

By Commissioner Mills

1 A proposal to create
2 ARTICLE III, s. 26, Fla. Const.; providing for
3 the revision or amendment of statutory law
4 through the initiative process.

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6 It is proposed by the Florida Constitution Revision Commission
7 that:

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9 Section 1. Section 26 of Article III of the Florida
10 Constitution is created to read:

11 ARTICLE I

12 DECLARATION OF RIGHTS

13 SECTION 26. Statutory change by citizen initiative.--

14 (a) The power to propose the revision or amendment of
15 any portion or portions of statutory law by initiative is
16 reserved to the people, but any such revision or amendment,
17 except for one limiting the power of government to raise
18 revenue, shall embrace but one subject and matter directly
19 connected therewith. It may be invoked by filing with the
20 secretary of state a petition containing a copy of the
21 proposed revision or amendment which is signed by a number of
22 electors in each of one half of the congressional districts of
23 the state, and in the state as a whole, equal to five percent
24 of the votes cast in each of such districts respectively and
25 in the state as a whole in the last preceding election in
26 which presidential electors were chosen.

27 (b) A proposed amendment to or revision of statutory
28 law by initiative, or any part of it, shall be submitted to
29 the electors at the next general election held more than
30 ninety days after the initiative petition proposing it has
31 been filed with the secretary of state.

1 (c) Once in the tenth week and once in the sixth week
2 immediately preceding the week of the election at which it is
3 to be submitted to the electors, the proposed amendment or
4 revision, with notice of the date of such election, shall be
5 published in one newspaper of general circulation in each
6 county.

7 (d) If the proposed amendment or revision is approved
8 by a vote of the electors, it shall be effective as an
9 amendment or revision to statutory law on the first Tuesday
10 after the first Monday in January following the election or on
11 such other date specified in the amendment or revision.

12 (e) An amendment or revision approved by a vote of the
13 electors may not be amended or revised by the legislature for
14 a period of two years after the amendment or revision takes
15 effect unless the action of the legislature is submitted to
16 the electors and approved by them or unless the legislative
17 action is necessary to protect the public health, safety, or
18 welfare. If an amendment or revision approved by a vote of
19 the electors is held unconstitutional by the supreme court of
20 the state or of the United States, the statutory law amended
21 or revised is restored to the status it held before the
22 amendment or revision became effective.