

Supreme Court of Florida

No. SC2025-1181

IN RE: AMENDMENTS TO FLORIDA RULE OF APPELLATE PROCEDURE - 2025 LEGISLATION.

September 4, 2025

PER CURIAM.

In response to recent legislation, The Florida Bar’s Appellate Court Rules Committee has filed a “fast-track” report proposing amendments to Florida Rule of Appellate Procedure 9.510 (Advisory Opinions to Attorney General).¹ The amendments reflect changes to sections 15.21, 16.061, and 100.371, Florida Statutes (2024), made by chapter 2025-21, Laws of Florida, which went into effect on May 2, 2025. *See* ch. 2025-21, §§ 2, 3, 6, 21, Laws of Fla.

The Committee voted 36-0-0 to approve the proposed amendments. The Committee did not publish its proposal before filing it with the Court. After considering the Committee’s proposal

1. We have jurisdiction. *See* art. V, § 2(a), Fla. Const.; *see also* Fla. R. Gen. Prac. & Jud. Admin. 2.140(e).

and the relevant legislation, we amend the Florida Rules of Appellate Procedure as proposed. The more significant revision is discussed below.

We amend rule 9.510 to delete subdivision (b)(7). This subdivision required a request by the Attorney General for an advisory opinion from the Court related to the validity of an initiative petition for an amendment to the Florida Constitution to include a statement identifying the date the financial impact statement is due to be filed, if it was not filed concurrently. However, the recent legislative changes noted above require the financial impact statement to be provided to the Secretary of State before submitting the initiative petition to the Attorney General. Thus, the financial impact statement will now always be filed concurrently with the Attorney General's request, negating the need for subdivision (b)(7).

Accordingly, the Florida Rules of Appellate Procedure are amended as reflected in the appendix to this opinion. New language is indicated by underscoring; deletions are indicated by struck-through type. The amendments shall become effective immediately. Because the amendments were not published for

comment prior to their adoption, interested persons shall have 75 days from the date of this opinion in which to file comments with the Court.²

It is so ordered.

MUÑIZ, C.J., and CANADY, LABARGA, COURIEL, GROSSHANS, FRANCIS, and SASSO, JJ., concur.

THE FILING OF A MOTION FOR REHEARING SHALL NOT ALTER THE EFFECTIVE DATE OF THESE AMENDMENTS.

Original Proceeding – Florida Rules of Appellate Procedure

2. All comments must be filed with the Court on or before November 18, 2025, with a certificate of service verifying that a copy has been served on the Committee Chair, Dwayne Antonio Robinson, Kozyak, Tropin & Throckmorton LLP, 2525 Ponce de Leon Boulevard, 9th Floor, Miami, Florida 33134, drobinson@kttlaw.com, and on the Bar Staff Liaison to the Committee, Heather Telfer, 651 East Jefferson Street, Tallahassee, Florida 32399, rules@floridabar.org, as well as a separate request for oral argument if the person filing the comment wishes to participate in oral argument, which may be scheduled in this case. The Committee Chair has until December 9, 2025, to file a response to any comments filed with the Court. If filed by an attorney in good standing with The Florida Bar, the comment must be electronically filed via the Florida Courts E-Filing Portal (Portal). If filed by a nonlawyer or a lawyer not licensed to practice in Florida, the comment may be, but is not required to be, filed via the Portal. Any person unable to submit a comment electronically must mail or hand-deliver the originally signed comment to the Florida Supreme Court, Office of the Clerk, 500 South Duval Street, Tallahassee, Florida 32399-1927.

Dwayne Antonio Robinson, Chair, Appellate Court Rules
Committee, Miami, Florida, Joshua E. Doyle, Executive Director,
The Florida Bar, Tallahassee, Florida, and Heather Savage Telfer,
Staff Liaison, The Florida Bar, Tallahassee, Florida,

for Petitioner

RULE 9.510. ADVISORY OPINIONS TO ATTORNEY GENERAL

(a) Filing. A request by the attorney general for an advisory opinion from the justices of the supreme court concerning the validity of an initiative petition for the amendment of the Florida Constitution ~~shall~~must be in writing. The request ~~shall~~must be filed with the clerk of the supreme court.

(b) Contents of Request. In addition to the language of the proposed amendment, the request referenced in subdivision (a) must contain the following information:

(1) – (5) [No Change]

(6) the last possible date that the ballot for the target election can be printed in order to be ready for the election; and

(7) ~~a statement identifying the date by which the Financial Impact Statement will be filed, if the Financial Impact Statement is not filed concurrently with the request; and~~

(8)—the names and complete mailing addresses of all of the parties who are to be served.

(c) Procedure.

(1) The court ~~shall~~must permit, subject to its rules of procedure, interested persons to be heard on the questions presented through briefs, oral argument, or both.

(2) The justices ~~shall~~must render their opinions no later than April 1 of the year in which the initiative is to be submitted to the voters ~~pursuant to~~under article XI, section 5 of the Florida Constitution.

Committee Notes

[No Change]