

1S-2.009 Constitutional Amendment by Initiative Petition.

(1) Submission of Initiative Petition. Any proposed initiative amendment to the State Constitution to be placed on the ballot shall be submitted by the sponsoring political committee to the Division of Elections for approval as to format prior to circulation of the proposed initiative amendment. Such submission shall be in writing and shall include a copy or a facsimile of the proposed form to be circulated. No initiative petition form for signatures may be circulated unless approved by the Division of Elections.

(2) Requirements and Approval of Initiative Petition Form. The Division shall review the initiative petition form solely for sufficiency of the format and shall render a decision within seven (7) days following receipt. The Division shall not review the petition form for legal sufficiency. The format of the petition form is deemed sufficient only if the petition form:

(a) 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.

(b) Is clearly and conspicuously entitled at the top of the form "Constitutional Amendment Petition Form."

(c) Includes adequate space for the voter's name, residential street address, city, county, voter registration number, date of birth, signature, and date of signature.

(d) Contains the ballot title that shall not exceed 15 words and the ballot summary of the proposed amendment or other public measure that shall not exceed 75 words in length as prescribed in subsection (4).

(e) Conspicuously contains in the following order:

1. The ballot title;
2. The ballot summary;
3. The article and section being created or amended; and
4. 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.

(f) Contains space for only one voter's signature to be located below the full text of the amendment being proposed. The Division will not approve petition forms providing for multiple signatures per page.

(g) Is marked, in accordance with Section 106.143, F.S., governing political disclaimers, with "paid political advertisement" or contains the abbreviation "pd. pol. adv." and identifies the name and address of the sponsoring political committee, and the name of the entity paying for the advertisement if different from the name of the sponsoring political committee.

(h) Contains space, in accordance with Section 106.19(3), F.S., for the name and address of a paid petition circulator, in the event the petition form is gathered by a paid petition circulator.

(3) Sample Petition Form. The format of an initiative petition submitted for review and approval by the Division of Elections shall be substantially in accordance with Form DS-DE 19 (effective 10-15-07), entitled "Constitutional Amendment Petition Form." Form DS-DE 19 is hereby incorporated by reference and is available from the 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>.

(4) 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.

(5) 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.

(6) Assignment of a Serial Number. The Division 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.

(7) Changes. Any change to a previously approved petition form shall be submitted to the Division of Elections 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 Division of Elections 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. 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 Division of Elections.

(8) 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 Division. The petition forms may be included within a larger advertisement, provided the forms are clearly defined by a solid or broken line border.

(9) 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.

(10) Effect on Previously Approved Petition Form. Any petition form approved by the Division of Elections 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 Division of Elections or until the sponsoring political committee notifies the Division of Elections 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.

Specific 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.