

# CONSTITUTIONAL AMENDMENT FULL TEXT

**Ballot Title:** Prohibit political retaliation and require recall of any government official engaged in such unconstitutional practices.

**Ballot Summary:** Define as unconstitutional, political retaliation against individuals, companies, organizations, governmental entities or officials, and prevent such practices by prohibiting the removal of government officials without criminal conviction, requiring supermajority voter approval to dissolve governmental entities and requiring a recall election of any government official engaged in political retaliation.

**Article and Section Being Created or Amended:** Creates - Article II, Section 10

**Full Text of the Proposed Amendment:** Section 10, GENERAL PROVISIONS Define political retaliation as unconstitutional and establish parameters to prohibit such practices by government officials.

Section 10. All government officials are prohibited from engaging in political retaliation which shall be defined by the enactment or enforcing of any law or policy that had not been enacted or enforced prior to the government official's term in office, if the law or policy singularly and punitively impacts a person, company, organization or governmental entity. To prevent political retaliation, government officials are prohibited from taking actions to remove from office any duly elected or appointed official, or remove the governmental authorities granted to them, with the sole exception to this provision being that the Governor of Florida may remove from office a government official, only if that official has been convicted of a crime in a court of law and the conviction occurs during the official's term. Additionally, a county, municipality, district, government department or government agency may not be dissolved or have its powers, functions or territorial boundaries modified without the approval of two-thirds (2/3) of the voters in the county or counties where the county, municipality, district, department or agency has been established. Upon the filing of a judicial ruling in a Florida court of law, which determines that a government official has been engaged in political retaliation, once the available judicial appeals process has been exhausted, the Florida Division of Elections shall hold a special recall election within 90 days of the final court ruling, with the electorate being comprised of all voters represented by the elected official, including a ballot question reading, "Shall [NAME OF GOVERNMENT OFFICIAL] be recalled from office, after having been deemed to have been engaged in political retaliation by a court of law?"

## Initiative Information

**Date Approved** 9-14-2023

**Serial Number** 23-09

**Sponsor Name:** Disney Defenders

**Sponsor Address:** P.O. Box 541472, Opa-locka, FL 33054-1462

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