

## 2018 Florida Constitutional Ballot Amendment Overview

On Thursday, September 20, United Way Women United hosted a legislative briefing for its members on the 2018 Florida Constitutional Amendments that will appear on the ballot this November. Vicki Lopez of VLL Consulting led the session, highlighting the key points in each of the amendments. Following is a summary of her presentation:

### Summary of Amendments 1-5 originated from the Florida Legislature and citizens

#### 1. Increased homestead property tax exemption

- Originated by the Florida Legislature and passed largely along party line vote.
- Would increase homestead exemption by \$25,000 for homes valued at more than \$100,000. Excludes local school taxes from the exemption.
- If voters approve the additional \$25,000 exemption in this amendment, that will increase to \$75,000 the total amount a homeowner can deduct for a home valued at \$125,000 or more.

#### 2. Limitations on property tax assessment

- Originated by the Florida legislature and passed as a bipartisan measure.
- This would make the Save our Homes-like tax cap permanent for non-homestead property (vacation homes, apartments and commercial property) that prevents taxable values from growing more than 10% per year.
- If this measure fails the non-homestead cap would expire in 2019.

Note: Constitutional amendments 1 and 2 save taxpayers \$1.3B annually but will cost cities, counties and other local governments.

#### 3. Voter control of gambling

- Originated by a petition drive supported by Disney and the Seminole Tribe.
- It prevents the construction of a casino anywhere in Florida unless first approved by voters in a statewide referendum. This would effectively bar the Legislature from making those gambling decisions by passing laws.

#### 4. Voting restoration amendment

- Originated by a petition drive.
- Would automatically restore voting rights of felons once they have completed their sentences.
  - Exceptions: Those convicted of murder or sexual offense.
- Florida is one of only four states that permanently bars felons from voting after their sentences are completed.

#### 5. Supermajority vote required to impose, authorize or raise state taxes or fees

- Originated by the Florida Legislature.
- This would make it harder for future Legislatures to raise or impose taxes by requiring a two-thirds votes, rather than a simple majority.

### Amendments 6-13 proposed by the Constitution Revision Committee

#### 6. Rights of Crime Victims; Judges

- Crime Victims: Right to attend trials or any other public proceedings and to testify at a pretrial release; sentencing or parole hearings.
- Judges:
  - Raise the retirement age for judges from 70-75 but requires the step down upon reaching that age instead of finishing out their term. Effective July 1, 2019.
  - Forbid courts from deferring to a state agency's interpretation when considering a challenge to a law or rule if the Legislature hasn't spoken directly to the precise issues at hand. This is known as the "Chevron Defense", after a 1984 Supreme Court case involving the oil company.

## **7. First Responder and Military Member Survivor Benefits; Public Colleges and Universities**

- First Responder and Military Member Survivor Benefits:
  - Ensure death benefits are paid out to first responders and members of the Florida National Guard who are accidentally or illegally killed on the job.
  - Orders the state to waive “certain educational expenses” for their children who pursue career certificated or higher education.
- Public Colleges and Universities:
  - Requires at least nine votes from a university’s board of trustees and at least 12 votes from the Board of Governors to impose or raise fees on students.
  - Establish the Florida College system within the constitution alongside K-12 and State University System.

## **8. The Florida Super Court has removed Amendment 8 for the November 2018 ballot.**

## **9. Prohibits Offshore Oil and Gas Drilling; Prohibits Vaping in Workplaces**

- Prohibits offshore oil and gas drilling
- Prohibits vaping in workplaces
  - 2002 constitutional amendment already bans smoking in workplaces

## **10. State and Local Government Structure and Operation**

- Establishes a counterterrorism office with the Florida Department of Law Enforcement.
- Cements into the constitution a state Department of Veteran’s Affairs.
- Affixes in place the Legislature’s recent practice of beginning sessions in even-numbered year in January, rather than March.
- Forces every county to make its sheriff, tax collector, property appraiser, and supervisor of elections or clerk of courts positions elected officers rather than appointed ones.

## **11. Property Rights; Removal of Obsolete Provisions; Criminal Statutes**

- Property Rights:
  - Repeal a 92-year- old provision in the constitution barring immigrants who aren’t eligible for citizenship from owning property.
- Removal of Obsolete Provisions:
  - Erase a constitutional amendment ordering the construction of a high-speed train that voters had already voted to repeal.
- Criminal Statutes:
  - Allows lawmakers to make some changes to criminal laws retroactively.

## **12. Lobby and Abuse of Office by Public Officers**

- Prevent the governor, cabinet members, agency head, state lawmakers and local elected officials from getting paid to lobby their former colleagues for six years after they leave office.
- Impose a similar ban forbidding justices and judges from lobbying the Legislature or executive branch for six years.
- Requires stricter ethical standards for all public officers and public employees that must, at a minimum, forbid them from abusing their positions in order to benefit themselves, their spouses, their children, their employer or their businesses.

## **13. Dog Racing**

- Outlaws greyhound racing in Florida by December 31<sup>st</sup>, 2020.
- Would allow tracks to continue other pari-mutuel offerings such as card rooms and simulcast betting on dog races in other states.