

MEMORANDUM

Agenda Item No. 11(A)(35)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: December 12, 2023

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to enact
legislation that would impose
term limits on county
constitutional officers

Resolution No. R-1181-23

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Kevin Marino Cabrera.



Geri Bonzon-Keenan
County Attorney

GBK/ks



MEMORANDUM

(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

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Gen Bonzon-Keenan
County Attorney

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Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(35)
12-12-23

RESOLUTION NO. _____ R-1181-23

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
ENACT LEGISLATION THAT WOULD IMPOSE TERM
LIMITS ON COUNTY CONSTITUTIONAL OFFICERS

WHEREAS, Art. VIII, s. 1(d) of the Florida Constitution provides that “[t]here shall be elected by the electors of each county, for terms of four years, a sheriff, a tax collector, a property appraiser, a supervisor of elections, and a clerk of the circuit court”; and

WHEREAS, the county officers provided for in Art. VIII, s. 1(d) of the Florida Constitution—sheriff, tax collector, property appraiser, supervisor of elections, and clerk of the circuit court (collectively, the “county constitutional officers”)—are not currently subject to term limits; and

WHEREAS, other state and local elected officials throughout the State of Florida are subject to term limits, including the Governor, Florida senators, Florida representatives, the County Mayor, and the members of this Board; and

WHEREAS, for example, the Governor, the County Mayor, and the members of this Board are all subject to term limits of two consecutive four-year terms; and

WHEREAS, Art. VI, s. 4 of the Florida Constitution provides that no person may appear on the ballot for re-election as Florida senator or Florida representative if, by the end of their current term, they will have served in that office for eight consecutive years; and

WHEREAS, during the 2023 legislative session, the Florida Legislature passed HB 477, which revised the term limits for district school board members from 12 consecutive years to eight consecutive years; and

WHEREAS, this Board supports legislation that would similarly impose term limits on the county constitutional officers; and

WHEREAS, this Board wishes to urge the Florida Legislature to enact legislation that would impose term limits on the county constitutional officers,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to enact legislation that would impose term limits on county constitutional officers.

Section 2. Directs the Clerk of the Board to transmit certified copies of this resolution to the Governor, the Senate President, the House Speaker, and the Chair and Members of the Miami-Dade County State Legislative Delegation.

Section 3. Directs the County’s state lobbyists to advocate for the actions set forth in section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to amend the 2024 State Legislative Package to include this item.

The Prime Sponsor of the foregoing resolution is Commissioner Kevin Marino Cabrera. It was offered by Commissioner **Anthony Rodriguez** , who moved its adoption. The motion was seconded by Commissioner **Raquel A. Regalado** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman		aye
Anthony Rodríguez, Vice Chairman		aye
Marleine Bastien	absent	Juan Carlos Bermudez aye
Kevin Marino Cabrera	aye	Sen. René García aye
Roberto J. Gonzalez	aye	Keon Hardemon absent
Danielle Cohen Higgins	aye	Eileen Higgins aye
Kionne L. McGhee	aye	Raquel A. Regalado aye
Micky Steinberg	aye	

The Chairperson thereupon declared this resolution duly passed and adopted this 12th day of December, 2023. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: Basia Pruna
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "Anita", is written over a horizontal line.

Anita Viciano Zapata