

House Joint Resolution

A joint resolution proposing the creation of Section 22 of Article III and the amendment of 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 and the amendment of Section 10 of Article IV 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 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 congressional district of the state, and of the state as a whole, equal to eight percent of the votes cast in each such district, respectively, and in the state as a

27 whole in the previous election in which presidential electors
28 were chosen.

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

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

47 (d) Legislation proposed by initiative shall be submitted
48 to the electors at the next general election held more than
49 ninety days after the initiative petition is filed with the
50 custodian of state records. The ballot must include a statement
51 expressing the chief purpose of the proposed legislation, in
52 clear and unambiguous language not exceeding 75 words in length,

53 and a statement of the economic impact of the proposed
 54 legislation. If the legislation proposed by initiative is
 55 approved by the electors, it shall be effective on the first day
 56 of July after the next regular session of the legislature.

57 (e) The legislature shall establish by general law, by
 58 July 1, 2017, procedures to be used in invoking and approving
 59 legislation proposed by initiative and for providing sufficient
 60 prior public notice.

61 ARTICLE IV

62 EXECUTIVE

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

73 BE IT FURTHER RESOLVED that the following statement be
 74 placed on the ballot:

75 CONSTITUTIONAL AMENDMENT

76 ARTICLE III, SECTION 22

77 ARTICLE IV, SECTION 10

HJR 609

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