



A Quick Guide to Florida's 2020 Constitutional Amendments

Policy Team

The 2020 election cycle has six amendments on the ballot for consideration, all from either citizen initiatives or legislative action.

Each amendment is unique, and each should be weighed seriously because repealing any amendment that has passed would require a new ballot initiative

garnering 60 % of the vote in a subsequent election.

As always, the mission of The James Madison Institute is to inform citizens so that, together, we may chart the course of making Florida an even more prosperous state.

TYPE	TITLE	SUBJECT	DESCRIPTION
Citizen Initiated	Amendment 1	Suffrage	States in the state Constitution that only U.S. citizens can vote in federal, state, local, or school elections
Citizen Initiated	Amendment 2	Minimum Wage	Increases the state minimum wage to \$15 by 2026
Citizen Initiated	Amendment 3	Elections	Establishes a top-two open primary system for state office primary elections
Citizen Initiated	Amendment 4	Direct Democracy	Requires voter-approved constitutional amendments to be approved by voters at a second general election
Legislatively-Referred	Amendment 5	Taxes	Increases the period during which a person may transfer “Save Our Homes” benefits to a new homestead property from two years to three years
Legislatively-Referred	Amendment 6	Taxes	Allows a homestead property tax discount to be transferred to the surviving spouse of a deceased veteran

Amendment Summaries, Pros & Cons, and Constitutional Merit Outline

AMENDMENT 1

Citizen Requirement to Vote in Florida Elections

Ballot Language: “This amendment provides that only United States Citizens who are at least eighteen years of age, permanent residents of Florida, and registered to vote, as provided by law, shall be qualified to vote in a Florida election.”

What Your Vote Means:

A **YES** vote on this amendment: Limit voting in Florida elections to only United States citizens who are at least eighteen years old, permanent Florida residents, and registered to vote in the state.

A **NO** vote on this amendment: Would keep the current language in the Florida Constitution that every citizen of the

United States who is at least eighteen years old, a permanent resident of the state, and registered to vote in the state can vote.

Pros: Clear language that defines who can and cannot vote in Florida elections.

Cons: Opponents of the measure would contend that neither the State of Florida nor any counties in the state currently allow non-citizens to vote.

AMENDMENT 2

Raising Florida’s Minimum Wage

Ballot Language: “Raises minimum wage to \$10.00 per hour effective September 30th, 2021. Each September 30th thereafter, minimum wage shall increase by \$1.00 per hour until the minimum wage reaches \$15.00 per hour on September 30th, 2026. From that point forward, future minimum wage increases shall revert to being adjusted annually for inflation starting September 30th, 2027.”

Amendment 2, the state minimum

wage would increase each year as follows:

NEW MINIMUM WAGE	INCREASE FROM PREVIOUS YEAR	EFFECTIVE DATE OF INCREASE
\$10.00	\$1.46	September 30, 2021
\$11.00	\$1.00	September 30, 2022
\$12.00	\$1.00	September 30, 2023
\$13.00	\$1.00	September 30, 2024
\$14.00	\$1.00	September 30, 2025
\$15.00	\$1.00	September 30, 2026

What Your Vote Means:

A **YES** vote would increase the minimum wage to \$15 by 2026, with a \$1.46 increase in 2021 to \$10. The tipped minimum wage would also increase to \$12 an by 2026.

A **NO** vote would keep the current \$8.56 minimum wage in place, while continuing to increase with inflation.

Pros: Raise the wages of lower-wage workers • Stimulate growth in lower-wage workers’ communities • Reduce lower-wage workers’ dependence on public assistance.

Cons: Any attempt by government to set a minimum wage would result in greater unemployment, particularly in communities more in need of help.

Vast majority of those in minimum wage jobs are youth, who are using this as a first opportunity for work. Raising the minimum wage would lock them out of jobs.

Higher wages mean higher costs—and

consumers ultimately pay that increase.

Companies will be more likely to increase automation where possible and eliminate certain low-wage jobs altogether.

Massive layoffs of lower-wage workers who are the same people that this measure is designed to help.

AMENDMENT 3

All Voters Vote in Primary Elections for State Legislature, Governor, and Cabinet

Ballot Language: “Allows all registered voters to vote in primaries for State Legislature, Governor, and Cabinet regardless of political party affiliation. All candidates for an office, including party nominated candidates, appear on the same primary ballot. Two highest vote getters advance to general election. If only two candidates qualify, no primary is held and winner is determined in general election. Candidate’s party affiliation may appear on ballot as provided by law. Effective January 1, 2024.”

