

## Florida Amendments

*By Christina Cazanave, MSW*

### Florida Amendment 1, Citizen Requirement for Voting Initiative

#### Purpose of this Amendment 1

Amendment 1 would amend Section 2 of Article VI of the Florida Constitution to state that only citizens of the United States who are 18 years old or older are qualified electors in Florida.<sup>[1]</sup>

- The Florida Constitution currently says, "**Every citizen** of the United States who is at least eighteen years of age and who is a permanent resident of the state, if registered as provided by law, shall be an elector of the county where registered."
- Under the ballot measure, the Florida Constitution would say, "**Only a citizen** of the United States who is at least eighteen years of age and who is a permanent resident of the state, if registered as provided by law, shall be an elector of the county where registered."

#### Campaign(s) in Support or Opposition of Amendment 1

##### Support

- **Florida Citizen Voters** is leading the campaign in support of the amendment. They are affiliated with Citizen Voters who is campaign for similar amendments in other US states (<https://citizenvoters.vote/>).
  - "Efforts are underway across the country in liberal cities to allow non-citizens to legally vote. San Francisco, Chicago, several cities in Vermont and Maryland already allow non-citizens to legally vote in some or all local elections. Boston and New York City council leaders are pushing to allow non-citizen voting in their cities," **John Loudon**, chair and treasurer of the Florida Citizen Voters committee.

##### Opposition

- **League of Women Voters of Florida** oppose Amendment 1.
  - Amendment 1 would make no substantive change to Florida's constitution, which already limits voting to US Citizens.

#### How does this Amendment Change Current Law?

The proposed wording change has no legal impact on voting in Florida because only citizens can legally vote in the Sunshine State, already. This amendment just injects the issues of voting and citizenship, and presumably non-citizenship and immigration, into the 2020 election campaign.

### How to vote on this Amendment

A **"yes"** vote supports amending the Florida Constitution to state that “only a citizen” of the U.S. who is 18 years old or older can vote in Florida.

A **"no"** vote opposes amending the Florida Constitution, thus keeping the existing language that says “every citizen” of the U.S. who is 18 years old or older can vote in Florida.

### More Information

- [https://ballotpedia.org/Florida Amendment 1, Citizen Requirement for Voting Initiative \(2020\)](https://ballotpedia.org/Florida_Amendment_1,_Citizen_Requirement_for_Voting_Initiative_(2020))
- <https://www.floridatoday.com/story/news/2020/08/19/florida-amendment-1-requires-only-a-citizens-can-vote/3381768001/>
- [https://www.chronicleonline.com/news/elections/2020\\_amendments/six-florida-constitutional-amendments-appear-on-this-years-ballot/article\\_82bc309e-e96c-11ea-b87d-ffc60f183dcb.html](https://www.chronicleonline.com/news/elections/2020_amendments/six-florida-constitutional-amendments-appear-on-this-years-ballot/article_82bc309e-e96c-11ea-b87d-ffc60f183dcb.html)
- <https://www.tampabay.com/florida-politics/buzz/2019/07/19/non-citizens-cant-vote-in-florida-so-why-is-this-group-trying-to-ban-it-again/>
- <https://citizenvoters.vote/>
- <https://www.lwvfl.org/amendment-1-2020/>

## **Florida Amendment 2, \$15 Minimum Wage Initiative (2020)**

### **Purpose of this Amendment 2**

Amendment 2 would increase the state minimum wage from \$8.56 in 2020 to \$15.00 in 2026. Under Amendment 2, the state minimum wage would increase each year as follows:

- \$10.00 on September 30, 2021;
- \$11.00 on September 30, 2022;
- \$12.00 on September 30, 2023;
- \$13.00 on September 30, 2024;
- \$14.00 on September 30, 2025; and
- \$15.00 on September 30, 2026.

Beginning on September 30, 2027, there would be an annual adjustment to the state minimum wage based on increases to the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W).

