

FLORIDA SHERIFFS ASSOCIATION



Solidifying the Elected & Independent Office of the Sheriff

In 1966, Miami-Dade County eliminated the Office of Sheriff under its home rule charter county authority and established the Miami-Dade Police Department (MDPD) in lieu of the Sheriff's Office. Today, Miami-Dade is the only county in Florida that does not have an elected sheriff, and instead, has an appointed police director and a mayor who serves as the Sheriff.

However, in 2018, Amendment 10 to the Florida Constitution was approved by 63% of Florida voters, 58% of Miami-Dade County's electorate, and 62% of the voters in unincorporated Miami-Dade County. Amendment 10, among other things, requires every Florida county to elect all constitutional officers, including a sheriff, beginning in 2024, and prohibits counties from transferring the Sheriff's duties to another officer or office.

Despite the passage of Amendment 10, the Miami-Dade Board of County Commissioners recently voted in favor of a resolution to allow the MDPD to act as the municipal law enforcement agency for the unincorporated municipal service area in Miami-Dade (UMSA) following the Sheriff's election in 2024. UMSA includes more than one million people, or nearly 40% of Miami-Dade County's population. This resolution would unlawfully transfer nearly all the powers, duties and obligations, including the right to be the sole police provider for UMSA, from the future elected Sheriff of Miami-Dade County to the MDPD.

While the Florida Constitution grants Miami-Dade County home rule authority, such protections do not apply where those county laws and policies conflict with general law. Amendment 10 became general law when a supermajority of Florida's electorate voted in favor of its passage. In doing so, Florida's electorate unequivocally expressed their intent to have an elected County Sheriff who would be directly accountable to the people of Miami-Dade County and whose duties and powers could not be transferred to another officer or office at the whim of the politicians of Miami-Dade County. This legislation seeks to preserve the will of the voters by clarifying under Florida law, the powers, duties and obligations reserved exclusively to the Office of the Sheriff, and which cannot be transferred to another officer or office.

Support HB 1595 by Rep. Yarkosky and SB 1588 by Sen. Burgess



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