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1                                   A bill to be entitled  
 2           An act relating to the Hillsborough County Charter;  
 3           revising the number of commissioners on the Board of  
 4           County Commissioners of Hillsborough County; revising  
 5           the territory of each county district; revising  
 6           district reapportionment requirements; revising vote  
 7           count requirements for enactment of ordinances and  
 8           resolutions, county internal auditor appointments and  
 9           removals, county administrator appointments and  
 10          removals, county attorney appointments and removals,  
 11          and charter amendments; revising the process for  
 12          appointing the charter review board members and for  
 13          proposing amendments to the charter; providing  
 14          requirements for transitions to single-member  
 15          districts and 11-member board of commissioners;  
 16          requiring a referendum; providing effective dates.

17  
 18   Be It Enacted by the Legislature of the State of Florida:

19  
 20           **Section 1. Sections 4.02, 4.03, 4.04, 4.05, 4.06, 4.08,**  
 21           **4.10, 5.03, 6.03, 8.01, 8.02, and 8.03 of the Hillsborough**  
 22           **County Charter are amended, and sections 10.09 and 10.10 are**  
 23           **added to the charter, to read:**

24   [ARTICLE] IV. - LEGISLATIVE BRANCH  
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26 | Sec. 4.02. - Board of County Commissioners.

27 |       The board of county commissioners shall consist of 9 ~~seven~~  
 28 | commissioners, each of whom shall be elected from one of nine  
 29 | ~~seven~~ districts, unless the county has a population of at least  
 30 | 2,500,000 based on the most recent decennial census, in which  
 31 | case the board of county commissioners shall consist of 11  
 32 | members. ~~and~~ Each commissioner ~~of whom~~ shall be entitled to have  
 33 | other employment which does not prevent the member from having  
 34 | the time to discharge the duties of a commissioner. Prior to  
 35 | voting on any matter of county business, any commissioner having  
 36 | a conflict of interest shall declare that conflict to the board.

37 | Sec. 4.03. - Districts.

38 |       ~~The territory of three districts shall embrace the entire~~  
 39 | ~~territory of the county and be designated as districts 5, 6 and~~  
 40 | ~~7 respectively.~~ The territory of each district ~~four districts~~  
 41 | shall be established by dividing all of the county into ~~four~~  
 42 | separate areas, designated numerically ~~as districts 1 through 4~~  
 43 | ~~respectively~~, as nearly equal in population as practicable.

44 | Sec. 4.04. - Residency requirement and limit on terms.

45 |       Each candidate for a seat on the board of county  
 46 | commissioners shall be a citizen of the United States of  
 47 | America, a registered voter of the district for which the  
 48 | candidate qualifies, and a resident of Hillsborough County. No  
 49 | person who has, or but for resignation could have, served as a  
 50 | commission member ~~from districts 1 through 4~~ for more than six

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51 | years in two consecutive terms shall be elected as commission  
 52 | member ~~from districts 1 through 4 for the next succeeding term,~~  
 53 | ~~and no person who has, or but for resignation would have, served~~  
 54 | ~~as a commission member from districts 5 through 7 for more than~~  
 55 | ~~six years in two consecutive terms shall be elected as~~  
 56 | ~~commission member from districts 5 through 7 for the next~~  
 57 | succeeding term.

58 | Sec. 4.05. - Election and term of office.

59 |       Except as provided herein, all elections for the board of  
 60 | county commissioners shall be as provided for county  
 61 | commissioners in non-charter counties. Each commissioner shall  
 62 | be elected by the electors residing in the district for which  
 63 | the commissioner qualifies. Each commissioner shall be elected  
 64 | for a term of four years, except as provided for ~~initial~~  
 65 | ~~commissioners~~ in the transition article and except that, in  
 66 | order to reflect population shifts between decennial censuses as  
 67 | quickly as possible, in 2030 ~~1990~~ and every ten years thereafter  
 68 | the commissioners to be elected from odd-numbered districts ~~1~~  
 69 | ~~and 3~~ shall be elected for terms of two years, and in 2032 ~~1992~~  
 70 | and every ten years thereafter the commissioners to be elected  
 71 | from even-numbered districts ~~2 and 4~~ shall be elected for terms  
 72 | of two years. Terms of office shall commence on the second  
 73 | Tuesday following the general election at which the commissioner  
 74 | was elected.