### **Campaign(s) in Support or Opposition of Amendment 2**

#### Support

- **Florida For a Fair Wage** is leading the campaign in support of Amendment 2.
  - “Amendment 2 would lift pay for hundreds of thousands of Floridians and reverse decades of growing pay inequality. It allows individuals to take pride in their work rather than fight the endless cycle of poverty. This higher income would also benefit workers’ communities as workers spend their extra earnings. This injection of new capital will help stimulate Florida’s economy and spur greater business activity and job growth” (2020).
- **The following organizations** support Amendment 3
  - AFL-CIO
  - Organize Florida
  - League of Women Voters of Florida

## Opposition

- **The Florida Restaurant and Lodging Association** is opposing Amendment 2.
  - This effort, known publicly in Florida, as Amendment 2 (2020) – Raising Florida’s Minimum Wage, is an attempt to amend our state’s constitution in order to increase Florida’s minimum wage to \$15/hour. If passed, this would have a devastating effect on businesses, decrease job opportunities, and raise prices for consumers. We CAN defeat this initiative, but we need your support to do it. Please invest in the effort to educate others on the true impact of Amendment 2. Your support will help defeat Amendment 2 and Save Florida Jobs.
- **Florida Chamber of Commerce** opposes Amendment 2

## How does this Amendment Change Current Law?

As of 2020, seven states had passed bills providing for a \$15 minimum wage to become effective incrementally. If Amendment 2 is approved, Florida would become the first state to increase the state's minimum wage to \$15 per hour through a ballot measure. Amendment 2 would implement the highest minimum wage rate of any ballot measure as of 2020. The highest rate implemented through ballot measure before Amendment 2 was Washington Initiative 1433 of 2016, which raised the state's minimum wage from \$9.47 to \$13.50 by 2020 (Ballotpedia, 2020).

## How to vote on this Amendment

A **"yes"** vote supports the initiative to increase the state's minimum wage incrementally until reaching \$15 per hour in September 2026.

A **"no"** vote opposes the initiative to increase the state's minimum wage incrementally until reaching \$15 in September 2026, thereby keeping the current minimum wage of \$8.46 per hour.

## More Information

- [https://ballotpedia.org/Florida\\_Amendment\\_2,\\_\\$15\\_Minimum\\_Wage\\_Initiative\\_\(2020\)](https://ballotpedia.org/Florida_Amendment_2,_$15_Minimum_Wage_Initiative_(2020))
- <https://floridafairwage.com/>
- <https://frla.org/minimum-wage/>
- <https://www.lwvfl.org/amendment-2-2020/>
- <https://www.floridatoday.com/story/news/2020/08/19/florida-amendment-2-raises-minimum-wage-15-dollars/3382768001/>

## **Florida Amendment 3, Top-Two Open Primaries for State Offices Initiative (2020)**

### Purpose of this Amendment 3

Amendment 3 would change Florida’s primary elections for state legislators, the governor and lieutenant governor, and elected cabinet members from a closed election to a top-two open primary. Currently, in Florida, primaries are closed, meaning a voter must be registered with a political party in order to participate in that party's primary election. Amendment 3 would replace closed primaries with top-two primaries in which all candidates would be placed on one ballot regardless of political affiliation and the top two candidates with the most votes would advance to the general election.

### Campaign(s) in Support or Opposition of Amendment 3

#### Support

- **All Voters Vote, Inc.** is leading the campaign in support of Amendment 3
  - “The vast majority of races in Florida are decided in the closed party primaries—which excludes most voters. Those closed primaries are decided by the small, extreme wings of each party. Because of this, our elected leaders no longer have to answer to the majority of people, but only to a very small group of hyper-partisan voters. By giving all voters a chance to vote, politicians will become answerable to the majority of voters, not just a select few” (2020).
- **Florida Open Primaries** support Amendment 3
  - <https://youtu.be/DQQIDmtvmqk>

#### Opposition

- **People over Profit** is opposing Amendment 3.
  - An unforeseen outcome of this proposal is the loss of minority representation in both legislative chambers. Florida’s Constitution requires that state house and senate districts must be drawn compactly and equal in population. Both the federal 1965 Voting Rights Act and the 2010 Fair Districts Amendment to

Florida's Constitution require that racial minorities be able to elect candidates of their choosing and who reflect their communities. Black representation in the Florida Legislature is secured in Democratic primaries in which Black voters form a significantly greater proportion of the electorate than in the population at-large (2020).

