

By the Committee on Community Affairs; and Senators Artiles and Powell

578-02731-17

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Senate Joint Resolution

A joint resolution proposing an amendment to Section 1 of Article VIII of the State Constitution to remove authority for a county charter or special law to provide for choosing a property appraiser in a manner other than by election or to transfer the duties of the property appraiser or abolish the office of the 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to general or special law, a county government may be established by charter which shall be adopted, amended or repealed only upon vote of the electors of the county in a special election called for that purpose.

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30 (d) COUNTY OFFICERS. There shall be elected by the electors
31 of each county, for terms of four years, a sheriff, a tax
32 collector, a property appraiser, a supervisor of elections, and
33 a clerk of the circuit court; except, when provided by county
34 charter or special law approved by vote of the electors of the
35 county, a sheriff, a tax collector, a supervisor of elections,
36 and a clerk of the circuit court ~~any county officer~~ may be
37 chosen in another manner therein specified, or ~~any county office~~
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. Notwithstanding
44 subsection 6(e) of this article, this subsection provides the
45 exclusive manner for the selection, length of term, abolition of
46 office, and transfer of duties of the property appraiser of each
47 county.

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

56 (f) NON-CHARTER GOVERNMENT. Counties not operating under
57 county charters shall have such power of self-government as is
58 provided by general or special law. The board of county

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59 commissioners of a county not operating under a charter may
60 enact, in a manner prescribed by general law, county ordinances
61 not inconsistent with general or special law, but an ordinance
62 in conflict with a municipal ordinance shall not be effective
63 within the municipality to the extent of such conflict.

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

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

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

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

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

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

91 BE IT FURTHER RESOLVED that the following statement be
92 placed on the ballot:

93 CONSTITUTIONAL AMENDMENT

94 ARTICLE VIII, SECTION 1

95 SELECTION AND DUTIES OF PROPERTY APPRAISERS.—Proposing an
96 amendment to the State Constitution to remove authority for a
97 county charter or special law to provide for choosing a property
98 appraiser in a manner other than by election or to transfer the
99 duties of the property appraiser or abolish the office of the
100 property appraiser. The amendment is applicable to all counties
101 and takes effect January 8, 2019, if approved.