

By the Committee on Community Affairs; and Senator Ring

578-02587A-12

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1 Senate Joint Resolution

2 A joint resolution proposing an amendment to Section 1  
3 of Article VIII of the State Constitution to authorize  
4 the imposition of term limits on county commissioners  
5 when provided by county charter.  
6

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

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

14 ARTICLE VIII

15 LOCAL GOVERNMENT

16 SECTION 1. Counties.—

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

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

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25 adopted, amended, or repealed only upon vote of the electors of  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

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

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

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

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

58 (g) CHARTER GOVERNMENT. Counties operating under county

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

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

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

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

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

85 BE IT FURTHER RESOLVED that the following statement be  
86 placed on the ballot:

87 CONSTITUTIONAL AMENDMENT

