

By the Committee on Ethics and Elections; and Senators
 Saunders, Carlton, Meek, Hargrett, Sebesta, Kirkpatrick and
 Rossin

313-705A-99

1 A bill to be entitled
 2 An act relating to elections; amending s.
 3 230.10, F.S.; providing for the election of
 4 school board members in a nonpartisan election;
 5 amending s. 105.031, F.S.; providing for
 6 qualifying for nonpartisan office; amending s.
 7 105.035, F.S.; providing an alternative method
 8 of qualifying for nonpartisan candidates;
 9 eliminating the requirement for an undue burden
 10 oath; amending s. 105.041, F.S.; revising
 11 ballots for nonpartisan candidates; amending s.
 12 105.051, F.S.; providing for determination of
 13 election for nonpartisan candidates; amending
 14 s. 105.061, F.S.; providing for the electors
 15 that are eligible to vote for nonpartisan
 16 candidates; amending s. 105.08, F.S.; providing
 17 for reporting of contributions and expenditures
 18 for nonpartisan candidates; amending ss.
 19 99.061, 101.141, 101.151, 101.251, 230.061,
 20 230.105, F.S.; conforming provisions; repealing
 21 s. 105.09, F.S., relating to endorsement of
 22 judicial candidates by partisan organizations;
 23 repealing s. 230.08, F.S., relating to
 24 nomination of candidates for school board;
 25 amending s. 228.053, F.S.; correcting a
 26 cross-reference; providing an effective date.
 27
 28 Be It Enacted by the Legislature of the State of Florida:
 29
 30 Section 1. Section 230.10, Florida Statutes, is
 31 amended to read:

1 230.10 Election of board by districtwide vote.--The
2 election of members of the school board shall be by vote of
3 the qualified electors of the entire district in a nonpartisan
4 election. Each candidate for school board member shall, at
5 the time she or he qualifies, be a resident of the school
6 board member residence area from which the candidate seeks
7 election. Each candidate who qualifies to have her or his name
8 placed on the ballot ~~of the general election~~ shall be listed
9 according to the school board member residence area in which
10 she or he resides. Each qualified elector of the district
11 shall be entitled to vote for one candidate from each school
12 board member residence area. The candidate from each school
13 board member residence area who receives the highest number of
14 votes in the general election shall be elected to the school
15 board.

16 Section 2. Section 105.031, Florida Statutes, is
17 amended to read:

18 105.031 Qualification; filing fee; candidate's oath;
19 items required to be filed.--

20 (1) TIME OF QUALIFYING.--Except for candidates for
21 judicial office, nonpartisan candidates for multicounty office
22 shall qualify with the Division of Elections of the Department
23 of State and nonpartisan candidates for countywide or less
24 than countywide office shall qualify with the supervisor of
25 elections.Candidates for judicial office other than the
26 office of county court judge shall qualify with the Division
27 of Elections of the Department of State, and candidates for
28 the office of county court judge shall qualify with the
29 supervisor of elections of the county.~~7~~Candidates shall
30 qualify no earlier than noon of the 50th day, and no later
31 than noon of the 46th day, before the first primary election.

1 Filing shall be on forms provided for that purpose by the
2 Division of Elections and furnished by the appropriate
3 qualifying officer. Any person seeking to qualify ~~as a~~
4 ~~candidate for circuit judge or county court judge~~ by the
5 alternative method, if the person has submitted the necessary
6 petitions by the required deadline and is notified after the
7 fifth day prior to the last day for qualifying that the
8 required number of signatures has been obtained, shall be
9 entitled to subscribe to the candidate's oath and file the
10 qualifying papers at any time within 5 days from the date he
11 or she is notified that the necessary number of signatures has
12 been obtained. Any person other than a write-in candidate who
13 qualifies within the time prescribed in this subsection shall
14 be entitled to have his or her name printed on the ballot.

15 (2) FILING IN GROUPS OR DISTRICTS.--Candidates shall
16 qualify in groups or districts where multiple ~~judicial~~ offices
17 are to be filled.

