

By Representative Gay

1                                   A bill to be entitled  
2           An act relating to special districts; amending  
3           s. 189.405, F.S.; providing that candidates for  
4           the governing board of certain single-county  
5           and multicounty special districts shall qualify  
6           in accordance with ch. 99, F.S.; amending s.  
7           189.429, F.S., and s. 15, ch. 97-256, Laws of  
8           Florida, which require special districts,  
9           including fire control districts, to submit  
10          draft codified charters to the Legislature;  
11          revising the deadline and requirements for such  
12          codification; providing that the Legislature  
13          may adopt a schedule for codification;  
14          providing effective dates.

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16 Be It Enacted by the Legislature of the State of Florida:

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18           Section 1. Effective January 1 of the year following  
19          the year in which this act is enacted, paragraph (c) of  
20          subsection (2) and paragraph (b) of subsection (3) of section  
21          189.405, Florida Statutes, are amended to read:

22           189.405 Elections; general requirements and  
23          procedures.--

24           (2)

25           (c) A candidate for a position on a governing board of  
26          a single-county special district that has its elections  
27          conducted by the supervisor of elections shall qualify for the  
28          office with the county supervisor of elections in whose  
29          jurisdiction the district is located. Elections for governing  
30          board members elected by registered electors shall be  
31          nonpartisan, except when partisan elections are specified by a

1 district's charter. Candidates shall ~~may~~ qualify in  
2 accordance with the requirements of chapter 99 ~~by paying a~~  
3 ~~filing fee of \$25 or by submitting a petition that contains~~  
4 ~~the signatures of at least 3 percent of the district's~~  
5 ~~registered electors~~. No election or party assessment shall be  
6 levied if the election is nonpartisan. The qualifying fee  
7 shall be remitted to the general revenue fund of the  
8 qualifying officer to help defray the cost of the election.  
9 The petition form shall be submitted and checked in the same  
10 manner as those for nonpartisan judicial candidates pursuant  
11 to s. 105.035.

12 (3)

13 (b) With the exception of those districts conducting  
14 elections on a one-acre/one-vote basis, qualifying for  
15 multicounty special district governing board positions shall  
16 be coordinated by the Department of State. Elections for  
17 governing board members elected by registered electors shall  
18 be nonpartisan, except when partisan elections are specified  
19 by a district's charter. Candidates shall ~~may~~ qualify in  
20 accordance with the requirements of chapter 99 ~~by paying a~~  
21 ~~filing fee of \$25 or by submitting a petition that contains~~  
22 ~~the signatures of at least 3 percent of the district's~~  
23 ~~registered electors~~. No election or party assessment shall be  
24 levied if the election is nonpartisan. The qualifying fee  
25 shall be remitted to the Department of State. The petition  
26 form shall be submitted and checked in the same manner as  
27 those for nonpartisan judicial candidates pursuant to s.  
28 105.035.

29 Section 2. Section 189.429, Florida Statutes, is  
30 amended to read:

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1           189.429 Codification.--Each district, by December 1,  
2 2004 ~~2001, or when any act relating to such district is~~  
3 ~~introduced to the Legislature, whichever is first,~~ shall  
4 submit to the Legislature a draft codified charter, at its  
5 expense, so that its special acts may be codified into a  
6 single act for reenactment by the Legislature, if there is  
7 more than one special act for the district. The Legislature  
8 may adopt a schedule for individual district codification. ~~No~~  
9 ~~changes may be made to a district's charter as it exists on~~  
10 ~~October 1, 1997, in the legislation codifying its special~~  
11 ~~acts.~~ Any codified act relating to a district, which act is  
12 submitted to the Legislature for reenactment, shall provide  
13 for the repeal of all prior special acts of the Legislature  
14 relating to the district. The codified act shall be filed  
15 with the department pursuant to s. 189.418(2).

16           Section 3. Section 15 of chapter 97-256, Laws of  
17 Florida, is amended to read:

18           Section 15. Codification.--Each fire control district  
19 existing on the effective date of this section, by December 1,  
20 2004 ~~2001, or when any act relating to such district is~~  
21 ~~introduced to the Legislature, whichever is first,~~ shall  
22 submit to the Legislature a draft codified charter, at its  
23 expense, so that its special acts may be codified into a  
24 single act for reenactment by the Legislature, if there is  
25 more than one special act for the district. The Legislature  
26 may adopt a schedule for individual district codification. Any  
27 codified act relating to a district, which act is submitted to  
28 the Legislature for reenactment, shall provide for the repeal  
29 of all prior special acts of the Legislature relating to the  
30 district. The codified act shall be filed with the Department  
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1 of Community Affairs pursuant to s. 189.418(2), Florida  
2 Statutes.

3 Section 4. Except as otherwise provided herein, this  
4 act shall take effect upon becoming a law.

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7 HOUSE SUMMARY

8 Provides that candidates for the governing board of  
9 certain single-county and multicounty special districts  
10 shall qualify in accordance with ch. 99, F.S. Revises  
11 provisions which require special districts, including  
12 fire control districts, to submit draft codified charters  
to the Legislature. Revises the deadline and requirements  
for such codification. Provides that the Legislature may  
adopt a schedule for codification.

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