

Amending the Florida Constitution: New Ballot Language to be Crafted for 25 Proposals

GOVERNMENT AFFAIRS AND LOBBYING | GOVERNMENT LAW & CONSULTING | LABOR & EMPLOYMENT | HEALTH CARE | ENERGY AND UTILITIES | MARCH 28, 2018



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With a May 10 deadline approaching, the Florida Constitution Revision Commission (CRC) began its own “session” last week, forwarding 25 of 37 proposals to amend the Florida Constitution to the Style and Drafting Committee to craft proposed ballot language. According to an Associated Press report, a dozen proposals were rejected because “top” commissioners said proposals that were not considered during the first week of session would not be considered going forward.

Although all meetings were cancelled for the week of March 26, the Style and Drafting Committee is scheduled to meet every day during the week of April 2 to begin crafting ballot language. The Committee will also recommend grouping the proposals by subject into larger ballot questions. This means that instead of possibly seeing 25 individual ballot questions, voters would see four to eight questions, each encompassing several proposals grouped by subject.

The way in which the CRC decides to group proposals will be important because some proposals passed by a very slim majority. Once the Styles and Drafting Committee creates the draft ballot measure, 22 of 37 Commissioners must approve the proposal in order for it to be placed on the November ballot.

Commissioner Proposals	Context	Status
P3	Ownership of real property by aliens ineligible for citizenship.	In Style and Drafting for Ballot Language
P4	Removes prohibition against using state funds for religious institutions.	Yet to be considered
P6	Prohibits judiciary from applying agency deference to interpretation of statutes or rules and requires a de novo interpretation.	In Style and Drafting for Ballot Language
P9	Creates Department of Veteran Affairs.	In Style and Drafting for Ballot Language
P10	Promotion of Civil Literacy in education.	In Style and Drafting for Ballot Language
P11	If candidate for office only has party opposition or write-in opposition, the election will go to all electors.	In Style and Drafting for Ballot Language
P12	Repeals high speed rail language from Constitution.	In Style and Drafting for Ballot Language
P13	Prohibits counties from choosing county constitutional officers other than by election, changing terms, or changing duties.	In Style and Drafting for Ballot Language
P20	Repeal of criminal statutes does not affect prosecution of crime committed before repeal.	In Style and Drafting for Ballot Language

Commissioner Proposals	Context	Status
P26	Establishes Office of Domestic Security and Counter-Terrorism in Department of Law.	In Style and Drafting for Ballot Language
P29	Creates Employee Verification Standards for employment (E-Verify, etc.).	In Style and Drafting for Ballot Language
P33	School superintendents to be appointed by school boards and not elected.	WITHDRAWN during CRC Session
P34	Waives 3 day waiting period for handguns if buyer has conceal/carry or is trading in a gun; amends child being charged with delinquency.	WITHDRAWN during CRC Session
P37	Prohibits naming of public buildings, etc. for any elected officials unless certain requirements are met.	In Style and Drafting for Ballot Language
P39	Creates broad 6 year lobbying prohibition across state and local government for agency heads, department heads, etc.	In Style and Drafting for Ballot Language
P41	Increases age to 75 for judges on temporary assignment.	In Style and Drafting for Ballot Language
P43	Creates term limits for school board members.	In Style and Drafting for Ballot Language
P44	Creates voting threshold by Board of Trustees in order to raise tuition or fees.	In Style and Drafting for Ballot Language
P45	Removes any limitation on legislature to make provisions for educational services beyond the public education system (i.e. charter /religious schools).	WITHDRAWN during CRC Session
P47	Requires 10 years of practice before being eligible for judiciary.	FAILED During CRC Session
P49	Creates rights to certain death benefits for the survivors of certain first responders and military.	In Style and Drafting for Ballot Language
P50	Clarifies that candidate for legislature must reside in district except at an election next following a reapportionment.	WITHDRAWN during CRC Session
P54	Abolishes certificates of need for healthcare facilities and prohibits state from limiting number of health care facilities.	In Style and Drafting for Ballot Language
P55	Multiple provisions concerning Clerk of Court's budget, including appeal to the Cabinet clerk's if legislature fails to address budget deficits.	WITHDRAWN during CRC Session
P65	Adds vaping to smoke-free workplace rights.	In Style and Drafting for Ballot Language
P66	Makes Lt. Governor the Secretary of State and gives right to cast vote breaking a Senate tie.	FAILED during CRC Session
P67	Creates prohibition on greyhound racing.	In Style and Drafting for Ballot Language
P71	Allows Legislature to create alternative mechanisms to allow establishment of charter schools.	In Style and Drafting for Ballot Language

Commissioner Proposals	Context	Status
P72	Requires supermajority of 2/3 of both House and Senate to impose, authorize, or raise any state tax or fee.	WITHDRAWN during CRC Session
P83	Specifies purpose of State College System and provides governance structure.	In Style and Drafting for Ballot Language
P88	Establishes rights for assisted living and nursing home residents.	WITHDRAWN during CRC Session
P91	Prohibits drilling for exploration or extraction of oil or natural gas off-shore.	In Style and Drafting for Ballot Language
P93	Creation of "charter districts" for school districts and the ability to opt-out of K-20 Education code.	In Style and Drafting for Ballot Language
P94	Requires certain % of tobacco settlement proceeds to be dedicated to research and treatment of cancer.	Yet to be considered
P96	Creates rights for crime victims.	In Style and Drafting for Ballot Language
P97	Clarifies that Constitutional revision must be approved by a vote of "not fewer than" 60 % of voters in that election.	Yet to be considered
P103	Changes dates for January Session start to 2nd Tuesday after the 1st Monday.	In Style and Drafting for Ballot Language

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