

By Senator Grall

29-01046A-25

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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.

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

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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 of
25 a statewide entity that is explicitly created or established by
26 statute, regardless of its legal form, for a public purpose or
27 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.

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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 executive
35 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.

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- 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 university.
- 71 14. A member of a district school board.
- 72 15. A county or municipal administrator.
- 73 16. A county or municipal attorney.
- 74 17. The director of a county or municipal emergency
75 management agency.
- 76 18. A member of a state, county, or municipal board or
77 commission that exercises governmental authority and is not
78 purely advisory in nature.
- 79 19. A member of the board of the Citizens Property
80 Insurance Corporation established under s. 627.351(6).
- 81 20. A member of the board of the Florida Housing Finance
82 Corporation established under s. 420.504.
- 83 21. A member of the board of the Florida Healthy Kids
84 Corporation established under s. 624.91.
- 85 (2) The term "office" does not include either of the
86 following:
- 87 (a) A legislative designation of an officer to perform ex

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88 officio the functions of another office; or

89 (b) The position of an individual whose relationship with a
90 state, county, or municipal government is considered employment.

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

96 Section 3. This act shall take effect July 1, 2025.