

By Senator Brandes

24-00636-19

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Senate 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 to abolish 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 therein, except that a notary public or military officer may hold another office, and any officer may be a member of the a ~~constitution revision commission,~~ taxation and budget reform commission, a constitutional convention, or a statutory body having only advisory powers.

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

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

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

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

#### 46 ARTICLE XI

#### 47 AMENDMENTS

#### 48 SECTION 5. Amendment or revision election.-

49 (a) A proposed amendment to or revision of this  
 50 constitution, or any part of it, shall be submitted to the  
 51 electors at the next general election held more than ninety days  
 52 after the joint resolution or report of a ~~revision commission,~~  
 53 constitutional convention or the taxation and budget reform  
 54 commission proposing it is filed with the custodian of state  
 55 records, unless, pursuant to law enacted by the affirmative vote  
 56 of three-fourths of the membership of each house of the  
 57 legislature and limited to a single amendment or revision, it is  
 58 submitted at an earlier special election held more than ninety

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59 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 in  
78 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 AMENDMENT

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88                                   ARTICLE II, SECTION 5  
89                                   ARTICLE XI, SECTIONS 2 AND 5  
90            ABOLISHING THE CONSTITUTION REVISION COMMISSION.—Proposing  
91 an amendment to the State Constitution to abolish the  
92 Constitution Revision Commission, which meets at 20-year  
93 intervals and is scheduled to next convene in 2037, as a method  
94 of submitting proposed amendments or revisions to the State  
95 Constitution to electors of the state for approval. This  
96 amendment does not affect the ability to revise or amend the  
97 State Constitution through citizen initiative, constitutional  
98 convention, the Taxation and Budget Reform Commission, or  
99 legislative joint resolution.