

House Joint Resolution

A joint resolution proposing the creation of Section 22 of Article III and an amendment to Section 10 of Article IV of the State Constitution to authorize the proposal and enactment of legislation by initiative and to provide for Supreme Court review of initiative petitions proposing legislation.

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

That the following creation of Section 22 of Article III of the State Constitution is 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 III

LEGISLATURE

SECTION 22. Legislation by initiative.—

(a) The power to propose legislation by initiative is reserved to the people. The power may be invoked by filing with the custodian of state records a petition that contains a copy of the proposed legislation, which petition is signed by a number of electors in each of one half of the congressional districts of the state, and of the state as a whole, equal to four percent of the votes cast in each such district,

26 respectively, and in the state as a whole in the previous
27 election in which presidential electors were chosen.

28 (b) Laws that provide for the number or assignment of
29 judges or the jurisdiction of courts, laws that the legislature
30 is prohibited from passing or must pass by an extraordinary
31 vote, and laws that change the boundaries of any municipality,
32 county, or special, legislative, or congressional district may
33 not be proposed by initiative.

34 (c) Legislation proposed by initiative must comply with
35 the requirements of this constitution applicable to laws enacted
36 by the legislature with respect to single subject and
37 prohibition of amendment by reference. Laws that are enacted by
38 initiative shall not be subject to the veto power of the
39 governor. Notwithstanding section 7 of this article, the
40 legislature may only amend or repeal legislation approved by
41 vote of the electors under this section by a four-fifths vote of
42 the membership of each house of the legislature within one year
43 after the effective date of such legislation or by a three-
44 fifths vote of the membership of each house of the legislature
45 one year or more after the effective date of such legislation.
46 The enacting clause of every law proposed by initiative shall
47 read: "Be It Enacted by the People of the State of Florida by
48 Initiative:".

49 (d) Legislation proposed by initiative shall be submitted
50 to the electors at the next general election held more than

51 ninety days after the initiative petition is filed with the
52 custodian of state records. The ballot must include a statement
53 expressing the chief purpose of the proposed legislation, in
54 clear and unambiguous language not exceeding 75 words in length,
55 and a statement of the economic impact of the proposed
56 legislation. If the legislation proposed by initiative is
57 approved by a majority of the electors voting in that election,
58 the legislation shall be effective on the first day of July
59 after the next regular session of the legislature.

60 (e) The legislature shall establish by general law, by
61 July 1, 2024, procedures to be used in invoking and approving
62 legislation proposed by initiative and for providing sufficient
63 prior public notice.

64 ARTICLE IV

65 EXECUTIVE

66 SECTION 10. Attorney General.—The attorney general shall,
67 as directed by general law, request the opinion of the justices
68 of the supreme court as to the validity of any initiative
69 petition proposing legislation circulated pursuant to Section 22
70 of Article III or any initiative petition circulated pursuant to
71 Section 3 of Article XI. The justices shall, subject to their
72 rules of procedure, permit interested persons to be heard on the
73 questions presented and shall render their written opinion no
74 later than April 1 of the year in which the initiative is to be
75 submitted to the voters pursuant to Section 5 of Article XI.

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76 BE IT FURTHER RESOLVED that the following statement be
77 placed on the ballot:

78 CONSTITUTIONAL AMENDMENT

79 ARTICLE III, SECTION 22

80 ARTICLE IV, SECTION 10

81 LEGISLATION BY INITIATIVE.—Proposing an amendment to the
82 State Constitution to allow the proposal and approval of laws by
83 initiative without legislative or gubernatorial approval;
84 prescribes requirements for such initiatives; requires an
85 extraordinary vote of each house of the Legislature to amend or
86 repeal laws approved by voters; requires the Legislature adopt
87 procedures for initiatives; provides for Supreme Court review of
88 initiative petitions; and requires ballot statements for
89 initiatives to include a statement of economic impact.