75 | Sec. 4.06. - Reapportionment.

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76           Within 120 days after the certification of the federal  
 77 decennial census, the board of county commissioners shall  
 78 reapportion the districts ~~1 through 4~~. Before doing so, the  
 79 board of county commissioners shall cause an accurate  
 80 description of the proposed new boundaries of such districts to  
 81 be entered upon its minutes and a certified copy thereof to be  
 82 published once each week for four consecutive weeks (four  
 83 publications being sufficient) in a newspaper of general  
 84 circulation published in the county and via electronic media.  
 85 The notice shall include the date of the meeting at which the  
 86 board shall consider such boundaries and take testimony from the  
 87 public regarding boundary changes. Proof of such publication  
 88 shall be entered on the minutes of the board. The publication of  
 89 the notice shall be for information only and shall not be  
 90 jurisdictional. Should the board of county commissioners desire  
 91 to make substantial changes to the proposed boundaries that were  
 92 initially advertised and considered at the public meeting, the  
 93 board of county commissioners shall hold an additional meeting  
 94 to consider such new boundaries within 28 days of the first  
 95 meeting and shall cause an accurate description of the new  
 96 proposed districts to be advertised once each week for two weeks  
 97 in a newspaper of general circulation and via electronic media.  
 98 Whenever the boundaries of the existing districts are changed,  
 99 the board shall cause its clerk to furnish the department of  
 100 state with a certified copy of its minutes, reflecting the

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101 description of the boundaries of the district, as changed.  
 102 Sec. 4.08. - Enactment of ordinances and resolutions.  
 103       The commission may take official action only by the  
 104 adoption of ordinances, resolutions, or motions. Unless  
 105 otherwise provided herein, all ordinances, rules and resolutions  
 106 shall be adopted by a vote of the majority of the entire  
 107 membership of the board of county commissioners ~~at least four~~  
 108 ~~(4) affirmative votes~~, and all motions shall be adopted by  
 109 majority vote of the members present. A majority of the full  
 110 commission shall constitute a quorum to conduct business.  
 111 Sec. 4.10. - County Internal Auditor.  
 112       1. To advise the board of county commissioners, assist the  
 113 board of county commissioners in conducting continuing studies  
 114 of the operation of county programs and services, there shall be  
 115 a county internal auditor.  
 116       2. The county internal auditor shall be appointed by ~~five~~  
 117 ~~(5) affirmative votes~~ by a majority plus one (1) of the entire  
 118 membership of the board of county commissioners. The board of  
 119 county commissioners, at any time, may remove the county  
 120 internal auditor with ~~five (5) affirmative votes~~ by a majority  
 121 plus one (1) of the entire membership of the board of county  
 122 commissioners. The county internal auditor shall be responsible  
 123 directly to the board of county commissioners. The county  
 124 internal auditor need not be a resident of Hillsborough County  
 125 at the time of appointment, but shall become a resident of

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126 Hillsborough County within a reasonable period of time and  
 127 remain a resident of Hillsborough County while in office.

128 3. The county internal auditor shall be a certified public  
 129 accountant holding an active license to practice public  
 130 accountancy in the State of Florida, and/or shall be qualified  
 131 by education and experience in governmental accounting, internal  
 132 auditing practice, and fiscal controls. The county internal  
 133 auditor shall not engage in any other business or occupation.  
 134 The compensation of the county internal auditor shall be fixed  
 135 by the board of county commissioners at a level which is  
 136 commensurate with the requirements of the position. The county  
 137 internal auditor's compensation, including severance pay, may be  
 138 set by contract.