18 (3) QUALIFYING FEE.--Each candidate qualifying for
19 election to a nonpartisan ~~judicial~~ office, except write-in
20 ~~judicial~~ candidates, shall, during the time for qualifying,
21 pay to the officer with whom he or she qualifies a qualifying
22 fee, which shall consist of a filing fee and an election
23 assessment, or qualify by the alternative method. The amount
24 of the filing fee is 3 percent of the annual salary of the
25 office sought. The amount of the election assessment is 1
26 percent of the annual salary of the office sought. The
27 Department of State ~~qualifying officer~~ shall forward all
28 filing fees to the Department of Revenue for deposit in the
29 General Revenue Fund. The supervisor of elections shall
30 forward all filing fees to the general revenue fund of the
31 county.The election assessment shall be deposited into the

1 Elections Commission Trust Fund. The annual salary of the
2 office for purposes of computing the qualifying fee shall be
3 computed by multiplying 12 times the monthly salary authorized
4 for such office as of July 1 immediately preceding the first
5 day of qualifying. This subsection shall not apply to
6 candidates qualifying for retention to judicial office.

7 (4) CANDIDATE'S OATH.--

8 (a) All candidates for judicial office shall subscribe
9 to an oath or affirmation in writing to be filed with the
10 appropriate qualifying officer upon qualifying. A printed
11 copy of the oath or affirmation shall be furnished to the
12 candidate by the qualifying officer and shall be in
13 substantially the following form:

14
15 State of Florida
16 County of

17 Before me, an officer authorized to administer oaths,
18 personally appeared ...(please print name as you wish it to
19 appear on the ballot)..., to me well known, who, being sworn,
20 says he or she: is a candidate for the judicial office of
21; that his or her legal residence is County, Florida;
22 that he or she is a qualified elector of the state and of the
23 territorial jurisdiction of the court to which he or she seeks
24 election; that he or she is qualified under the constitution
25 and laws of Florida to hold the judicial office to which he or
26 she desires to be elected or in which he or she desires to be
27 retained; that he or she has taken the oath required by ss.
28 876.05-876.10, Florida Statutes; that he or she has qualified
29 for no other public office in the state, the term of which
30 office or any part thereof runs concurrent to the office he or
31 she seeks; and that he or she has resigned from any office

1 2. The candidate's oath required by subsection (4),
2 which must contain the name of the candidate as it is to
3 appear on the ballot; the office sought, including the
4 district or group number if applicable; and the signature of
5 the candidate, duly acknowledged.

6 3. The loyalty oath required by s. 876.05, signed by
7 the candidate and duly acknowledged.

8 4. The completed form for the appointment of campaign
9 treasurer and designation of campaign depository, as required
10 by s. 106.021.

11 5. The full and public disclosure of financial
12 interests required by s. 8, Art. II of the State Constitution
13 or the statement of financial interests required by s.
14 112.3145, whichever is applicable.

15 (b) If the filing officer receives qualifying papers
16 that do not include all items as required by paragraph (a)
17 prior to the last day of qualifying, the filing officer shall
18 make a reasonable effort to notify the candidate of the
19 missing or incomplete items and shall inform the candidate
20 that all required items must be received by the close of
21 qualifying. A candidate's name as it is to appear on the
22 ballot may not be changed after the end of qualifying.

23 Section 3. Section 105.035, Florida Statutes, is
24 amended to read:

25 105.035 Alternative method of qualifying for
26 nonpartisan ~~certain judicial~~ offices.--

27 (1) A person seeking to qualify for election to
28 nonpartisan ~~the office of circuit judge or county court judge~~
29 ~~who is unable to pay the qualifying fee without imposing an~~
30 ~~undue burden on his or her personal resources or on resources~~
31 ~~otherwise available to him or her~~ may qualify for election to

1 such office by means of the petitioning process prescribed in
2 this section. A person qualifying by this alternative method
3 is not required to pay the qualifying fee required by this
4 chapter. A person using this petitioning process shall file an
5 oath with the officer before whom the candidate would qualify
6 for the office stating that he or she intends to qualify for
7 the office sought ~~and stating that he or she is unable to pay~~
8 ~~the qualifying fee for the office without imposing an undue~~
9 ~~burden on his or her resources or on resources otherwise~~
10 ~~available to him or her.~~ Such oath shall be filed at any time
11 after the first Tuesday after the first Monday in January of
12 the year in which the election is held, but prior to the 21st
13 day preceding the first day of the qualifying period for the
14 office sought. The form of such oath shall be prescribed by
15 the Division of Elections. No signatures shall be obtained
16 until the person has filed the oath prescribed in this
17 subsection.

