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LEGISLATIVE ACTION

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|------------|---|-------|
| Senate | . | House |
| Comm: WD | . | |
| 02/27/2020 | . | |
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The Committee on Rules (Hutson) recommended the following:

Senate Amendment (with title amendment)

Delete lines 248 - 538
and insert:

2. If the financial impact statement estimates an indeterminate financial impact, the ballot must include the statement required by s. 101.161(1)(c).

3. If the members of the Financial Impact Estimating Conference are unable to agree on the statement required by this subsection, the ballot must include the statement required by s. 101.161(1)(d).



12 (e)1. Any financial impact statement that the Supreme Court
13 finds not to be in accordance with this subsection shall be
14 remanded solely to the Financial Impact Estimating Conference
15 for redrafting, provided the court's advisory opinion is
16 rendered at least 75 days before the election at which the
17 question of ratifying the amendment will be presented. The
18 Financial Impact Estimating Conference shall prepare and adopt a
19 revised financial impact statement no later than 5 p.m. on the
20 15th day after the date of the court's opinion.

21 2. If, by 5 p.m. on the 75th day before the election, the
22 Supreme Court has not issued an advisory opinion on the initial
23 financial impact statement prepared by the Financial Impact
24 Estimating Conference for an initiative amendment that otherwise
25 meets the legal requirements for ballot placement, the financial
26 impact statement shall be deemed approved for placement on the
27 ballot.

28 3. In addition to the financial impact statement required
29 by this subsection, the Financial Impact Estimating Conference
30 shall draft an initiative financial information statement. The
31 initiative financial information statement should describe in
32 greater detail than the financial impact statement any projected
33 increase or decrease in revenues or costs that the state or
34 local governments would likely experience ~~and the estimated~~
35 ~~economic impact on the state and local economy~~ if the ballot
36 measure were approved. If appropriate, the initiative financial
37 information statement may include both estimated dollar amounts
38 and a description placing the estimated dollar amounts into
39 context. The initiative financial information statement must
40 include both a summary of not more than 500 words and additional



41 detailed information that includes the assumptions that were
42 made to develop the financial impacts, workpapers, and any other
43 information deemed relevant by the Financial Impact Estimating
44 Conference.

45 4. The Department of State shall have printed, and shall
46 furnish to each supervisor of elections, a copy of the summary
47 from the initiative financial information statements. The
48 supervisors shall have the summary from the initiative financial
49 information statements available at each polling place and at
50 the main office of the supervisor of elections upon request.

51 5. The Secretary of State and the Office of Economic and
52 Demographic Research shall make available on the Internet each
53 initiative financial information statement in its entirety. In
54 addition, each supervisor of elections whose office has a
55 website shall post the summary from each initiative financial
56 information statement on the website. Each supervisor shall
57 include a copy of each summary from the initiative financial
58 information statements and the Internet addresses for the
59 information statements on the Secretary of State's and the
60 Office of Economic and Demographic Research's websites in the
61 publication or mailing required by s. 101.20.

62 (f) When the Secretary of State submits a proposed
63 initiative petition to the President of the Senate and the
64 Speaker of the House of Representatives pursuant to s. 15.21,
65 the President of the Senate and the Speaker of the House of
66 Representatives may direct legislative staff to prepare an
67 analysis of the petition. Such analysis may include, but is not
68 limited to, whether the amendment has undefined terms, conflicts
69 with an existing provision of the State Constitution, or will



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70 cause unintended consequences or economic impacts.

71 Section 4. Subsection (1) of section 101.161, Florida
72 Statutes, is amended to read:

73 101.161 Referenda; ballots.—

74 (1) Whenever a constitutional amendment or other public
75 measure is submitted to the vote of the people, a ballot summary
76 of such amendment or other public measure shall be printed in
77 clear and unambiguous language on the ballot after the list of
78 candidates, followed by the word "yes" and also by the word
79 "no," and shall be styled in such a manner that a "yes" vote
80 will indicate approval of the proposal and a "no" vote will
81 indicate rejection. The ballot summary of the amendment or other
82 public measure and the ballot title to appear on the ballot
83 shall be embodied in the constitutional revision commission
84 proposal, constitutional convention proposal, taxation and
85 budget reform commission proposal, or enabling resolution or
86 ordinance. The ballot summary of the amendment or other public
87 measure shall be an explanatory statement, not exceeding 75
88 words in length, of the chief purpose of the measure. In
89 addition, for every constitutional amendment proposed by
90 initiative, the ballot shall include, following the ballot
91 summary, in the following order:

92 (a) A separate financial impact statement concerning the
93 measure prepared by the Financial Impact Estimating Conference
94 in accordance with s. 100.371(13) ~~s. 100.371(5)~~.

95 (b) If the financial impact statement projects a net
96 negative impact on the state budget, the following statement in
97 bold print:

98



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99 THIS PROPOSED CONSTITUTIONAL AMENDMENT IS ESTIMATED TO
100 HAVE A NET NEGATIVE IMPACT ON THE STATE BUDGET. THIS
101 IMPACT MAY RESULT IN HIGHER TAXES OR A LOSS OF
102 GOVERNMENT SERVICES IN ORDER TO MAINTAIN A BALANCED
103 STATE BUDGET AS REQUIRED BY THE CONSTITUTION.

104
105 (c) If the financial impact statement is indeterminate, the
106 following statement in bold print:

107
108 THE FINANCIAL IMPACT OF THIS AMENDMENT CANNOT BE
109 DETERMINED DUE TO AMBIGUITIES AND UNCERTAINTIES
110 SURROUNDING THE AMENDMENT'S IMPACT.

111
112 (d) If the members of the Financial Impact Estimating
113 Conference are unable to agree on the financial impact
114 statement, the following statement in bold print:

115
116 THE FINANCIAL IMPACT ESTIMATING CONFERENCE WAS UNABLE
117 TO AGREE ON THE FINANCIAL IMPACT OF THIS PROPOSED
118 CONSTITUTIONAL AMENDMENT. THIS AMENDMENT MAY RESULT IN
119 HIGHER TAXES OR A LOSS OF GOVERNMENT SERVICES IN ORDER
120 TO MAINTAIN A BALANCED STATE BUDGET AS REQUIRED BY THE
121 CONSTITUTION.

122
123 The ballot title shall consist of a caption, not exceeding 15
124 words in length, by which the measure is commonly referred to or
125 spoken of. This subsection does not apply to constitutional
126 amendments or revisions proposed by joint resolution.

127 Section 5. Section 101.171, Florida Statutes, is amended to



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128 read:

129 101.171 Copy of constitutional amendment to be available at
130 voting locations.—Whenever any amendment to the State
131 Constitution is to be voted upon at any election, the Department
132 of State shall have printed and shall furnish to each supervisor
133 of elections a sufficient number of copies of the amendment
134 either in poster or booklet form, and the supervisor shall
135 provide ~~have~~ a copy in a designated area of each polling
136 location as determined by the supervisor ~~thereof conspicuously~~
137 ~~posted or available at each polling room or early voting area~~
138 ~~upon the day of election.~~

139 Section 6. The provisions of this act apply to revisions or
140 amendments to the State Constitution proposed by initiative
141 which are proposed for the

142
143 ===== T I T L E A M E N D M E N T =====

144 And the title is amended as follows:

145 Delete lines 34 - 58

146 and insert:

147 constitutional amendments proposed by initiative
148 include certain disclosures and statements, in a
149 specified order; amending s.