

Bond Case Briefs

Municipal Finance Law Since 1971

BALLOT INITIATIVE - FLORIDA

Department of State v. Hollander

Supreme Court of Florida - October 25, 2018 - So.3d - 2018 WL 5289530 - 43 Fla. L. Weekly S525

Challengers filed complaint seeking to have proposed constitutional amendment struck from ballot.

The Circuit Court invalidated and enjoined amendment from placement on ballot. Department of State appealed. The District Court of Appeal, First District, certified question to be of great public importance.

The Supreme Court of Florida held that ballot title and accompanying summary reasonably informed voters of chief purpose and effect of proposed constitutional amendment.

Ballot title of "RIGHTS OF CRIME VICTIMS; JUDGES" and accompanying summary reasonably informed voters of chief purpose and effect of proposed constitutional amendment; summary stated that amendment would create victims' rights, would require de novo review of agency interpretations of statutes and rules, would raise judges' and justices' mandatory retirement age from 70 to 75, and would no longer allow completion of a judicial term if one-half of term had already been served by retirement age.