

Florida Ballot Issues

General Election | November 2024

VOTER GUIDE





2024 Voter Guide

Florida Ballot Issues

On election day, you'll decide more than your community leaders. Legislators and citizen groups have proposed six changes to the Florida Constitution. You can vote to approve or reject each measure. For any measure to be adopted, 60% or more of the voters who vote on the measure must approve it.

The Center for Governmental Responsibility at the University of Florida Levin College of Law provides non-partisan information on the ballot issues to help voters understand what is being asked of them.

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About the Center for Governmental Responsibility

The Center for Governmental Responsibility is Florida's oldest and most influential legal research and public policy center. Its mission is to promote good governance by bridging gaps between government and the academy, producing original non-partisan policy analysis, and creating unique opportunities for constructive public policy dialogue.

Amendment One:

Partisan Election of Members of District School Boards

Summary of Amendment:

This Amendment to the Florida Constitution would allow district school board elections to be conducted on a partisan basis. The change would apply only to elections held on or after the November 2026 general election. However, partisan primary elections may occur before November 2026 for purposes of selecting candidates for that election.

Sponsor: The Florida Legislature

A “yes” vote supports making school board elections partisan, beginning with the November 2026 general election and preceding primary elections.

What do supporters say?

- Partisan elections would bring greater transparency to school board elections.
- Partisan elections will give voters better choices.
- Other local offices, such as county commissioners and sheriffs, are already partisan. School board races should be no different.
- Non-partisan elections are problematic because only highly engaged voters have the motivation or information necessary to vote. Partisan elections energize and equalize the vote.
- The Amendment would still allow candidates to run without party affiliations if they choose.

A “no” vote opposes making school board elections partisan, thereby maintaining non-partisan elections.

What do opponents say?

- Partisan elections would divide already fraught school boards and undermine cooperation for the public good.
- Unaffiliated voters in Florida would be excluded from voting for school board candidates in primaries. In some circumstances, this means that registered voters in only one party would decide elections.

- Partisan candidates may support their party's agenda rather than using first-hand knowledge and experience of the local district's needs, issues, and best interests.
- Partisan elections may create a politically charged school environment. This may reduce applications from exemplary board members, highly qualified teachers, effective school administrators, and community volunteers.
- Partisan school board elections will move the focus away from the needs of students and make political beliefs the center of the decision-making process.

Amendment Two:

Right to Fish and Hunt

Summary of Amendment:

This Amendment to the Florida Constitution would recognize fishing and hunting, including the use of traditional methods, as a public right and preferred means of responsibly managing and controlling fish and wildlife.

Sponsor: The Florida Legislature

A “yes” vote supports establishing a constitutional right to hunt and fish in Florida.

What do supporters say?

- A right to hunt or fish would help prevent overreach by the state in regulating hunting, fishing, wildlife, and conservation.
- Hunting and fishing play an important role in the traditions and economics of the state and should be added to the constitution.
- This Amendment is necessary to protect the outdoor recreation industry and give power back to Florida residents.
- This Amendment would ensure the continuation of conservation funding and reasonable regulation that benefits not only game species and the opportunities they provide for sportsmen and women, but also non-game species and the public at large.

A “no” vote opposes a constitutional right to hunt and fish in Florida.

What do opponents say?

- The Amendment’s language could put the state’s wildlife and ecosystems at risk by foreclosing necessary state regulation. A primary concern is the language saying that hunting and fishing are the “preferred” methods of wildlife management.
- The Amendment is “unnecessary” because hunting and fishing already have statutory protection in Florida.
- Using hunting and fishing as the first-rung approach for managing wildlife could have catastrophic effects on wildlife populations throughout the state.

- This Amendment could have a significant impact on the state's ability to manage public lands against wildfires and flooding.
- Some analysts have suggested that this Amendment could trump the rights of private property owners to restrict hunting on their own land.
- This Amendment could tie the hands of future lawmakers to respond to unforeseen environmental and conservation concerns.

Amendment Three:

Adult Personal Use of Marijuana

Summary of Amendment:

This Amendment would allow adults 21 years or older to have, buy, or use marijuana for non-medical reasons. Individuals could possess up to three ounces of marijuana.

Additionally, medical marijuana treatment centers and other licensed state entities could cultivate, process, manufacture, sell, and distribute marijuana products and accessories to adults for personal use. This Amendment would apply only to Florida and does not change or protect against any federal law.

This Amendment does not prohibit the Florida legislature from passing laws consistent with and in furtherance of the Amendment. If approved by voters, the Amendment becomes effective six months after approval.

The Financial Impact Statement for this initiative is available [here](#).

