A bill to be entitled
An act relating to constitutional amendments proposed
by initiative; amending s. 15.21, F.S.; requiring the
Secretary of State to submit an initiative petition to
the Speaker of the House of Representatives and the
President of the Senate when 50 percent of the
required statewide signatures are obtained; amending
s. 16.061, F.S.; requiring the Attorney General to ask
the Supreme Court to address in an advisory opinion
whether the proposed amendment is facially invalid
under the United States Constitution; amending s.
100.371, F.S.; providing that a citizen may challenge
a petition circulator's failure to register; providing
that a signature is valid until the next election
cycle; providing that the division or a supervisor may
provide petition forms in electronic format; requiring
a supervisor to charge the actual cost of verifying
petition forms; requiring the Department of State to
adopt rules; providing that a petition form is invalid
if the circulator is not registered; requiring the
Secretary of State to submit a copy of an initiative
to the Financial Impact Estimating Conference;
requiring the Financial Impact Estimating Conference
to analyze the financial impact to the state of a
proposed initiative; requiring the ballot to include
language explaining whether the Financial Impact Estimating Conference agreed on the initiative's impact; providing that the Speaker of the House of Representatives and the President of the Senate may direct legislative staff to analyze the effects of a citizen initiative; amending s. 101.161, F.S.; requiring that the ballot include disclosures about the initiative sponsor; requiring that the ballot include a statement about the initiative's projected financial impact; amending s. 101.171, F.S.; requiring a copy of the initiative text in each voting booth; amending s. 106.07, F.S.; requiring a political committee sponsoring an initiative to disclose the percentage of in-state contributions received; providing applicability; providing for severability; providing an effective date.

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

Section 1. Section 15.21, Florida Statutes, is amended to read:

15.21 Initiative petitions; s. 3, Art. XI, State Constitution.—The Secretary of State shall immediately submit an initiative petition to the Attorney General, and to the Financial Impact Estimating Conference, and to the Speaker of the House of Representatives and the President of the Senate.
of Representatives, and the President of the Senate if the sponsor has:

(1) Registered as a political committee pursuant to s. 106.03;
(2) Submitted the ballot title, substance, and text of the proposed revision or amendment to the Secretary of State pursuant to ss. 100.371 and 101.161; and
(3) Obtained a letter from the Division of Elections confirming that the sponsor has submitted to the appropriate supervisors for verification, and the supervisors have verified, forms signed and dated equal to 10 percent of the number of electors statewide and in at least one-fourth of the congressional districts required by s. 3, Art. XI of the State Constitution.

Section 2. Subsection (1) of section 16.061, Florida Statutes, is amended to read:

16.061 Initiative petitions.—
(1) The Attorney General shall, within 30 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, petition the Supreme Court, requesting an advisory opinion regarding the compliance of the text of the proposed amendment or revision with s. 3, Art. XI of the State Constitution, whether the proposed amendment is facially invalid under the United States Constitution, and the compliance of the proposed
ballot title and substance with s. 101.161. The petition may enumerate any specific factual issues that the Attorney General believes would require a judicial determination.

Section 3. Subsections (3), (6), (11), and (13) of section 100.371, Florida Statutes, are amended to read:

100.371 Initiatives; procedure for placement on ballot.—
(3)(a) A person may not collect signatures or initiative petitions for compensation unless the person is registered as a petition circulator with the Secretary of State.
(b) A citizen may challenge a petition circulator’s registration under this section by filing a petition in circuit court. If the court finds the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions for compensation until she or he is lawfully registered.

(6) The division or the supervisor of elections shall make hard copy petition forms or electronic PDF petition forms available to registered petition circulators. All such forms must contain information identifying the petition circulator to which the forms are provided. The division shall maintain a database of all registered petition circulators and the petition forms assigned to each. Each supervisor of elections shall provide to the division information on petition forms assigned to and received from petition circulators. The information must be provided in a format and at times as required by the division.
by rule. The division must update information on petition forms
daily and make the information publicly available.

