

1 A bill to be entitled

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

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 **Section 1. Sections 4.02, 4.03, 4.04, 4.05, 4.06, 4.08,**
21 **4.10, 5.03, 6.03, 8.01, 8.02, and 8.03 of the Hillsborough**
22 **County Charter are amended, and sections 10.09 and 10.10 are**
23 **added to the charter, to read:**

24 [ARTICLE] IV. - LEGISLATIVE BRANCH
25

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

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.

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

description of the boundaries of the district, as changed.

Sec. 4.08. - Enactment of ordinances and resolutions.

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

Sec. 4.10. - County Internal Auditor.

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

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

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

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

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

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

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

[ARTICLE] V. - EXECUTIVE BRANCH: COUNTY ADMINISTRATOR

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

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

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

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

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

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

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

[ARTICLE] VIII. - AMENDMENTS TO CHARTER

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

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

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

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

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

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

[ARTICLE] X. - TRANSITION AND SCHEDULE

Sec. 10.09 - Transition to Single-Member Districts.

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

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

Commissioners.

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

Section 2. Referendum election.-

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

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

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

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

Shall the Hillsborough County Charter be amended to

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

() YES.

() NO.

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

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