

The Constitution Revision Commission
COMMITTEE MEETING EXPANDED AGENDA

LEGISLATIVE
Commissioner Diaz, Chair
Commissioner Keiser, Vice Chair

MEETING DATE: Wednesday, November 29, 2017
TIME: 8:00 a.m.—12:00 noon
PLACE: 301 Senate Office Building, Tallahassee, Florida

MEMBERS: Commissioner Diaz, Chair; Commissioner Keiser, Vice Chair; Commissioners Armas, Carlton, Lee, Levesque, and Rouson

TAB	PROPOSAL NO. and INTRODUCER	PROPOSAL DESCRIPTION and COMMITTEE ACTIONS	COMMITTEE ACTION
1	P 50 Diaz	LEGISLATURE, Terms and qualifications of legislators; Section 15 of Article III of the State Constitution to require a candidate for the Legislature to reside in the district from which the candidate seeks election upon qualifying except at the election next following a reapportionment.	Favorable Yeas 4 Nays 0
		LE 11/29/2017 Favorable	

**Constitution Revision Commission
Legislative Committee
Proposal Analysis**

(This document is based on the provisions contained in the proposal as of the latest date listed below.)

Proposal #: P 50

Relating to: LEGISLATURE, Terms and qualifications of legislators

Introducer(s): Commissioner Diaz

Article/Section affected: Article III/Section 15

Date: November 21, 2017

REFERENCE	ACTION
1. <u>LE</u>	<u>Pre-meeting</u>

I. SUMMARY:

Proposal 50 amends Section 15 of Article III of the State Constitution to require that, except in years of reapportionment, legislative candidates must be residents of the districts for which the candidates seek office at the time of qualifying.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

The language in Article III, Section 15 currently requires legislators to be residents of the district from which they are elected, but does not require legislative candidates to be residents. Residency qualifications must be met upon assuming office, rather than when qualifying to run for office.

B. EFFECT OF PROPOSED CHANGES:

Proposal 50 amends Section 15 of Article III of the Florida Constitution to require legislative candidates, at the time of qualifying, to be residents of the districts for which the candidates seek office. This requirement is not in effect during years of reapportionment.¹

C. FISCAL IMPACT:

None.

¹ See Section 16 of Article III of the Florida Constitution regarding apportionment.

III. Additional Information:

A. Statement of Changes:

(Summarizing differences between the current version and the prior version of the proposal.)

None.

B. Amendments:

None.

C. Technical Deficiencies:

None.

D. Related Issues:

Rule 1S-2.0001, F.A.C. - Designation of Division of Elections as Filing Office for Department of State; Requirements for Candidate Qualifying Papers; Withdrawal of Candidacy will need to be updated reflecting any changes resulting from the final passage of Proposal 50.

By Commissioner Diaz

diazj-00061-17

201750__

1 A proposal to amend
 2 Section 15 of Article III of the State Constitution to
 3 require a candidate for the Legislature to reside in
 4 the district from which the candidate seeks election
 5 upon qualifying except at the election next following
 6 a reapportionment.
 7
 8 Be It Proposed by the Constitution Revision Commission of
 9 Florida:
 10
 11 Section 15 of Article III of the State Constitution is
 12 amended to read:
 13 ARTICLE III
 14 LEGISLATURE
 15 SECTION 15. Terms and qualifications of legislators.—
 16 (a) SENATORS. Senators shall be elected for terms of four
 17 years, those from odd-numbered districts in the years the
 18 numbers of which are multiples of four and those from even-
 19 numbered districts in even-numbered years the numbers of which
 20 are not multiples of four; except, at the election next
 21 following a reapportionment, some senators shall be elected for
 22 terms of two years when necessary to maintain staggered terms.
 23 (b) REPRESENTATIVES. Members of the house of
 24 representatives shall be elected for terms of two years in each
 25 even-numbered year.
 26 (c) QUALIFICATIONS. Each candidate for the legislature
 27 shall, at the time he or she qualifies, be a resident of the
 28 district from which the candidate seeks election, except at the
 29 election next following a reapportionment. Each legislator shall
 30 be at least twenty-one years of age, an elector and resident of
 31 the district from which elected and shall have resided in the
 32 state for a period of two years prior to election.

Page 1 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

diazj-00061-17

201750__

33 (d) ASSUMING OFFICE; VACANCIES. Members of the legislature
 34 shall take office upon election. Vacancies in legislative office
 35 shall be filled only by election as provided by law.

Page 2 of 2

CODING: Words ~~stricken~~ are deletions; words underlined are additions.