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House Joint Resolution

A joint resolution proposing an amendment to Section 1 of Article VIII of the State Constitution to require each county to have an elected property appraiser.

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

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

ARTICLE VIII

LOCAL GOVERNMENT

SECTION 1. Counties.--

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

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

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to general or special law, a county government may be established by charter which shall be adopted, amended or repealed only upon vote of the electors of the county in a special election called for that purpose.

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

HJR 3C

2007

29 and a clerk of the circuit court; except, when provided by  
30 county charter or special law approved by vote of the electors  
31 of the county, any county officer other than a property  
32 appraiser may be chosen in another manner therein specified, or  
33 any county office other than the office of property appraiser  
34 may be abolished when all the duties of the office prescribed by  
35 general law are transferred to another office. When not  
36 otherwise provided by county charter or special law approved by  
37 vote of the electors, the clerk of the circuit court shall be ex  
38 officio clerk of the board of county commissioners, auditor,  
39 recorder and custodian of all county funds.

40 (e) COMMISSIONERS. Except when otherwise provided by  
41 county charter, the governing body of each county shall be a  
42 board of county commissioners composed of five or seven members  
43 serving staggered terms of four years. After each decennial  
44 census the board of county commissioners shall divide the county  
45 into districts of contiguous territory as nearly equal in  
46 population as practicable. One commissioner residing in each  
47 district shall be elected as provided by law.

48 (f) NON-CHARTER GOVERNMENT. Counties not operating under  
49 county charters shall have such power of self-government as is  
50 provided by general or special law. The board of county  
51 commissioners of a county not operating under a charter may  
52 enact, in a manner prescribed by general law, county ordinances  
53 not inconsistent with general or special law, but an ordinance  
54 in conflict with a municipal ordinance shall not be effective  
55 within the municipality to the extent of such conflict.

56 (g) CHARTER GOVERNMENT. Counties operating under county  
 57 charters shall have all powers of local self-government not  
 58 inconsistent with general law, or with special law approved by  
 59 vote of the electors. The governing body of a county operating  
 60 under a charter may enact county ordinances not inconsistent  
 61 with general law. The charter shall provide which shall prevail  
 62 in the event of conflict between county and municipal  
 63 ordinances.

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

68 (i) COUNTY ORDINANCES. Each county ordinance shall be  
 69 filed with the custodian of state records and shall become  
 70 effective at such time thereafter as is provided by general law.

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

73 (k) COUNTY SEAT. In every county there shall be a county  
 74 seat at which shall be located the principal offices and  
 75 permanent records of all county officers. The county seat may  
 76 not be moved except as provided by general law. Branch offices  
 77 for the conduct of county business may be established elsewhere  
 78 in the county by resolution of the governing body of the county  
 79 in the manner prescribed by law. No instrument shall be deemed  
 80 recorded until filed at the county seat, or a branch office  
 81 designated by the governing body of the county for the recording  
 82 of instruments, according to law.

HJR 3C

2007

83 BE IT FURTHER RESOLVED that the following statement be  
84 placed on the ballot:

85 CONSTITUTIONAL AMENDMENT

86 ARTICLE VIII, SECTION 1

87 ELECTED PROPERTY APPRAISERS REQUIRED.--Proposing an  
88 amendment to the State Constitution to require each county to  
89 have an elected property appraiser as a county officer and  
90 eliminate the option for choosing a property appraiser in any  
91 other manner as provided by county charter or special law  
92 approved by vote of the electors of the county and the option of  
93 abolishing the office of the property appraiser when all the  
94 duties of the office prescribed by general law are transferred  
95 to another office.