A proposal to revise
the Florida Constitution by adopting language
that is not gender-specific.

It is proposed by the Florida Constitution Revision Commission
that:

Section 1. Article I, Sections 4, 16(a) and 23; Article
II, Section 5(b); Article III, Sections 3(f), 8(a) and (b),
and 17(b) and (c); Article IV, Sections 1(a) and (c), 2, 3(b),
4(e), and 7(a); Article V, Sections 2(b), 3(a), 8, 10(a),
11(c), 17, 18, and 20(c), (d) and (e), Article VII, Section
6(b); Article IX, Section 5; Article X, Sections 3 and 4(a);
Article XI, Sections 2(b) and (c) and 6(c) of the Florida
Constitution are amended to read:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 4. Freedom of speech and press.--Every person
may speak, write and publish his sentiments on all subjects
but shall be responsible for the abuse of that right. No law
shall be passed to restrain or abridge the liberty of speech
or of the press. In all criminal prosecutions and civil
actions for defamation the truth may be given in evidence. If
the matter charged as defamatory is true and was published
with good motives, the party shall be acquitted or exonerated.

SECTION 16. Rights of accused and of victims.--
(a) In all criminal prosecutions the accused shall,
upon demand, be informed of the nature and cause of the
accusation against him, and shall be furnished a copy of the
charges, and shall have the right to have compulsory process
for witnesses, to confront at trial adverse witnesses, to be

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heard in person, by counsel or both, and to have a speedy and public trial by impartial jury in the county where the crime was committed. If the county is not known, the indictment or information may charge venue in two or more counties conjunctively and proof that the crime was committed in that area shall be sufficient; but before pleading the accused may elect in which of those counties the trial will take place he will be tried. Venue for prosecution of crimes committed beyond the boundaries of the state shall be fixed by law.

SECTION 23. Right of privacy.--Every natural person has the right to be let alone and free from governmental intrusion into the person's private life except as otherwise provided herein. This section shall not be construed to limit the public's right of access to public records and meetings as provided by law.

ARTICLE II

GENERAL PROVISIONS

SECTION 5. Public officers.--

(b) Each state and county officer, before entering upon the duties of the office, shall give bond as required by law, and shall swear or affirm:

"I do solemnly swear (or affirm) that I will support, protect, and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of the state; and that I will well and faithfully perform the duties of ...(title of office)... on which I am now about to enter. So help me God."

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and thereafter shall devote personal attention to the duties of the office, and continue in office until a his successor qualifies.

ARTICLE III

LEGISLATURE

SECTION 3. Sessions of the legislature.--

(f) ADJOURNMENT BY GOVERNOR. If, during any regular or special session, the two houses cannot agree upon a time for adjournment, the governor may adjourn the session sine die or to any date within the period authorized for such session; provided that, at least twenty-four hours before adjourning the session, and he shall, while neither house is in recess, give each house shall be given formal written notice of the governor's intention to do so, and agreement reached within that period by both houses on a time for adjournment shall prevail.

SECTION 8. Executive approval and veto.--

(a) Every bill passed by the legislature shall be presented to the governor for his approval and shall become a law if the governor he approves and signs it, or fails to veto it within seven consecutive days after presentation. If during that period or on the seventh day the legislature adjourns sine die or takes a recess of more than thirty days, the governor he shall have fifteen consecutive days from the date of presentation to act on the bill. In all cases except general appropriation bills, the veto shall extend to the entire bill. The governor may veto any specific appropriation in a general appropriation bill, but may not veto any qualification or restriction without also vetoing the appropriation to which it relates.

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(b) When a bill or any specific appropriation of a
general appropriation bill has been vetoed by the governor he shall transmit his signed objections thereto to the house
in which the bill originated if in session. If that house is
not in session, the governor he shall file them with the
secretary of state, who shall lay them before that house at
its next regular or special session, and they shall be entered
on its journal.

