

House Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article IV of the State Constitution to revise the duties and responsibilities of the Chief Financial Officer.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 4 of Article IV 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 IV

EXECUTIVE

SECTION 4. Cabinet.—

(a) There shall be a cabinet composed of an attorney general, a chief financial officer, and a commissioner of agriculture. In addition to the powers and duties specified herein, they shall exercise such powers and perform such duties as may be prescribed by law. In the event of a tie vote of the governor and cabinet, the side on which the governor voted shall be deemed to prevail.

(b) The attorney general shall be the chief state legal officer. There is created in the office of the attorney general

26 | the position of statewide prosecutor. The statewide prosecutor
 27 | shall have concurrent jurisdiction with the state attorneys to
 28 | prosecute violations of criminal laws occurring or having
 29 | occurred, in two or more judicial circuits as part of a related
 30 | transaction, or when any such offense is affecting or has
 31 | affected two or more judicial circuits as provided by general
 32 | law. The statewide prosecutor shall be appointed by the attorney
 33 | general from not less than three persons nominated by the
 34 | judicial nominating commission for the supreme court, or as
 35 | otherwise provided by general law.

36 | (c) The chief financial officer shall serve as the chief
 37 | fiscal officer of the state, and shall:

38 | (1) Settle and approve accounts against the state; ~~and~~
 39 | ~~shall~~

40 | (2) Keep all state funds and securities;

41 | (3) Participate as a principal in consensus economic,
 42 | demographic, and revenue estimating conferences; and

43 | (4) Review and certify state contracts proposed by or on
 44 | behalf of any state agency, entity, or officer of the executive
 45 | branch as defined by general law which require a payment or
 46 | aggregate payments in excess of ten million dollars from funds
 47 | appropriated to the state agency, entity, or officer before the
 48 | execution of any such contract. The chief financial officer
 49 | shall ensure that such a contract complies with state law as to
 50 | its procurement and content and that any payments required to be

51 made by the state agency, entity, or officer under the contract
52 in any fiscal year do not exceed the amount appropriated for
53 that fiscal year or the amount authorized by law for the purpose
54 of the contract. The ten-million-dollar threshold shall be
55 adjusted by general law every four years to reflect the rate of
56 inflation or deflation as indicated in the Consumer Price Index
57 for All Urban Consumers, U.S. City Average, All Items, or a
58 successor index as calculated by the United States Department of
59 Labor, Bureau of Labor Statistics, or its successor agency.

60 (d) The commissioner of agriculture shall have supervision
61 of matters pertaining to agriculture except as otherwise
62 provided by law.

63 (e) The governor as chair, the chief financial officer,
64 and the attorney general shall constitute the state board of
65 administration, which shall succeed to all the power, control,
66 and authority of the state board of administration established
67 pursuant to Article IX, Section 16 of the Constitution of 1885,
68 and which shall continue as a body at least for the life of
69 Article XII, Section 9(c).

70 (f) The governor as chair, the chief financial officer,
71 the attorney general, and the commissioner of agriculture shall
72 constitute the trustees of the internal improvement trust fund
73 and the land acquisition trust fund as provided by law.

74 (g) The governor as chair, the chief financial officer,
75 the attorney general, and the commissioner of agriculture shall

76 | constitute the agency head of the Department of Law Enforcement.

77 | BE IT FURTHER RESOLVED that the following statement be
78 | placed on the ballot:

79 | CONSTITUTIONAL AMENDMENT

80 | ARTICLE IV, SECTION 4

81 | DUTIES OF THE CHIEF FINANCIAL OFFICER.—Proposing an
82 | amendment to the State Constitution to expand the duties of the
83 | Chief Financial Officer to require that he or she participate as
84 | a principal in consensus economic, demographic, and revenue
85 | estimating conferences; review and certify certain state
86 | contracts above a threshold dollar amount; and ensure that such
87 | contracts comply with state law and do not require payments in
88 | any fiscal year which exceed the amount appropriated or the
89 | amount authorized by law.