- **FL Republican and Democratic Parties** are opposing Amendment 3.
  - The Democratic Party of Florida argued that the measure's ballot language is misleading, confusing, and violates the state's single-subject rule.
  - The Republican Party of Florida argue "The proposed amendment would limit voters' options at the general election to two—and only two—candidates, and eliminate any guarantee that voters will be provided a true choice at the general election between nominees representing different political parties or ideological perspectives on significant matters of public policy."
  
- **The following organizations** are opposing Amendment 3
  - AFL-CIO
  - Florida State Conference NAACP
  - Florida Conservation Voters
  - Florida Chamber of Commerce
  - Green Party of Florida
  - League of Women Voters of Florida
  - Organize Florida
  - Florida People's Advocacy Center

#### How does this Amendment Change Current Law?

Amendment 3 would replace closed primaries with **top-two** primaries in which all candidates would be placed on one ballot regardless of political affiliation and the top two candidates with the most votes would advance to the general election. A candidate's party affiliation may appear on the ballot as provided by law. The primaries would also be **open**, meaning any registered voter, regardless of their political affiliation, could vote in the primary election.

Under Amendment 3, in cases where only two candidates qualify for the primary election, the primary would be canceled and the election winner would be decided in the general election. If approved by 60% of voters at the 2020 general election, the top-two open primary system would be used beginning in 2024 (Ballotpedia, 2020).

There are concerns that this amendment could ultimately suppress minority representation (Politico, 2020).

#### How to vote on this Amendment

A **"yes"** vote supports establishing a top-two open primary system for primary elections for state legislators, the governor, and cabinet (attorney general, chief financial officer, and commissioner of agriculture) in Florida.

A **"no"** vote opposes establishing a top-two open primary system for primary elections, thereby leaving in place Florida's current system where closed primaries are held by each party.

### More Information

- [https://ballotpedia.org/Florida\\_Amendment\\_3,\\_Top-Two\\_Open\\_Primarys\\_for\\_State\\_Offices\\_Initiative\\_\(2020\)](https://ballotpedia.org/Florida_Amendment_3,_Top-Two_Open_Primarys_for_State_Offices_Initiative_(2020))
- <https://allvotersvote.org/>
- <https://www.floridaopenprimaries.org/>
- <https://thepeopleoverprofits.org/amendment-3>
- <https://www.lwvfl.org/amendment-3-2020/>
- <https://www.winknews.com/2020/09/09/florida-republicans-democrats-opposed-amendment-3-that-would-change-states-primary-system/>
- <https://www.politico.com/states/florida/story/2020/09/08/black-legislators-sound-warning-on-florida-primary-amendment-1316032>
- <https://www.tampabay.com/florida-politics/buzz/2020/08/12/amendment-3-would-suppress-black-representation-in-florida-new-report-says/>

## **Florida Amendment 4, Require Constitutional Amendments to be Passed Twice Initiative** **(2020)**

### Purpose of this Amendment 4

Amendment 4 would require constitutional amendments to be approved by voters at two successive general elections to become effective. Currently in Florida, if voters approve an amendment at one general election, it becomes part of the constitution.

### Campaign(s) in Support or Opposition of Amendment 3

#### Support

- **Keep Our Constitution Clean PC** is leading the campaign in support of Amendment 4
  - “Our goal is to ensure that voters are given the opportunity to fully understand the immediate and future impacts of any proposed changes to our state constitution.” (2020).
- **Florida Chamber of Congress** is in support Amendment 4

#### Opposition

- **League of Women Voters** is opposing Amendment 4.
  - “This amendment will greatly increase the difficulty of amending the constitution by any means. In particular, this will significantly limit citizens’ ability to engage in direct democracy, due to the increased cost and time required to bring citizen initiatives to the ballot” (2020).
- **The following organizations** are opposing Amendment 4.
  - AFL-CIO
  - ACLU
  - BAWN: Ban Assault Weapons Now!
  - Common Cause
  - SPLC Action Fund
  - Florida Civic Engagement
  - Florida Rights Restoration Coalition
  - Florida Conservation Voters



- Service Employees International Union
- Organize Florida
- New Florida Majority
- Florida Immigrant Coalition
- Florida People’s Advocacy Center
- Florida Center For Fiscal and Economic Policy
- Catalyst Miami
- Floridians for Freedom PAC
- SEIU 1199
- Florida C3 Civic Engagement Table
- FRRC (Florida Rights Restoration Coalition)

How does this Amendment Change Current Law?

