

STORAGE NAME: h3919.ca

DATE: March 21, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
COMMUNITY AFFAIRS
BILL RESEARCH & ECONOMIC IMPACT STATEMENT - LOCAL LEGISLATION**

BILL #: HB 3919

RELATING TO: Hillsborough County/School Board Members/Election

SPONSOR(S): Representative Wallace

COMPANION BILL(S): SB 1778 (i)

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) COMMUNITY AFFAIRS
 - (2)
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

This bill changes the date of any runoff election of the Hillsborough County School Board members to be held at the same time as the general election as provided by law.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Special Act Provisions

The provisions of the special acts governing Hillsborough County School Board member elections provide that the first primary election be held at the same time as the first primary election provided in law. The second primary election is to be held as provided by law. If no candidate for school board of Hillsborough County receives a majority of the votes cast at the first primary election, a runoff election is held at the same time as the *second primary*. Hillsborough County school board elections are nonpartisan.

General Law Provisions

Section 100.061, F.S., provides that in each year in which a general election is held, a first primary election for nomination of candidates of political parties shall be held on the Tuesday 9 weeks prior to the general election. A second primary election is held in every contest in which a candidate does not receive a majority of the votes for the office for which he/she ran. The second primary election is held on the Tuesday 5 weeks prior to the general election.

The general election is scheduled to be held on the first Tuesday after the first Monday in November of each even-numbered year.

B. EFFECT OF PROPOSED CHANGES:

This bill changes the date of any runoff election of the Hillsborough County School Board members to be held at the same time as the general election as provided by law. The effect of the bill is to move any runoff election from the date of the second primary to the date of the general election.

C. LAWS OF FLORIDA/FLORIDA STATUTES AFFECTED:

Section 3 of chapter 67-945, Laws of Florida, as amended by chapter 75-393, Laws of Florida.

D. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

N/A

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- (2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

N/A

- (3) any entitlement to a government service or benefit?

N/A

- b. If an agency or program is eliminated or reduced:

- (1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

- (2) what is the cost of such responsibility at the new level/agency?

N/A

- (3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?

N/A

- b. Does the bill require or authorize an increase in any fees?

N/A

- c. Does the bill reduce total taxes, both rates and revenues?

N/A

- d. Does the bill reduce total fees, both rates and revenues?

N/A

- e. Does the bill authorize any fee or tax increase by any local government?

N/A

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

N/A

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

N/A

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

N/A

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

N/A

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

- (4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

b. Does the bill directly affect the legal rights and obligations between family members?

N/A

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

E. SECTION-BY-SECTION RESEARCH:

Section 1 -- Amends section 3 of chapter 75-393, Laws of Florida, to provide that runoff elections for Hillsborough County school board members be held at the general election rather than the second primary election.

Section 2 -- Provides an effective date of upon becoming a law.

III. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes [X] No []

IF YES, WHEN? January 31, 1998

WHERE? Tampa, FL, The Times

B. REFERENDUM(S) REQUIRED? Yes [] No [X]

IF YES, WHEN?

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C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

IV. COMMENTS:

N/A

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VI. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

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