

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

House Joint Resolution

A joint resolution proposing an amendment to Section 1 of Article VIII and the creation of Section 27 of Article XII of the State Constitution to require each county to have an elected property appraiser and require counties without an elected property appraiser to provide for electing a property appraiser.

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

That the following amendment to Section 1 of Article VIII and the creation of Section 27 of Article XII 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

HJR 3D

2007

28 | adopted, amended or repealed only upon vote of the electors of  
 29 | the county in a special election called for that purpose.

30 | (d) COUNTY OFFICERS. There shall be elected by the  
 31 | electors of each county, for terms of four years, a sheriff, a  
 32 | tax collector, a property appraiser, a supervisor of elections,  
 33 | and a clerk of the circuit court; except, when provided by  
 34 | county charter or special law approved by vote of the electors  
 35 | of the county, any county officer other than a property  
 36 | appraiser may be chosen in another manner therein specified, or  
 37 | any county office other than the office of property appraiser  
 38 | may be abolished when all the duties of the office prescribed by  
 39 | general law are transferred to another office. When not  
 40 | otherwise provided by county charter or special law approved by  
 41 | vote of the electors, the clerk of the circuit court shall be ex  
 42 | officio clerk of the board of county commissioners, auditor,  
 43 | recorder and custodian of all county funds.

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

52 | (f) NON-CHARTER GOVERNMENT. Counties not operating under  
 53 | county charters shall have such power of self-government as is  
 54 | provided by general or special law. The board of county  
 55 | commissioners of a county not operating under a charter may

56 enact, in a manner prescribed by general law, county ordinances  
 57 not inconsistent with general or special law, but an ordinance  
 58 in conflict with a municipal ordinance shall not be effective  
 59 within the municipality to the extent of such conflict.

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

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

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

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

77 (k) COUNTY SEAT. In every county there shall be a county  
 78 seat at which shall be located the principal offices and  
 79 permanent records of all county officers. The county seat may  
 80 not be moved except as provided by general law. Branch offices  
 81 for the conduct of county business may be established elsewhere  
 82 in the county by resolution of the governing body of the county  
 83 in the manner prescribed by law. No instrument shall be deemed

HJR 3D

2007

84 recorded until filed at the county seat, or a branch office  
 85 designated by the governing body of the county for the recording  
 86 of instruments, according to law.

87 ARTICLE XII

88 SCHEDULE

89 SECTION 27. Elected property appraisers; application.--The  
 90 requirement in Section 1(d) of Article VIII for a property  
 91 appraiser to be elected by the electors of the county shall  
 92 apply in each county, including each charter county, regardless  
 93 of whether the charter was adopted pursuant to Section 1(g) of  
 94 Article VIII or pursuant to Section 9, Section 10, Section 11,  
 95 or Section 24 of Article VIII of the Constitution of 1885, as  
 96 amended and incorporated by reference in Section 6(e) of Article  
 97 VIII. Any county that does not have an elected property  
 98 appraiser on the effective date of the amendment to Section 1 of  
 99 Article VIII of this constitution shall provide for electing a  
 100 property appraiser as provided by general law.

101 BE IT FURTHER RESOLVED that the following statement be  
 102 placed on the ballot:

103 CONSTITUTIONAL AMENDMENT

104 ARTICLE VIII, SECTION 1

105 ARTICLE XII, SECTION 27

106 ELECTED PROPERTY APPRAISERS REQUIRED.--Proposing amendments  
 107 to the State Constitution relating to property appraisers as  
 108 follows:

109 (1) Requires each county to have an elected property  
 110 appraiser as a county officer and eliminates the option for  
 111 choosing a property appraiser in any other manner as provided by

HJR 3D

2007

112 county charter or special law approved by vote of the electors  
113 of the county and the option of abolishing the office of the  
114 property appraiser when all the duties of the office prescribed  
115 by general law are transferred to another office.

116 (2)(a) Specifies that the requirement for an elected  
117 property appraiser applies to all counties, including charter  
118 counties, without exception, notwithstanding adoption of a  
119 charter pursuant to the State Constitution.

120 (b) Requires counties without an elected property  
121 appraiser to provide for electing a property appraiser as  
122 provided by general law.