(11) An initiative petition form circulated for signature
may not be bundled with or attached to any other petition. Each
signature shall be dated when made and shall be valid until the
next February 1 occurring in an even-numbered year for the
purpose of appearing on the ballot for the general election
occurring in that same year for a period of 2 years following
such date, provided all other requirements of law are met. The
sponsor shall submit signed and dated forms to the supervisor of
elections for the county of residence listed by the person
signing the form for verification of the number of valid
signatures obtained. If a signature on a petition is from a
registered voter in another county, the supervisor shall notify
the petition sponsor of the misfiled petition. The supervisor
shall promptly verify the signatures within 30 days after
receipt of the petition forms and payment of the fee for the
actual cost of signature verification incurred by the supervisor
required by s. 99.097. The Department of State shall adopt rules
to set the cost to verify a petition under this subsection, and
the Department shall update the cost annually. The supervisor
shall promptly record, in the manner prescribed by the Secretary
of State, the date each form is received by the supervisor, and
the date the signature on the form is verified as valid. The
supervisor may verify that the signature on a form is valid only
if:

(a) The form contains the original signature of the purported elector.

(b) The purported elector has accurately recorded on the form the date on which he or she signed the form.

(c) The form sets forth the purported elector's name, address, city, county, and voter registration number or date of birth.

(d) The purported elector is, at the time he or she signs the form and at the time the form is verified, a duly qualified and registered elector in the state.

(e) The signature was obtained legally, including that if a paid petition circulator was used, the circulator was validly registered under subsection (3) when the signature was obtained.

The supervisor shall retain the signature forms for at least 1 year following the election in which the issue appeared on the ballot or until the Division of Elections notifies the supervisors of elections that the committee that circulated the petition is no longer seeking to obtain ballot position.

(13)(a) At the same time the Secretary of State submits an initiative petition to the Attorney General pursuant to s. 15.21, the Secretary shall submit a copy of the initiative petition to the Financial Impact Estimating Conference. Within 75 days after receipt of a proposed revision or amendment to the
State Constitution by initiative petition from the Secretary of State, the Financial Impact Estimating Conference shall complete an analysis and financial impact statement to be placed on the ballot of the estimated increase or decrease in any revenues or costs to state or local governments, estimated economic impact on the state and local economy, and the overall impact to the state budget resulting from the proposed initiative. The 75-day time limit is tolled when the Legislature is in session. The Financial Impact Estimating Conference shall submit the financial impact statement to the Attorney General and Secretary of State.

(b) Immediately upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons shall be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representatives of the sponsor, interested parties, proponents, or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research.
(c) All meetings of the Financial Impact Estimating Conference shall be open to the public. The President of the Senate and the Speaker of the House of Representatives, jointly, shall be the sole judge for the interpretation, implementation, and enforcement of this subsection.

1. The Financial Impact Estimating Conference is established to review, analyze, and estimate the financial impact of amendments to or revisions of the State Constitution proposed by initiative. The Financial Impact Estimating Conference shall consist of four principals: one person from the Executive Office of the Governor; the coordinator of the Office of Economic and Demographic Research, or his or her designee; one person from the professional staff of the Senate; and one person from the professional staff of the House of Representatives. Each principal shall have appropriate fiscal expertise in the subject matter of the initiative. A Financial Impact Estimating Conference may be appointed for each initiative.

2. Principals of the Financial Impact Estimating Conference shall reach a consensus or majority concurrence on a clear and unambiguous financial impact statement, no more than 150 words in length, and immediately submit the statement to the Attorney General. Nothing in this subsection prohibits the Financial Impact Estimating Conference from setting forth a range of potential impacts in the financial impact statement.
Any financial impact statement that a court finds not to be in accordance with this section shall be remanded solely to the Financial Impact Estimating Conference for redrafting. The Financial Impact Estimating Conference shall redraft the financial impact statement within 15 days.

3. If the members of the Financial Impact Estimating Conference are unable to agree on the statement required by this subsection, or if the Supreme Court has rejected the initial submission by the Financial Impact Estimating Conference and no redraft has been approved by the Supreme Court by 5 p.m. on the 75th day before the election, the following statement shall appear on the ballot pursuant to s. 101.161(1): "The financial impact of this measure, if any, has not been reasonably determined at this time."

(d) The financial impact statement must be separately contained and be set forth after the ballot summary as required in s. 101.161(1).

1. If the financial impact statement projects estimates a net increased costs, decreased revenues, a negative impact on the state budget or local economy, or an indeterminate impact for any of these areas, the ballot must include the a statement required by s. 101.161(1)(a)4. indicating such estimated effect in bold font.

2. If the financial impact statement estimates an indeterminate financial impact, the ballot must include the
statement required by s. 101.161(1)(a)5.

3. If the members of the Financial Impact Estimating Conference are unable to agree on the statement required by this subsection, the ballot must include the statement required by s. 101.161(1)(a)6.

