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to general or special law, a county government may be established by charter which shall be adopted, amended or repealed only upon vote of the electors of the county in a special election called for that purpose.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

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 21D

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.