



CONSTITUTION REVISION COMMISSION

Summary of Proposed Constitutional Revision

Revision 6 (P 6006) – Property Rights; Removal of Obsolete Provision; Criminal Statutes

By Style and Drafting Committee; (CO-INTRODUCERS) Erika Donalds

Revision 6 removes provisions from the Florida Constitution which are discriminatory or obsolete. Specifically, this revision:

- Repeals the power of the Legislature to regulate or restrict real property rights of natural persons based upon their eligibility for citizenship. Florida adopted this constitutional provision, commonly known as an “alien land law,” in the early 20th century when eligibility for citizenship was based upon racial classifications that specifically excluded certain ethnic groups. Such provisions have been found unconstitutional or have been repealed in other states where adopted.
- Removes a provision which mandates the creation and operation of a Florida high-speed ground transportation system. Originally adopted by citizen initiative in 2000, the mandated development and operation of a high-speed ground transportation system was repealed by voters in 2004, rendering this provision obsolete.

Revision 6 also amends a constitutional provision commonly known as the “Savings Clause,” to provide the Legislature with greater flexibility over criminal justice policy. Currently, the Savings Clause prevents the Legislature from applying legislative changes to criminal laws to the prosecution or punishment of crimes committed prior to such change. This revision amends the Savings Clause to remove the prohibition on the retroactive application of legislative changes to criminal laws for purposes of punishment, thereby providing the Legislature with the discretion to retroactively apply changes that reduce criminal sentences.

If approved by the voters, Revision 6 takes effect January 8, 2019.

Vote: 36-1