

By the Committee on Ethics and Elections; and Senator Lee

582-02642-18

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Senate 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 the position of statewide prosecutor. The statewide prosecutor shall have concurrent jurisdiction with the state attorneys to prosecute violations of criminal laws occurring or having occurred, in two or more judicial circuits as part of a related

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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) As prescribed by general law, review and certify,  
44 before execution, that each proposed contract of a state agency,  
45 entity, or officer of the executive branch requiring a payment  
46 or aggregate payments in excess of ten million dollars from  
47 funds appropriated to the state agency, entity, or officer:

48 a. Complies with general laws relating to procurement;

49 b. Includes all provisions required by general law for  
50 state agency contracts; and

51 c. Does not require payments by the state agency, entity,  
52 or officer in any fiscal year in excess of the amount  
53 appropriated for that fiscal year or the amount authorized by  
54 general law, for the purpose of the contract.

55  
56 The legislature shall enact legislation to implement this  
57 paragraph, including the adjustment, to be adjusted at least  
58 every four years, of the contract amount threshold to reflect

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59 the rate of inflation or deflation as indicated in the Consumer  
60 Price Index for All Urban Consumers, U.S. City Average, All  
61 Items, or a successor index, as calculated by the United States  
62 Department of Labor Bureau of Labor Statistics, or its successor  
63 agency.

64 (d) The commissioner of agriculture shall have supervision  
65 of matters pertaining to agriculture except as otherwise  
66 provided by law.

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

74 (f) The governor as chair, the chief financial officer, the  
75 attorney general, and the commissioner of agriculture shall  
76 constitute the trustees of the internal improvement trust fund  
77 and the land acquisition trust fund as provided by law.

78 (g) The governor as chair, the chief financial officer, the  
79 attorney general, and the commissioner of agriculture shall  
80 constitute the agency head of the Department of Law Enforcement.

81

82 BE IT FURTHER RESOLVED that the following statement be  
83 placed on the ballot:

84

## CONSTITUTIONAL AMENDMENT

85

## ARTICLE IV, SECTION 4

86

87

DUTIES OF THE CHIEF FINANCIAL OFFICER.—Expands the Chief  
Financial Officer's duties to require that he or she participate

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88 as a principal in consensus economic, demographic, and revenue  
89 estimating conferences and review and certify certain state  
90 contracts above a threshold dollar amount to ensure compliance  
91 with certain laws and that such contracts do not require  
92 payments in any fiscal year which exceed the amount appropriated  
93 or the amount authorized by law. Requires the Legislature to  
94 enact legislation to implement the amendment.