

By Commissioner Hawkes

1 A proposal to revise
2 ARTICLE III, s. 4, Fla. Const.; providing
3 members of the Legislature with immunity with
4 respect to any speech or debate in either house
5 of the Legislature.

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

9
10 Section 1. Section 4 of Article III of the Florida
11 Constitution is revised by amending that section to read:

12 ARTICLE III
13 LEGISLATURE

14 SECTION 4. Quorum and procedure.--

15 (a) A majority of the membership of each house shall
16 constitute a quorum, but a smaller number may adjourn from day
17 to day and compel the presence of absent members in such
18 manner and under such penalties as it may prescribe. Each
19 house shall determine its rules of procedure.

20 (b) Sessions of each house shall be public; except
21 sessions of the senate when considering appointment to or
22 removal from public office may be closed.

23 (c) Each house shall keep and publish a journal of its
24 proceedings; and upon the request of five members present, the
25 vote of each member voting on any question shall be entered on
26 the journal. In any legislative committee or subcommittee,
27 the vote of each member voting on the final passage of any
28 legislation pending before the committee, and upon the request
29 of any two members of the committee or subcommittee, the vote
30 of each member on any other question, shall be recorded.

31

1 (d) Each house may punish a member for contempt or
2 disorderly conduct and, by a two-thirds vote of its
3 membership, may expel a member.

4 (e) The rules of procedure of each house shall provide
5 that all legislative committee and subcommittee meetings of
6 each house, and joint conference committee meetings, shall be
7 open and noticed to the public. The rules of procedure of
8 each house shall further provide that all prearranged
9 gatherings, between more than two members of the legislature,
10 or between the governor, the president of the senate, or the
11 speaker of the house of representatives, the purpose of which
12 is to agree upon formal legislative action that will be taken
13 at a subsequent time, or at which formal legislative action is
14 taken, regarding pending legislation or amendments, shall be
15 reasonably open to the public. All open meetings shall be
16 subject to order and decorum. This section shall be
17 implemented and defined by the rules of each house, and such
18 rules shall control admission to the floor of each legislative
19 chamber and may, where reasonably necessary for security
20 purposes or to protect a witness appearing before a committee,
21 provide for the closure of committee meetings. Each house
22 shall be the sole judge for the interpretation,
23 implementation, and enforcement of this section.

24 (f) The members of each house are privileged from
25 arrest and may not be questioned in any other place for any
26 speech or debate in either house.