18 (2) Upon receipt of a written oath from a candidate,
19 the qualifying officer shall provide the candidate with
20 petition forms in sufficient numbers to facilitate the
21 gathering of signatures pursuant to this section. No
22 signature shall be counted toward the number of signatures
23 required unless it is on a petition form prescribed pursuant
24 to this subsection. Such forms shall be prescribed by the
25 Division of Elections. If the candidate is running for an
26 office which will be grouped on the ballot with two or more
27 similar offices to be filled at the same election, the
28 candidate's petition must indicate, prior to the obtaining of
29 registered electors' signatures, for which group or district
30 the candidate is running.

31

1 (3) A nonpartisan candidate ~~for the office of circuit~~
2 ~~judge~~ shall obtain the signature of a number of qualified
3 electors equal to at least 3 percent of the total number of
4 registered electors of the district, circuit, county, or other
5 geographical entity represented by the office sought ~~judicial~~
6 ~~circuit~~ as shown by the compilation by the Department of State
7 for the last preceding general election. ~~A candidate for the~~
8 ~~office of county court judge shall obtain the signatures of a~~
9 ~~number of qualified electors equal to at least 3 percent of~~
10 ~~the total number of registered electors of the county, as~~
11 ~~shown by the compilation by the Department of State for the~~
12 ~~last preceding general election.~~ A separate petition shall be
13 circulated for each candidate availing himself or herself of
14 the provisions of this section.

15 (4)(a) Each candidate seeking to qualify for election
16 to a multicounty ~~the office of circuit judge~~ pursuant to this
17 section shall file a separate petition from each county from
18 which signatures are sought. Each petition shall be
19 submitted, prior to noon of the 21st day preceding the first
20 day of the qualifying period for the office sought, to the
21 supervisor of elections of the county for which such petition
22 was circulated. Each supervisor of elections to whom a
23 petition is submitted shall check the signatures on the
24 petition to verify their status as electors of that county and
25 of the district, circuit, or other geographical entity
26 represented by the office sought ~~within the judicial circuit.~~
27 Prior to the first date for qualifying, the supervisor shall
28 certify the number shown as registered electors ~~of that county~~
29 ~~within the circuit~~ and submit such certification to the
30 Division of Elections. The division shall determine whether
31 the required number of signatures has been obtained for the

1 name of the candidate to be placed on the ballot and shall
2 notify the candidate. If the required number of signatures
3 has been obtained, the candidate shall, during the time
4 prescribed for qualifying for office, submit a copy of such
5 notice and file his or her qualifying papers and oath
6 prescribed in s. 105.031 with the Division of Elections. Upon
7 receipt of the copy of such notice and qualifying papers, the
8 division shall certify the name of the candidate to the
9 appropriate supervisor or supervisors of elections as having
10 qualified for the office sought.

11 (b) Each candidate seeking to qualify for election to
12 a countywide ~~the~~ office or an office elected on less than a
13 countywide basis ~~of county court judge~~ pursuant to this
14 section shall submit his or her petition, prior to noon of the
15 21st day preceding the first day of the qualifying period for
16 the office sought, to the supervisor of elections of the
17 county for which such petition was circulated. The supervisor
18 shall check the signatures on the petition to verify their
19 status as electors of the county and of the geographical
20 entity represented by the office sought. Prior to the first
21 date for qualifying, the supervisor shall determine whether
22 the required number of signatures has been obtained for the
23 name of the candidate to be placed on the ballot and shall
24 notify the candidate. If the required number of signatures
25 has been obtained, the candidate shall, during the time
26 prescribed for qualifying for office, submit a copy of such
27 notice and file his or her qualifying papers and oath
28 prescribed in s. 105.031 with the qualifying officer
29 ~~supervisor of elections~~. Upon receipt of the copy of such
30 notice and qualifying papers ~~by the supervisor of elections~~,
31

1 such candidate shall be entitled to have his or her name
2 printed on the ballot.

3 Section 4. Section 105.041, Florida Statutes, is
4 amended to read:

5 105.041 Form of ballot.--

6 (1) BALLOTS.--The names of candidates for nonpartisan
7 ~~judicial~~ office which appear on the ballot at the first
8 primary election shall either be grouped together on a
9 separate portion of the ballot or on a separate ballot. The
10 names of candidates for nonpartisan ~~judicial~~ office which
11 appear on the ballot at the general election and the names of
12 justices and judges seeking retention to office shall be
13 grouped together on a separate portion of the general election
14 ballot.

