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HB 4029

2026 Legislature

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An act relating to the Hillsborough County Charter; revising the number of commissioners on the Board of County Commissioners of Hillsborough County; revising the territory of each county district; revising district reapportionment requirements; revising vote count requirements for enactment of ordinances and resolutions, county internal auditor appointments and removals, county administrator appointments and removals, county attorney appointments and removals, and charter amendments; revising the process for appointing the charter review board members and for proposing amendments to the charter; providing requirements for transitions to single-member districts and 11-member board of commissioners; requiring a referendum; providing effective dates.

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

Section 1. Sections 4.02, 4.03, 4.04, 4.05, 4.06, 4.08, 4.10, 5.03, 6.03, 8.01, 8.02, and 8.03 of the Hillsborough County Charter are amended, and sections 10.09 and 10.10 are added to the charter, to read:

[ARTICLE] IV. - LEGISLATIVE BRANCH

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26 Sec. 4.02. - Board of County Commissioners.

27 The board of county commissioners shall consist of 9 ~~seven~~
28 commissioners, each of whom shall be elected from one of nine
29 ~~seven~~ districts, unless the county has a population of at least
30 2,500,000 based on the most recent decennial census, in which
31 case the board of county commissioners shall consist of 11
32 members. ~~and~~ Each commissioner ~~of whom~~ shall be entitled to have
33 other employment which does not prevent the member from having
34 the time to discharge the duties of a commissioner. Prior to
35 voting on any matter of county business, any commissioner having
36 a conflict of interest shall declare that conflict to the board.

37 Sec. 4.03. - Districts.

38 ~~The territory of three districts shall embrace the entire~~
39 ~~territory of the county and be designated as districts 5, 6 and~~
40 ~~7 respectively.~~ The territory of each district ~~four districts~~
41 shall be established by dividing all of the county into ~~four~~
42 separate areas, designated numerically ~~as districts 1 through 4~~
43 ~~respectively~~, as nearly equal in population as practicable.

44 Sec. 4.04. - Residency requirement and limit on terms.

45 Each candidate for a seat on the board of county
46 commissioners shall be a citizen of the United States of
47 America, a registered voter of the district for which the
48 candidate qualifies, and a resident of Hillsborough County. No
49 person who has, or but for resignation could have, served as a
50 commission member ~~from districts 1 through 4~~ for more than six

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51 | years in two consecutive terms shall be elected as commission
 52 | member ~~from districts 1 through 4 for the next succeeding term,~~
 53 | ~~and no person who has, or but for resignation would have, served~~
 54 | ~~as a commission member from districts 5 through 7 for more than~~
 55 | ~~six years in two consecutive terms shall be elected as~~
 56 | ~~commission member from districts 5 through 7 for the next~~
 57 | succeeding term.

58 | Sec. 4.05. - Election and term of office.

59 | Except as provided herein, all elections for the board of
 60 | county commissioners shall be as provided for county
 61 | commissioners in non-charter counties. Each commissioner shall
 62 | be elected by the electors residing in the district for which
 63 | the commissioner qualifies. Each commissioner shall be elected
 64 | for a term of four years, except as provided for ~~initial~~
 65 | ~~commissioners~~ in the transition article and except that, in
 66 | order to reflect population shifts between decennial censuses as
 67 | quickly as possible, in 2030 ~~1990~~ and every ten years thereafter
 68 | the commissioners to be elected from odd-numbered districts ~~1~~
 69 | ~~and 3~~ shall be elected for terms of two years, and in 2032 ~~1992~~
 70 | and every ten years thereafter the commissioners to be elected
 71 | from even-numbered districts ~~2 and 4~~ shall be elected for terms
 72 | of two years. Terms of office shall commence on the second
 73 | Tuesday following the general election at which the commissioner
 74 | was elected.

75 | Sec. 4.06. - Reapportionment.

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76 Within 120 days after the certification of the federal
77 decennial census, the board of county commissioners shall
78 reapportion the districts ~~1 through 4~~. Before doing so, the
79 board of county commissioners shall cause an accurate
80 description of the proposed new boundaries of such districts to
81 be entered upon its minutes and a certified copy thereof to be
82 published once each week for four consecutive weeks (four
83 publications being sufficient) in a newspaper of general
84 circulation published in the county and via electronic media.
85 The notice shall include the date of the meeting at which the
86 board shall consider such boundaries and take testimony from the
87 public regarding boundary changes. Proof of such publication
88 shall be entered on the minutes of the board. The publication of
89 the notice shall be for information only and shall not be
90 jurisdictional. Should the board of county commissioners desire
91 to make substantial changes to the proposed boundaries that were
92 initially advertised and considered at the public meeting, the
93 board of county commissioners shall hold an additional meeting
94 to consider such new boundaries within 28 days of the first
95 meeting and shall cause an accurate description of the new
96 proposed districts to be advertised once each week for two weeks
97 in a newspaper of general circulation and via electronic media.
98 Whenever the boundaries of the existing districts are changed,
99 the board shall cause its clerk to furnish the department of
100 state with a certified copy of its minutes, reflecting the

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101 description of the boundaries of the district, as changed.

