1	House Joint Resolution			
2	A joint resolution proposing the repeal of Section 2			
3	of Article IV of the State Constitution, relating to			
4	the creation of the office of Lieutenant Governor;			
5	repeal of subsection (i) of Section 19 of Article III			
6	of the State Constitution, relating to the creation of			
7	the Government Efficiency Task Force; amendments to			
8	Section 2 of Article II, Sections 2 and 17 of Article			
9	III, Sections 3, 4, 5, and 6 of Article IV, Section 4			
10	of Article VI of the State Constitution; and the			
11	creation of a new section in Article XII of the State			
12	Constitution to revise provisions relating to auditing			
13	and government efficiency, create the office of the			
14	Commissioner of Government Efficiency as a Cabinet			
15	officer, revise provisions relating to succession to			
16	the office of Governor if there is a vacancy or in the			
17	case of impeachment or incapacity, and to submit to			
18	the electorate, during a specified election year, a			
19	ballot question regarding whether to repeal the office			
20	of the Commissioner of Government Efficiency.			
21				
22	Be It Resolved by the Legislature of the State of Florida:			
23				
24	That the following repeal of Section 2 of Article IV and			
25	subsection (i) of Section 19 of Article III of the State			
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44 45

26 Constitution; amendments to Section 2 of Article II, Sections 2 27 and 17 of Article III, Sections 3, 4, 5, and 6 of Article IV, 28 Section 4 of Article VI of the State Constitution; and the creation of a new section in Article XII of the State 29 30 Constitution are agreed to and shall be submitted to the 31 electors of this state for approval or rejection at the next 32 general election or at an earlier special election specifically 33 authorized by law for that purpose: 34 ARTICLE II 35 GENERAL PROVISIONS

36 SECTION 2. Seat of government.-The seat of government 37 shall be the City of Tallahassee, in Leon County, where the 38 offices of the governor, lieutenant governor, cabinet members, 39 and the supreme court shall be maintained and the sessions of the legislature shall be held; provided that, in time of 40 41 invasion or grave emergency, the governor by proclamation may 42 for the period of the emergency transfer the seat of government 43 to another place.

ARTICLE III

LEGISLATURE

SECTION 2. Members; officers.—Each house shall be the sole judge of the qualifications, elections, and returns of its members, and shall biennially choose its officers, including a permanent presiding officer selected from its membership, who shall be designated in the senate as President of the Senate,

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51 and in the house as Speaker of the House of Representatives. The 52 senate shall designate a Secretary to serve at its pleasure, and 53 the house of representatives shall designate a Clerk to serve at 54 its pleasure. The legislature shall appoint an auditor to serve 55 at its pleasure who shall audit public records and perform 56 related duties as prescribed by law or concurrent resolution. 57 SECTION 17. Impeachment.-

58 The governor, lieutenant governor, members of the (a) cabinet, justices of the supreme court, judges of district 59 courts of appeal, judges of circuit courts, and judges of county 60 courts shall be liable to impeachment for misdemeanor in office. 61 62 The house of representatives by two-thirds vote shall have the power to impeach an officer. The speaker of the house of 63 64 representatives shall have power at any time to appoint a 65 committee to investigate charges against any officer subject to 66 impeachment.

(b) An officer impeached by the house of representatives
shall be disqualified from performing any official duties until
acquitted by the senate, and, unless impeached, the governor may
by appointment fill the office until completion of the trial.

(c) All impeachments by the house of representatives shall be tried by the senate. The chief justice of the supreme court, or another justice designated by the chief justice, shall preside at the trial, except in a trial of the chief justice, in which case the governor shall preside. The senate shall

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76 determine the time for the trial of any impeachment and may sit 77 for the trial whether the house of representatives be in session 78 or not. The time fixed for trial shall not be more than six 79 months after the impeachment. During an impeachment trial 80 senators shall be upon their oath or affirmation. No officer shall be convicted without the concurrence of two-thirds of the 81 82 members of the senate present. Judgment of conviction in cases 83 of impeachment shall remove the offender from office and, in the discretion of the senate, may include disqualification to hold 84 85 any office of honor, trust or profit. Conviction or acquittal 86 shall not affect the civil or criminal responsibility of the 87 officer.

88 SECTION 19. State Budgeting, Planning and Appropriations
 89 Processes.-

90

(a) ANNUAL BUDGETING.

91 (1) General law shall prescribe the adoption of annual 92 state budgetary and planning processes and require that detail 93 reflecting the annualized costs of the state budget and 94 reflecting the nonrecurring costs of the budget requests shall 95 accompany state department and agency legislative budget 96 requests, the governor's recommended budget, and appropriation 97 bills.

