

STORAGE NAME: h3919z.ca
DATE: June 24, 1998

****FINAL ACTION****
****SEE FINAL ACTION STATUS SECTION****

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

BILL #: HB 3919
RELATING TO: Hillsborough County/School Board Members/Election
SPONSOR(S): Representative Wallace and others
COMPANION BILL(S): SB 1778 (i)

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

- (1) COMMUNITY AFFAIRS YEAS 6 NAYS 0
- (2)
- (3)
- (4)
- (5)

I. FINAL ACTION STATUS:

House Bill 3919 was introduced on March 3, 1998 and referred to the Committee on Community Affairs on March 13, 1998. The committee considered the bill on March 18, 1998 and temporarily deferred the bill. On March 30, 1998, the bill was voted favorably by the committee. The bill was placed on the House Local Calendar on April 24, 1998 and voted on by the House 120 YEAS to 0 NAYS. The Senate voted the bill favorably on May 1, 1998 by a vote of 40 YEAS 0 NAYS. On May 28, 1998, the bill became law without the Governor's signature and is chapter 98-490, Laws of Florida.

II. 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.

III. 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

- (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.

IV. NOTICE/REFERENDUM AND OTHER REQUIREMENTS:

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? January 31, 1998

WHERE? Tampa, FL, The Times

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

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C. LOCAL BILL CERTIFICATION FILED? Yes, attached [X] No []

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached [X] No []

V. COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Legislative Research Director:

Joan E. Highsmith-Smith

Joan E. Highsmith-Smith

FINAL RESEARCH PREPARED BY COMMITTEE ON COMMUNITY AFFAIRS:

Prepared by:

Legislative Research Director:

Joan E. Highsmith-Smith

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