

By Senator Garcia

40-536-08

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Senate 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to general or special law, a county government may be established by charter which shall be adopted, amended or repealed only upon vote of the electors of the county in a special election called for that purpose.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, and a clerk of the circuit court; except, when

1 provided by county charter or special law approved by vote of  
2 the electors of the county, any county officer other than a  
3 property appraiser may be chosen in another manner therein  
4 specified, or any county office other than the office of  
5 property appraiser may be abolished when all the duties of the  
6 office prescribed by general law are transferred to another  
7 office. When not otherwise provided by county charter or  
8 special law approved by vote of the electors, the clerk of the  
9 circuit court shall be ex officio clerk of the board of county  
10 commissioners, auditor, recorder and custodian of all county  
11 funds.

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

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

29 (g) CHARTER GOVERNMENT. Counties operating under  
30 county charters shall have all powers of local self-government  
31 not inconsistent with general law, or with special law

1 approved by vote of the electors. The governing body of a  
2 county operating under a charter may enact county ordinances  
3 not inconsistent with general law. The charter shall provide  
4 which shall prevail in the event of conflict between county  
5 and municipal ordinances.

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

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

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

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

27 BE IT FURTHER RESOLVED that the following statement be  
28 placed on the ballot:

29 CONSTITUTIONAL AMENDMENT  
30 ARTICLE VIII, SECTION 1

1           ELECTED PROPERTY APPRAISERS REQUIRED.--Proposing an  
2 amendment to the State Constitution to require each county to  
3 have an elected property appraiser as a county officer and  
4 eliminate the option for choosing a property appraiser in any  
5 other manner as provided by county charter or special law  
6 approved by vote of the electors of the county and the option  
7 of abolishing the office of the property appraiser when all  
8 the duties of the office prescribed by general law are  
9 transferred to another office.  
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