SECTION 17. Impeachment.--

(b) An officer impeached by the house of
representatives shall be disqualified from performing any
official duties until acquitted by the senate, and unless the
governor is impeached, the governor he may by appointment fill
the office until completion of the trial.

(c) All impeachments by the house of representatives
shall be tried by the senate. The chief justice of the
supreme court, or another justice designated by the chief
justice him, shall preside at the trial, except in a trial of
the chief justice, in which case the governor shall preside.
The senate shall determine the time for the trial of any
impeachment and may sit for the trial whether the house of
representatives be in session or not. The time fixed for trial
shall not be more than six months after the impeachment.
During an impeachment trial senators shall be upon their oath
or affirmation. No officer shall be convicted without the
concurrency of two-thirds of the members of the senate
present. Judgment of conviction in cases of impeachment shall
remove the offender from office and, in the discretion of the
senate, may include disqualification to hold any office of
honor, trust or profit. Conviction or acquittal shall not
affect the civil or criminal responsibility of the officer.
ARTICLE IV
EXECUTIVE

SECTION 1. Governor.--

(a) The supreme executive power shall be vested in a governor, who shall be commander-in-chief of all military forces of the state not in active service of the United States. The governor shall take care that the laws be faithfully executed, commission all officers of the state and counties, and transact all necessary business with the officers of government. The governor may require information in writing from all executive or administrative state, county or municipal officers upon any subject relating to the duties of their respective offices. The governor shall be the chief administrative officer of the state responsible for the planning and budgeting for the state.

(c) The governor may request in writing the opinion of the justices of the supreme court as to the interpretation of any portion of this constitution upon any question affecting his executive powers and duties. The justices shall, subject to their rules of procedure, permit interested persons to be heard on the questions presented and shall render their written opinion not earlier than ten days from the filing and docketing of the request, unless in their judgment the delay would cause public injury.

SECTION 2. Lieutenant governor.--There shall be a lieutenant governor, who shall perform such duties pertaining to the office of governor as shall be assigned to him by the governor, except when otherwise provided by law, and such other duties as may be prescribed by law.

SECTION 3. Succession to office of governor; acting governor.--

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(b) Upon impeachment of the governor and until completion of trial thereof, or during his physical or mental incapacity, the lieutenant governor shall act as governor. Further succession as acting governor shall be prescribed by law. Incapacity to serve as governor may be determined by the supreme court upon due notice after docketing of a written suggestion thereof by four cabinet members, and in such case restoration of capacity shall be similarly determined after docketing of written suggestion thereof by the governor, the legislature or four cabinet members. Incapacity to serve as governor may also be established by certificate filed with the secretary of state by the governor declaring his incapacity for physical reasons to serve as governor, and in such case restoration of capacity shall be similarly established.

SECTION 4. Cabinet.--

(e) The treasurer shall keep all state funds and securities and shall disburse state funds only upon the order of the comptroller. Such order may be in any form and may require the disbursement of state funds by electronic means or by means of a magnetic tape or any other transfer medium.

SECTION 7. Suspensions; filling office during suspensions.--

(a) By executive order stating the grounds and filed with the secretary of state, the governor may suspend from office any state officer not subject to impeachment, any officer of the militia not in the active service of the United States, or any county officer, for malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform his official duties, or commission of a felony, and may fill the office by appointment for the period

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of suspension. The suspended officer may at any time before
removal be reinstated by the governor.

ARTICLE V
JUDICIARY

SECTION 2. Administration; practice and procedure.--

(b) The chief justice of the supreme court shall be
chosen by a majority of the members of the court; he shall
be the chief administrative officer of the judicial system;
and he shall have the power to assign justices or judges,
including consenting retired justices or judges, to temporary
duty in any court for which the judge is qualified and to
delegate to a chief judge of a judicial circuit the power to
assign judges for duty in that his respective circuit.

