

HB 1181

2021

1                   A bill to be entitled  
2           An act relating to the Constitution Revision  
3           Commission; repealing s. 286.035, F.S., relating to  
4           the Constitution Revision Commission, the powers of  
5           the chair, and assistance by state and local agencies;  
6           amending ss. 101.161 and 112.3215, F.S.; conforming  
7           provisions to changes made by the act; providing a  
8           contingent effective date.

9  
10   Be It Enacted by the Legislature of the State of Florida:

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12           Section 1. Subsection (1) of section 101.161, Florida  
13   Statutes, is amended to read:

14           101.161 Referenda; ballots.—

15           (1) Whenever a constitutional amendment or other public  
16   measure is submitted to the vote of the people, a ballot summary  
17   of such amendment or other public measure shall be printed in  
18   clear and unambiguous language on the ballot after the list of  
19   candidates, followed by the word "yes" and also by the word  
20   "no," and shall be styled in such a manner that a "yes" vote  
21   will indicate approval of the proposal and a "no" vote will  
22   indicate rejection. The ballot summary of the amendment or other  
23   public measure and the ballot title to appear on the ballot  
24   shall be embodied in the ~~constitutional revision commission~~  
25   ~~proposal~~, constitutional convention proposal, taxation and

26 | budget reform commission proposal, or enabling resolution or  
27 | ordinance. The ballot summary of the amendment or other public  
28 | measure shall be an explanatory statement, not exceeding 75  
29 | words in length, of the chief purpose of the measure. In  
30 | addition, for every constitutional amendment proposed by  
31 | initiative, the ballot shall include, following the ballot  
32 | summary, in the following order:

33 |       (a) A separate financial impact statement concerning the  
34 | measure prepared by the Financial Impact Estimating Conference  
35 | in accordance with s. 100.371(13).

36 |       (b) If the financial impact statement projects a net  
37 | negative impact on the state budget, the following statement in  
38 | bold print:

39 | THIS PROPOSED CONSTITUTIONAL AMENDMENT IS ESTIMATED TO HAVE A  
40 | NET NEGATIVE IMPACT ON THE STATE BUDGET. THIS IMPACT MAY RESULT  
41 | IN HIGHER TAXES OR A LOSS OF GOVERNMENT SERVICES IN ORDER TO  
42 | MAINTAIN A BALANCED STATE BUDGET AS REQUIRED BY THE  
43 | CONSTITUTION.

44 |       (c)1. If the financial impact statement projects a net  
45 | positive impact on the state budget resulting in whole or in  
46 | part from additional tax revenue, the following statement in  
47 | bold print:

48 | THIS PROPOSED CONSTITUTIONAL AMENDMENT IS ESTIMATED TO HAVE A  
49 | NET POSITIVE IMPACT ON THE STATE BUDGET. THIS IMPACT MAY RESULT  
50 | IN GENERATING ADDITIONAL REVENUE OR AN INCREASE IN GOVERNMENT

51 SERVICES.

52 2. If the financial impact statement projects a net  
 53 positive impact on the state budget for reasons other than those  
 54 specified in subparagraph 1., the following statement in bold  
 55 print:

56 THIS PROPOSED CONSTITUTIONAL AMENDMENT IS ESTIMATED TO HAVE A  
 57 NET POSITIVE IMPACT ON THE STATE BUDGET. THIS IMPACT MAY RESULT  
 58 IN LOWER TAXES OR AN INCREASE IN GOVERNMENT SERVICES.

59 (d) If the financial impact statement is indeterminate or  
 60 the members of the Financial Impact Estimating Conference are  
 61 unable to agree on the financial impact statement, the following  
 62 statement in bold print:

63 THE FINANCIAL IMPACT OF THIS AMENDMENT CANNOT BE DETERMINED DUE  
 64 TO AMBIGUITIES AND UNCERTAINTIES SURROUNDING THE AMENDMENT'S  
 65 IMPACT.

66  
 67 The ballot title shall consist of a caption, not exceeding 15  
 68 words in length, by which the measure is commonly referred to or  
 69 spoken of. This subsection does not apply to constitutional  
 70 amendments or revisions proposed by joint resolution.

71 Section 2. Paragraphs (a) and (f) of subsection (1) of  
 72 section 112.3215, Florida Statutes, are amended to read:

73 112.3215 Lobbying before the executive branch ~~or the~~  
 74 ~~Constitution Revision Commission~~; registration and reporting;  
 75 investigation by commission.-

76 (1) For the purposes of this section:

77 (a) "Agency" means the Governor, Governor and Cabinet, or  
 78 any department, division, bureau, board, commission, or  
 79 authority of the executive branch. ~~In addition, "agency" shall~~  
 80 ~~mean the Constitution Revision Commission as provided by s. 2,~~  
 81 ~~Art. XI of the State Constitution.~~

82 (f) "Lobbies" means seeking, on behalf of another person,  
 83 to influence an agency with respect to a decision of the agency  
 84 in the area of policy or procurement or an attempt to obtain the  
 85 goodwill of an agency official or employee. ~~"Lobbies" also means~~  
 86 ~~influencing or attempting to influence, on behalf of another,~~  
 87 ~~the Constitution Revision Commission's action or nonaction~~  
 88 ~~through oral or written communication or an attempt to obtain~~  
 89 ~~the goodwill of a member or employee of the Constitution~~  
 90 ~~Revision Commission.~~

91 Section 3. Section 286.035, Florida Statutes, is repealed.

92 Section 4. This act shall take effect on the effective  
 93 date of the amendment to the State Constitution proposed by HJR  
 94 1179 or a similar joint resolution having substantially the same  
 95 specific intent and purpose, if such amendment to the State  
 96 Constitution is approved at the next general election or at an  
 97 earlier special election specifically authorized by law for that  
 98 purpose.