In Florida, constitutional amendments require a 60% supermajority vote to become effective. This requirement was added to the constitution in 2006. Under Amendment 4, the supermajority requirement would apply to both elections.<sup>[1]</sup>

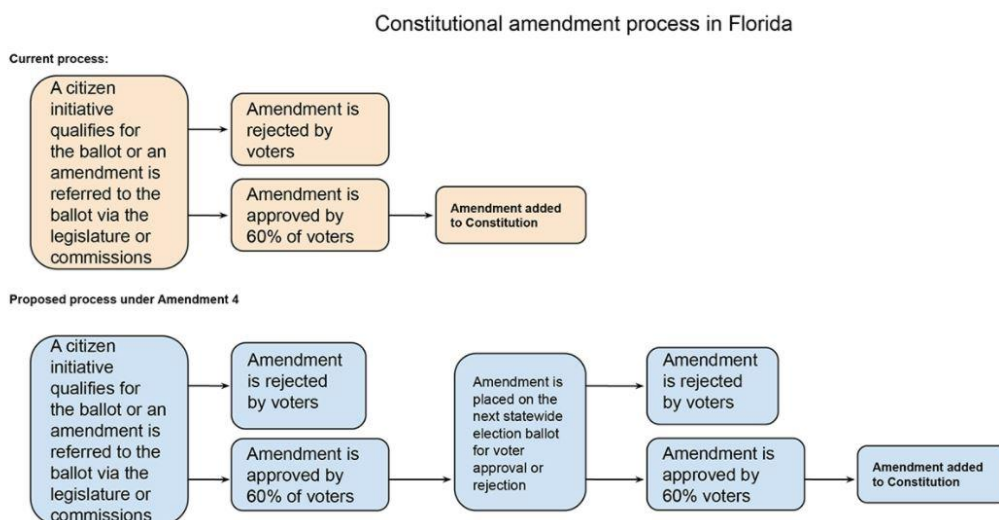


Image provide by Ballotpedia 2020

How to vote on this Amendment

A "yes" vote supports requiring voter-approved constitutional amendments to be approved by voters at a second general election to become effective.

A "no" vote opposes requiring voter-approved constitutional amendments to be approved by voters at a second general election to become effective.

More Information

- [https://ballotpedia.org/Florida Amendment 4, Require Constitutional Amendments to be Passed Twice Initiative \(2020\)](https://ballotpedia.org/Florida_Amendment_4,_Require_Constitutional_Amendments_to_be_Passed_Twice_Initiative_(2020))
- <https://cleanconstitution.org/>

- <https://www.lwvfl.org/amendment4-2020/>

## **Florida Amendment 5, Extend "Save Our Homes" Portability Period Amendment (2020)**

### Purpose of this Amendment 5

This Amendment would change Article 7, Section 4 of the Constitution to extend the period during which a person may transfer Save Our Homes benefits from two to three years. The difference between the adjusted value and the appraised value is the Save Our Home benefit. Currently, if a person moves to a new home, they have two years to transfer this benefit to their new home.

Increases from 2 years to 3 years the period of time homeowners have to transfer their Save Our Homes benefits from a prior home to a new home. The difference between a home's adjusted value and the appraised value is the Save Our Home benefit.

### Campaign(s) in Support or Opposition of Amendment 5

#### Support

- **Florida Legislatures** are the lead the support of Amendment 5
  - Rick Roth (R) - Florida state representative and Jeff Brandes (R) – Florida state senator sponsored respective bills. The measure was passed unanimously in both chambers of the Florida State Legislature.

