

SS.7.C.3.13 Benchmark Clarification 3: Students will compare the amendment process of the U.S. and Florida Constitutions.

Both the U.S. Constitution and the Florida Constitutions are “living documents” because both of them describe the process by which they can be amended (changed). While both documents can be changed, the ways in which they are amended are very different.

For a more precise description of the ways to amend the U.S. Constitution, it may be helpful to review the Student Reading and Overview for Benchmark SS.7.C.3.5. The most important information to know about the **amendment** process for the U.S. Constitution is that an amendment must first be proposed (suggested) and then the states must agree to **ratify** in order for it to be added to the Constitution. There are two different ways an amendment to the U.S. Constitution can be proposed – **(1)** two-thirds of the members of each house of Congress can propose an amendment or **(2)** a **convention** called by two-thirds of the states can be used to propose an amendment. If either of those two proposal options is successful, the proposed amendment is sent to the states for **ratification**. There are two ways an amendment to the U.S. Constitution can be ratified – (1) three-fourths of the **state legislatures** can vote to ratify the amendment or (2) three-fourths of states can call for a ratifying convention which can be used to ratify the amendment.

At the state level, the amendment process is very different. Voters in the state must agree to amend the Florida Constitution. Amendments are included on Election Day ballots. Voters vote “yes” or “no” to proposed amendments. An amendment can only be added to the Florida Constitution if 60% or more of those voting vote “yes”.

Proposing an amendment to the Florida Constitution can occur in one of many ways. These five ways include:

- Ballot Initiative Process - A set number of registered voters representing 8% of the votes cast in the most recent presidential election must sign a petition supporting an amendment being placed on a future Election Day ballot.
- Constitutional Convention - A set number of registered voters representing 15% of the votes cast in the most recent presidential election may call for a constitutional convention. Amendments may be proposed at the convention.
- Constitutional Revision Commission - The 37 member Constitutional Revision Committee meets every 20 years (the next meeting will take place in 2017) and proposes amendments to the state constitution.
- Legislative Joint Resolution - Three-fifths (60%) of each house of the Florida Legislature can pass a joint resolution (decision) proposing an amendment to be placed on a future Election Day ballot.
- Taxation and Budget Reform Commission - The 22 member Taxation and Budget Reform Commission proposes amendments to the state constitution. This Commission last met in 2007 and will meet every 20th year (2027, 2047, etc.).

amendment - change to the U.S. Constitution

convention - an official meeting of state government officials

ratification - the process of formally approving something

ratify - to confirm by expressing consent or approval

state legislature – the lawmaking branch of the state government