SECTION 3. Supreme court.--

(a) ORGANIZATION.--The supreme court shall consist of
seven justices. Of the seven justices, each appellate
district shall have at least one justice elected or appointed
from the district to the supreme court who is a resident of
the district at the time of his original appointment or
election. Five justices shall constitute a quorum. The
concurrency of four justices shall be necessary to a decision.
When recusals for cause would prohibit the court from
convening because of the requirements of this section, judges
assigned to temporary duty may be substituted for justices.

SECTION 8. Eligibility.--No person shall be eligible
for office of justice or judge of any court unless the person
he is an elector of the state and resides in the territorial
jurisdiction of the his court. No justice or judge shall
serve after attaining the age of seventy years except upon
temporary assignment or to complete a term, one-half of which
he has been served. No person is eligible for the office of

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justice of the supreme court or judge of a district court of
appeal unless the person he is, and has been for the preceding
ten years, a member of the bar of Florida. No person is
eligible for the office of circuit judge unless the person he
is, and has been for the preceding five years, a member of the
bar of Florida. Unless otherwise provided by general law, no
person is eligible for the office of county court judge unless
the person he is, and has been for the preceding five years,
a member of the bar of Florida. Unless otherwise provided by
general law, a person shall be eligible for election or
appointment to the office of county court judge in a county
having a population of 40,000 or less if the person he is a
member in good standing of the bar of Florida.

SECTION 10. Retention; election and terms.--
(a) Any justice of the supreme court or any judge of a
district court of appeal may qualify for retention by a vote
of the electors in the general election next preceding the
expiration of the justice's or judge's his term in the manner
prescribed by law. If a justice or judge is ineligible or
fails to qualify for retention, a vacancy shall exist in that
office upon the expiration of the term being served by the
justice or judge. When a justice of the supreme court or a
judge of a district court of appeal so qualifies, the ballot
shall read substantially as follows: "Shall Justice (or Judge)
...(name of justice or judge)... of the ...(name of the
court)... be retained in office?" If a majority of the
qualified electors voting within the territorial jurisdiction
of the court vote to retain, the justice or judge shall be
retained for a term of six years commencing on the first
Tuesday after the first Monday in January following the
general election. If a majority of the qualified electors
voting within the territorial jurisdiction of the court vote
to not retain, a vacancy shall exist in that office upon the
expiration of the term being served by the justice or judge.

SECTION 11. Vacancies.--

(c) The nominations shall be made within thirty days
from the occurrence of a vacancy unless the period is extended
by the governor for a time not to exceed thirty days. The
governor shall make the appointment within sixty days after
the nominations have been certified to him.

SECTION 17. State attorneys.--In each judicial circuit
a state attorney shall be elected for a term of four years.
Except as otherwise provided in this constitution, the state
attorney shall be the prosecuting officer of all trial
courts in that circuit and shall perform other duties
prescribed by general law; provided, however, when authorized
by general law, the violations of all municipal ordinances may
be prosecuted by municipal prosecutors. A state attorney
shall be an elector of the state and reside in the territorial
jurisdiction of the circuit. He shall be and have been a
member of the bar of Florida for the preceding five years;
he shall devote full time to the duties of the office;
and, he shall not engage in the private practice of law.
State attorneys shall appoint such assistant state attorneys
as may be authorized by law.

SECTION 18. Public defenders.--In each judicial
circuit a public defender shall be elected for a term of four
years, who shall perform duties prescribed by general
law. A public defender shall be an elector of the state and
reside in the territorial jurisdiction of the circuit and.
He shall be and have been a member of the Bar of Florida for the

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preceding five years. Public defenders shall appoint such
assistant public defenders as may be authorized by law.