15 (2) LISTING OF CANDIDATES.--The order of nonpartisan
16 offices appearing on the ballot shall be determined by the
17 Department of State.The names of ~~all~~ candidates for each
18 nonpartisan ~~the office of circuit judge or the office of~~
19 ~~county court judge~~ shall be listed in alphabetical order.
20 With respect to justices and judges of district courts of
21 appeal, the question "Shall Justice (or Judge) (name of
22 justice or judge) of the (name of the court) be retained in
23 office?" shall appear on the ballot and thereafter the words
24 "Yes" and "No."

25 (3) REFERENCE TO PARTY AFFILIATION PROHIBITED.--No
26 reference to political party affiliation shall appear on any
27 ballot with respect to any nonpartisan ~~judicial~~ office or
28 candidate.

29 (4) WRITE-IN CANDIDATES.--Space shall be made
30 available on the general election ballot for an elector to
31 write in the name of a write-in candidate for nonpartisan

1 ~~office judge of a circuit court or county court~~ if a candidate
2 has qualified as a write-in candidate for such office pursuant
3 to s. 105.031. This subsection does not apply to the offices
4 of justices and judges seeking retention.

5 Section 5. Section 105.051, Florida Statutes, is
6 amended to read:

7 105.051 Determination of election to office.--

8 (1)(a) The name of an unopposed candidate for
9 nonpartisan ~~the office of circuit judge or county court judge~~
10 shall not appear on any ballot, and such candidate shall be
11 deemed to have voted for himself or herself at the general
12 election.

13 (b) If two or more candidates, neither of whom is a
14 write-in candidate, qualify for such an office, the names of
15 those candidates shall be placed on the ballot at the first
16 primary election. If any candidate for such office receives a
17 majority of the votes cast for such office in the first
18 primary election, the name of the candidate who receives such
19 majority shall not appear on any other ballot unless a
20 write-in candidate has qualified for such office. An
21 unopposed candidate shall be deemed to have voted for himself
22 or herself at the general election. If no candidate for such
23 office receives a majority of the votes cast for such office
24 in the first primary election, the names of the two candidates
25 receiving the highest number of votes for such office shall be
26 placed on the general election ballot. If more than two
27 candidates receive an equal and highest number of votes, the
28 name of each candidate receiving an equal and highest number
29 of votes shall be placed on the general election ballot. In
30 any contest in which there is a tie for second place and the
31 candidate placing first did not receive a majority of the

1 votes cast for such office, the name of the candidate placing
2 first and the name of each candidate tying for second shall be
3 placed on the general election ballot.

4 (c) The candidate who receives the highest number of
5 votes cast for the office in the general election shall be
6 elected to such office. If the vote at the general election
7 results in a tie, the outcome shall be determined by lot.

8 (2) With respect to any justice of the Supreme Court
9 or judge of a district court of appeal who qualifies to run
10 for retention in office, the question prescribed in s.
11 105.041(2) shall be placed on the ballot at the general
12 election. If a majority of the qualified electors voting on
13 such question within the territorial jurisdiction of the court
14 vote for retention, the justice or judge shall be retained for
15 a term of 6 years commencing on the first Tuesday after the
16 first Monday in January following the general election. If
17 less than a majority of the qualified electors voting on such
18 question within the territorial jurisdiction of the court vote
19 for retention, a vacancy shall exist in such office upon the
20 expiration of the term being served by the justice or judge.

21 Section 6. Section 105.061, Florida Statutes, is
22 amended to read:

23 105.061 Electors qualified to vote.--Each qualified
24 elector of the territorial jurisdiction of a nonpartisan
25 office ~~court~~ shall be eligible to vote for a candidate for
26 each such ~~judicial~~ office ~~of such court~~ or, in the case of a
27 justice of the Supreme Court or a judge of a district court of
28 appeal, for or against retention of such justice or judge.

