the constitution revision commission.