SECTION 20. Schedule to Article V.--
(c) After this article becomes effective, and until
changed by general law consistent with sections 1 through 19
of this article:
(1) The supreme court shall have the jurisdiction
immediately theretofore exercised by it, and it shall
determine all proceedings pending before it on the effective
date of this article.
(2) The appellate districts shall be those in
existence on the date of adoption of this article. There
shall be a district court of appeal in each district. The
district courts of appeal shall have the jurisdiction
immediately theretofore exercised by the district courts of
appeal and shall determine all proceedings pending before them
on the effective date of this article.
(3) Circuit courts shall have jurisdiction of appeals
from county courts and municipal courts, except those appeals
which may be taken directly to the supreme court; and they
shall have exclusive original jurisdiction in all actions at
law not cognizable by the county courts; of proceedings
relating to the settlement of the estate of decedents and
minors, the granting of letters testamentary, guardianship,
involuntary hospitalization, the determination of
incompetency, and other jurisdiction usually pertaining to
courts of probate; in all cases in equity including all cases
relating to juveniles; of all felonies and of all misdemeanors
arising out of the same circumstances as a felony which is
also charged; in all cases involving legality of any tax
assessment or toll; in the action of ejectment; and in all
actions involving the titles or boundaries or right of
possession of real property. The circuit court may issue
injunctions. There shall be judicial circuits which shall be
the judicial circuits in existence on the date of adoption of
this article. The chief judge of a circuit may authorize a
county court judge to order emergency hospitalizations
pursuant to Chapter 71-131, Laws of Florida, in the absence
from the county of the circuit judge and the county court
judge shall have the power to issue all temporary orders and
temporary injunctions necessary or proper to the complete
exercise of such jurisdiction.

(4) County courts shall have original jurisdiction in
all criminal misdemeanor cases not cognizable by the circuit
courts, of all violations of municipal and county ordinances,
and of all actions at law in which the matter in controversy
does not exceed the sum of two thousand five hundred dollars
($2,500.00) exclusive of interest and costs, except those
within the exclusive jurisdiction of the circuit courts.

Judges of county courts shall be committing magistrates. The
county courts shall have jurisdiction now exercised by the
county judge's courts other than that vested in the circuit
court by subsection (c)(3) hereof, the jurisdiction now
exercised by the county courts, the claims court, the small
claims courts, the small claims magistrates courts,

magistrates courts, justice of the peace courts, municipal
courts and courts of chartered counties, including but not
limited to the counties referred to in Article VIII, sections
9, 10, 11 and 24 of the Constitution of 1885.

(5) Each judicial nominating commission shall be
composed of the following:

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a. Three members appointed by the Board of Governors of The Florida Bar from among The Florida Bar members who are actively engaged in the practice of law with offices within the territorial jurisdiction of the affected court, district or circuit;

b. Three electors who reside in the territorial jurisdiction of the court or circuit appointed by the governor; and

c. Three electors who reside in the territorial jurisdiction of the court or circuit and who are not members of the bar of Florida, selected and appointed by a majority vote of the other six members of the commission.

(6) No justice or judge shall be a member of a judicial nominating commission. A member of a judicial nominating commission may hold public office other than judicial office. No member shall be eligible for appointment to state judicial office so long as the person is a member of a judicial nominating commission and for a period of two years thereafter. All acts of a judicial nominating commission shall be made with a concurrence of a majority of its members.

(7) The members of a judicial nominating commission shall serve for a term of four years except the terms of the initial members of the judicial nominating commissions shall expire as follows:

a. The terms of one member of category a. b. and c. in subsection (c)(5) hereof shall expire on July 1, 1974;

b. The terms of one member of category a. b. and c. in subsection (c)(5) hereof shall expire on July 1, 1975;

c. The terms of one member of category a. b. and c. in subsection (c)(5) hereof shall expire on July 1, 1976;

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(8) All fines and forfeitures arising from offenses tried in the county court shall be collected, and accounted for by clerk of the court, and deposited in a special trust account. All fines and forfeitures received from violations of ordinances or misdemeanors committed within a county or municipal ordinances committed within a municipality within the territorial jurisdiction of the county court shall be paid monthly to the county or municipality respectively. If any costs are assessed and collected in connection with offenses tried in county court, all court costs shall be paid into the general revenue fund of the state of Florida and such other funds as prescribed by general law.

