

House Joint Resolution

A joint resolution proposing an amendment to Section 1 of Article VIII and the creation of a new section in Article XII 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 election.

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 a new section in Article XII of the State Constitution are 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.

26 (c) GOVERNMENT. Pursuant to general or special law, a  
27 county government may be established by charter which shall be  
28 adopted, amended or repealed only upon vote of the electors of  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, except the property  
36 appraiser, may be chosen in another manner therein specified, or  
37 any county office may be abolished when all the duties of the  
38 office prescribed by general law are transferred to another  
39 office. When not otherwise provided by county charter or special  
40 law approved by vote of the electors, the clerk of the circuit  
41 court shall be ex officio clerk of the board of county  
42 commissioners, auditor, recorder, and custodian of all county  
43 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



HJR 187

2017

101 | to remove authority for a county charter or special law to  
102 | provide for choosing a property appraiser in a manner other than  
103 | by election. The amendment takes effect January 5, 2021, if  
104 | approved.