

Bond Case Briefs

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BALLOT INITIATIVE - FLORIDA

In re Advisory Opinion to Atty. Gen. re Use of Marijuana for Debilitating Medical Conditions

Supreme Court of Florida - December 17, 2015 - So.3d - 2015 WL 9258263

Attorney General petitioned for an opinion as to the validity of initiative petition allowing medical use of marijuana for individuals with debilitating medical conditions.

The Supreme Court of Florida held that:

- Petition met the single-subject requirement;
- Ballot title and summary met the statutory clarity requirements; and
- Financial impact statement complied with the word limit and met the other statutory requirements.

Initiative petition allowing medical use of marijuana for individuals with debilitating medical conditions met the single-subject requirement. Initiative's logical and natural purpose was to include a provision in the state constitution permitting the medical use of marijuana, provisions regarding Department of Health's role and removing state-imposed penalties and liability from those involved in the authorized use of medical marijuana were directly connected with the amendment's purpose, and proposed amendment did not substantially alter or perform the functions of multiple branches of government.

Ballot title and summary for initiative petition allowing medical use of marijuana for individuals with debilitating medical conditions met the statutory clarity requirements and accurately represented the proposed amendment on the ballot, where the title and summary complied with the statutory word limitations and fairly informed voters of the purpose of the amendment, and language was clear and did not mislead voters regarding the actual content of the proposed amendment.

Financial impact statement for initiative petition allowing medical use of marijuana for individuals with debilitating medical conditions complied with the word limit and met the other statutory requirements. It clearly and unambiguously stated that there would likely be increased costs associated with the additional regulatory and enforcement activities that the proposal would require, but that the amount could not be determined, and fees could offset a portion of the increased costs.