98 (2) Unless approved by a three-fifths vote of the
 99 membership of each house, appropriations made for recurring
 100 purposes from nonrecurring general revenue funds for any fiscal

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101 year shall not exceed three percent of the total general revenue 102 funds estimated to be available at the time such appropriation 103 is made.

(3) As prescribed by general law, each state department and agency shall be required to submit a legislative budget request that is based upon and that reflects the long-range financial outlook adopted by the joint legislative budget commission or that specifically explains any variance from the long-range financial outlook contained in the request.

110 (4) For purposes of this section, the terms department and 111 agency shall include the judicial branch.

112 APPROPRIATION BILLS FORMAT. Separate sections within (b) 113 the general appropriation bill shall be used for each major 114 program area of the state budget; major program areas shall 115 include: education enhancement "lottery" trust fund items; education (all other funds); human services; criminal justice 116 117 and corrections; natural resources, environment, growth 118 management, and transportation; general government; and judicial 119 branch. Each major program area shall include an itemization of expenditures for: state operations; state capital outlay; aid to 120 121 local governments and nonprofit organizations operations; aid to 122 local governments and nonprofit organizations capital outlay; federal funds and the associated state matching funds; spending 123 authorizations for operations; and spending authorizations for 124 125 capital outlay. Additionally, appropriation bills passed by the

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126 legislature shall include an itemization of specific 127 appropriations that exceed one million dollars (\$1,000,000.00) 128 in 1992 dollars. For purposes of this subsection, "specific appropriation," "itemization," and "major program area" shall be 129 130 defined by law. This itemization threshold shall be adjusted by 131 general law every four years to reflect the rate of inflation or 132 deflation as indicated in the Consumer Price Index for All Urban 133 Consumers, U.S. City Average, All Items, or successor reports as reported by the United States Department of Labor, Bureau of 134 135 Labor Statistics or its successor. Substantive bills containing appropriations shall also be subject to the itemization 136 137 requirement mandated under this provision and shall be subject 138 to the governor's specific appropriation veto power described in 139 Article III, Section 8.

140

(c) APPROPRIATIONS PROCESS.

141 (1)No later than September 15 of each year, the joint 142 legislative budget commission shall issue a long-range financial 143 outlook setting out recommended fiscal strategies for the state 144 and its departments and agencies in order to assist the 145 legislature in making budget decisions. The long-range financial 146 outlook must include major workload and revenue estimates. In 147 order to implement this paragraph, the joint legislative budget commission shall use current official consensus estimates and 148 may request the development of additional official estimates. 149

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(2) The joint legislative budget commission shall seek
input from the public and from the executive and judicial
branches when developing and recommending the long-range
financial outlook.

(3) The legislature shall prescribe by general law conditions under which limited adjustments to the budget, as recommended by the governor or the chief justice of the supreme court, may be approved without the concurrence of the full legislature.

(d) SEVENTY-TWO HOUR PUBLIC REVIEW PERIOD. All general appropriation bills shall be furnished to each member of the legislature, each member of the cabinet, the governor, and the chief justice of the supreme court at least seventy-two hours before final passage by either house of the legislature of the bill in the form that will be presented to the governor.

(e) FINAL BUDGET REPORT. A final budget report shall be prepared as prescribed by general law. The final budget report shall be produced no later than the 120th day after the beginning of the fiscal year, and copies of the report shall be furnished to each member of the legislature, the head of each department and agency of the state, the auditor general, and the chief justice of the supreme court.

172 (f) TRUST FUNDS.

(1) No trust fund of the State of Florida or other publicbody may be created or re-created by law without a three-fifths

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175 vote of the membership of each house of the legislature in a 176 separate bill for that purpose only.

(2) State trust funds shall terminate not more than four years after the effective date of the act authorizing the initial creation of the trust fund. By law the legislature may set a shorter time period for which any trust fund is authorized.

182 (3) Trust funds required by federal programs or mandates; trust funds established for bond covenants, indentures, or 183 184 resolutions, whose revenues are legally pledged by the state or public body to meet debt service or other financial requirements 185 186 of any debt obligations of the state or any public body; the state transportation trust fund; the trust fund containing the 187 188 net annual proceeds from the Florida Education Lotteries; the 189 Florida retirement trust fund; trust funds for institutions 190 under the management of the Board of Governors, where such trust 191 funds are for auxiliary enterprises and contracts, grants, and 192 donations, as those terms are defined by general law; trust 193 funds that serve as clearing funds or accounts for the chief 194 financial officer or state agencies; trust funds that account 195 for assets held by the state in a trustee capacity as an agent 196 or fiduciary for individuals, private organizations, or other governmental units; and other trust funds authorized by this 197 Constitution, are not subject to the requirements set forth in 198 199 paragraph (2) of this subsection.

