



408508

CRC ACTION

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

**CRC Amendment (with title amendment)**

Delete lines 10 - 13

and insert:

Sections 1 and 2 of Article VIII of the State Constitution are amended to read:

ARTICLE VIII

LOCAL GOVERNMENT

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18 adopted, amended or repealed only upon vote of the electors of  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) Pass by a two-thirds vote of each house of the  
52 legislature;

53 (2) State with specificity the statewide necessity  
54 justifying the restriction;

55 (3) Be no broader than necessary to accomplish the  
56 statewide necessity expressed;

57 (4) Contain only one restriction of a power granted herein;

58 (5) Relate to one subject; and

59 (6) Be considered by at least one committee of each house,  
60 each of which must publicly notice the legislation for at least  
61 forty-eight hours before its consideration.

62 (g) CHARTER GOVERNMENT. Counties operating under county  
63 charters shall have all powers of local self-government not  
64 inconsistent with general law, or with special law approved by  
65 vote of the electors. The governing body of a county operating  
66 under a charter may enact county ordinances not inconsistent  
67 with general law. The charter shall provide which shall prevail



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68 in the event of conflict between county and municipal  
69 ordinances. A law enacted by the Legislature which restricts  
70 power granted to a charter county under this subsection must:

71 (1) Pass by a two-thirds vote of each house of the  
72 legislature;

73 (2) State with specificity the statewide necessity  
74 justifying the restriction;

75 (3) Be no broader than necessary to accomplish the  
76 statewide necessity expressed;

77 (4) Contain only one restriction of a power granted herein;

78 (5) Relate to one subject; and

79 (6) Be considered by at least one committee of each house,  
80 each of which must publicly notice the legislation for at least  
81 forty-eight hours before its consideration.

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

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

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

91 (k) COUNTY SEAT. In every county there shall be a county  
92 seat at which shall be located the principal offices and  
93 permanent records of all county officers. The county seat may  
94 not be moved except as provided by general law. Branch offices  
95 for the conduct of county business may be established elsewhere  
96 in the county by resolution of the governing body of the county



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97 in the manner prescribed by law. No instrument shall be deemed  
98 recorded until filed at the county seat, or a branch office  
99 designated by the governing body of the county for the recording  
100 of instruments, according to law.

101

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

103 And the title is amended as follows:

104 Delete lines 2 - 4

105 and insert:

106 Sections 1 and 2 of Article VIII of the State Constitution  
107 to provide that any law enacted by the Legislature that  
108 restricts the home rule powers granted to counties and