102 Sec. 4.08. - Enactment of ordinances and resolutions.

103 The commission may take official action only by the
 104 adoption of ordinances, resolutions, or motions. Unless
 105 otherwise provided herein, all ordinances, rules and resolutions
 106 shall be adopted by a vote of the majority of the entire
 107 membership of the board of county commissioners ~~at least four~~
 108 ~~(4) affirmative votes~~, and all motions shall be adopted by
 109 majority vote of the members present. A majority of the full
 110 commission shall constitute a quorum to conduct business.

111 Sec. 4.10. - County Internal Auditor.

112 1. To advise the board of county commissioners, assist the
 113 board of county commissioners in conducting continuing studies
 114 of the operation of county programs and services, there shall be
 115 a county internal auditor.

116 2. The county internal auditor shall be appointed by ~~five~~
 117 ~~(5) affirmative votes~~ by a majority plus one (1) of the entire
 118 membership of the board of county commissioners. The board of
 119 county commissioners, at any time, may remove the county
 120 internal auditor with ~~five (5) affirmative votes~~ by a majority
 121 plus one (1) of the entire membership of the board of county
 122 commissioners. The county internal auditor shall be responsible
 123 directly to the board of county commissioners. The county
 124 internal auditor need not be a resident of Hillsborough County
 125 at the time of appointment, but shall become a resident of

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126 Hillsborough County within a reasonable period of time and
127 remain a resident of Hillsborough County while in office.

128 3. The county internal auditor shall be a certified public
129 accountant holding an active license to practice public
130 accountancy in the State of Florida, and/or shall be qualified
131 by education and experience in governmental accounting, internal
132 auditing practice, and fiscal controls. The county internal
133 auditor shall not engage in any other business or occupation.
134 The compensation of the county internal auditor shall be fixed
135 by the board of county commissioners at a level which is
136 commensurate with the requirements of the position. The county
137 internal auditor's compensation, including severance pay, may be
138 set by contract.

139 4. The board of county commissioners shall biennially
140 establish an audit committee of 3 to 5 members who shall be
141 selected by the board of county commissioners from among
142 qualified applicants from the public and who shall meet without
143 compensation from time to time for the purpose of making
144 internal audit program recommendations to the board of county
145 commissioners. The board of county commissioners shall annually,
146 after receiving recommendations from the audit committee, give
147 direction to the county internal auditor. The Hillsborough
148 County internal auditor's work may include audits of all aspects
149 of this Charter Government and its offices and its officials
150 with written audit reports submitted to both the board of county

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151 commissioners and the county administrator. To the extent it is
 152 reasonable, the County internal auditor's work shall comply with
 153 professional standards for internal auditing. To the degree
 154 necessary to fulfill the responsibilities directed by the board,
 155 the auditor shall have free and unrestricted access to Charter
 156 government employees, officials, records, and reports and where
 157 appropriate, may require all divisions, offices, and officials
 158 of the Charter government to provide all oral and written
 159 reports and to produce documents, files and other records.

160 5. The county internal auditor shall hire, on either a
 161 full-time or part-time basis, and may remove assistants. The
 162 number and qualifications of assistants shall be provided by the
 163 board of county commissioners. The county internal auditor may
 164 also be authorized by the board of county commissioners to hire
 165 outside expertise as may be deemed necessary. The county
 166 internal auditor's budget shall be set by the board of county
 167 commissioners.

168 6. The office of county internal auditor shall be deemed
 169 vacant if the incumbent: takes up residence outside of
 170 Hillsborough County; dies; resigns; or is removed by ~~five~~ (5)
 171 affirmative votes of a majority plus one (1) of the entire
 172 membership of the board of county commissioners. A vacancy in
 173 the office of the county internal auditor shall be filled in the
 174 same manner as the original appointment.

175 7. The county internal auditor shall not hold any

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176 political office nor take part in any political activity other
 177 than voting.