139 4. The board of county commissioners shall biennially  
 140 establish an audit committee of 3 to 5 members who shall be  
 141 selected by the board of county commissioners from among  
 142 qualified applicants from the public and who shall meet without  
 143 compensation from time to time for the purpose of making  
 144 internal audit program recommendations to the board of county  
 145 commissioners. The board of county commissioners shall annually,  
 146 after receiving recommendations from the audit committee, give  
 147 direction to the county internal auditor. The Hillsborough  
 148 County internal auditor's work may include audits of all aspects  
 149 of this Charter Government and its offices and its officials  
 150 with written audit reports submitted to both the board of county

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151 commissioners and the county administrator. To the extent it is  
 152 reasonable, the County internal auditor's work shall comply with  
 153 professional standards for internal auditing. To the degree  
 154 necessary to fulfill the responsibilities directed by the board,  
 155 the auditor shall have free and unrestricted access to Charter  
 156 government employees, officials, records, and reports and where  
 157 appropriate, may require all divisions, offices, and officials  
 158 of the Charter government to provide all oral and written  
 159 reports and to produce documents, files and other records.

160 5. The county internal auditor shall hire, on either a  
 161 full-time or part-time basis, and may remove assistants. The  
 162 number and qualifications of assistants shall be provided by the  
 163 board of county commissioners. The county internal auditor may  
 164 also be authorized by the board of county commissioners to hire  
 165 outside expertise as may be deemed necessary. The county  
 166 internal auditor's budget shall be set by the board of county  
 167 commissioners.

168 6. The office of county internal auditor shall be deemed  
 169 vacant if the incumbent: takes up residence outside of  
 170 Hillsborough County; dies; resigns; or is removed by ~~five~~ (5)  
 171 affirmative votes of a majority plus one (1) of the entire  
 172 membership of the board of county commissioners. A vacancy in  
 173 the office of the county internal auditor shall be filled in the  
 174 same manner as the original appointment.

175 7. The county internal auditor shall not hold any

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176 | political office nor take part in any political activity other  
 177 | than voting.

178 | [ARTICLE] V. - EXECUTIVE BRANCH: COUNTY ADMINISTRATOR

179 |  
 180 | Sec. 5.03. - County Administrator; qualifications, appointment,  
 181 | compensation.

182 |         (1) The county administrator shall be a full-time officer  
 183 | who holds a masters degree in public administration, management,  
 184 | or related field and shall have three years of executive or  
 185 | management experience in public administration. The county  
 186 | administrator shall be appointed by an affirmative vote of not  
 187 | less than a majority plus one (1) of the entire membership ~~five~~  
 188 | ~~members~~ of the board of county commissioners and may be removed  
 189 | at any time by an affirmative vote of not less than a majority  
 190 | plus one (1) of the entire membership ~~five members~~ of the board  
 191 | or upon the affirmative vote of a majority of the entire  
 192 | membership ~~four (4) members~~ at each of two (2) regular meetings  
 193 | not less than thirteen (13) days apart and no more than twenty-  
 194 | eight (28) days apart. The administrator need not be a resident  
 195 | of the county at the time of appointment, but shall within a  
 196 | reasonable time become and remain while in office a resident of  
 197 | the county. The county administrator shall not engage in any  
 198 | other business or occupation.

199 |         (2) The compensation of the administrator shall be fixed  
 200 | by the board of county commissioners by ordinance at a level

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201 | which is commensurate with the requirements of the position. The  
 202 | county administrator's compensation, including severance pay,  
 203 | may be set by contract if allowed by and pursuant to ordinance.

204 |       (3) The office of county administrator shall be deemed  
 205 | vacant if the incumbent; takes up residence outside the county;  
 206 | is by death, illness, or other casualty unable to continue to  
 207 | perform the duties of his office; resigns; or is removed by the  
 208 | board of county commissioners in the manner prescribed in  
 209 | section 5.03(1). A vacancy in the office shall be filled in the  
 210 | same manner as the original appointment. The board of county  
 211 | commissioners may appoint an interim administrator in the case  
 212 | of vacancy, temporary absence, or disability of the present  
 213 | administrator until a successor has been appointed and qualified  
 214 | or the administrator returns.

