

IN THE SUPREME COURT OF FLORIDA

Case No. SC12-1

FILED
THOMAS G. HALL

2012 FEB 10 PM 3:58

CLERK OF THE SUPREME COURT

BY _____

IN RE: JOINT RESOLUTION OF
LEGISLATIVE APPORTIONMENT

_____ /

PETITION FOR DECLARATORY JUDGMENT

Pursuant to Article III, Section 16(c), Florida Constitution, Pamela Jo Bondi, Attorney General of the State of Florida, petitions this Court for a declaratory judgment to determine the validity of Senate Joint Resolution (SJR) 1176 that apportions the Florida House of Representatives and Senate based on the population figures established in the 2010 census. In support of this petition, the Attorney General alleges:

1. This Court has jurisdiction to facially review the constitutionality of SJR 1176 pursuant to the provisions of article III, section 16 of the Florida Constitution. *See also, e.g., In re Constitutionality of House Joint Resolution 25E*, 863 So. 2d 1176 (Fla. 2003); *In re Constitutionality of House Joint Resolution 1987*, 817 So. 2d 819 (Fla. 2002).

2. The Attorney General is the state's chief legal officer and has standing to bring this petition pursuant to article III, section 16(c), which provides:

(c) JUDICIAL REVIEW OF APPORTIONMENT. Within fifteen days after the passage of the joint resolution of apportionment, the attorney general shall petition the supreme court of the state for a declaratory judgment determining the validity of the apportionment. ,

The supreme court, in accordance with its rules, shall permit adversary interests to present their views and, within thirty days from the filing of the petition, shall enter its judgment.

3. On February 9, 2012, during the regular legislative session, the Legislature passed SJR 1176, the joint resolution of apportionment.

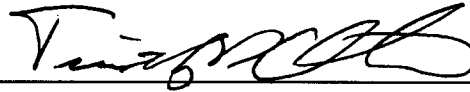
4. The Attorney General, consistent with this Court's Orders of January 4, and January 25, 2012, and in accordance with the requirements of article III, section 16(c), hereby submits SJR 1176 with the Florida Legislature's plans for apportioning state House and Senate districts. A copy of SJR 1176 is provided in the attached Appendix as Tab A.

5. Current and newly created apportionment plans, statistical reports, maps of the current and newly created districts, and other relevant information also accompany this petition in the Appendix, as requested by this Court's Order of January 25, 2012. Electronic copies of these materials, in the formats requested by the Court, together with transcripts of twenty-six public hearings conducted by the House and Senate and legislative proceedings in committee and on the floor (*see* Order of February 7, 2012) are provided on the compact disc filed with this petition.

DATED this 10th day of February, 2012, at Tallahassee, Florida.

Respectfully submitted,

PAMELA JO BONDI
ATTORNEY GENERAL



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