

CONSTITUTIONAL AMENDMENT PETITION FORM

Note: • All information on this form, including your signature, becomes a public record upon receipt by the Supervisor of Elections. • Under Florida law, it is a first degree misdemeanor, punishable as provided in s. 775.082 or s. 775.083, Florida Statutes, to knowingly sign more than one petition for a candidate, a minor political party, or an issue. [Section 104.185, Florida Statutes] • If all requested information on this form is not completed, the form will not be valid.

Your name: _____
PLEASE PRINT NAME AS IT APPEARS ON VOTER INFORMATION CARD.

Your residential street address: _____

City _____ Zip _____ County _____
PLEASE DO NOT ABBREVIATE CITY OR COUNTY. COUNTY OF RESIDENCE

_____/_____/_____
VOTER REGISTRATION NUMBER – OR – DATE OF BIRTH

I am a registered voter of Florida and hereby petition the Secretary of State to place the following proposed amendment to the Florida Constitution on the ballot in the general election.

BALLOT TITLE: Adopts The United States Constitution's prohibition on direct taxes unless in proportion to the census.
BALLOT SUMMARY: Our Nation's Founders placed a limitation on direct taxes to prevent inequities from becoming an affront to liberty, We The People of Florida look to their wisdom and also place the same limitation on direct taxes to secure equitable systems of taxation, therefore; "No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census", the Legislature shall change Florida's Constitution and laws to the contrary, subject to judicial review. Provides definitions.

ARTICLE AND SECTION BEING CREATED OR AMENDED: ARTICLE I – DECLARATION OF RIGHTS, SECTION 10. Prohibited laws.
Full text of proposed amendment: BE IT ENACTED BY THE PEOPLE OF FLORIDA THAT: ARTICLE I – DECLARATION OF RIGHTS, SECTION 10. Prohibited laws of the Florida Constitution is amended to add the following subsection:

Our Nation's Founders placed a limitation on direct taxes in the first Article, ninth section, fourth clause, of the Constitution for the United States, to prevent inequities from becoming an affront to liberty, We The People of Florida look to their wisdom and also place the same limitation on direct taxes to secure equitable systems of taxation, therefore; "No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census"; the Legislature having the power granted by this amendment, shall change Florida's Constitution and laws to the contrary, but only in regard to the scope of this amendment. This amendment shall not be construed to authorize or prevent a new indirect tax, or a direct tax laid in proportion to the Census; nor shall it be construed to authorize any breach of law, contracts, bonds, or other contractual obligations. The Legislature shall implement any and all provisions of this amendment, but shall not implement changes that would be in violation of the Florida Constitution's revenue requirements such as adequate funding of public schools, and other Constitutional obligations herein, therefore the Legislature shall be required to adequately provide for these obligations when any changes may occur affecting these required revenues herein. The Legislature shall respect the home rule powers of local governments to tax, when enacting this amendment. Contracts, bonds and other contractual obligations funded by direct taxes may have to expire if it would be a violation of law for the Legislature to make the changes required by this amendment to the source of funding pledged to pay back these obligations. The Legislature shall make a full review of Florida's direct taxes herein and in general law at the next scheduled session after the passage of the amendment by the voters of Florida, and shall not close the session for that year until the provisions of this amendment are enacted. Any Constitutional changes proposed by the Legislature shall require hearings to allow public input, and be subject to judicial review. This amendment's provisions are severable and if any are held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair the remaining provisions of this amendment.

For purposes of this subsection:

1. "Capitation" means a form of taxation in which each person pays the same fixed amount.
2. "Direct Tax" means a tax paid directly to the government that is levied directly on the income, capital, property, real property, of a person, natural person, or organization, examples of direct taxes include income taxes, and ad valorem taxes placed on the appraised value of property.
3. "Indirect Tax" means a tax levied on goods or services, instead of directly on companies and individual people, examples include sales tax, goods and services tax (GST) which is a tax collected by an intermediary such as a retail store, from the person who bears the ultimate economic burden of the tax, such as the customer; or a gross excise tax (GET), which is levied on the total of receipts from goods sold and services rendered by businesses in the State; there are no deductions allowed as it is expected that this tax is passed through and is incorporated in the sales price paid by the consumer.
4. "Census" means the official counting of people provide by the United States Department of Commerce, Census Bureau, as required by law.
5. "in Proportion to the Census" means to allocate in equal amounts based on the numbers of people reported by the Census Bureau.

_____/_____/_____
DATE OF SIGNATURE **X** **SIGNATURE OF REGISTERED VOTER**

PLEASE RETURN TO: FLORIDA BALLOT INITIATIVE P.O. BOX 7256 JUPITER, FLORIDA 33468

Pd. Pol. Adv. paid for by the Florida Ballot Initiative, Mailing Address: P.O. BOX 7256, Jupiter, Florida 33468

For Official Use Only:

Paid Petition Circulator's Name: _____

Serial Number: 10-03

Paid Petition Circulator's Address: _____

Date Approved: 10/21/2010