

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

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1 Committee/Subcommittee hearing bill: Local, Federal & Veterans  
2 Affairs Subcommittee

3 Representative Miller, M. offered the following:

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5 **Amendment (with ballot and title amendments)**

6 Remove everything after the resolving clause and insert:

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

12 ARTICLE VIII

13 LOCAL GOVERNMENT

14 SECTION 1. Counties.—

15 (a) POLITICAL SUBDIVISIONS. The state shall be divided by  
16 law into political subdivisions called counties. Counties may be

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17 created, abolished or changed by law, with provision for payment  
18 or apportionment of the public debt.

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

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23 adopted, amended or repealed only upon vote of the electors of  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

25 (d) COUNTY OFFICERS. There shall be elected by the  
26 electors of each county, for terms of four years, a sheriff, a  
27 tax collector, a property appraiser, a supervisor of elections,  
28 and a clerk of the circuit court; except, when provided by  
29 county charter or special law approved by vote of the electors  
30 of the county, a sheriff, a tax collector, a supervisor of  
31 elections in any county other than Miami-Dade County, a property  
32 appraiser, and a clerk of the circuit court ~~any county officer~~  
33 may be chosen in another manner therein specified, or such  
34 offices, other than a supervisor of elections in Miami-Dade  
35 County, any county office may be abolished when all the duties  
36 of the office prescribed by general law are transferred to  
37 another office. When not otherwise provided by county charter or  
38 special law approved by vote of the electors, the clerk of the  
39 circuit court shall be ex officio clerk of the board of county  
40 commissioners, auditor, recorder, and custodian of all county  
41 funds. Notwithstanding subsection 6(e) of this article, this

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42 subsection provides the exclusive manner for the selection of  
43 the supervisor of elections of Miami-Dade County. This  
44 subsection does not limit legislative authority to create,  
45 abolish, or change counties by law pursuant to section 1 of this  
46 article.

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

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

63 (g) CHARTER GOVERNMENT. Counties operating under county  
64 charters shall have all powers of local self-government not  
65 inconsistent with general law, or with special law approved by  
66 vote of the electors. The governing body of a county operating

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67 | under a charter may enact county ordinances not inconsistent  
68 | with general law. The charter shall provide which shall prevail  
69 | in the event of conflict between county and municipal  
70 | ordinances.

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

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

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

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

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**B A L L O T A M E N D M E N T**

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92 Remove lines 113-146 and insert:

93 BE IT FURTHER RESOLVED that the following statement be placed on  
94 the ballot:

95 CONSTITUTIONAL AMENDMENT

96 ARTICLE VIII, SECTION 1

97 SELECTION OF THE SUPERVISOR OF ELECTIONS IN MIAMI-DADE  
98 COUNTY.— Proposing an amendment to the State Constitution to  
99 remove authority for a county charter to provide for choosing  
100 the supervisor of elections of Miami-Dade County in a manner  
101 other than by election or to abolish the office of supervisor of  
102 elections if all duties of the office prescribed by general law  
103 are transferred to another office. The amendment takes effect  
104 January 8, 2019, if approved.

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107 **T I T L E A M E N D M E N T**

108 Remove everything before the resolving clause and insert:  
109 A joint resolution proposing an amendment to Section 1 of  
110 Article VIII and the creation of a new section in Article XII of  
111 the State Constitution to remove authority for a county charter  
112 to provide for choosing the supervisor of elections of Miami-  
113 Dade County in a manner other than election, prohibit a special  
114 law to provide for choosing a supervisor of elections in a  
115 manner other than election, authorize the abolition of any  
116 county office if its duties are transferred to another office by

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HJR 1129 (2017)

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117 | special law approved by county voters, and remove authority for  
118 | a county charter to transfer certain duties of the clerk of the  
119 | circuit court to another officer.