

November 1, 2006

### IRI STATEMENT ON CONSTITUTIONAL AMENDMENTS IN FLORIDA

On November 7, Florida voters will decide whether or not to adopt Amendment 3, which would require a 60% supermajority for future state constitutional amendments. One issue surrounding the campaign is how easy it is to amend the Florida constitution compared to other states. Based on an examination of initiative provisions and amendment histories in all 50 states, several observations can be made:

- 1) Many scholars consider the signature requirement the key factor in determining how easy it is to pass an initiative. In Florida, petitioners must collect signatures equal to 8% of the votes cast in the preceding presidential election, and at least 8% in half of the state's congressional districts. Two-thirds of initiative states have signature requirements in the 8% to 12% range, and half of them include geographic dispersion requirements. **Taken as a whole, Florida's requirements are similar to other initiative states, and amending the constitution by initiative is not particularly more or less difficult than a typical initiative state.**
- 2) Florida voters have approved an average of 0.59 initiative amendments per year since the process was adopted. This is the highest per-year average of any initiative state. Eighty-one percent of initiatives have been approved, the highest approval rate among state with more than one initiative. One should be careful when making inferences about the ease of amending the Florida constitution from these numbers: they could mean that initiative proponents in Florida place more attractive measures on the ballot than proponents in other states.
- 3) Florida voters have approved 104 amendments since the constitution was adopted. Of these, 22 were from initiatives and 82 were placed on the ballot by the legislature and Constitution Revision Commission. The total number of approved amendments averages 2.89 per year, the sixth-highest among the 50 states, and well above the 1.0 average of the median state. On a per-year basis, the Florida constitution has been amended more often than all but five other states, primarily due to amendments proposed by the legislature and Constitution Revision Commission.
- 4) Only one state, New Hampshire, currently requires a supermajority for adoption of all constitutional amendments. No initiative state requires a supermajority

This statement is based on IRI Report 2006-3 "Constitutional Amendments" (published October 2006), available at [www.iandrinstitute.org](http://www.iandrinstitute.org) and [www.ballotwatch.org](http://www.ballotwatch.org). IRI does not endorse or oppose Amendment 3.

*The Initiative and Referendum Institute is a nonpartisan, nonprofit 501(c)(3) educational organization headquartered at the University of Southern California. IRI seeks to provide information to inform public discussions, but does not take positions for or against individual ballot propositions. Media inquiries, please contact Gillen Silsby, Director of Public Relations, (213) 740-9690 (office), (213) 500-8693 (cell), [gsilsby@law.usc.edu](mailto:gsilsby@law.usc.edu).*

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