

By Senators Meek and Diaz de la Portilla

36-363A-01

1 Senate Joint Resolution No. ____

2 A joint resolution proposing an amendment to
3 Section 1 of Article VIII of the State
4 Constitution, relating to local government, to
5 provide for the nonpartisan election of
6 supervisors of elections.

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8 Be It Resolved by the Legislature of the State of Florida:

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10 That the following amendment to Section 1 of Article
11 VIII of the State Constitution is agreed to and shall be
12 submitted to the electors of this state for approval or
13 rejection at the next general election or at an earlier
14 special election specifically authorized by law for that
15 purpose:

16 ARTICLE VIII
17 LOCAL GOVERNMENT

18 SECTION 1. Counties.--

19 (a) POLITICAL SUBDIVISIONS. The state shall be
20 divided by law into political subdivisions called counties.
21 Counties may be created, abolished or changed by law, with
22 provision for payment or apportionment of the public debt.

23 (b) COUNTY FUNDS. The care, custody and method of
24 disbursing county funds shall be provided by general law.

25 (c) GOVERNMENT. Pursuant to general or special law, a
26 county government may be established by charter which shall be
27 adopted, amended or repealed only upon vote of the electors of
28 the county in a special election called for that purpose.

29 (d) COUNTY OFFICERS. There shall be elected by the
30 electors of each county, for terms of four years, a sheriff, a
31 tax collector, a property appraiser, a supervisor of

1 elections, and a clerk of the circuit court; except, when
2 provided by county charter or special law approved by vote of
3 the electors of the county, the sheriff, tax collector, or
4 property appraiser ~~any county officer~~ may be chosen in another
5 manner therein specified, or any county office may be
6 abolished when all the duties of the office prescribed by
7 general law are transferred to another office. The supervisor
8 of elections in each county, including counties referred to in
9 section 6 of this article, shall be elected in a nonpartisan
10 election. When not otherwise provided by county charter or
11 special law approved by vote of the electors, the clerk of the
12 circuit court shall be ex officio clerk of the board of county
13 commissioners, auditor, recorder and custodian of all county
14 funds.

15 (e) COMMISSIONERS. Except when otherwise provided by
16 county charter, the governing body of each county shall be a
17 board of county commissioners composed of five or seven
18 members serving staggered terms of four years. After each
19 decennial census the board of county commissioners shall
20 divide the county into districts of contiguous territory as
21 nearly equal in population as practicable. One commissioner
22 residing in each district shall be elected as provided by law.

23 (f) NON-CHARTER GOVERNMENT. Counties not operating
24 under county charters shall have such power of self-government
25 as is provided by general or special law. The board of county
26 commissioners of a county not operating under a charter may
27 enact, in a manner prescribed by general law, county
28 ordinances not inconsistent with general or special law, but
29 an ordinance in conflict with a municipal ordinance shall not
30 be effective within the municipality to the extent of such
31 conflict.

1 (g) CHARTER GOVERNMENT. Counties operating under
2 county charters shall have all powers of local self-government
3 not inconsistent with general law, or with special law
4 approved by vote of the electors. The governing body of a
5 county operating under a charter may enact county ordinances
6 not inconsistent with general law. The charter shall provide
7 which shall prevail in the event of conflict between county
8 and municipal ordinances.

9 (h) TAXES; LIMITATION. Property situate within
10 municipalities shall not be subject to taxation for services
11 rendered by the county exclusively for the benefit of the
12 property or residents in unincorporated areas.

13 (i) COUNTY ORDINANCES. Each county ordinance shall be
14 filed with the secretary of state and shall become effective
15 at such time thereafter as is provided by general law.

16 (j) VIOLATION OF ORDINANCES. Persons violating county
17 ordinances shall be prosecuted and punished as provided by
18 law.

19 (k) COUNTY SEAT. In every county there shall be a
20 county seat at which shall be located the principal offices
21 and permanent records of all county officers. The county seat
22 may not be moved except as provided by general law. Branch
23 offices for the conduct of county business may be established
24 elsewhere in the county by resolution of the governing body of
25 the county in the manner prescribed by law. No instrument
26 shall be deemed recorded until filed at the county seat, or a
27 branch office designated by the governing body of the county
28 for the recording of instruments, according to law.

29 BE IT FURTHER RESOLVED that the following statement be
30 placed on the ballot:

31 CONSTITUTIONAL AMENDMENT

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ARTICLE VIII, SECTION 6
SUPERVISORS OF ELECTIONS; NONPARTISAN
ELECTION.--Proposing an amendment to the State Constitution
under which the supervisors of elections in all counties of
the state, including charter counties, would be elected on a
nonpartisan basis.