

By Representatives Tullis, Thrasher, Hill, Fuller, Lee,  
Arnall and Crady

1                                   A bill to be entitled  
2           An act relating to vacancies on the council of  
3           the City of Jacksonville; amending chapter  
4           92-341, Laws of Florida, as amended, to  
5           authorize council members-elect, duly elected  
6           in the first or general consolidated government  
7           election, to take office immediately after  
8           election certification if there is a vacancy in  
9           the office; providing an effective date.

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11           WHEREAS, council members in the City of Jacksonville  
12           are elected in the springtime consolidated government  
13           elections and take office on July 1 of that election year, and

14           WHEREAS, sometimes a council member office may be  
15           vacant at the time of the first consolidated government  
16           election or at the time of the general consolidated government  
17           election, and

18           WHEREAS, if the office of an incumbent council member  
19           is vacant, there is a hiatus between the time of the first  
20           consolidated government election or the general consolidated  
21           government election and the actual taking of office and, as a  
22           result, a council district or at-large residence area would  
23           have no representation, and

24           WHEREAS, such situation of nonrepresentation should be  
25           remedied by amending, in part, Section 5.06, of the Charter of  
26           the City of Jacksonville to allow council members elected in  
27           the first or general consolidated government election to fill  
28           their offices immediately after election certification only in  
29           those cases in which a vacancy exists at the time of the first  
30           or general consolidated government election, NOW, THEREFORE,

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

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3 Section 1. Section 5.06 of chapter 92-341, Laws of  
4 Florida, as amended, is amended to read:

5 Section 5.06. Vacancies; temporary appointments.--The  
6 office of a council member ~~councilman~~ shall become vacant upon  
7 his or her death, resignation, failure to reside continuously  
8 in the district from which he or she was elected, except in  
9 the event redistricting should occur during his or her term of  
10 office pursuant to section 5.02, or removal from office in any  
11 manner authorized by law. A vacancy in the council shall be  
12 filled for the remainder of the unexpired term by election of  
13 a council member ~~councilman~~ at a special election to be called  
14 pursuant to resolution of the city council and held on a date  
15 no sooner than 1 month and no later than 6 months after the  
16 vacancy occurs, which special election shall, if possible, be  
17 held in conjunction with any other election scheduled to be  
18 held within the county. Any resignation by a council member  
19 ~~councilman~~ shall be submitted in writing to the supervisor of  
20 elections (with a copy to the secretary of the city council),  
21 shall specify the date on which it is effective, and shall be  
22 irrevocable. If any council member ~~councilman~~ submits a  
23 resignation which is effective at a date later than that on  
24 which it is submitted, the city council may, by resolution,  
25 call a special election for the election of a successor, said  
26 special election to be held on a date not less than 1 month  
27 after the date the resignation is submitted nor more than 6  
28 months prior to the date the resignation is effective; and  
29 such special elections shall, if possible, be held in  
30 conjunction with any other election scheduled to be held  
31 within the county. In those situations in which a vacancy

1 exists in a council district or at-large resident area and  
2 such vacancy is filled in the first consolidated government  
3 election or in the general consolidated government election,  
4 the council member-elect, who has been duly elected in the  
5 first consolidated government election or in the general  
6 consolidated government election, to represent said vacant  
7 district or at-large residence area, shall take office and  
8 assume and exercise all duties of office immediately after  
9 certification of said election returns, as of the date of said  
10 certification, in order to reduce the time the council  
11 district or at-large residence area is vacant and without  
12 representation.

13           Section 2. This act shall take effect upon becoming a  
14 law.

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