

INITIATIVE FINANCIAL INFORMATION STATEMENT Florida Marriage Protection Amendment

SUMMARY OF INITIATIVE FINANCIAL INFORMATION STATEMENT

Florida law currently prohibits marriages between persons of the same sex and defines “marriage” as the legal union between one man and one woman. The proposed amendment would place into the Florida Constitution language that defines “marriage” as the legal union of one man and one woman. The amendment would further prohibit the State from recognizing any other legal union that is treated as marriage or is the equivalent of such a relationship.

Based on the information provided through public workshops and information collected through staff research, the Financial Impact Estimating Conference principals expect that the proposed amendment will have the following financial effects:

- If domestic partnership registries are deemed substantially equivalent to marriage, their termination could place registrants at risk of losing specified rights and benefits, such as those related to health insurance. The fiscal impact is indeterminate.
- A loss of revenue may occur if domestic partnership registries are terminated. There would be a reduction in local revenue resulting from the elimination of registration fees associated with the registries. The fiscal impact is expected to be minor.
- Revenue from the issuance of marriage licenses may increase. If the amendment has the effect of encouraging marriages (between one man and one woman) that were previously common law marriages, there may be a minor increase in the revenues from marriage licensing fees. The fiscal impact is expected to be minor.
- Revenue from the domestic violence surcharge may be affected. By invalidating any union or “substantial equivalent thereof,” this amendment could be raised as a defense in domestic violence cases, resulting in fewer domestic violence convictions, causing a decrease in revenues for the Domestic Violence Program. The fiscal impact is indeterminate, but probably minor.
- Costs of litigation may increase. Although the current statutes have been litigated and upheld, the initiative contains language different from the statutes, which could lead to increased litigation involving both public sector and private sector entities and individuals. The fiscal impact is indeterminate.
- There may be varied effects on the costs of public services and benefits. Depending on actions taken by the Legislature, the courts, and Florida businesses, financial obligations between individuals are expected to change in complex ways that will probably result in increased costs of providing public services and benefits in some cases and reduced costs in others. The fiscal impact is indeterminate.
- Some local governments that currently extend health insurance and other benefits to domestic partners may be impacted by this amendment. The net fiscal impact is indeterminate.

FINANCIAL IMPACT STATEMENT

The direct financial impact this amendment will have on state and local government revenues and expenditures cannot be determined, but is expected to be minor.