



CONSTITUTION REVISION COMMISSION

Summary of Proposed Constitutional Revision

Revision 5 (P 6005) – State and Local Government Structure and Operation

By Style and Drafting Committee; (CO-INTRODUCERS) Carlos Beruff; Pam Bondi; Lisa Carlton; Timothy Cerio; Erika Donalds; Don Gaetz; Emery Gainey; Brecht Heuchan; Darlene Jordan; Fred Karlinsky; Belinda Keiser; Frank Kruppenbacher; Chris Nocco; Carolyn Timmann

Revision 5 amends several provisions of the Florida Constitution related to the powers, duties, structure, and operation of state and local governmental entities and officers. Specifically with regard to state government, this revision:

- Provides that the Legislature may convene for regular session only on the second Tuesday after the first Monday in January of each even-numbered year. This amendment removes the current authority of the Legislature to convene for regular session in even-numbered years on the first Tuesday after the first Monday in March or to establish a different date by law. The Legislature has met in January the last two even-numbered years.
- Creates the Office of Domestic Security and Counterterrorism (ODSAC) within the Florida Department of Law Enforcement. ODSAC is created to provide support to prosecutors and law enforcement agencies with regard to counterterrorism investigations and perform other duties as assigned by law.
- Requires the Legislature to provide for the Department of Veterans' Affairs and prescribe its duties by general law. This revision removes the power of the Legislature to dissolve the Department of Veterans' Affairs, which currently exists and was established by general law in 1989.

Revision 5 also amends the Florida Constitution to permanently preserve the office of all constitutionally prescribed county officers – Sheriff, Tax Collector, Property Appraiser, Supervisor of Elections, and Clerk of the Circuit Court – and to establish the selection of such local constitutional officers as within the exclusive power of local voters. Currently, the Florida Constitution allows county charters to provide for the selection of such officers in a manner other than by election of the voters, and to abolish such offices under certain circumstances. Pursuant to this authority, eight counties have changed the manner of selection of at least one of the five constitutional officers or restructured or abolished at least one of the five constitutional offices and transferred the powers to another county office. Such counties include Brevard, Broward, Clay, Duval, Miami-Dade, Orange, Osceola, and Volusia.

The revision removes the power of a county charter or special law to provide for the selection of county officers in any other manner than by election, or to abolish the office of such constitutional officers. The revision also prohibits a county charter from transferring the duties of such

constitutional officers to another officer or office, or changing the constitutionally prescribed length of the term of office. The amendment would take effect in all counties, except Miami-Dade and Broward, on January 5, 2021, but would govern the elections for county constitutional officers for the 2020 election cycle. The amendment delays the effective date in Miami-Dade County and Broward County for an additional four years.

If approved by the voters, Revision 5 takes effect January 8, 2019, except where otherwise indicated.

Vote: 29-8