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200 (4) All cash balances and income of any trust funds
201 abolished under this subsection shall be deposited into the
202 general revenue fund.

203 BUDGET STABILIZATION FUND. Subject to the provisions (q) 204 of this subsection, an amount equal to at least 5% of the last 205 completed fiscal year's net revenue collections for the general 206 revenue fund shall be retained in the budget stabilization fund. 207 The budget stabilization fund's principal balance shall not exceed an amount equal to 10% of the last completed fiscal 208 year's net revenue collections for the general revenue fund. The 209 legislature shall provide criteria for withdrawing funds from 210 211 the budget stabilization fund in a separate bill for that purpose only and only for the purpose of covering revenue 212 213 shortfalls of the general revenue fund or for the purpose of 214 providing funding for an emergency, as defined by general law. 215 General law shall provide for the restoration of this fund. The 216 budget stabilization fund shall be comprised of funds not 217 otherwise obligated or committed for any purpose.

(h) LONG-RANGE STATE PLANNING DOCUMENT AND DEPARTMENT AND AGENCY PLANNING DOCUMENT PROCESSES. General law shall provide for a long-range state planning document. The governor shall recommend to the legislature biennially any revisions to the long-range state planning document, as defined by law. General law shall require a biennial review and revision of the longrange state planning document and shall require all departments

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225 and agencies of state government to develop planning documents 226 that identify statewide strategic goals and objectives, consistent with the long-range state planning document. The 227 long-range state planning document and department and agency 228 229 planning documents shall remain subject to review and revision 230 by the legislature. The long-range state planning document must 231 include projections of future needs and resources of the state 232 which are consistent with the long-range financial outlook. The department and agency planning documents shall include a 233 234 prioritized listing of planned expenditures for review and possible reduction in the event of revenue shortfalls, as 235 236 defined by general law.

237 (i) COVERNMENT EFFICIENCY TASK FORCE. No later than 238 January of 2007, and each fourth year thereafter, the president 239 of the senate, the speaker of the house of representatives, and 240 the governor shall appoint a government efficiency task force, 241 the membership of which shall be established by general law. The task force shall be composed of members of the legislature and 242 243 representatives from the private and public sectors who shall 244 develop recommendations for improving governmental -operations 245 and reducing costs. Staff to assist the task force in performing its duties shall be assigned by general law, and the task force 246 247 may obtain assistance from the private sector. The task force shall complete its work within one year and shall submit its 248

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249	recommendations to the joint legislative budget commission, the
250	governor, and the chief justice of the supreme court.
251	<u>(i)</u> JOINT LEGISLATIVE BUDGET COMMISSION. There is
252	created within the legislature the joint legislative budget
253	commission composed of equal numbers of senate members appointed
254	by the president of the senate and house members appointed by
255	the speaker of the house of representatives. Each member shall
256	serve at the pleasure of the officer who appointed the member. A
257	vacancy on the commission shall be filled in the same manner as
258	the original appointment. From November of each odd-numbered
259	year through October of each even-numbered year, the chairperson
260	of the joint legislative budget commission shall be appointed by
261	the president of the senate and the vice chairperson of the
262	commission shall be appointed by the speaker of the house of
263	representatives. From November of each even-numbered year
264	through October of each odd-numbered year, the chairperson of
265	the joint legislative budget commission shall be appointed by
266	the speaker of the house of representatives and the vice
267	chairperson of the commission shall be appointed by the
268	president of the senate. The joint legislative budget commission
269	shall be governed by the joint rules of the senate and the house
270	of representatives, which shall remain in effect until repealed
271	or amended by concurrent resolution. The commission shall
272	convene at least quarterly and shall convene at the call of the
273	president of the senate and the speaker of the house of

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274 representatives. A majority of the commission members of each 275 house plus one additional member from either house constitutes a 276 quorum. Action by the commission requires a majority vote of the 277 commission members present of each house. The commission may 278 conduct its meetings through teleconferences or similar means. 279 In addition to the powers and duties specified in this 280 subsection, the joint legislative budget commission shall 281 exercise all other powers and perform any other duties not in conflict with paragraph (c) (3) and as prescribed by general law 282 283 or joint rule.

