

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

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

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

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

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

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

86 CONSTITUTIONAL AMENDMENTS

87 ARTICLE II, SECTION 5

88 ARTICLE XI, SECTION 2

89 ARTICLE XI, SECTION 5

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