

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>      </u>	

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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23 adopted, amended or repealed only upon vote of the electors of  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 in any county other  
31 than Miami-Dade County, a supervisor of elections, 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 tax collector in Miami-Dade County, any  
35 ~~county office~~ may be abolished when all the duties of the office  
36 prescribed by general law are transferred to another office.  
37 When not otherwise provided by county charter or special law  
38 approved by vote of the electors, the clerk of the circuit court  
39 shall be ex officio clerk of the board of county commissioners,  
40 auditor, recorder, and custodian of all county funds.  
41 Notwithstanding subsection 6(e) of this article, this subsection

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

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

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

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

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67 with general law. The charter shall provide which shall prevail  
68 in the event of conflict between county and municipal  
69 ordinances.

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

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

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

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

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

Remove lines 112-145 and insert:

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

94 CONSTITUTIONAL AMENDMENT

95 ARTICLE VIII, SECTION 1

96 SELECTION OF THE TAX COLLECTOR IN MIAMI-DADE COUNTY.-

97 Proposing an amendment to the State Constitution to remove  
98 authority for a county charter to provide for choosing the tax  
99 collector of Miami-Dade County in a manner other than by  
100 election or to abolish the office of tax collector if all duties  
101 of the office prescribed by general law are transferred to  
102 another office. The amendment takes effect January 8, 2019, if  
103 approved.

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

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

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Bill No. HJR 271 (2017)

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117 | transfer certain duties of the clerk of the circuit court to  
118 | another officer.