178 [ARTICLE] V. - EXECUTIVE BRANCH: COUNTY ADMINISTRATOR

179

180 Sec. 5.03. - County Administrator; qualifications, appointment,
 181 compensation.

182 (1) The county administrator shall be a full-time officer
 183 who holds a masters degree in public administration, management,
 184 or related field and shall have three years of executive or
 185 management experience in public administration. The county
 186 administrator shall be appointed by an affirmative vote of not
 187 less than a majority plus one (1) of the entire membership ~~five~~
 188 ~~members~~ of the board of county commissioners and may be removed
 189 at any time by an affirmative vote of not less than a majority
 190 plus one (1) of the entire membership ~~five members~~ of the board
 191 or upon the affirmative vote of a majority of the entire
 192 membership ~~four (4) members~~ at each of two (2) regular meetings
 193 not less than thirteen (13) days apart and no more than twenty-
 194 eight (28) days apart. The administrator need not be a resident
 195 of the county at the time of appointment, but shall within a
 196 reasonable time become and remain while in office a resident of
 197 the county. The county administrator shall not engage in any
 198 other business or occupation.

199 (2) The compensation of the administrator shall be fixed
 200 by the board of county commissioners by ordinance at a level

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201 | which is commensurate with the requirements of the position. The
 202 | county administrator's compensation, including severance pay,
 203 | may be set by contract if allowed by and pursuant to ordinance.

204 | (3) The office of county administrator shall be deemed
 205 | vacant if the incumbent; takes up residence outside the county;
 206 | is by death, illness, or other casualty unable to continue to
 207 | perform the duties of his office; resigns; or is removed by the
 208 | board of county commissioners in the manner prescribed in
 209 | section 5.03(1). A vacancy in the office shall be filled in the
 210 | same manner as the original appointment. The board of county
 211 | commissioners may appoint an interim administrator in the case
 212 | of vacancy, temporary absence, or disability of the present
 213 | administrator until a successor has been appointed and qualified
 214 | or the administrator returns.

215 | [ARTICLE] VI. - COUNTY ATTORNEY

216 |
 217 | Sec. 6.03. - County Attorney qualifications, appointment,
 218 | compensation.

219 | (1) The County Attorney shall be and remain a member of
 220 | The Florida Bar and shall have had at least five (5) years
 221 | experience in Local Government Law or equivalent and such other
 222 | experience as determined by the Board. The County Attorney need
 223 | not be a resident at the time of appointment but shall within a
 224 | reasonable time become and remain a resident of the County and
 225 | remain so while in office. The County Attorney shall be a full

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226 | time employee of the County and shall not otherwise engage in
 227 | the practice of law except as may be authorized by the Board.
 228 | The County Attorney shall be appointed by an affirmative vote of
 229 | not less than a majority plus one (1) of the entire membership
 230 | ~~five (5) members~~ of the Board of County Commissioners and may be
 231 | removed at any time by an affirmative vote of not less than a
 232 | majority plus one (1) of the entire membership ~~five (5) members~~
 233 | of the Board or upon the affirmative vote of a majority of the
 234 | Board ~~four (4) members~~ at each of two (2) regular meetings not
 235 | less than thirteen (13) days apart and no more than twenty-eight
 236 | (28) days apart.

237 | (2) The compensation of the County Attorney, including
 238 | severance pay and other benefits, shall be fixed by contract,
 239 | ordinance or resolution as determined by the Board at a level
 240 | commensurate with the requirements of the position.

241 | (3) The Office of the County Attorney shall be deemed
 242 | vacant if the incumbent is removed, resigns, moves his residence
 243 | from the County or is, by death, illness or other casualty,
 244 | unable to continue in office. In the case of temporary vacancy
 245 | or absence or disability, until a successor has been appointed
 246 | or the County Attorney returns, the Chief Assistant County
 247 | Attorney or other Assistant Attorney designated by the County
 248 | Attorney shall serve as the County Attorney upon approval of the
 249 | Board.

250 | [ARTICLE] VIII. - AMENDMENTS TO CHARTER

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251
 252 Sec. 8.01. - By the Board of County Commissioners.
 253 The board of county commissioners may propose amendments to
 254 this Charter by ordinance approved by at least a majority plus
 255 one (1) of the entire membership ~~five (5) members~~.
 256 Sec. 8.02. - Charter Review Board.
 257 Within two years after the effective date of this Charter
 258 and every five years thereafter, the board of county
 259 commissioners shall appoint a charter review board consisting of
 260 two members appointed by each commissioner ~~fourteen (14)~~
 261 ~~electors of the county~~. Each commissioner shall appoint two
 262 members of the charter review board who shall be electors of the
 263 county who are electors in that commissioner's district, and
 264 none of whom may be an elected official. Members of the charter
 265 review board shall serve for a term of one year without
 266 compensation. Such board shall be empowered to conduct a
 267 comprehensive study of any or all phases of county government.
 268 The board of county commissioners shall provide such
 269 professional, technical, and clerical assistance as may be
 270 reasonably required by the charter review board upon submission
 271 of an appropriately documented request by the charter review
 272 board. The charter review board shall, after two public hearings
 273 and upon approval of two-thirds of its members, file any
 274 proposed amendments to the Charter, if any, with the supervisor
 275 of elections who shall provide for a vote on it pursuant to

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276 Section 8.04.

