



451392

CRC ACTION

Commissioner .
Comm: FAV .
01/26/2018 .
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. .

The Committee on Local Government (Timmann) recommended the following:

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CRC Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 2 of Article VIII of the State Constitution is
amended to read:

ARTICLE VIII
LOCAL GOVERNMENT

SECTION 2. Municipalities.-



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10 (a) ESTABLISHMENT. Municipalities may be established or
11 abolished and their charters amended pursuant to general or
12 special law. When any municipality is abolished, provision shall
13 be made for the protection of its creditors.

14 (b) POWERS. Municipalities shall have governmental,
15 corporate and proprietary powers to enable them to conduct
16 municipal government, perform municipal functions and render
17 municipal services, and may exercise any power for municipal
18 purposes except as otherwise provided by law. A law enacted by
19 the legislature which preempts power granted to a municipality
20 under this subsection must:

21 (1) State with specificity the statewide necessity
22 justifying the preemption;

23 (2) Be no broader than necessary to accomplish the
24 statewide necessity expressed;

25 (3) Contain only one preemption of a power granted herein;
26 and

27 (4) Relate to one subject.

28
29 Each municipal legislative body shall be elective.

30 (c) ANNEXATION. Municipal annexation of unincorporated
31 territory, merger of municipalities, and exercise of extra-
32 territorial powers by municipalities shall be as provided by
33 general or special law.

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35
36 ===== T I T L E A M E N D M E N T =====

37 And the title is amended as follows:

38 Delete everything before the enacting clause



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39 and insert:

40 A proposal to amend
41 Section 2 of Article VIII of the State Constitution to
42 provide that any law enacted by the Legislature that
43 restricts the home rule powers granted to
44 municipalities must meet certain criteria.