

1 House Joint Resolution

2 A joint resolution proposing an amendment to Section 4
3 of Article IV of the State Constitution to revise the
4 duties and responsibilities of the Chief Financial
5 Officer.

6
7 Be It Resolved by the Legislature of the State of Florida:
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9 That the following amendment to Section 4 of Article IV of
10 the State Constitution is agreed to and shall be submitted to
11 the electors of this state for approval or rejection at the next
12 general election or at an earlier special election specifically
13 authorized by law for that purpose:

14 ARTICLE IV

15 EXECUTIVE

16 SECTION 4. Cabinet.—

17 (a) There shall be a cabinet composed of an attorney
18 general, a chief financial officer, and a commissioner of
19 agriculture. In addition to the powers and duties specified
20 herein, they shall exercise such powers and perform such duties
21 as may be prescribed by law. In the event of a tie vote of the
22 governor and cabinet, the side on which the governor voted shall
23 be deemed to prevail.

24 (b) The attorney general shall be the chief state legal
25 officer. There is created in the office of the attorney general

26 | the position of statewide prosecutor. The statewide prosecutor
 27 | shall have concurrent jurisdiction with the state attorneys to
 28 | prosecute violations of criminal laws occurring or having
 29 | occurred, in two or more judicial circuits as part of a related
 30 | transaction, or when any such offense is affecting or has
 31 | affected two or more judicial circuits as provided by general
 32 | law. The statewide prosecutor shall be appointed by the attorney
 33 | general from not less than three persons nominated by the
 34 | judicial nominating commission for the supreme court, or as
 35 | otherwise provided by general law.

36 | (c) The chief financial officer shall serve as the chief
 37 | fiscal officer of the state, and shall:

38 | (1) Settle and approve accounts against the state; ~~and~~
 39 | ~~shall~~

40 | (2) Keep all state funds and securities;

41 | (3) Participate as a principal in consensus economic,
 42 | demographic, and revenue estimating conferences; and

43 | (4) As prescribed by general law, review and certify,
 44 | before execution, that each proposed contract of a state agency,
 45 | entity, or officer of the executive branch requiring a payment
 46 | or aggregate payments in excess of ten million dollars from
 47 | funds appropriated to the state agency, entity, or officer:

48 | a. Complies with general laws relating to procurement;

49 | b. Includes all provisions required by general law for
 50 | state agency contracts; and

51 c. Does not require payments by the state agency, entity,
52 or officer in any fiscal year in excess of the amount
53 appropriated for that fiscal year or the amount authorized by
54 general law, for the purpose of the contract.

55
56 The legislature shall enact legislation to implement this
57 paragraph, including the adjustment, to be adjusted at least
58 every four years, of the contract amount threshold to reflect
59 the rate of inflation or deflation as indicated in the Consumer
60 Price Index for All Urban Consumers, U.S. City Average, All
61 Items, or a successor index, as calculated by the United States
62 Department of Labor Bureau of Labor Statistics, or its successor
63 agency.

64 (d) The commissioner of agriculture shall have supervision
65 of matters pertaining to agriculture except as otherwise
66 provided by law.

67 (e) The governor as chair, the chief financial officer,
68 and the attorney general shall constitute the state board of
69 administration, which shall succeed to all the power, control,
70 and authority of the state board of administration established
71 pursuant to Article IX, Section 16 of the Constitution of 1885,
72 and which shall continue as a body at least for the life of
73 Article XII, Section 9(c).

74 (f) The governor as chair, the chief financial officer,
75 the attorney general, and the commissioner of agriculture shall

76 | constitute the trustees of the internal improvement trust fund
77 | and the land acquisition trust fund as provided by law.

78 | (g) The governor as chair, the chief financial officer,
79 | the attorney general, and the commissioner of agriculture shall
80 | constitute the agency head of the Department of Law Enforcement.

81 | BE IT FURTHER RESOLVED that the following statement be
82 | placed on the ballot:

83 | CONSTITUTIONAL AMENDMENT

84 | ARTICLE IV, SECTION 4

85 | DUTIES OF THE CHIEF FINANCIAL OFFICER.—Expands the Chief
86 | Financial Officer's duties to require that he or she participate
87 | as a principal in consensus economic, demographic, and revenue
88 | estimating conferences and review and certify certain state
89 | contracts above a threshold dollar amount to ensure compliance
90 | with certain laws and that such contracts do not require
91 | payments in any fiscal year which exceed the amount appropriated
92 | or the amount authorized by law. Requires the Legislature to
93 | enact legislation to implement the amendment.