

House 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 alter 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.

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28 adopted, amended or repealed only upon vote of the electors of  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, a sheriff, a tax collector, a supervisor of  
36 elections, and a clerk of the circuit court ~~any county officer~~  
37 may be chosen in another manner therein specified, or ~~any county~~  
38 ~~office~~ may be abolished when all the duties of the office  
39 prescribed by general law are transferred to another office.  
40 When not otherwise provided by county charter or special law  
41 approved by vote of the electors, the clerk of the circuit court  
42 shall be ex officio clerk of the board of county commissioners,  
43 auditor, recorder, and custodian of all county funds.  
44 Notwithstanding subsection (e) of section 6 of this article, a  
45 county charter may not abolish the office of the property  
46 appraiser, transfer the duties of the office of the property  
47 appraiser to another office, change the length of the term of a  
48 property appraiser, or establish any manner of selection of a  
49 property appraiser other than election by the electors of the  
50 county.

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

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

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

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

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

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

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

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

96 CONSTITUTIONAL AMENDMENT

97 ARTICLE VIII, SECTION 1

98 SELECTION AND DUTIES OF PROPERTY APPRAISERS.—Proposing an  
 99 amendment to the State Constitution to remove authority for a

100 county charter or special law to provide for choosing a property  
101 appraiser in a manner other than by election or to alter the  
102 duties of the property appraiser or abolish the office of the  
103 property appraiser. The amendment is applicable to all counties  
104 and takes effect January 8, 2019, if approved.