(e)1. Any financial impact statement that the Supreme Court finds not to be in accordance with this subsection shall be remanded solely to the Financial Impact Estimating Conference for redrafting, provided the court's advisory opinion is rendered at least 75 days before the election at which the question of ratifying the amendment will be presented. The Financial Impact Estimating Conference shall prepare and adopt a revised financial impact statement no later than 5 p.m. on the 15th day after the date of the court's opinion.

2. If, by 5 p.m. on the 75th day before the election, the Supreme Court has not issued an advisory opinion on the initial financial impact statement prepared by the Financial Impact Estimating Conference for an initiative amendment that otherwise meets the legal requirements for ballot placement, the financial impact statement shall be deemed approved for placement on the ballot.

3. In addition to the financial impact statement required by this subsection, the Financial Impact Estimating Conference shall draft an initiative financial information statement. The initiative financial information statement should describe in
greater detail than the financial impact statement any projected increase or decrease in revenues or costs that the state or local governments would likely experience and the estimated economic impact on the state and local economy if the ballot measure were approved. If appropriate, the initiative financial information statement may include both estimated dollar amounts and a description placing the estimated dollar amounts into context. The initiative financial information statement must include both a summary of not more than 500 words and additional detailed information that includes the assumptions that were made to develop the financial impacts, workpapers, and any other information deemed relevant by the Financial Impact Estimating Conference.

4. The Department of State shall have printed, and shall furnish to each supervisor of elections, a copy of the summary from the initiative financial information statements. The supervisors shall have the summary from the initiative financial information statements available at each polling place and at the main office of the supervisor of elections upon request.

5. The Secretary of State and the Office of Economic and Demographic Research shall make available on the Internet each initiative financial information statement in its entirety. In addition, each supervisor of elections whose office has a website shall post the summary from each initiative financial information statement on the website. Each supervisor shall
include a copy of each summary from the initiative financial
information statements and the Internet addresses for the
information statements on the Secretary of State's and the
Office of Economic and Demographic Research's websites in the
publication or mailing required by s. 101.20.

(f) When the Secretary of State submits a proposed
initiative petition to the Speaker of the House and the
President of the Senate pursuant to s. 15.21, the Speaker and
the President may direct legislative staff to prepare an
analysis of the petition. Such analysis may include, but is not
limited to, whether the amendment has undefined terms, conflicts
with an existing provision of the State Constitution, or will
cause unintended consequences or economic impacts.

Section 4. Subsection (1) of section 101.161, Florida
Statutes, is amended to read:

101.161 Referenda; ballots.—

(1)(a) Whenever a constitutional amendment or other public
measure is submitted to the vote of the people, a ballot summary
of such amendment or other public measure shall be printed in
clear and unambiguous language on the ballot after the list of
candidates, followed by the word "yes" and also by the word
"no," and shall be styled in such a manner that a "yes" vote
will indicate approval of the proposal and a "no" vote will
indicate rejection. The ballot summary of the amendment or other
public measure and the ballot title to appear on the ballot
shall be embodied in the constitutional revision commission proposal, constitutional convention proposal, taxation and budget reform commission proposal, or enabling resolution or ordinance. The ballot summary of the amendment or other public measure shall be an explanatory statement, not exceeding 75 words in length, of the chief purpose of the measure. In addition, for every constitutional amendment proposed by initiative, the ballot shall include, following the ballot summary, in the following order:

1. The name of the initiative's sponsor and the percentage of total contributions obtained by the sponsor from in-state persons. For purposes of this subparagraph, "person" has the same meaning as provided in s. 106.011(14), except that the term does not include a political party, affiliated party committee, or political committee.

2. Whether out-of-state petition circulators were used to obtain signatures for ballot placement.

3. A separate financial impact statement concerning the measure prepared by the Financial Impact Estimating Conference in accordance with s. 100.371(13), s. 100.371(5).

4. If the financial impact statement projects a net negative impact on the state budget, the following statement in bold print:

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

5. If the financial impact statement is indeterminate, the following statement in bold print:

THE FINANCIAL IMPACT OF THIS AMENDMENT CANNOT BE DETERMINED DUE TO AMBIGUITIES AND UNCERTAINTIES SURROUNDING THE AMENDMENT’S IMPACT.

6. If the members of the Financial Impact Estimating Conference are unable to agree on the financial impact statement, the following statement in bold print:

THE FINANCIAL IMPACT ESTIMATING CONFERENCE WAS UNABLE TO AGREE ON THE FINANCIAL IMPACT OF THIS PROPOSED CONSTITUTIONAL AMENDMENT. THIS AMENDMENT MAY RESULT IN HIGHER TAXES OR A LOSS OF GOVERNMENT SERVICES IN ORDER TO MAINTAIN A BALANCED STATE BUDGET AS REQUIRED BY THE CONSTITUTION.