What Your Vote Means:

A **YES** vote would make primaries in the State of Florida open to all candidates, with the top two advancing to a runoff in the general election, regardless of party.

A **NO** vote would keep the current primary system in which each party nominates a candidate for the general election.

Pros: Open primaries would allow independent voters (25%+ of all voters) to take part in the candidate selection process.

Would allow more choices to all voters as there are typically more candidates in

open primaries.

Let more voters' voices be heard and keep political party power brokers from being able to hand-pick a party nominee.

Cons: Would create a government regulation needlessly impacting private organizations.

Individual members of a political party should be the ones deciding who their candidate for office is.

“Crossover” voting—where someone who is registered with one party votes for a candidate in another party, selecting a candidate they feel can be beaten more easily, or one that is closer to the center of the political spectrum and may not represent the full beliefs of the party to which they belong.

Would open the primary system up to manipulation. If there was tampering by one of the major parties, it would shake Floridians' trust in the electoral process.

AMENDMENT 4

Voter Approval of Constitutional Amendments

Ballot Language: “Requires all proposed amendments or revisions to the State Constitution to be approved by the voters in two elections, instead of one, in order to take effect. The proposal applies the current thresholds for passage to each of the two elections.”

What Your Vote Means:

A **YES** vote would mean that a voter-approved constitutional amendment would have to be approved by voters at a second general election to become effective.

A **NO** vote would mean that the current

system with voter-approved constitutional amendments becoming effective after one general election would stay in place.

Pros: Current process for amending Florida's Constitution is too easy, and too many constitutional amendments pass without sufficient scrutiny

Allows more time for reasons to be made for and against a particular proposed amendment.

Would limit the number of frivolous amendments that get brought forth and are ultimately passed.

Cons: Florida already requires a supermajority (60%) of voters to approve an amendment for it to pass.

Adding a requirement for the amendment to be placed on another ballot in four years would not significantly change the number of amendments that ultimately get passed.

AMENDMENT 5

Extend “Save-Our-Homes” Portability Period for Homestead Property Tax Assessment

Ballot Language: “Proposing an amendment to the State Constitution, effective January 1, 2021, to increase, from 2 years to 3 years, the period of time during which accrued Save-Our-Homes benefits may be transferred from a prior homestead to a new homestead.”

What Your Vote Means:

A **YES** vote would extend the period in which someone may transfer Save-Our-Homes benefits to a new homestead property from two years to three years.

A **NO** vote would keep the current

Save-Our-Homes benefits transfer period to two years.

Pros: To transfer Save-Our-Homes benefits to another home, resident must have received a homestead exemption as of January 1 of either of the previous two years.

Not the original intent of the exemption when it was passed and thus needs to be amended to better reflect the intentions of the voters.

A three-year timetable would give ample time for a homeowner to transfer their Save-Our-Homes benefits.

Cons: Would decrease local property taxes by an annual \$1.8 million in the next fiscal year and would eventually grow to \$10.2 million annually.

Could cause an issue for some homeowners if they sell their house towards the end of one calendar year and their new home is not built by January 1 of the year after the next.

Two years is an acceptable time period to move from one home to another and to transfer those homestead property savings.

AMENDMENT 6

Homestead Property Tax Discount for Surviving Spouses of Deceased Veterans

Ballot Language: “Provides that the homestead property tax discount for certain veterans with permanent combat-related disabilities carries over to such veteran’s surviving spouse who holds legal or beneficial title to, and who permanently resides on, the homestead property, until

he or she remarries or sells or otherwise disposes of the property. The discount may be transferred to a new homestead property of the surviving spouse under certain conditions. The amendment takes effect January 1, 2021.”

What Your Vote Means:

A **YES** vote would mean that a homestead property tax discount may be transferred to the spouse of a deceased veteran.

A **NO** vote would mean that the homestead property tax discount may not be transferred to the spouse of a deceased veteran.

Pros: This amendment would transfer the homestead property tax discount to the surviving spouse until they remarry, sell, or otherwise do away with the property—and better reflects the intent of the policy when enacted.

Cons: Would potentially result in less property tax revenue—especially during a time where property tax revenue is needed in local communities throughout the state.

Many local governments are tasked with maintaining many public services with less money being brought in through tax revenue.

Another measure that would leave local government with less money to spend for their communities.

In Sum: This amendment would extend homestead property tax discounts to the spouse of a deceased veteran and allow them to keep the discounts that they are already receiving.