#### Opposition

- **League of Women Voters of Florida** is opposing Amendment 5.
  - The League has a position that “no tax sources or revenue should be specified, limited, exempted, or prohibited in the Constitution.” Property taxes are levied by local county governments to pay for local programs and services. It takes a lot to change the Constitution. Placing restrictions in the constitution, rather than passing local and state laws, limits local governments’ ability to manage their budgets to best respond to the needs of their communities.

### How does this Amendment Change Current Law?

The Save Our Homes Amendment of the State's Constitution was approved by Florida voters in 1992 and put into effect in 1995. This amendment places a limitation of 3% on any annual assessment increases on Homestead Properties in Florida. Currently, when a Florida resident moves, they have two years to transfer their Save Our Homes Benefit to a new primary residence. The proposed change fixes a potential pitfall for portability because homestead exemptions take effect on Jan. 1, meaning the sale of a home late in the year would effectively reduce the portability from two years to little more than one and a few days.

### How to vote on this Amendment

A **"yes"** vote supports extending the period during which a person may transfer Save Our Homes benefits to a new homestead property from two years to three years.

A **"no"** vote opposes extending the period during which a person may transfer Save Our Homes benefits to a new homestead property from two years to three years.

### More Information

- <https://www.pcpao.org/SOH.html>
- <https://www.lwvfl.org/amendment-5-2020/>
- <https://www.tampabay.com/opinion/2020/01/31/extending-deadline-on-save-our-homes-portability-makes-sense-editorial/>
- <https://www.sun-sentinel.com/opinion/commentary/fl-op-com-amendment-5-and-6-property-appraiser-20200915-drjmf7d4rzdhnrdjvw7smlvu-story.html>

## Florida Amendment 6, Homestead Property Tax Discount for Spouses of Deceased Veterans Amendment (2020)

### Purpose of this Amendment 6

This amendment would change Section 6 of Article 7 of the Florida Constitution. It would allow a homestead property tax discount to be transferred to the surviving spouse of a deceased veteran. The discount would be in effect until the spouse remarries, sells, or otherwise disposes of the property. If the spouse sells the property and does not remarry, the spouse's new primary residence may receive a homestead tax discount not exceeding the dollar amount from the most recent ad valorem tax roll.

### Campaign(s) in Support or Opposition of Amendment 6

#### Support

- **Florida Legislatures** are the lead the support of Amendment 6
  - Sam Killebrew (R) - Florida state representative and Tom Wright (R) – Florida state senator sponsored respective bills. The measure was passed unanimously in both chambers of the Florida State Legislature.

#### Opposition

- **League of Women Voters of Florida** is opposing Amendment 6.
  - The League has a position that “no tax sources or revenue should be specified, limited, exempted, or prohibited in the Constitution.” As with proposed Amendment 5 this statewide constitutional law limits the ability of local governments to manage their budgets. Amendments such as these, reduce property tax revenue available for funding local schools and other services like police, fire and infrastructure.

### How does this Amendment Change Current Law?

Currently, the homestead property tax discount for veterans expires upon their death and is not extended to their spouses. If passed, the amendment would eliminate this expiration until the spouse remarries, sells, or otherwise disposes of the property. Homestead exemption benefits have been improved for veterans three times in recent years.

#### How to vote on this Amendment

A "**yes**" vote supports allowing a homestead property tax discount to be transferred to the surviving spouse of a deceased veteran.

A "**no**" vote opposes allowing a homestead property tax discount to be transferred to the surviving spouse of a deceased veteran.

#### More Information

- [https://ballotpedia.org/Florida\\_Amendment\\_6,\\_Homestead\\_Property\\_Tax\\_Discount\\_for\\_Spouses\\_of\\_Deceased\\_Veterans\\_Amendment\\_\(2020\)#Path\\_to\\_the\\_ballot](https://ballotpedia.org/Florida_Amendment_6,_Homestead_Property_Tax_Discount_for_Spouses_of_Deceased_Veterans_Amendment_(2020)#Path_to_the_ballot)
- <https://www.sun-sentinel.com/opinion/editorials/fl-op-general-endorse-florida-constitution-amendment-five-six-20200903-oxfowsu2x5ep5nhndyq6ttipsy-story.html>
- <https://www.lwvfl.org/amendment-6-2020/>