29 Section 7. Section 105.08, Florida Statutes, is
30 amended to read:

31 105.08 Campaign contribution and expense; reporting.--

1 (1) A candidate for nonpartisan ~~judicial~~ office may
2 accept contributions and may incur only such expenses as are
3 authorized by law. Each such candidate shall keep an accurate
4 record of his or her contributions and expenses, and shall
5 file reports pursuant to chapter 106 ~~thereof on the same basis~~
6 ~~as is required of a candidate for a nonjudicial state office.~~

7 (2) Notwithstanding any other provision of this
8 chapter or chapter 106, a candidate for retention as a justice
9 of the Supreme Court or a judge of a district court of appeal
10 who has not received any contribution or made any expenditure
11 may file a sworn statement at the time of qualifying that he
12 or she does not anticipate receiving contributions or making
13 expenditures in connection with the candidacy for retention to
14 office. Such candidate shall file a final report pursuant to
15 s. 106.141, within 90 days following the general election for
16 which the candidate's name appeared on the ballot for
17 retention. Any such candidate for retention to judicial office
18 who, after filing a statement pursuant to this subsection,
19 receives any contribution or makes any expenditure in
20 connection with the candidacy for retention shall immediately
21 file a statement to that effect with the qualifying officer
22 and shall begin filing reports as an opposed candidate
23 pursuant to s. 106.07.

24 Section 8. Subsection (1) of section 99.061, Florida
25 Statutes, is amended to read:

26 99.061 Method of qualifying for nomination or election
27 to federal, state, county, or district office.--

28 (1) The provisions of any special act to the contrary
29 notwithstanding, each person seeking to qualify for nomination
30 or election to a federal, state, or multicounty district
31 office, other than a nonpartisan ~~judicial~~ office ~~as defined in~~

1 ~~chapter 105~~, shall file his or her qualification papers with,
2 and pay the qualifying fee, which shall consist of the filing
3 fee and election assessment, and party assessment, if any has
4 been levied, to, the Department of State, or qualify by the
5 alternative method with the Department of State, at any time
6 after noon of the 1st day for qualifying, which shall be as
7 follows: the 120th day prior to the first primary, but not
8 later than noon of the 116th day prior to the date of the
9 first primary, for persons seeking to qualify for nomination
10 or election to federal office; and noon of the 50th day prior
11 to the first primary, but not later than noon of the 46th day
12 prior to the date of the first primary, for persons seeking to
13 qualify for nomination or election to a state or multicounty
14 district office. However, the qualifying fee, if any, paid by
15 an independent candidate or a minor party candidate shall be
16 refunded to such candidate by the qualifying officer within 10
17 days from the date that the determination is made that such
18 candidate or minor party failed to obtain the required number
19 of signatures.

20 Section 9. Subsection (4) of section 101.141, Florida
21 Statutes, is amended to read:

22 101.141 Specifications for primary election
23 ballot.--In counties in which voting machines are not used,
24 and in other counties for use as absentee ballots not designed
25 for tabulation by an electronic or electromechanical voting
26 system, the primary election ballot shall conform to the
27 following specifications:

28 (4) The ballot shall have the headings, under which
29 appear the names of the offices and the candidates for the
30 respective offices alphabetically arranged as to surnames, in
31 the following order: the heading "Congressional" and

1 thereunder the offices of United States Senator and
2 Representative in Congress; the heading "State" and thereunder
3 the offices of Governor and Lieutenant Governor, Secretary of
4 State, Attorney General, Comptroller, Treasurer, Commissioner
5 of Education, Commissioner of Agriculture, state attorney, and
6 public defender; the heading "Legislative" and thereunder the
7 offices of state senator and state representative; the heading
8 "County" and thereunder clerk of the circuit court, clerk of
9 the county court (when authorized by law), sheriff, property
10 appraiser, tax collector, district superintendent of schools,
11 and supervisor of elections. Thereafter follows: members of
12 the board of county commissioners, ~~members of the district~~
13 ~~school board~~, and such other county and district offices as
14 are involved in the primary election, in the order fixed by
15 the Department of State, followed, in the years of their
16 election, by "Party offices," and thereunder the offices of
17 state and county party executive committee members.
18 Immediately following the name of each office on the ballot
19 shall be printed, "Vote for One." When more than one
20 candidate is to be nominated for office, the candidates for
21 such office shall qualify and run in a group or district. The
22 group or district number shall be printed beneath the name of
23 the office. The names of candidates in the respective group
24 or district shall be arranged thereunder in alphabetical order
25 as to surnames, and following the group or district number
26 there shall be printed the words, "Vote for One." The name of
27 the office shall be printed over each numbered group or
28 district and each numbered group or district shall be clearly
29 separated from the next numbered group or district, the same
30 as in the case of single offices. When two or more candidates
31 running for the same office have the same or similar surname

1 and one candidate is currently holding that office, the word
2 "Incumbent" shall be printed next to the incumbent's name. If
3 in any primary election all the offices as above set forth are
4 not involved, those offices to be filled shall be arranged on
5 the ballot in the order named.

