

By Senator Brandes

24-00044-21

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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.