

Bill No. CS for CS for SB 1270, 1st Eng.

Amendment No. \_\_\_\_

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senators Forman and Casas moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 7, line 21, after the semicolon

15

16 insert:

17 Section 1. Section 15.01, Florida Statutes, is amended  
18 to read:

19 15.01 ~~Residence, Office, and duties.~~--The Secretary of  
20 State shall reside at the seat of government and shall have  
21 her or his office in the Capitol and perform the duties  
22 prescribed by the State Constitution. The Department of State  
23 shall have the custody of the Constitution and Great Seal of  
24 this state, and of the original statutes thereof, and of the  
25 resolutions of the Legislature, and of all the official  
26 correspondence of the Governor. The department shall keep in  
27 its office a register and an index of all official letters,  
28 orders, communications, messages, documents, and other  
29 official acts issued or received by the Governor or the  
30 Secretary of State, and record these in a book numbered in  
31 chronological order. The Governor, before issuing any order

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1 or transmission of any official letter, communication, or  
2 document from the executive office or promulgation of any  
3 official act or proceeding, except military orders, shall  
4 deliver the same or a copy thereof to the Department of State  
5 to be recorded.

6 Section 2. Section 16.01, Florida Statutes, is amended  
7 to read:

8 16.01 ~~Residence, Office, and duties of Attorney~~  
9 General.--The Attorney General:

10 (1) Shall ~~reside at the seat of government and shall~~  
11 keep his or her office in the capitol.

12 (2) Shall perform the duties prescribed by the  
13 Constitution of this state and also perform such other duties  
14 appropriate to his or her office as may from time to time be  
15 required of the Attorney General by law or by resolution of  
16 the Legislature.

17 (3) Notwithstanding any other provision of law, shall,  
18 on the written requisition of the Governor, a member of the  
19 Cabinet, the head of a department in the executive branch of  
20 state government, the Speaker of the House of Representatives,  
21 the President of the Senate, the Minority Leader of the House  
22 of Representatives, or the Minority Leader of the Senate, and  
23 may, upon the written requisition of a member of the  
24 Legislature, other state officer, or officer of a county,  
25 municipality, other unit of local government, or political  
26 subdivision, give an official opinion and legal advice in  
27 writing on any question of law relating to the official duties  
28 of the requesting officer.

29 (4) Shall appear in and attend to, in behalf of the  
30 state, all suits or prosecutions, civil or criminal or in  
31 equity, in which the state may be a party, or in anywise

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1 interested, in the Supreme Court and district courts of appeal  
2 of this state.

3 (5) Shall appear in and attend to such suits or  
4 prosecutions in any other of the courts of this state or in  
5 any courts of any other state or of the United States.

6 (6) Shall act as co-counsel of record in capital  
7 collateral proceedings.

8 (7) Shall have and perform all powers and duties  
9 incident or usual to such office.

10 (8) Shall make and keep in his or her office a record  
11 of all his or her official acts and proceedings, containing  
12 copies of all official opinions, reports, and correspondence,  
13 and also keep and preserve in the office all official letters  
14 and communications to him or her and cause a registry and  
15 index thereof to be made and kept, all of which official  
16 papers and records shall be subject to the inspection of the  
17 Governor of the state and to the disposition of the  
18 Legislature by act or resolution thereof.

19 (9) May periodically publish a report of his or her  
20 official opinions and may prepare and publish an index or  
21 consolidated index or indexes of opinions.

22 Section 3. Section 17.02, Florida Statutes, is amended  
23 to read:

24 17.02 ~~Place of residence and~~ Office.--The Comptroller  
25 shall ~~reside at the seat of government of this state, and~~  
26 ~~shall~~ hold office in a room in the capitol.

27 Section 4. Section 18.03, Florida Statutes, is amended  
28 to read:

29 18.03 ~~Residence and~~ Office.--The Treasurer shall  
30 ~~reside at the seat of government of this state, and shall~~ keep  
31 his or her office in a room in the capitol. Said office shall

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1 be open every day, Sundays, holidays, and public festivals  
2 excepted, from 8 a.m. to 5 p.m. Monday through Friday of every  
3 week.

4 Section 5. Section 19.23, Florida Statutes, is amended  
5 to read:

6 19.23 ~~Residence and Office.~~--The Commissioner of  
7 Agriculture shall ~~reside at the seat of government in this~~  
8 ~~state, and shall~~ keep his or her office in a room in the  
9 capitol.

10 Section 6. Section 114.03, Florida Statutes, is  
11 amended to read:

12 114.03 Certain executive officers not to absent  
13 themselves from the state.--~~The Secretary of State, Attorney~~  
14 ~~General, Comptroller, Treasurer, Commissioner of Education,~~  
15 ~~and Commissioner of Agriculture shall reside at the capital,~~  
16 ~~and~~ No member of the Cabinet shall absent himself or herself  
17 from the state for a period of 60 consecutive days or more  
18 without the consent of the Governor and a majority of the  
19 Cabinet. If a Cabinet officer should refuse or fail to comply  
20 with and observe the requirements of this section, his or her  
21 office may be deemed vacant pursuant to paragraph (f) or  
22 paragraph (g) of s. 114.01(1), as appropriate.

23  
24 (Redesignate subsequent sections.)

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26  
27 ===== T I T L E A M E N D M E N T =====

28 And the title is amended as follows:

29 On page 1, line 3,

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31 insert:

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1           amending ss. 15.01, 16.02, 17.02, 18.03, 19.23,  
2           and 114.03, F.S.; deleting residence  
3           requirements for the Secretary of State,  
4           Attorney General, Comptroller, Treasurer,  
5           Commissioner of Education, and Commissioner of  
6           Agriculture;  
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