Sponsor: Smart and Safe Florida (citizens' initiative)

A “yes” vote supports legalizing marijuana for adults 21 years and older and allowing possession of up to three ounces of marijuana.

What do supporters say?

- Recreational marijuana use has become increasingly normalized throughout the nation, with 24 states having legalized it.
- States that have legalized recreational marijuana have seen increases in tourism, and the same effect would be expected in Florida.
- Legalization could lead to an increase in annual state tax revenues.
- The marijuana industry is sustainable, growing, and will continue to create jobs in Florida.
- The high number of marijuana-related arrests, often for possession alone, is expensive for taxpayers and clogs the courts. This Amendment may reduce those costs.

- Legalization of recreational marijuana in other states has led to a decrease in gang violence and reduced the influence of foreign cartels.
- This Amendment would allow the state to regulate the marijuana market and implement quality controls like third-party lab testing.
- This Amendment will allow state law to limit the use of marijuana in public places, just like tobacco.
- Allowing recreational marijuana limits government interference in private choices.

A “no” vote opposes legalizing marijuana for adult recreational use in Florida.

What do opponents say?

- The Amendment does not have adequate restrictions on the time, place, or manner for marijuana use. The lack of regulation could lead to inappropriate use in apartments, hotels, condos, and public venues like beaches.
- The increased use of recreational marijuana would lead to an increase in exposure to dangerous second-hand smoke and force citizens to adjust their lifestyles to avoid exposure.
- The Amendment lacks an explicit provision allowing local communities to regulate the use of marijuana in their neighborhoods.
- The Amendment’s language might suggest to a voter that marijuana is legal under federal law, which it is not.
- The Amendment does not allow citizens to grow their own marijuana at home for personal use, which is more cost-effective for the consumer. This benefits the Amendment’s corporate sponsors.
- The Amendment will not support smaller businesses that could benefit from the marijuana market.
- Using the Florida Constitution to allow recreational marijuana use is not the correct forum. This should be addressed by the Legislature.
- Due to the costs to the consumer associated with the legalization of marijuana, like testing and taxation, the price of marijuana would increase significantly. Due to higher costs, the illegal market for marijuana would grow rapidly. This has happened in other states that legalized recreational marijuana.

- The Amendment does not specify how tax revenue generated from marijuana will be used.
- Recreational marijuana could lead to more traffic accidents and an increase in crime and homelessness.
- Growing marijuana to meet demand could be environmentally costly.
- Marijuana is a gateway drug, and its use should not be encouraged.
- Recreational marijuana would be so widespread that it would be more readily available to children. The legalization of marijuana could also lead to an increase in the advertising of marijuana-related products to children.

Amendment Four:

Amendment to Limit Government Interference with Abortion

Summary of Amendment:

This Amendment would add the following standards regarding abortion to the Florida Constitution:

1. No law could prohibit, penalize, delay, or restrict abortion before “viability.”
2. No law could prohibit, penalize, delay, or restrict abortion when it is necessary to protect the patient’s health, as determined by the patient’s healthcare provider.
3. A minor would still have to notify a parent or guardian before they undergo an abortion, in accordance with the Legislature’s constitutional authority.

The Financial Impact Statement for this initiative is available [here](#).

Sponsor: Floridians Protecting Freedom, Inc. (citizens’ initiative)

A “yes” vote supports adding to the Florida Constitution a right to abortion before viability or when necessary to protect the patient’s health.

What do supporters say?

- This Amendment respects the deeply personal nature of decisions related to a person’s reproductive health.
- Under Florida’s Heartbeat Protection Act, which took effect in May 2023, abortions are banned after six weeks in Florida. Many people do not know they are pregnant at six weeks.
- Because the current law does not allow for abortions after six weeks (except in very limited circumstances), non-viable pregnancies must be carried until birth, which can cause devastating medical outcomes.
- Although the current law includes exceptions for incest, rape, or human trafficking, a patient can use those exceptions only after providing extensive formal documentation (like police reports and restraining orders). This makes the exceptions too hard to use.
- Although the current law includes an exception when abortion is necessary for the health of the patient, this exception applies only when two physicians

certify in writing that the abortion is necessary to save the patient's life. This makes the exception too hard to use.

- Amendment 4 supports parents' rights in making medical decisions for their children.
- Amendment 4 does not prevent the state from regulating abortion to ensure that qualified medical professionals are performing them, ensuring the safety of the patient.
- Viability is not a vague standard; it has a specific meaning for medical professionals and has been used for years.

A “no” vote opposes adding to the Florida Constitution a right to abortion before viability or when necessary to protect the patient's health.

What do opponents say?