6 Section 10. Paragraph (a) of subsection (3) of section
7 101.151, Florida Statutes, is amended to read:

8 101.151 Specifications for general election
9 ballot.--In counties in which voting machines are not used,
10 and in other counties for use as absentee ballots not designed
11 for tabulation by an electronic or electromechanical voting
12 system, the general election ballot shall conform to the
13 following specifications:

14 (3)(a) Beneath the caption and preceding the names of
15 candidates shall be the following words: "To vote for a
16 candidate whose name is printed on the ballot, place a cross
17 (X) mark in the blank space at the right of the name of the
18 candidate for whom you desire to vote. To vote for a write-in
19 candidate, write the name of the candidate in the blank space
20 provided for that purpose." The ballot shall have headings
21 under which shall appear the names of the offices and names of
22 duly nominated candidates for the respective offices in the
23 following order: the heading "Electors for President and Vice
24 President" and thereunder the names of the candidates for
25 President and Vice President of the United States nominated by
26 the political party which received the highest vote for
27 Governor in the last general election of the Governor in this
28 state, above which shall appear the name of said party. Then
29 shall appear the names of other candidates for President and
30 Vice President of the United States who have been properly
31 nominated. Votes cast for write-in candidates for President

1 and Vice President shall be counted as votes cast for the
2 presidential electors supporting such candidates. Then shall
3 follow the heading "Congressional" and thereunder the offices
4 of United States Senator and Representative in Congress; then
5 the heading "State" and thereunder the offices of Governor and
6 Lieutenant Governor, Secretary of State, Attorney General,
7 Comptroller, Treasurer, Commissioner of Education,
8 Commissioner of Agriculture, state attorney, and public
9 defender, together with the names of the candidates for each
10 office and the title of the office which they seek; then the
11 heading "Legislative" and thereunder the offices of state
12 senator and state representative; then the heading "County"
13 and thereunder clerk of the circuit court, clerk of the county
14 court (when authorized by law), sheriff, property appraiser,
15 tax collector, district superintendent of schools, and
16 supervisor of elections. Thereafter follows: members of the
17 board of county commissioners, ~~members of the district school~~
18 ~~board~~, and such other county offices as are involved in the
19 general election, in the order fixed by the Department of
20 State. When a write-in candidate has qualified for any
21 office, a subheading "Write-in Candidate for ...(name of
22 office)..." shall be provided followed by a blank space in
23 which to write the name of the candidate. With respect to
24 write-in candidates, if two or more candidates are seeking
25 election to one office, only one blank space shall be
26 provided.

27 Section 11. Subsection (2) of section 101.251, Florida
28 Statutes, is amended to read:

29 101.251 Information which supervisor of elections must
30 print on ballots.--

31

1 (2) In addition to the names printed on the ballot as
2 provided in subsection (1), the supervisor of elections of
3 each county shall have printed on the general election ballot
4 to be used in the county the names of the nonpartisan
5 candidates ~~judicial officers, as defined in chapter 105,~~ who
6 are entitled to have their names printed on the ballot, and
7 minor party and independent candidates who have obtained a
8 position on the general election ballot in compliance with the
9 requirements of this code.

10 Section 12. Subsection (1) of section 230.061, Florida
11 Statutes, is amended to read:

12 230.061 School board member residence areas.--

13 (1) For the purpose of ~~nominating and~~ electing school
14 board members, each district shall be divided into at least
15 five district school board member residence areas, which shall
16 be numbered one to five, inclusive, and which shall, as nearly
17 as practicable, be equal in population.

18 (a) For those school districts, which have seven
19 school board members, the district may be divided into five
20 district school board member residence areas, with two school
21 board members elected at large, or the district may be divided
22 into seven district school board member residence areas. In
23 the latter case, the residence areas shall be numbered one to
24 seven inclusive and shall be equal in population as nearly as
25 practicable.

