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CRC ACTION

Commissioner .
Comm: FAV .
01/26/2018 .
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The Committee on Local Government (Solari) recommended the following:

1 **CRC Amendment to Amendment (451392) (with title amendment)**

2
3 Delete lines 5 - 8

4 and insert:

5 Sections 1 and 2 of Article VIII of the State Constitution
6 is amended to read:

7 ARTICLE VIII
8 LOCAL GOVERNMENT
9 SECTION 1. Counties.-



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

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

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18 adopted, amended or repealed only upon vote of the electors of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

20 (d) COUNTY OFFICERS. There shall be elected by the electors
21 of each county, for terms of four years, a sheriff, a tax
22 collector, a property appraiser, a supervisor of elections, and
23 a clerk of the circuit court; except, when provided by county
24 charter or special law approved by vote of the electors of the
25 county, any county officer may be chosen in another manner
26 therein specified, or any county office may be abolished when
27 all the duties of the office prescribed by general law are
28 transferred to another office. When not otherwise provided by
29 county charter or special law approved by vote of the electors,
30 the clerk of the circuit court shall be ex officio clerk of the
31 board of county commissioners, auditor, recorder and custodian
32 of all county funds.

33 (e) COMMISSIONERS. Except when otherwise provided by county
34 charter, the governing body of each county shall be a board of
35 county commissioners composed of five or seven members serving
36 staggered terms of four years. After each decennial census the
37 board of county commissioners shall divide the county into
38 districts of contiguous territory as nearly equal in population



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39 as practicable. One commissioner residing in each district shall
40 be elected as provided by law.

41 (f) NON-CHARTER GOVERNMENT. Counties not operating under
42 county charters shall have such power of self-government as is
43 provided by general or special law. The board of county
44 commissioners of a county not operating under a charter may
45 enact, in a manner prescribed by general law, county ordinances
46 not inconsistent with general or special law, but an ordinance
47 in conflict with a municipal ordinance shall not be effective
48 within the municipality to the extent of such conflict. A law
49 enacted by the Legislature which restricts power granted to a
50 non-charter county must:

51 (1) State with specificity the statewide necessity
52 justifying the preemption;

53 (2) Be no broader than necessary to accomplish the
54 statewide necessity expressed;

55 (3) Contain only one preemption of a power granted herein;
56 and

57 (4) Relate to one subject.

58 (g) CHARTER GOVERNMENT. Counties operating under county
59 charters shall have all powers of local self-government not
60 inconsistent with general law, or with special law approved by
61 vote of the electors. The governing body of a county operating
62 under a charter may enact county ordinances not inconsistent
63 with general law. The charter shall provide which shall prevail
64 in the event of conflict between county and municipal
65 ordinances. A law enacted by the Legislature which restricts
66 power granted to a charter county under this subsection must:

67 (1) State with specificity the statewide necessity



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68 justifying the preemption;

69 (2) Be no broader than necessary to accomplish the
70 statewide necessity expressed;

71 (3) Contain only one preemption of a power granted herein;
72 and

73 (4) Relate to one subject.

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

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

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

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

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95 ===== T I T L E A M E N D M E N T =====

96 And the title is amended as follows:



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97 Delete lines 41 - 43
98 and insert:
99 Sections 1 and 2 of Article VIII of the State
100 Constitution to provide that any law enacted by the
101 Legislature that restricts the home rule powers
102 granted to counties and