

By the Committee on Executive; and Commissioners Keiser, Nocco, and Karlinsky

310-00192-17

201726c1

1                                   A proposal to amend  
2           Section 4 of Article IV of the State Constitution to  
3           establish the Office of Domestic Security and Counter-  
4           Terrorism within the Department of Law Enforcement.

5  
6 Be It Proposed by the Constitution Revision Commission of  
7 Florida:

8  
9           Section 4 of Article IV of the State Constitution is  
10 amended to read:

11                                   ARTICLE IV

12                                   EXECUTIVE

13           SECTION 4. Cabinet.—

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

21           (b) The attorney general shall be the chief state legal  
22 officer. There is created in the office of the attorney general  
23 the position of statewide prosecutor. The statewide prosecutor  
24 shall have concurrent jurisdiction with the state attorneys to  
25 prosecute violations of criminal laws occurring or having  
26 occurred, in two or more judicial circuits as part of a related  
27 transaction, or when any such offense is affecting or has  
28 affected two or more judicial circuits as provided by general  
29 law. The statewide prosecutor shall be appointed by the attorney  
30 general from not less than three persons nominated by the  
31 judicial nominating commission for the supreme court, or as

310-00192-17

201726c1

32 otherwise provided by general law.

33 (c) The chief financial officer shall serve as the chief  
34 fiscal officer of the state, and shall settle and approve  
35 accounts against the state, and shall keep all state funds and  
36 securities.

37 (d) The commissioner of agriculture shall have supervision  
38 of matters pertaining to agriculture except as otherwise  
39 provided by law.

40 (e) The governor as chair, the chief financial officer, and  
41 the attorney general shall constitute the state board of  
42 administration, which shall succeed to all the power, control,  
43 and authority of the state board of administration established  
44 pursuant to Article IX, Section 16 of the Constitution of 1885,  
45 and which shall continue as a body at least for the life of  
46 Article XII, Section 9(c).

47 (f) The governor as chair, the chief financial officer, the  
48 attorney general, and the commissioner of agriculture shall  
49 constitute the trustees of the internal improvement trust fund  
50 and the land acquisition trust fund as provided by law.

51 (g) The governor as chair, the chief financial officer, the  
52 attorney general, and the commissioner of agriculture shall  
53 constitute the agency head of the Department of Law Enforcement.  
54 The Office of Domestic Security and Counter-Terrorism is created  
55 within the Department of Law Enforcement. The Office of Domestic  
56 Security and Counter-Terrorism shall provide support for  
57 prosecutors and federal, state, and local law enforcement  
58 agencies that investigate or analyze information relating to  
59 attempts or acts of terrorism or that prosecute terrorism, and  
60 shall perform any other duties that are provided by law.

310-00192-17

201726c1

61 Recognizing the importance and authority of the sheriffs and  
62 local law enforcement entities to the prevention of terrorist  
63 events as well as ensuring public safety in the community, the  
64 county sheriff shall have authority over and be responsible for  
65 security of, and security decisions made, for county operated  
66 buildings, including courthouses, as well as local decisions  
67 regarding the administration and operations of their office that  
68 effect security and law enforcement.