

House Joint Resolution

A joint resolution proposing amendments to Section 1 of Article VIII and Section 4 of Article IX of the State Constitution to provide term limits for members of boards of county commissioners and district school boards.

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

That the following amendments to Section 1 of Article VIII and Section 4 of Article IX of the State Constitution are 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 VIII

LOCAL GOVERNMENT

SECTION 1. Counties.—

(a) POLITICAL SUBDIVISIONS. The state shall be divided by law into political subdivisions called counties. Counties may be created, abolished or changed by law, with provision for payment or apportionment of the public debt.

(b) COUNTY FUNDS. The care, custody and method of disbursing county funds shall be provided by general law.

(c) GOVERNMENT. Pursuant to general or special law, a

26 county government may be established by charter which shall be
27 adopted, amended or repealed only upon vote of the electors of
28 the county in a special election called for that purpose.

29 (d) COUNTY OFFICERS. There shall be elected by the
30 electors of each county, for terms of four years, a sheriff, a
31 tax collector, a property appraiser, a supervisor of elections,
32 and a clerk of the circuit court. Unless otherwise provided by
33 special law approved by vote of the electors or pursuant to
34 Article V, section 16, the clerk of the circuit court shall be
35 ex officio clerk of the board of county commissioners, auditor,
36 recorder and custodian of all county funds. Notwithstanding
37 subsection 6(e) of this article, a county charter may not
38 abolish the office of a sheriff, a tax collector, a property
39 appraiser, a supervisor of elections, or a clerk of the circuit
40 court; transfer the duties of those officers to another officer
41 or office; change the length of the four-year term of office; or
42 establish any manner of selection other than by election by the
43 electors of the county.

44 (e) COMMISSIONERS. Except when otherwise provided by
45 county charter, the governing body of each county shall be a
46 board of county commissioners composed of five or seven members
47 serving staggered terms of four years. After each decennial
48 census the board of county commissioners shall divide the county
49 into districts of contiguous territory as nearly equal in
50 population as practicable. One commissioner residing in each

51 district shall be elected as provided by law. Except as provided
52 in general law relating to single-member districts after
53 decennial redistricting, a person may not appear on the ballot
54 for re-election as a member of a board of county commissioners
55 if, by the end of his or her current term of office, such person
56 will have served, or, but for resignation, would have served, as
57 a member of the board for eight years. Service in a term of
58 office which commences on or before November 3, 2026, does not
59 count toward the limitation imposed by this subsection.

60 (f) NON-CHARTER GOVERNMENT. Counties not operating under
61 county charters shall have such power of self-government as is
62 provided by general or special law. The board of county
63 commissioners of a county not operating under a charter may
64 enact, in a manner prescribed by general law, county ordinances
65 not inconsistent with general or special law, but an ordinance
66 in conflict with a municipal ordinance shall not be effective
67 within the municipality to the extent of such conflict.

68 (g) CHARTER GOVERNMENT. Counties operating under county
69 charters shall have all powers of local self-government not
70 inconsistent with general law, or with special law approved by
71 vote of the electors. The governing body of a county operating
72 under a charter may enact county ordinances not inconsistent
73 with general law. The charter shall provide which shall prevail
74 in the event of conflict between county and municipal
75 ordinances.

76 (h) TAXES; LIMITATION. Property situate within
 77 municipalities shall not be subject to taxation for services
 78 rendered by the county exclusively for the benefit of the
 79 property or residents in unincorporated areas.

80 (i) COUNTY ORDINANCES. Each county ordinance shall be
 81 filed with the custodian of state records and shall become
 82 effective at such time thereafter as is provided by general law.

83 (j) VIOLATION OF ORDINANCES. Persons violating county
 84 ordinances shall be prosecuted and punished as provided by law.

85 (k) COUNTY SEAT. In every county there shall be a county
 86 seat at which shall be located the principal offices and
 87 permanent records of all county officers. The county seat may
 88 not be moved except as provided by general law. Branch offices
 89 for the conduct of county business may be established elsewhere
 90 in the county by resolution of the governing body of the county
 91 in the manner prescribed by law. No instrument shall be deemed
 92 recorded until filed at the county seat, or a branch office
 93 designated by the governing body of the county for the recording
 94 of instruments, according to law.

95 ARTICLE IX

96 EDUCATION

97 SECTION 4. School districts; school boards.—

98 (a) Each county shall constitute a school district;
 99 provided, two or more contiguous counties, upon vote of the
 100 electors of each county pursuant to law, may be combined into

101 one school district. In each school district there shall be a
 102 school board composed of five or more members chosen by vote of
 103 the electors in a nonpartisan election for appropriately
 104 staggered terms of four years, as provided by law. A person may
 105 not appear on the ballot for re-election to the office of school
 106 board member, if by the end of the current term of office, that
 107 person will have served, or, but for resignation, would have
 108 served, as a member of the school board for eight years. Service
 109 of a term of office which commenced before November 8, 2022,
 110 does not count toward the limitation imposed by this subsection.

111 (b) The school board shall operate, control and supervise
 112 all free public schools within the school district and determine
 113 the rate of school district taxes within the limits prescribed
 114 herein. Two or more school districts may operate and finance
 115 joint educational programs.

116 BE IT FURTHER RESOLVED that the following statement be
 117 placed on the ballot:

118 CONSTITUTIONAL AMENDMENT

119 ARTICLE VIII, SECTION 1

120 ARTICLE IX, SECTION 4

121 TERM LIMITS FOR MEMBERS OF COUNTY COMMISSIONS AND DISTRICT
 122 SCHOOL BOARDS.—This amendment to the State Constitution provides
 123 that a person is limited to serving eight years as a member of a
 124 county commission and applies to terms of office that commence
 125 after November 3, 2026. This amendment also provides that a

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126 | person is limited to serving eight years as a member of a
127 | district school board and applies to terms that began after
128 | November 8, 2022, as provided by general law.