ARTICLE IV

EXECUTIVE

286 SECTION 2. Lieutenant governor.—There shall be a 287 lieutenant governor, who shall perform such duties pertaining to 288 the office of governor as shall be assigned by the governor, 289 except when otherwise provided by law, and such other duties as 290 may be prescribed by law.

291 SECTION 3. Succession to office of governor; acting 292 governor.-

(a) Upon vacancy in the office of governor, the lieutenant
governor shall become governor. Further Succession to the office
of governor shall be prescribed by law when there is a vacancy
<u>in the office of governor</u>. A successor shall serve for the
remainder of the term.

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298 Upon impeachment of the governor and until completion (b) 299 of trial thereof, or during the governor's physical or mental 300 incapacity, general law shall prescribe who the licutenant 301 governor shall act as governor. Further succession as acting 302 governor may shall be prescribed by law. Incapacity to serve as 303 governor may be determined by the supreme court upon due notice 304 after docketing of a written suggestion thereof by three cabinet 305 members, and in such case restoration of capacity shall be 306 similarly determined after docketing of written suggestion 307 thereof by the governor, the legislature or three cabinet 308 members. Incapacity to serve as governor may also be established 309 by certificate filed with the custodian of state records by the 310 governor declaring incapacity for physical reasons to serve as 311 governor, and in such case restoration of capacity shall be 312 similarly established. 313 SECTION 4. Cabinet.-

(a) 314 There shall be a cabinet composed of an attorney 315 general, a chief financial officer, and a commissioner of 316 agriculture, and a commissioner of government efficiency. In 317 addition to the powers and duties specified herein, they shall 318 exercise such powers and perform such duties as may be 319 prescribed by law. In the event of a tie vote of the governor 320 and cabinet, the side on which the governor voted shall be deemed to prevail. 321

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322 The attorney general shall be the chief state legal (b) 323 officer. There is created in the office of the attorney general 324 the position of statewide prosecutor. The statewide prosecutor 325 shall have concurrent jurisdiction with the state attorneys to 326 prosecute violations of criminal laws occurring or having 327 occurred, in two or more judicial circuits as part of a related 328 transaction, or when any such offense is affecting or has 329 affected two or more judicial circuits as provided by general law. The statewide prosecutor shall be appointed by the attorney 330 331 general from not less than three persons nominated by the judicial nominating commission for the supreme court, or as 332 333 otherwise provided by general law.

(c) The chief financial officer shall serve as the chief fiscal officer of the state, and shall settle and approve accounts against the state, and shall keep all state funds and securities.

338 (d) The commissioner of agriculture shall have supervision
339 of matters pertaining to agriculture except as otherwise
340 provided by law.

341 (e) The commissioner of government efficiency shall have 342 the power to audit, investigate, and report on fraud, waste, and 343 abuse exclusively within the executive branch of state 344 government and within counties, municipalities, and special 345 districts as provided by law.

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346 (f) (e) The governor as chair, the chief financial officer, 347 and the attorney general, and the commissioner of government 348 efficiency shall constitute the state board of administration, 349 which shall succeed to all the power, control, and authority of 350 the state board of administration established pursuant to 351 Article IX, Section 16 of the Constitution of 1885, and which 352 shall continue as a body at least for the life of Article XII, 353 Section 9(c).

354 <u>(g)(f)</u> The governor as chair, the chief financial officer, 355 the attorney general, and the commissioner of agriculture, and 356 <u>the commissioner of government efficiency</u> shall constitute the 357 trustees of the internal improvement trust fund and the land 358 acquisition trust fund as provided by law.

359 (h) (g) The governor as chair, the chief financial officer, 360 the attorney general, and the commissioner of agriculture, and 361 the commissioner of government efficiency shall constitute the 362 agency head of the Department of Law Enforcement. The Office of 363 Domestic Security and Counterterrorism is created within the 364 Department of Law Enforcement. The Office of Domestic Security 365 and Counterterrorism shall provide support for prosecutors and federal, state, and local law enforcement agencies that 366 367 investigate or analyze information relating to attempts or acts 368 of terrorism or that prosecute terrorism, and shall perform any other duties that are provided by law. 369

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370 SECTION 5. Election of governor, lieutenant governor and 371 cabinet members; gualifications; terms.-

372 At a state-wide general election in each calendar year (a) 373 the number of which is even but not a multiple of four, the 374 electors shall choose a governor and a lieutenant governor and 375 members of the cabinet each for a term of four years beginning 376 on the first Tuesday after the first Monday in January of the 377 succeeding year. In primary elections, candidates for the office 378 of governor may choose to run without a lieutenant governor 379 candidate. In the general election, all candidates for the 380 offices of governor and lieutenant governor shall form joint 381 candidacies in a manner prescribed by law so that each voter 382 shall cast a single vote for a candidate for governor and a 383 candidate for lieutenant governor running together.

