

IN THE SUPREME COURT OF FLORIDA

ADVISORY OPINION TO THE ATTORNEY
GENERAL RE: LIMITED
AUTHORIZATION OF CASINO GAMING

Case No. SC22-25

FLORIDA SUPREME COURT

04/11/2022

RECEIVED

NOTICE OF DISMISSAL

The Attorney General requests that the Court dismiss the request for an advisory opinion regarding Initiative No. 21-16 – Limited Authorization of Casino Gaming.

1. On January 7, 2022, the Attorney General requested an advisory opinion as to whether the text of proposed amendment “Limited Authorization of Casino Gaming” complies with article XI, section 3, Fla. Const., and whether the proposed ballot title and substance comply with section 101.161, Fla. Stat.

2. On February 8, 2022, noting that “the initiative petition at issue in this case did not receive the number of signatures required for placement on the ballot,” the Court ordered the sponsor and the Attorney General to submit briefs regarding whether “this case

should not be dismissed as moot.” The parties submitted briefs, and the Court has not issued a subsequent order.

3. On April 5, 2022, the sponsor of Initiative No. 21-16 – Limited Authorization of Casino Gaming, submitted a letter to the Florida Division of Elections withdrawing the Initiative, a copy of which is attached below.

4. In a previous advisory-opinion case, the Attorney General explained that this Court possesses jurisdiction over advisory-opinion requests “until such time as it issues the advisory opinion or the Sponsor withdraws its initiative with the Secretary of State, thereby mooting the proceedings.” Suppl. Br., *Advisory Op. to the Atty. Gen. Re: Adult Use of Marijuana*, No. SC19-2116, at 8 (Mar. 20, 2020).

5. Undersigned counsel has conferred with counsel for the sponsor of Initiative No. 21-16, and the sponsor does not object to the dismissal of this case.

The Attorney General therefore respectfully submits that the Court should dismiss this case.

Respectfully submitted.

ASHLEY MOODY
Attorney General

/s/ Henry C. Whitaker

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Solicitor General

DANIEL W. BELL (FBN 1008587)
Chief Deputy Solicitor General (Civil)

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Counsel for the Attorney General

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing motion has been furnished by electronic service through the Florida Courts E-Filing Portal on this 11th day of April, 2022, on all parties required to be served.

/s/ Henry C. Whitaker
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APPENDIX



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April 5, 2022

VIA E-MAIL

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Tallahassee, Florida 32399-0250
DivElections@dos.myflorida.com

Re: Withdrawal of Initiative Number 21-16 - Limited
Authorization of Casino Gaming

Dear Sir/Madam

This firm represents Florida Voters in Charge (the "Committee"), the sponsor of Initiative Number 21-16, entitled "Limited Authorization of Casino Gaming." While the Committee believes that it submitted more than the required number of voter signatures to make the 2022 ballot, the various obstacles the Committee would have to overcome in order to validate such signatures and make the ballot, makes achievement of that goal untenable.

Accordingly, the Committee respectfully withdraws Initiative Number 21-16 – Limited Authorization of Casino Gaming. Please contact me if you need any additional information.

Sincerely,

/s/ James A. McKee

James A. McKee

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