215 | [ARTICLE] VI. - COUNTY ATTORNEY

216 |

217 | Sec. 6.03. - County Attorney qualifications, appointment,  
 218 | compensation.

219 |       (1) The County Attorney shall be and remain a member of  
 220 | The Florida Bar and shall have had at least five (5) years  
 221 | experience in Local Government Law or equivalent and such other  
 222 | experience as determined by the Board. The County Attorney need  
 223 | not be a resident at the time of appointment but shall within a  
 224 | reasonable time become and remain a resident of the County and  
 225 | remain so while in office. The County Attorney shall be a full

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226 | time employee of the County and shall not otherwise engage in  
 227 | the practice of law except as may be authorized by the Board.  
 228 | The County Attorney shall be appointed by an affirmative vote of  
 229 | not less than a majority plus one (1) of the entire membership  
 230 | ~~five (5) members~~ of the Board of County Commissioners and may be  
 231 | removed at any time by an affirmative vote of not less than a  
 232 | majority plus one (1) of the entire membership ~~five (5) members~~  
 233 | of the Board or upon the affirmative vote of a majority of the  
 234 | Board ~~four (4) members~~ at each of two (2) regular meetings not  
 235 | less than thirteen (13) days apart and no more than twenty-eight  
 236 | (28) days apart.

237 |         (2) The compensation of the County Attorney, including  
 238 | severance pay and other benefits, shall be fixed by contract,  
 239 | ordinance or resolution as determined by the Board at a level  
 240 | commensurate with the requirements of the position.

241 |         (3) The Office of the County Attorney shall be deemed  
 242 | vacant if the incumbent is removed, resigns, moves his residence  
 243 | from the County or is, by death, illness or other casualty,  
 244 | unable to continue in office. In the case of temporary vacancy  
 245 | or absence or disability, until a successor has been appointed  
 246 | or the County Attorney returns, the Chief Assistant County  
 247 | Attorney or other Assistant Attorney designated by the County  
 248 | Attorney shall serve as the County Attorney upon approval of the  
 249 | Board.

250 | [ARTICLE] VIII. - AMENDMENTS TO CHARTER

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Sec. 8.01. - By the Board of County Commissioners.

The board of county commissioners may propose amendments to this Charter by ordinance approved by at least a majority plus one (1) of the entire membership ~~five (5) members~~.

Sec. 8.02. - Charter Review Board.

Within two years after the effective date of this Charter and every five years thereafter, the board of county commissioners shall appoint a charter review board consisting of two members appointed by each commissioner ~~fourteen (14) electors of the county~~. Each commissioner shall appoint two members of the charter review board who shall be electors of the county who are electors in that commissioner's district, and none of whom may be an elected official. Members of the charter review board shall serve for a term of one year without compensation. Such board shall be empowered to conduct a comprehensive study of any or all phases of county government. The board of county commissioners shall provide such professional, technical, and clerical assistance as may be reasonably required by the charter review board upon submission of an appropriately documented request by the charter review board. The charter review board shall, after two public hearings and upon approval of two-thirds of its members, file any proposed amendments to the Charter, if any, with the supervisor of elections who shall provide for a vote on it pursuant to

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276 Section 8.04.

277 Sec. 8.03. - Initiative.

278 The power to propose amendments to this Charter by  
279 initiative is vested in the people:

280 (1) The power may be invoked by filing with the supervisor  
281 of elections a petition containing a copy of the proposed  
282 Charter amendment. Each petition must be circulated in each  
283 ~~numbered~~ board district and must be signed by a number of  
284 electors in each of at least one-half of the districts ~~1 through~~  
285 4 and of the county as a whole equal to eight percent of the  
286 votes cast in each of such districts and the county as a whole  
287 in the last preceding election in which a president or  
288 presidential electors were chosen. The address of each signer,  
289 and date of each signature, must appear on the petition. Each  
290 petition shall embrace but one subject and matter properly  
291 connected therewith. A date certain must be designated to and  
292 certified by the supervisor of elections as the beginning date  
293 of any petition drive, and said drive shall terminate six months  
294 after that date. In the event sufficient signatures are not  
295 acquired during that six-month period, the petition drive shall  
296 be rendered null and void and none of the signatures may be  
297 carried over onto another identical or similar petition.