- The current abortion ban after six weeks protects against late-term abortions and safeguards the life of the child.
- “Healthcare providers” is a vague term and could allow for unqualified medical professionals to perform abortions, potentially jeopardizing the health of the patient.
- Allowing abortions until viability will encourage “abortion tourism,” with citizens from different states visiting Florida to get an abortion.
- The current law provides necessary exceptions because it allows abortion after six weeks for rape, incest, or being a victim of human trafficking.
- Viability is too vague a standard for when abortions may occur.
- Having an abortion at around 21-25 weeks of pregnancy, which could be allowed under the viability standard, is morally wrong because the fetus can feel pain at this stage.
- “When necessary to protect the patient's health” gives a healthcare provider too much autonomy.
- Amendment 4 would allow late-term abortions, and having an abortion late into pregnancy is morally wrong.

Amendment Five:

Annual Adjustments to the Value of Certain Homestead Exemptions

Summary of Amendment:

This Amendment to the Florida Constitution would enact an annual adjustment based on inflation data to the value of current or future homestead property tax exemptions.

Currently, Florida's homestead exemption provides relief for property taxes for property owners who live on their property. The homestead exemption has two parts:

1. The first \$25,000 of property value is exempt from taxation by counties, municipalities, water management districts and school districts.
2. Since 2008, an additional homestead exemption has provided relief from property taxes for property value between \$50,000 and \$75,000, but this additional exemption applies only to taxes paid to counties, municipalities and water management districts. It does not apply to property taxes paid to school districts.

Amendment 5 targets the second part of the homestead exemption (the part that does not apply to school districts). Instead of being a fixed value of \$25,000 as it currently is, the exemption would be indexed to the rate of inflation and adjusted each January.

This Amendment would become effective on January 1, 2025.

Sponsor: The Florida Legislature

A “yes” vote supports an annual inflation adjustment to the amount of assessed value that is exempt from property taxation.

What do supporters say?

- Amendment 5 will benefit Floridians who face financial difficulties paying for their homes, specifically low-income citizens and seniors.
- Amendment 5 ensures fairness to homeowners by guaranteeing tax breaks proportional to the cost of living.

- Amendment 5 can help homeowners stay in their homes, even in the face of increasing property values, because the tax exemption would adjust upwards with the increase in property value.
- Amendment 5 can benefit Floridians who live in areas with exponential property value growth.
- Amendment 5 encourages homeownership by reducing tax costs.

A “no” vote opposes an annual inflation adjustment to the amount of assessed value that is exempt from property taxation.

What do opponents say?

- Business owners, renters, and local governments would not benefit from Amendment 5 because they would have to pay more tax to offset the tax break to homeowners. Homeowners are already afforded many tax benefits.
- Local governments often rely on property taxes to pay for essential emergency services like police and fire rescue. Property taxes are also used to fund community parks and libraries. Estimates project that local governments could lose \$111 million by 2028 with the adoption of Amendment 5.
- Other taxes would increase to offset the loss of tax revenue that Amendment 5 would allow.
- Renters may be forced to pay more property tax because of Amendment 5. Under current law, the value of businesses and apartment complexes can increase as much as 10% per year, whereas homestead properties can only increase by 3% per year. Landlords may have to increase their rent to offset their increased property taxes.
- The Amendment could present serious problems in the future if there were a dramatic decrease in property value.

Amendment Six:

Repeal of Public Campaign Financing Requirement

Summary of Amendment:

This Amendment would repeal a provision in the Florida Constitution that requires public financing for campaigns of candidates for elective statewide office who agree to campaign spending limits. This Amendment would affect funding available for candidates running for governor and lieutenant governor (who are on the same ticket), attorney general, chief financial officer, and agriculture commissioner.

Sponsor: The Florida Legislature

A “yes” vote supports repealing the state constitutional provision that provides for public financing of campaigns for those running for elective statewide office who agree to campaign spending limits.

What do supporters say?

- Repealing public campaign financing would allow taxpayer dollars to be put toward other needs.
- Eliminating public financing will incentivize candidates to build broader support from their communities rather than relying on state funds. This not only reduces the financial burden on taxpayers but also aligns with fiscal responsibility and free-market principles.

A “no” vote opposes repealing the constitutional provision that allows for the public financing of campaigns, therefore continuing to allow public campaign financing for statewide candidates who agree to spending limits.

What do opponents say?

- If Florida adopts this Amendment, corporations and wealthy individuals who make campaign contributions would have more ability to influence elections.
- Doing away with public campaign financing could discourage people from running for office.
- Public campaign financing has allowed a wider range of candidates to run for office in Florida and has given candidates with fewer resources a way to be competitive in elections.

- Public campaign finance expenditures are beneficial to the public, and in 2022 was only \$13 million of the \$111 billion overall budget.