

By Senator Ostalkiewicz

12-140-98

1 A bill to be entitled
2 An act relating to special districts; requiring
3 each special district that has the power to
4 levy taxes or special assessments to elect the
5 members of its governing body; prescribing
6 requirements for such elections; providing for
7 expiration of terms of office of present,
8 nonelected district governing body members;
9 providing an effective date.

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

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13 Section 1. Notwithstanding any other provision of law,
14 the following provisions apply to any special district, as
15 defined in section 189.403, Florida Statutes, that has the
16 power to impose a tax or special assessment:

17 (1) The term of office of each person serving on the
18 governing body of a district subject to this act as of the
19 general election in November 1998 expires on the first Tuesday
20 after the first Monday in January 1999, and the successor of
21 such person shall be selected according to the procedures
22 prescribed in this act. A member serving as of the November
23 1998 general election may be a candidate for a seat on the
24 governing body in an election held pursuant to this act. The
25 district shall assign a number to each seat on its governing
26 body, beginning with number 1 and continuing sequentially by
27 whole numbers. At the 1998 general election, each seat that
28 has been given an odd number shall be filled for a term of 4
29 years, and each seat that has been given an even number shall
30 be filled for a term of 2 years. Thereafter, at the
31 expiration of a term, the seat shall be filled for a term of 4

1 years. Each person elected at an election held pursuant to
2 this act shall take office on the first Tuesday after the
3 first Monday in January 1999.

4 (2) Each candidate for a seat on the governing body of
5 a special district that is holding an election pursuant to
6 this act shall qualify for a specific seat and run on a
7 partisan basis. Elections shall be conducted according to the
8 Election Code, chapters 97 through 106, Florida Statutes, and
9 candidates are subject to all requirements of that code with
10 respect to qualification, reporting, and conduct.

11 Section 2. This act does not prescribe the sole method
12 of electing members of the governing body of a special
13 district that has taxing powers and does not affect any
14 election procedure existing on the effective date of this act.
15 Further, any act or ordinance that creates a special district
16 subject to this act may be amended to provide a method of
17 electing members of its governing body which differs from that
18 prescribed in this act.

19 Section 3. This act shall take effect upon becoming a
20 law.

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23 SENATE SUMMARY

24 Requires special districts that have power to tax or
25 impose special assessments and that do not currently
26 elect the members of their governing boards to begin
27 electing those members, beginning with the November 1998
28 general election. Provides for districts to designate
29 each seat by a number and for candidates to qualify and
30 run for a specific seat, on a partisan basis, in the
31 manner prescribed in the Election Code.