

1 A bill to be entitled
2 An act relating to public officers and employees;
3 creating s. 20.70, F.S.; requiring certain public
4 officers and employees to be United States citizens
5 and residents of this state, and, for specified public
6 officers and employees, to reside in a certain county;
7 creating s. 112.31251, F.S.; defining the term
8 "office" for purposes of s. 5(a), Art. II of the State
9 Constitution; defining the term "employment";
10 providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 **Section 1. Section 20.70, Florida Statutes, is created to**
15 **read:**

16 20.70 Residency requirements.—Notwithstanding any other
17 law:

18 (1) All of the following persons must be United States
19 citizens and residents of this state:

20 (a) A member of a commission.

21 (b) A member of a board of trustees.

22 (c) A member of the Board of Governors.

23 (d) A member of a licensing board.

24 (e) A member of a governing board or the chief executive
25 of a statewide entity that is explicitly created or established

26 by statute, regardless of its legal form, for a public purpose
 27 or to effectuate a government program and which is not under the
 28 direct control of a governmental entity.

29 (f) Any other person appointed to hold state office.

30 (2) All of the following persons must be United States
 31 citizens, be residents of this state, and reside in the same
 32 county as their respective departments' headquarters:

33 (a) The secretary of a department.

34 (b) The executive director of a department of the
 35 executive branch.

36 (c) The chief administrative officer of any unit of state
 37 government that is housed under a department for administrative
 38 purposes but is not subject to the control, supervision, or
 39 direction of such department.

40 **Section 2. Section 112.31251, Florida Statutes, is created**
 41 **to read:**

42 112.31251 Definition of the term "office."—

43 (1) (a) For purposes of s. 5(a), Art. II of the State
 44 Constitution, the term "office," when referring to an office in
 45 this state, means any position in state, county, or municipal
 46 government that:

47 1. Delegates to the individual holding such position a
 48 portion of the sovereign power of the government.

49 2. Requires the exercise of independent governmental
 50 authority, which is performed in an official capacity and is not

- 51 based solely on a contractual or employment relationship.
- 52 3. Has a prescribed tenure.
- 53 4. Exists independently of the individual holding such
 54 position.
- 55 (b) The term includes, but is not limited to, all of the
 56 following positions:
- 57 1. The Governor.
- 58 2. The Lieutenant Governor.
- 59 3. A member of the Cabinet.
- 60 4. A state senator.
- 61 5. A state representative.
- 62 6. A county commissioner.
- 63 7. A sheriff.
- 64 8. A tax collector.
- 65 9. A property appraiser.
- 66 10. A supervisor of elections.
- 67 11. A clerk of the circuit court.
- 68 12. A member of the Board of Governors of the State
 69 University System.
- 70 13. A member of a board of trustees for a state
 71 university.
- 72 14. A member of a district school board.
- 73 15. A county or municipal administrator.
- 74 16. A county or municipal attorney.
- 75 17. The director of a county or municipal emergency

76 | management agency.

77 | 18. A member of a state, county, or municipal board or
 78 | commission that exercises governmental authority and is not
 79 | purely advisory in nature.

80 | 19. A member of the board of the Citizens Property
 81 | Insurance Corporation established under s. 627.351(6).

82 | 20. A member of the board of the Florida Housing Finance
 83 | Corporation established under s. 420.504.

84 | 21. A member of the board of the Florida Healthy Kids
 85 | Corporation established under s. 624.91.

86 | (2) The term "office" does not include either of the
 87 | following:

88 | (a) A legislative designation of an officer to perform ex
 89 | officio the functions of another office; or

90 | (b) The position of an individual whose relationship with
 91 | a state, county, or municipal government is considered
 92 | employment. For purposes of this subsection, the term
 93 | "employment" means a relationship with a state, county, or
 94 | municipal government where an individual does not exercise in
 95 | his or her own right any sovereign power or any prescribed
 96 | independent authority of a governmental nature.

97 | **Section 3.** This act shall take effect July 1, 2025.