26 (b) For those school districts which have seven school
27 board members, the number of district school board member
28 residence areas shall be determined by resolution passed by a
29 majority vote of the district school board. No district
30 school board shall be required to change the boundaries of the
31

1 district school board member residence areas in accordance
2 with the provisions of this act prior to July 1, 1981.

3 Section 13. Subsection (2) of section 230.105, Florida
4 Statutes, is amended to read:

5 230.105 Alternate procedure for the election of
6 district school board members to provide for single-member
7 representation.--

8 (2) District school board members shall be ~~nominated~~
9 ~~and~~ elected to office in accordance with the provisions of ss.
10 230.061 and 230.10, or as otherwise provided by law, unless a
11 proposition calling for single-member representation within
12 the residence areas of the district is submitted to and
13 approved by a majority of the qualified electors voting on
14 such proposition in the manner provided in subsection (3).

15 (a) If the school board is composed of five members,
16 such proposition shall provide that the five members shall
17 reside one in each of five residence areas, the areas together
18 covering the entire district and as nearly equal in population
19 as practicable, pursuant to s. 230.061, each of whom shall be
20 ~~nominated and~~ elected only by the qualified electors who
21 reside in the same residence area as the member.

22 (b) If the school board is composed of seven members,
23 at the option of the school board, such proposition shall
24 provide that:

25 1. Five of the seven members shall reside one in each
26 of five residence areas, the areas together covering the
27 entire district and as nearly equal in population as
28 practicable, pursuant to s. 230.061, each of whom shall be
29 ~~nominated and~~ elected only by the qualified electors who
30 reside in the same residence area as the member, and two of
31 the seven members shall be ~~nominated and~~ elected at large; or

1 2. All seven members shall reside one in each of seven
2 residence areas, the areas together covering the entire
3 district and as nearly equal in population as practicable,
4 pursuant to s. 230.061, each of whom shall be ~~nominated and~~
5 elected only by the qualified electors who reside in the same
6 residence area as the member.

7 (c) All members shall be elected for 4-year terms, but
8 such terms shall be staggered so that, alternately, one more
9 or one less than half of the members elected from residence
10 areas and, if applicable, one of the members elected at large
11 from the entire district are elected every 2 years. Any
12 member may be elected to an initial term of less than 4 years
13 if necessary to achieve or maintain such system of staggered
14 terms.

15 Section 14. Section 105.09, Florida Statutes, is
16 repealed.

17 Section 15. Section 230.08, Florida Statutes, is
18 repealed.

19 Section 16. Paragraph (a) of subsection (12) of
20 section 228.053, Florida Statutes, is amended to read:

21 228.053 Developmental research schools.--

22 (12) EXCEPTIONS TO LAW.--To encourage innovative
23 practices and facilitate the mission of the developmental
24 research schools, in addition to the exceptions to law
25 specified in s. 229.592(6), the following exceptions shall be
26 permitted for developmental research schools:

27 (a) The methods and requirements of the following
28 statutes shall be held in abeyance: ss. 230.01; 230.02;
29 230.03; 230.04; 230.05; 230.061; ~~230.08~~+230.10; 230.105;
30 230.11; 230.12; 230.15; 230.16; 230.17; 230.173; 230.18;
31 230.19; 230.201; 230.202; 230.21; 230.22; 230.2215; 230.2318;

1 230.232; 230.24; 230.241; 230.26; 230.28; 230.30; 230.303;
2 230.31; 230.32; 230.321; 230.33; 230.35; 230.39; 230.63;
3 230.64; 230.643; 234.01; 234.021; 234.112; 236.25; 236.261;
4 236.29; 236.31; 236.32; 236.35; 236.36; 236.37; 236.38;
5 236.39; 236.40; 236.41; 236.42; 236.43; 236.44; 236.45;
6 236.46; 236.47; 236.48; 236.49; 236.50; 236.51; 236.52;
7 236.55; 236.56; 237.051; 237.071; 237.091; 237.201; 237.40;
8 and 316.75. With the exception of subsection (16) of s.
9 230.23, s. 230.23 shall be held in abeyance. Reference to
10 school boards in s. 230.23(16) shall mean the president of the
11 university or the president's designee.
12 Section 17. This act shall take effect January 1,
13 2000.

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16 SENATE SUMMARY

17 Provides for the nonpartisan election of school board
18 members.
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