277 Sec. 8.03. - Initiative.

278 The power to propose amendments to this Charter by
 279 initiative is vested in the people:

280 (1) The power may be invoked by filing with the supervisor
 281 of elections a petition containing a copy of the proposed
 282 Charter amendment. Each petition must be circulated in each
 283 ~~numbered~~ board district and must be signed by a number of
 284 electors in each of at least one-half of the districts ~~1 through~~
 285 ~~4~~ and of the county as a whole equal to eight percent of the
 286 votes cast in each of such districts and the county as a whole
 287 in the last preceding election in which a president or
 288 presidential electors were chosen. The address of each signer,
 289 and date of each signature, must appear on the petition. Each
 290 petition shall embrace but one subject and matter properly
 291 connected therewith. A date certain must be designated to and
 292 certified by the supervisor of elections as the beginning date
 293 of any petition drive, and said drive shall terminate six months
 294 after that date. In the event sufficient signatures are not
 295 acquired during that six-month period, the petition drive shall
 296 be rendered null and void and none of the signatures may be
 297 carried over onto another identical or similar petition.

298 (2) The petition shall be filed with the supervisor of
 299 elections who shall, within a period of not more than thirty
 300 (30) days, determine whether the petition contains the required

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301 valid signatures. The supervisor shall be paid the sum specified
 302 by general law by the persons or committee seeking verification.

303 (a) If it is determined that the petition does not contain
 304 the required signatures, the supervisor shall so certify to the
 305 board of county commissioners and the petition drive shall be at
 306 an end. No additional names may be added to the petition, and
 307 the petition shall not be used in any other proceeding.

308 (b) If it is determined that the petition has the required
 309 signatures, the supervisor shall so certify to the board of
 310 county commissioners and place the amendment on the ballot.

311 (3) All other procedures shall be as provided by general
 312 law for constitutional amendments with the supervisor of
 313 elections performing the duties of the secretary of state.

314 [ARTICLE] X. - TRANSITION AND SCHEDULE

315

316 Sec. 10.09 - Transition to Single-Member Districts.

317 By October 1, 2027, the board of county commissioners shall
 318 establish the apportionment of single-member districts under the
 319 procedures provided in section 4.06 using the most recent
 320 decennial census population figures. At the 2028 general
 321 election, commissioners elected from odd-numbered districts
 322 shall be elected for a term of two years, and commissioners
 323 elected from even-numbered districts shall be elected to a term
 324 of four years to maintain a system of staggered terms.

325 Sec. 10.10 - Transition to 11-Member Board of County

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326 Commissioners.
 327 Within 120 days after the certification of a federal
 328 decennial census which determines the county has a population of
 329 at least 2,500,000, the board of county commissioners shall
 330 establish the reapportionment of single-member districts under
 331 the procedures provided in section 4.06 using the most recent
 332 decennial census population figures. At the first general
 333 election following the certification of such federal decennial
 334 census, commissioners elected from odd-numbered districts shall
 335 be elected for a term of two years, and commissioners elected
 336 from even-numbered districts shall be elected to a term of four
 337 years to maintain a system of staggered terms.

338 Section 2. Referendum election.-

339 (1) The referendum election called for by this act shall
 340 be held on November 3, 2026, the 2026 general election.

341 (2) The ballot title for the referendum question shall be
 342 in substantially the following form:

344 AMENDING THE COUNTY CHARTER TO INCREASE NUMBER OF COUNTY
 345 COMMISSIONERS, ALL ELECTED FROM SINGLE-MEMBER DISTRICTS.

347 (3) The referendum question shall be placed on the ballot
 348 in substantially the following form:

350 Shall the Hillsborough County Charter be amended to

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351 increase the number of members of board of county
 352 commissioners from 7 to 9 members, with an increase to 11
 353 members once the county has a population of at least
 354 2,500,000, require all county commissioners to be elected
 355 to office from single-member districts by electors residing
 356 in each of those districts only?

357
 358 () YES.

359 () NO.

360
 361 (4) In the event this question is answered affirmatively
 362 by a majority of the qualified electors voting in the
 363 referendum, the charter amendment will take effect. The
 364 referendum election shall be conducted by the Supervisor of
 365 Elections of Hillsborough County in accordance with the Florida
 366 Election Code.

367 Section 3. This act shall take effect upon its approval by
 368 a majority vote of the qualified electors of Hillsborough County
 369 voting in a referendum conducted in accordance with the
 370 provisions of law relating to elections currently in force,
 371 except this section and section 2 shall take effect upon
 372 becoming a law.