

By Senator Brandes

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1 A bill to be entitled
2 An act relating to a centralized database for public
3 charters and amendments; creating s. 15.075, F.S.;
4 requiring the Department of State to create and
5 maintain a centralized public database of county,
6 municipal, and special district charters and
7 amendments; specifying the classifications by which
8 users may search and retrieve charter and amendment
9 text; amending ss. 125.60, 125.82, 166.031, and
10 189.013, F.S.; requiring all counties, municipalities,
11 and special districts to file, by specified dates,
12 electronic copies of their charters and amendments
13 with the department; prohibiting such entities from
14 levying taxes or issuing bonds if the appropriate
15 documents are not filed; authorizing the department to
16 adopt rules to implement and administer this act;
17 providing a statement of important state interest;
18 providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Section 15.075, Florida Statutes, is created to
23 read:

24 15.075 Database of county, municipal, and special district
25 charters.—The Department of State shall create and maintain a
26 centralized electronic database containing county, municipal,
27 and special district charters and amendments.

28 (1) The database must be accessible to the public through
29 the main page of the department's website.

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30 (2) The database must allow users to research and retrieve
31 the full text of the charters and amendments by searching:

32 (a) The name of the county, municipality, or special
33 district.

34 (b) The year in which the county, municipality, or special
35 district enacted or adopted the charter.

36 (c) The year in which the county, municipality, or special
37 district adopted the amendment that is the subject of the
38 search.

39 (d) Key terms contained in the text of the charter or
40 amendment.

41 (e) Other relevant classifications.

42 Section 2. Section 125.60, Florida Statutes, is amended to
43 read:

44 125.60 Adoption of county charter.—

45 (1) Any county not having a chartered form of consolidated
46 government may, pursuant to the provisions of ss. 125.60-125.64,
47 locally initiate and adopt by a majority vote of the qualified
48 electors of the county a county home rule charter.

49 (2) A county with an adopted charter shall file an
50 electronic copy of its charter and each adopted amendment with
51 the Department of State by October 1, 2018. A county that adopts
52 a charter or an amendment to a charter after October 1, 2018,
53 shall file an electronic copy of the charter or amendment, as
54 applicable, with the Department of State within 90 days after
55 its adoption. Notwithstanding any provision of law to the
56 contrary, a county that fails to comply with this subsection may
57 not levy a new tax, levy or collect an existing tax, or issue a
58 bond until the county complies with this subsection.

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59 Section 3. Subsection (3) is added to section 125.82,
60 Florida Statutes, to read:

61 125.82 Charter adoption by ordinance.—

62 (3) A county with a charter adopted by ordinance, as set
63 forth in this section, must file an electronic copy of its
64 charter and each adopted amendment with the Department of State
65 by October 1, 2018. A county that adopts a charter as set forth
66 in this section or adopts an amendment to a charter after
67 October 1, 2018, shall file an electronic copy of the charter or
68 amendment, as applicable, with the Department of State within 90
69 days after the adoption of the amendment or the special election
70 approving the charter. Notwithstanding any provision of law to
71 the contrary, a county that fails to comply with this subsection
72 may not levy a new tax, levy or collect an existing tax, or
73 issue a bond until the county complies with this subsection.

74 Section 4. Subsection (7) is added to section 166.031,
75 Florida Statutes, to read:

76 166.031 Charter amendments; charter reporting.—

77 (7) A municipality that has enacted or adopted a municipal
78 charter as of July 1, 2018, shall file an electronic copy of its
79 charter and each adopted amendment with the Department of State
80 by October 1, 2018. A municipality that adopts a charter, as set
81 forth in chapter 165, or adopts an amendment to such charter
82 after July 1, 2018, shall file an electronic copy of the charter
83 or amendment, as applicable, with the Department of State within
84 90 days after adoption of the amendment or the charter, as
85 applicable. Notwithstanding any provision of law to the
86 contrary, a municipality that fails to comply with this
87 subsection may not levy a new tax, levy or collect an existing

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88 tax, or issue a bond until the municipality complies with this
89 subsection.

90 Section 5. Section 189.013, Florida Statutes, is amended to
91 read:

92 189.013 Special districts; creation, dissolution, and
93 reporting requirements.—

94 (1) All special districts, regardless of the existence of
95 other, more specific provisions of applicable law, shall comply
96 with the creation, dissolution, and reporting requirements set
97 forth in this chapter.

98 (2) A special district that has enacted or adopted a
99 charter as of July 1, 2018, shall file an electronic copy of its
100 charter and each adopted amendment with the Department of State
101 by October 1, 2018. A special district that adopts a charter or
102 an amendment to a charter after July 1, 2018, shall file an
103 electronic copy of the charter or amendment, as applicable, with
104 the Department of State within 90 days after adoption of the
105 charter or the amendment. Notwithstanding any provision of law
106 to the contrary, a special district that fails to comply with
107 this subsection may not levy a new tax, levy or collect an
108 existing tax, or issue a bond until the special district
109 complies with this subsection.

110 Section 6. The Department of State may adopt rules pursuant
111 to s. 20.10(3), Florida Statutes, to implement and administer
112 this act.

113 Section 7. The Legislature finds that a proper and
114 legitimate state purpose is served when public charters and
115 amendments are made readily available to the public and that
116 such access ensures transparency with regard to the creating

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117 documents and any future amendments. Therefore, the Legislature
118 determines and declares that this act fulfills an important
119 state interest.

120 Section 8. This act shall take effect July 1, 2018.