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Florida Attorney General's Office News Release

AG Moody Challenges Proposed Amendment that is Longer than Article I of Florida's Constitution



TALLAHASSEE, Fla.—Attorney General Ashley Moody today filed a petition with the Florida Supreme Court and will challenge a misleading initiative that is longer than Article I of Florida's Constitution. Florida laws direct the Attorney General to review the titles and summaries of citizen initiatives to identify ambiguous or misleading ballot language. The Regulate Marijuana in a Manner Similar to Alcohol to Establish Age, Licensing, and Other Restrictions initiative is 10 pages long, single spaced—longer than Article I of Florida's Constitution, and it cannot be summarized in a way that would clearly inform a voter about what he or she is voting on.

Attorney General Ashley Moody said, "Not only is this proposed amendment longer than Article I of our State Constitution, it is also longer than the prior 30 Constitutional amendments combined. There is no way 10 pages of the law can be summarized clearly in 75 words or less and would adequately convey to the voters what exactly they will be voting on. That is why I will ask the Florida Supreme Court to seriously consider the sheer length and ambiguous language chosen by the sponsor when reviewing the legality of this proposed initiative."

Under Florida Statutes § 16.061, the Attorney General is required to file a petition with the Florida Supreme Court seeking an advisory opinion once an initiative is certified by the Secretary of State as crossing a threshold of signatures. Article XI, §3 of the Florida Constitution and Section 101.161 of the Florida Statutes impose requirements on the titles and summaries of initiatives, so that Florida's citizens will know what they are voting on and not be misled.

In accordance with state law and Florida's Constitution, Attorney General Moody is also challenging misleading initiatives related to energy regulation and firearms. The office has not challenged the minimum wage initiative—a proposed one-sentence change to the State Constitution.

To view the petition filed by the Attorney General's Office, click here.

The Florida Supreme Court will set a briefing schedule following the filing of Financial Impact Estimating Conference report.