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

Section 5. Section 101.171, Florida Statutes, is amended to read:

101.171 Copy of constitutional amendment to be available at voting locations.—Whenever any amendment to the State Constitution is to be voted upon at any election, the Department of State shall have printed and shall furnish to each supervisor of elections a sufficient number of copies of the amendment either in poster or booklet form, and the supervisor shall provide a copy in thereof conspicuously posted or available at each voting booth polling room or early voting area upon the day of election.

Section 6. Paragraph (a) of subsection (4) of section 106.07, Florida Statutes, is amended to read:

106.07 Reports; certification and filing.—

(4)(a) Except for daily reports, to which only the contributions provisions below apply, and except as provided in paragraph (b), each report required by this section must contain:

1. The full name, address, and occupation, if any, of each person who has made one or more contributions to or for such committee or candidate within the reporting period, together with the amount and date of such contributions. For corporations, the report must provide as clear a description as
practicable of the principal type of business conducted by the
corporation. However, if the contribution is $100 or less or is
from a relative, as defined in s. 112.312, provided that the
relationship is reported, the occupation of the contributor or
the principal type of business need not be listed.

2. The name and address of each political committee from
which the reporting committee or the candidate received, or to
which the reporting committee or candidate made, any transfer of
funds, together with the amounts and dates of all transfers.

3. Each loan for campaign purposes to or from any person
or political committee within the reporting period, together
with the full names, addresses, and occupations, and principal
places of business, if any, of the lender and endorsers, if any,
and the date and amount of such loans.

4. A statement of each contribution, rebate, refund, or
other receipt not otherwise listed under subparagraphs 1.
through 3.

5. The total sums of all loans, in-kind contributions, and
other receipts by or for such committee or candidate during the
reporting period. The reporting forms shall be designed to
elicit separate totals for in-kind contributions, loans, and
other receipts.

6. The full name and address of each person to whom
expenditures have been made by or on behalf of the committee or
candidate within the reporting period; the amount, date, and
pur
pose of each such expenditure; and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made. However, expenditures made from the petty cash fund provided by s. 106.12 need not be reported individually.

7. The full name and address of each person to whom an expenditure for personal services, salary, or reimbursement for authorized expenses as provided in s. 106.021(3) has been made and which is not otherwise reported, including the amount, date, and purpose of such expenditure. However, expenditures made from the petty cash fund provided for in s. 106.12 need not be reported individually. Receipts for reimbursement for authorized expenditures shall be retained by the treasurer along with the records for the campaign account.

8. The total amount withdrawn and the total amount spent for petty cash purposes pursuant to this chapter during the reporting period.

9. The total sum of expenditures made by such committee or candidate during the reporting period.

10. The amount and nature of debts and obligations owed by or to the committee or candidate, which relate to the conduct of any political campaign.

11. Transaction information for each credit card purchase. Receipts for each credit card purchase shall be retained by the treasurer with the records for the campaign account.
12. The amount and nature of any separate interest-bearing accounts or certificates of deposit and identification of the financial institution in which such accounts or certificates of deposit are located.

13. The primary purposes of an expenditure made indirectly through a campaign treasurer pursuant to s. 106.021(3) for goods and services such as communications media placement or procurement services, campaign signs, insurance, and other expenditures that include multiple components as part of the expenditure. The primary purpose of an expenditure shall be that purpose, including integral and directly related components, that comprises 80 percent of such expenditure.

14. If filed by a political committee supporting an initiative, the percentage of total contributions obtained during the reporting period from in-state persons. For purposes of this subparagraph, the term "person" has the same meaning as provided in s. 106.011, except that the term does not include a political party as provided in s. 103.091, affiliated party committee as provided in s. 103.092, or political committee as defined in s. 106.011.

Section 7. The provisions of this act apply to all revisions or amendments to the State Constitution by initiative that are proposed for the 2020 election ballot and each ballot thereafter; provided, however, that nothing in this act affects the validity of any petition form gathered before the effective
date of this act or any contract entered into before the effective date of this act.

Section 8. If any provision of this act or its application to any person or circumstance is held invalid for any reason, the remaining portion of this act, to the fullest extent possible, shall be severed from the void portion and given the fullest possible force and application.

Section 9. This act shall take effect upon becoming a law.