



House Joint Resolution

A joint resolution proposing an amendment to Section 1 of Article VIII of the State Constitution to remove authority for the Miami-Dade County charter to provide for choosing a property appraiser in a manner other than by election or to alter the duties of the property appraiser or abolish the office of the property appraiser.

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

That the following amendment to Section 1 of Article VIII of the State Constitution is 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.



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

27 (c) GOVERNMENT. Pursuant to general or special law, a  
28 county government may be established by charter which shall be  
29 adopted, amended or repealed only upon vote of the electors of  
30 the county in a special election called for that purpose.

31 (d) COUNTY OFFICERS. There shall be elected by the  
32 electors of each county, for terms of four years, a sheriff, a  
33 tax collector, a property appraiser, a supervisor of elections,  
34 and a clerk of the circuit court; except, when provided by  
35 county charter or special law approved by vote of the electors  
36 of the county, any county officer may be chosen in another  
37 manner therein specified, or any county office may be abolished  
38 when all the duties of the office prescribed by general law are  
39 transferred to another office, except that a county charter  
40 adopted under section 11 of article VIII of the 1885  
41 Constitution, as amended, and incorporated by reference in  
42 subsection (e) of section 6 of this article, may not change the  
43 manner of selecting the property appraiser or abolish the office  
44 of property appraiser and transfer the duties of that office to  
45 another office. When not otherwise provided by county charter or  
46 special law approved by vote of the electors, the clerk of the  
47 circuit court shall be ex officio clerk of the board of county  
48 commissioners, auditor, recorder, and custodian of all county  
49 funds. Notwithstanding section 11 of article VIII of the 1885



50 Constitution, as amended, and incorporated by reference in  
51 subsection (e) of section 6 of this article, a county charter  
52 may not abolish the office, transfer the duties to another  
53 office, change the length of term, or establish any manner of  
54 selection other than by vote of the county electors, of the  
55 property appraiser other than as provided in this subsection.

56 (e) COMMISSIONERS. Except when otherwise provided by  
57 county charter, the governing body of each county shall be a  
58 board of county commissioners composed of five or seven members  
59 serving staggered terms of four years. After each decennial  
60 census the board of county commissioners shall divide the county  
61 into districts of contiguous territory as nearly equal in  
62 population as practicable. One commissioner residing in each  
63 district shall be elected as provided by law.

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

72 (g) CHARTER GOVERNMENT. Counties operating under county  
73 charters shall have all powers of local self-government not  
74 inconsistent with general law, or with special law approved by



75 | vote of the electors. The governing body of a county operating  
76 | under a charter may enact county ordinances not inconsistent  
77 | with general law. The charter shall provide which shall prevail  
78 | in the event of conflict between county and municipal  
79 | ordinances.

80 |       (h) TAXES; LIMITATION. Property situate within  
81 | municipalities shall not be subject to taxation for services  
82 | rendered by the county exclusively for the benefit of the  
83 | property or residents in unincorporated areas.

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

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

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



99 | BE IT FURTHER RESOLVED that the following statement be  
 100 | placed on the ballot:  
 101 |                                    CONSTITUTIONAL AMENDMENT  
 102 |                                    ARTICLE VIII, SECTION 1  
 103 |                   SELECTION AND DUTIES OF PROPERTY APPRAISERS.—Proposing an  
 104 | amendment to the State Constitution to remove authority for the  
 105 | Miami-Dade County charter to provide for choosing a property  
 106 | appraiser in a manner other than by election or to alter the  
 107 | duties of the property appraiser or abolish the office of the  
 108 | property appraiser. The amendment takes effect January 8, 2019,  
 109 | if approved.