298 (2) The petition shall be filed with the supervisor of  
299 elections who shall, within a period of not more than thirty

300 (30) days, determine whether the petition contains the required

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301 valid signatures. The supervisor shall be paid the sum specified  
 302 by general law by the persons or committee seeking verification.

303 (a) If it is determined that the petition does not contain  
 304 the required signatures, the supervisor shall so certify to the  
 305 board of county commissioners and the petition drive shall be at  
 306 an end. No additional names may be added to the petition, and  
 307 the petition shall not be used in any other proceeding.

308 (b) If it is determined that the petition has the required  
 309 signatures, the supervisor shall so certify to the board of  
 310 county commissioners and place the amendment on the ballot.

311 (3) All other procedures shall be as provided by general  
 312 law for constitutional amendments with the supervisor of  
 313 elections performing the duties of the secretary of state.

314 [ARTICLE] X. - TRANSITION AND SCHEDULE

315

316 Sec. 10.09 - Transition to Single-Member Districts.

317 By October 1, 2027, the board of county commissioners shall  
 318 establish the apportionment of single-member districts under the  
 319 procedures provided in section 4.06 using the most recent  
 320 decennial census population figures. At the 2028 general  
 321 election, commissioners elected from odd-numbered districts  
 322 shall be elected for a term of two years, and commissioners  
 323 elected from even-numbered districts shall be elected to a term  
 324 of four years to maintain a system of staggered terms.

325 Sec. 10.10 - Transition to 11-Member Board of County

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326 Commissioners.  
 327 Within 120 days after the certification of a federal  
 328 decennial census which determines the county has a population of  
 329 at least 2,500,000, the board of county commissioners shall  
 330 establish the reapportionment of single-member districts under  
 331 the procedures provided in section 4.06 using the most recent  
 332 decennial census population figures. At the first general  
 333 election following the certification of such federal decennial  
 334 census, commissioners elected from odd-numbered districts shall  
 335 be elected for a term of two years, and commissioners elected  
 336 from even-numbered districts shall be elected to a term of four  
 337 years to maintain a system of staggered terms.

338 **Section 2.** Referendum election.-

339 (1) The referendum election called for by this act shall  
 340 be held on November 3, 2026, the 2026 general election.

341 (2) The ballot title for the referendum question shall be  
 342 in substantially the following form:

344 AMENDING THE COUNTY CHARTER TO INCREASE NUMBER OF COUNTY  
 345 COMMISSIONERS, ALL ELECTED FROM SINGLE-MEMBER DISTRICTS.

347 (3) The referendum question shall be placed on the ballot  
 348 in substantially the following form:

350 Shall the Hillsborough County Charter be amended to

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351 increase the number of members of board of county  
 352 commissioners from 7 to 9 members, with an increase to 11  
 353 members once the county has a population of at least  
 354 2,500,000, require all county commissioners to be elected  
 355 to office from single-member districts by electors residing  
 356 in each of those districts only?

357  
 358 ( ) YES.

359 ( ) NO.

360  
 361 (4) In the event this question is answered affirmatively  
 362 by a majority of the qualified electors voting in the  
 363 referendum, the charter amendment will take effect. The  
 364 referendum election shall be conducted by the Supervisor of  
 365 Elections of Hillsborough County in accordance with the Florida  
 366 Election Code.

367 **Section 3.** This act shall take effect upon its approval by  
 368 a majority vote of the qualified electors of Hillsborough County  
 369 voting in a referendum conducted in accordance with the  
 370 provisions of law relating to elections currently in force,  
 371 except this section and section 2 shall take effect upon  
 372 becoming a law.