

1S-2.009 Constitutional Amendment by Initiative Petition.

(1) Submission of Initiative Petition. Before a petition to place a proposed amendment to the State Constitution on the ballot by initiative can be circulated for signatures, the sponsoring political committee must receive approval of the format of the proposed form from the Secretary of State. The sponsoring committee shall submit a written request for review, along with a copy of the proposed form, to the Secretary of State.

(2) Requirements and Approval of Initiative Petition Form.

(a) The Secretary of State shall review the initiative petition form solely for sufficiency of the format and shall render a decision within seven (7) days following receipt.

(b) The format of an initiative petition submitted for review and approval by the Secretary of State shall be in accordance with Form DS-DE 19 (effective 05/2014; <https://www.flrules.org/gateway/reference.asp?No=Ref-04015>), entitled "Constitutional Amendment Petition Form" and the requirements of this rule. Form DS-DE 19 is hereby incorporated by reference and is available from the Florida Department of State, Division of Elections, Room 316, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, (850) 245-6500, or by download from the Division of Elections' rules webpage at: <http://election.dos.state.fl.us>. The format of the petition form is deemed sufficient only if the petition form:

1. Is printed on separate cards or individual sheets of paper. The minimum size of such forms shall be 3 inches by 5 inches and the maximum shall be 8 1/2 inches by 11 inches.

2. Clearly and conspicuously contains in the following order:

a. The title "Constitutional Amendment Petition Form" at the top of the form.

b. The three statements as exactly worded in the box on the top of Form DS-DE 19.

c. Adequate blank lines for the voter's name, address, city, county, voter registration number and date of birth as specified on the DS-DE 19.

d. A check box and accompanying text so the voter may indicate a change in the voter's legal residence address on the voter's voter registration record as specified on the DS-DE 19.

e. The statement, "I am a registered voter of Florida and hereby petition the Secretary of State to place the following proposed amendment to the Florida Constitution on the ballot in the general election."

f. The ballot title, which shall not exceed 15 words.

g. The ballot summary, which shall not exceed 75 words.

h. The article and section being created or amended.

i. The full text of the amendment being proposed. If the text must be printed on both sides of the form, it shall be clearly indicated that the text is continued or begins on the other side.

j. Adequate blank lines for the date of the voter's signature and the voter's signature. The petition shall contain a blank line for only one voter's signature. The Secretary of State will not approve petition forms providing for multiple signatures per page.

k. A disclaimer that states "Initiative petition sponsored by (name and address of the sponsoring political committee)."

l. Adequate blank lines, in accordance with Section 106.19(3), F.S., for the name and address of a paid petition circulator, if one is used.

m. The notation "For Official Use Only" as specified on Form DS-DE 19 providing adequate blank lines labeled "Serial Number" and "Date Approved."

(c) The petition need not contain the designation of Form DS-DE 19 and its effective date or the reference to this rule as shown on the sample Form DS-DE 19.

(3) Word Count. The following provisions apply to determine the word count for a ballot title and summary:

(a) Hyphenated compound words count as two or more words.

(b) An ampersand or a plus or minus sign shall count as one word.

(c) Punctuation such as commas, periods, hyphens, question marks, parentheses, quotation marks or exclamation points, does not affect the word count.

(d) Each word joined by a forward or back slash to another word counts separately as a word.

(e) Each part of a date counts as one word. Example: January 1, 2025 shall count as three words.

(f) Each word in a name is individually counted. Example: George Washington shall count as two words.

(g) Each whole number shall count as a word.

(h) Spaces do not affect the word count.

(4) Additional Information or Materials. Other than providing information or a method by which the petition form may be returned by mail to the sponsoring committee, no additional information or materials shall be printed directly on the form.

(5) Assignment of a Serial Number. The Secretary of State shall assign a serial number to each approved petition form. The serial number shall begin with the last two digits of the calendar year in which the petition form is approved followed by a number in numerical sequence. For example, the first petition form approved in 2006 is assigned the serial number 06-1. The serial number assigned must be printed in the lower right hand corner of the petition form.

(6) Changes. Any change to a previously approved petition form shall be submitted to the Secretary of State for review. No person or entity other than the sponsoring political committee of the previously approved petition form can submit a change or changes to the previously approved petition form. The Secretary of State must approve any material change to a previously approved petition form. A material change constitutes a change in the wording of the text of the proposed amendment, the ballot title, or ballot summary, or a change in punctuation or layout, or a change in the name of the sponsoring political committee. A translation into another language does not constitute a material change to an initiative petition form. If translated into another language, the translation must not add or subtract from the approved English language and format of the petition and its blank entries. Any material change submitted for approval to a previously approved initiative petition constitutes a request for approval of a new petition form and shall be assigned a different serial number upon approval by the Secretary of State.

(7) Reproduction. Petition forms may be reproduced in newspapers, magazines, and other forms of printed mass media or made available through the internet for download printing, provided such forms are reproduced in the same format as approved by the Secretary of State. The petition forms may be included within a larger advertisement, provided the forms are clearly defined by a solid or broken line border.

(8) Submission of Signed Petition Forms. All signed petition forms shall be returned to the sponsoring political committee. Only the sponsoring political committee shall submit the signed petition forms to the Supervisors of Elections for verification of signatures in accordance with Rule 1S-2.0091, F.A.C.

(9) Effect on Previously Approved Petition Form. Any petition form approved by the Secretary of State prior to the effective date of this rule may continue to be used and circulated for signature gathering unless a material change to the previously approved petition form has been approved by the Secretary of State or until the sponsoring political committee notifies the Secretary of State that the committee is no longer seeking to obtain ballot position, or the registration of the sponsoring political committee has been revoked in accordance with Rule 1S-2.021, F.A.C.

Rulemaking Authority 20.10(3), 97.012(1), 100.371(2), (7), 101.161(2) FS. Law Implemented Art. XI, Fla. Const., 100.371, 101.161 FS. History—New 7-2-79, Formerly 1C-7.09, Amended 7-7-86, Formerly 1C-7.009, Amended 3-5-96, 7-31-02, 3-16-06, 10-15-07, 10-13-08, 5-21-14.