384 When elected, the governor, lieutenant governor and (b) 385 each cabinet member must be an elector not less than thirty 386 years of age who has resided in the state for the preceding 387 seven years. The attorney general must have been a member of the 388 bar of Florida for the preceding five years. No person who has, 389 or but for resignation would have, served as governor or acting 390 governor for more than six years in two consecutive terms shall 391 be elected governor for the succeeding term.

392 SECTION 6. Executive departments.—All functions of the 393 executive branch of state government shall be allotted among not 394 more than twenty-five departments, exclusive of those

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395 specifically provided for or authorized in this constitution.
396 The administration of each department, unless otherwise provided
397 in this constitution, shall be placed by law under the direct
398 supervision of the governor, the lieutenant governor, the
399 governor and cabinet, a cabinet member, or an officer or board
400 appointed by and serving at the pleasure of the governor,
401 except:

(a) When provided by law, confirmation by the senate or
the approval of three members of the cabinet shall be required
for appointment to or removal from any designated statutory
office.

(b) Boards authorized to grant and revoke licenses to engage in regulated occupations shall be assigned to appropriate departments and their members appointed for fixed terms, subject to removal only for cause.

ARTICLE VI

SUFFRAGE AND ELECTIONS

SECTION 4. Disqualifications.-

(a) No person convicted of a felony, or adjudicated in
this or any other state to be mentally incompetent, shall be
qualified to vote or hold office until restoration of civil
rights or removal of disability. Except as provided in
subsection (b) of this section, any disqualification from voting
arising from a felony conviction shall terminate and voting

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419	rights shall be restored upon completion of all terms of			
420	sentence including parole or probation.			
421	(b) No person convicted of murder or a felony sexual			
422	offense shall be qualified to vote until restoration of civil			
423	rights.			
424	(c) No person may appear on the ballot for re-election to			
425	any of the following offices:			
426	(1) Florida representative,			
427	(2) Florida senator,			
428	(3) Florida Lieutenant governor,			
429	(3)(4) any office of the Florida cabinet,			
430	(4)(5) U.S. Representative from Florida, or			
431	(5)-(6) U.S. Senator from Florida			
432				
433	if, by the end of the current term of office, the person will			
434	have served (or, but for resignation, would have served) in that			
435	office for eight consecutive years.			
436	ARTICLE XII			
437	SCHEDULE			
438	Implementation of amendments relating to the office of the			
439	commissioner of government efficiency			
440	(a) The amendments to Section 19 of Article III and			
441	Section 4 of Article IV and the creation of this section shall			
442	take effect upon approval by the electors.			

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443 Appointment to the office of the commissioner of (b) 444 government efficiency is not subject to Section 1(f) of Article 445 IV, relating to the appointment of any vacancy in state or county office, but the office shall remain vacant until 446 447 legislative appointment pursuant to subsection (c). (C) No later than March 2, 2027, the president of the 448 449 senate and the speaker of the house of representatives shall 450 convene the legislature and appoint a person to the office of 451 the commissioner of government efficiency, who shall serve until 452 such time as a person is elected to the office at the 2028 453 general election. The person appointed to the office of the commissioner of government efficiency may not seek election to 454 455 fill such office as described in subsection (e). The 456 commissioner shall be appointed by the legislature by concurrent 457 resolution. 458 (d) Following legislative appointment of a commissioner of 459 government efficiency pursuant to subsection (c), the office 460 becomes subject to Section 1(f) of Article IV. 461 (e) At the 2028 general election, the office of the 462 commissioner of government efficiency shall be filled by election pursuant to subsection (c), and, beginning with the 463 464 2030 general election, the office of the commissioner of 465 government efficiency shall be filled by election pursuant to 466 Section 5(a) of Article IV.

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492 the office of Lieutenant Governor, the office of Legislative 493 Auditor, and the Government Efficiency Task Force, to create the 494 office of the Commissioner of Government Efficiency as a Cabinet 495 officer, and to revise provisions relating to government 496 efficiency and succession to the office of Governor if there is 497 a vacancy or in the case of impeachment or incapacity.

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