(9) Any municipality or county may apply to the chief judge of the circuit in which that municipality or county is situated for the county court to sit in a location suitable to the municipality or county and convenient in time and place to its citizens and police officers and upon such application said chief judge shall direct the court to sit in the location unless the chief judge he shall determine the request is not justified. If the chief judge does not authorize the county court to sit in the location requested, the county or municipality may apply to the supreme court for an order directing the county court to sit in the location. Any municipality or county which so applies shall be required to provide the appropriate physical facilities in which the county court may hold court.

(10) All courts except the supreme court may sit in divisions as may be established by local rule approved by the supreme court.

(11) A county court judge in any county having a population of 40,000 or less according to the last decennial population of 40,000 or less according to the last decennial census.
census, shall not be required to be a member of the bar of Florida.

(12) Municipal prosecutors may prosecute violations of municipal ordinances.

(13) Justice shall mean a justice elected or appointed to the supreme court and shall not include any judge assigned from any court.

(d) When this article becomes effective:

(1) All courts not herein authorized, except as provided by subsection (d)(4) of this section shall cease to exist and jurisdiction to conclude all pending cases and enforce all prior orders and judgments shall vest in the court that would have jurisdiction of the cause if thereafter instituted. All records of and property held by courts abolished hereby shall be transferred to the proper office of the appropriate court under this article.

(2) Judges of the following courts, if their terms do not expire in 1973 and if they are eligible under subsection (d)(8) hereof, shall become additional judges of the circuit court for each of the counties of their respective circuits, and shall serve as such circuit judges for the remainder of the terms to which they were elected and shall be eligible for election as circuit judges thereafter. These courts are: civil court of record of Dade county, all criminal courts of record, the felony courts of record of Alachua, Leon and Volusia Counties, the courts of record of Broward, Brevard, Escambia, Hillsborough, Lee, Manatee and Sarasota Counties, the civil and criminal court of record of Pinellas County, and county judge's courts and separate juvenile courts in counties having a population in excess of 100,000 according to the 1970 federal census. On the effective date of this article, there

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shall be an additional number of positions of circuit judges equal to the number of existing circuit judges and the number of judges of the above named courts whose term expires in 1973. Elections to such offices shall take place at the same time and manner as elections to other state judicial offices in 1972 and the terms of such offices shall be for a term of six years. Unless changed pursuant to section nine of this article, the number of circuit judges presently existing and created by this subsection shall not be changed.

(3) In all counties having a population of less than 100,000 according to the 1970 federal census and having more than one county judge on the date of the adoption of this article, there shall be the same number of judges of the county court as there are county judges existing on that date unless changed pursuant to section 9 of this article.

(4) Municipal courts shall continue with their same jurisdiction until amended or terminated in a manner prescribed by special or general law or ordinances, or until January 3, 1977, whichever occurs first. On that date all municipal courts not previously abolished shall cease to exist. Judges of municipal courts shall remain in office and be subject to reappointment or reelection in the manner prescribed by law until said courts are terminated pursuant to the provisions of this subsection. Upon municipal courts being terminated or abolished in accordance with the provisions of this subsection, the judges thereof who are not members of the bar of Florida, shall be eligible to seek election as judges of county courts of their respective counties.

(5) Judges, holding elective office in all other courts abolished by this article, whose terms do not expire in
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1973 including judges established pursuant to Article VIII, sections 9 and 11 of the Constitution of 1885 shall serve as judges of the county court for the remainder of the term to which they were elected. Unless created pursuant to section 9, of this Article V such judicial office shall not continue to exist thereafter.

(6) By March 21, 1972, the supreme court shall certify the need for additional circuit and county judges. The legislature in the 1972 regular session may by general law create additional offices of judge, the terms of which shall begin on the effective date of this article. Elections to such offices shall take place at the same time and manner as election to other state judicial offices in 1972.

(7) County judges of existing county judge's courts and justices of the peace and magistrates' court who are not members of bar of Florida shall be eligible to seek election as county court judges of their respective counties.

(8) No judge of a court abolished by this article shall become or be eligible to become a judge of the circuit court unless the judge has been a member of bar of Florida for the preceding five years.

