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 1                        House Joint Resolution
 2          A joint resolution proposing an amendment to Section 1
 3          of Article VIII of the State Constitution to remove
 4          authority for a county charter or special law to
 5          provide for choosing a property appraiser in a manner
 6          other than by election or to transfer the duties of
 7          the property appraiser or abolish the office of the
 8          property appraiser.
 9
10  Be It Resolved by the Legislature of the State of Florida:
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12       That the following amendment to Section 1 of Article VIII
13  of the State Constitution is agreed to and shall be submitted to
14  the electors of this state for approval or rejection at the next
15  general election or at an earlier special election specifically
16  authorized by law for that purpose:
17                            ARTICLE VIII
18                          LOCAL GOVERNMENT
19       SECTION 1.  Counties.—
20       (a)  POLITICAL SUBDIVISIONS.  The state shall be divided by
21  law into political subdivisions called counties. Counties may be
22  created, abolished or changed by law, with provision for payment
23  or apportionment of the public debt.
24       (b)  COUNTY FUNDS.  The care, custody and method of
25  disbursing county funds shall be provided by general law.
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26   (c) GOVERNMENT. Pursuant to general or special law, a
27   county government may be established by charter which shall be
28   adopted, amended or repealed only upon vote of the electors of
29   the county in a special election called for that purpose.
30   (d) COUNTY OFFICERS. There shall be elected by the
31   electors of each county, for terms of four years, a sheriff, a
32   tax collector, a property appraiser, a supervisor of elections,
33   and a clerk of the circuit court; except, when provided by
34   county charter or special law approved by vote of the electors
35   of the county, <u>a sheriff, a tax collector, a supervisor of</u>
36   <u>elections, and a clerk of the circuit court</u> ~~any county officer~~
37   may be chosen in another manner therein specified, or ~~any county~~
38   ~~office~~ may be abolished when all the duties of the office
39   prescribed by general law are transferred to another office.
40   When not otherwise provided by county charter or special law
41   approved by vote of the electors, the clerk of the circuit court
42   shall be ex officio clerk of the board of county commissioners,
43   auditor, recorder<u>,</u> and custodian of all county funds.
44   <u>Notwithstanding subsection 6(e) of this article, this subsection</u>
45   <u>provides the exclusive manner for the selection, length of term,</u>
46   <u>abolition of office, and transfer of duties of the property</u>
47   <u>appraiser of each county.</u>
48   (e) COMMISSIONERS. Except when otherwise provided by
49   county charter, the governing body of each county shall be a
50   board of county commissioners composed of five or seven members

51 serving staggered terms of four years. After each decennial
52 census the board of county commissioners shall divide the county
53 into districts of contiguous territory as nearly equal in
54 population as practicable. One commissioner residing in each
55 district shall be elected as provided by law.
56   (f) NON-CHARTER GOVERNMENT. Counties not operating under
57 county charters shall have such power of self-government as is
58 provided by general or special law. The board of county
59 commissioners of a county not operating under a charter may
60 enact, in a manner prescribed by general law, county ordinances
61 not inconsistent with general or special law, but an ordinance
62 in conflict with a municipal ordinance shall not be effective
63 within the municipality to the extent of such conflict.
64   (g) CHARTER GOVERNMENT. Counties operating under county
65 charters shall have all powers of local self-government not
66 inconsistent with general law, or with special law approved by
67 vote of the electors. The governing body of a county operating
68 under a charter may enact county ordinances not inconsistent
69 with general law. The charter shall provide which shall prevail
70 in the event of conflict between county and municipal
71 ordinances.
72   (h) TAXES; LIMITATION. Property situate within
73 municipalities shall not be subject to taxation for services
74 rendered by the county exclusively for the benefit of the
75 property or residents in unincorporated areas.

76   (i) COUNTY ORDINANCES. Each county ordinance shall be

77 filed with the custodian of state records and shall become

78 effective at such time thereafter as is provided by general law.

79   (j) VIOLATION OF ORDINANCES. Persons violating county

80 ordinances shall be prosecuted and punished as provided by law.

81   (k) COUNTY SEAT. In every county there shall be a county

82 seat at which shall be located the principal offices and

83 permanent records of all county officers. The county seat may

84 not be moved except as provided by general law. Branch offices

85 for the conduct of county business may be established elsewhere

86 in the county by resolution of the governing body of the county

87 in the manner prescribed by law. No instrument shall be deemed

88 recorded until filed at the county seat, or a branch office

89 designated by the governing body of the county for the recording

90 of instruments, according to law.

91   BE IT FURTHER RESOLVED that the following statement be

92 placed on the ballot:

93   CONSTITUTIONAL AMENDMENT

94   ARTICLE VIII, SECTION 1

95   SELECTION AND DUTIES OF PROPERTY APPRAISERS.—Proposing an

96 amendment to the State Constitution to remove authority for a

97 county charter or special law to provide for choosing a property

98 appraiser in a manner other than by election or to transfer the

99 duties of the property appraiser or abolish the office of the

100 property appraiser. The amendment is applicable to all counties
101 and takes effect January 8, 2019, if approved.

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