Proposal No. 131

By Commissioner Marshall

A proposal to revise

ARTICLE I, s. 5, Fla. Const.; providing that
the rights of electoral participation and
political association are fundamental;
providing for strict judicial scrutiny of any
law that burdens the exercise of those rights.

It is proposed by the Florida Constitution Revision Commission
that:

Section 1. Section 5 of Article I of the Florida
Constitution is revised by amending that section to read:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 5. Right to assemble and associate.--The
people shall have the right peaceably to assemble, to instruct
their representatives, and to petition for redress of
grievances. The rights of electoral participation and
political association are fundamental; any law burdening their
exercise is subject to strict judicial scrutiny for legitimacy
regarding ends and means, and must be supported by clear and
convincing evidence. Political choices and competition are
primary interests of the citizenry.

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