(9) The office of judges of all other courts abolished by this article shall be abolished as of the effective date of this article.

(10) The offices of county solicitor and prosecuting attorney shall stand abolished, and all county solicitors and prosecuting attorneys holding such offices upon the effective date of this article shall become and serve as assistant state attorneys for the circuits in which their counties are situate for the remainder of their terms, with compensation not less

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than that received immediately before the effective date of this article.

   (e) LIMITED OPERATION OF SOME PROVISIONS.--

   (1) All justices of the supreme court, judges of the
district courts of appeal and circuit judges in office upon
the effective date of this article shall retain their offices
for the remainder of their respective terms. All members of
the judicial qualifications commission in office upon the
effective date of this article shall retain their offices for
the remainder of their respective terms. Each state attorney
in office on the effective date of this article shall retain
the his office for the remainder of the his term.

   (2) No justice or judge holding office immediately
after this article becomes effective who held judicial office
on July 1, 1957, shall be subject to retirement from judicial
office because of age pursuant to section 8 of this article.

ARTICLE VII

FINANCE AND TAXATION

SECTION 6. Homestead exemptions.--

   (b) Not more than one exemption shall be allowed any
individual or family unit or with respect to any residential
unit. No exemption shall exceed the value of the real estate
assessable to the owner or, in case of ownership through stock
or membership in a corporation, the value of the proportion
which the his interest in the corporation bears to the
assessed value of the property.
number of which is a multiple of four for a term of four years; or, when provided by resolution of the district school board, or by special law, approved by vote of the electors, the district school superintendent in any school district shall be employed by the district school board as provided by general law. The resolution or special law may be rescinded or repealed by either procedure after four years.

ARTICLE X
MISCELLANEOUS

SECTION 3. Vacancy in office.--Vacancy in office shall occur upon the creation of an office, upon the death of the incumbent or his removal from office, or resignation of the incumbent or the incumbent's succession to another office, unexplained absence for sixty consecutive days, or failure to maintain the residence required when elected or appointed, and upon failure of one elected or appointed to office to qualify within thirty days from the commencement of the term.

SECTION 4. Homestead; exemptions.--
(a) There shall be exempt from forced sale under process of any court, and no judgment, decree or execution shall be a lien thereon, except for the payment of taxes and assessments thereon, obligations contracted for the purchase, improvement or repair thereof, or obligations contracted for house, field or other labor performed on the realty, the following property owned by a natural person:
(1) a homestead, if located outside a municipality, to the extent of one hundred sixty acres of contiguous land and improvements thereon, which shall not be reduced without the owner's consent by reason of subsequent inclusion in a municipality; or if located within a municipality, to the extent of one-half acre of contiguous land, upon which the

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exemption shall be limited to the residence of the owner or the owner’s family;

(2) personal property to the value of one thousand dollars.

ARTICLE XI

AMENDMENTS

SECTION 2. Revision commission.--

(b) The governor shall designate one member of the commission as its chairman. Vacancies in the membership of the commission shall be filled in the same manner as the original appointments.

(c) Each constitution revision commission shall convene at the call of its chairman, adopt its rules of procedure, examine the constitution of the state, hold public hearings, and, not later than one hundred eighty days prior to the next general election, file with the secretary of state its proposal, if any, of a revision of this constitution or any part of it.

SECTION 6. Taxation and budget reform commission.--

(c) At its initial meeting, the members of the commission shall elect a member who is not a member of the legislature to serve as chairman and the commission shall adopt its rules of procedure. Thereafter, the commission shall convene at the call of the chairman. An affirmative vote of two thirds of the full commission and the concurrence of a majority of the members appointed by the governor pursuant to paragraph (a)(1), a concurrence of a majority of the members appointed by the speaker of the house of representatives pursuant to paragraph (a)(2), and a concurrence of a majority of the members appointed by the president of the senate pursuant to paragraph

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(a)(2) shall be necessary for any revision of this constitution or any part of it to be proposed by the commission.