

## HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

**BILL #:** HB 823 w/CS Pinellas County School Board  
**SPONSOR(S):** Peterman  
**TIED BILLS:** **IDEN./SIM. BILLS:**

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Ethics & Elections	7 Y, 0 N	Mitchell	Randle
2) Procedures	27 Y, 0 N w/CS	Mitchell	Randle
3)			
4)			
5)			

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### SUMMARY ANALYSIS

In 2001, HB 559 (ch. 2001-294, Laws of Fla.) was enacted and authorized the supervisor of elections of Pinellas County to place a question on the ballot at the general election held on November 5, 2002. The question was whether the seven-member district school board shall consist of four members to be elected from single-member districts and three members elected from the county at-large. The voters of Pinellas County approved this proposal in November 2002. However, HB 559 inadvertently failed to authorize the Pinellas County School Board to properly redraw the district lines based upon this change.

HB 823 authorizes the School Board to redraw the district lines and revises the procedures for election of the membership of the Pinellas County School Board (from seven at-large members to four single-member and three at-large members). Additional requirements of the bill include:

- All elections for district school board members are nonpartisan and held at the same time as the first primary and general elections as provided by law.
- All school board members are elected to appropriately staggered terms of 4 years.
- Each candidate for election must be a qualified elector of the county.
- Each candidate for election to a single-member district must be a registered voter of that district at the time of qualifying.
- Each person elected to a single-member district is elected only by the electors residing in the single-member district for which he/she is qualified.
- Each person elected to the school board takes office 2 weeks after the general election at which he or she was elected.
- Seats 1, 2, 3, and 4 are filled from single-member districts; Seats 5, 6 and 7 are filled from the county at-large.

The bill takes effect upon becoming a law.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

**STORAGE NAME:** h0823b.pr  
**DATE:** April 16, 2003

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |                              |                             |   |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government?                | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes?                      | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom?        | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families?                 | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

#### B. EFFECT OF PROPOSED CHANGES:

Section 4(a), Article IX, Florida Constitution, provides:

(a) Each county shall constitute a school district; provided, two or more contiguous counties, upon vote of the electors of each county pursuant to law, may be combined into one school district. In each school district there shall be a school board composed of five or more members chosen by vote of the electors in a nonpartisan election for appropriately staggered terms of four years, as provided by law.

In 2001, HB 559 (ch. 2001-294, Laws of Fla.) was enacted and authorized the supervisor of elections of Pinellas County to place a question on the ballot at the general election held on November 5, 2002. The question was whether the seven-member district school board shall consist of four members to be elected from single-member districts and three members elected from the county at-large. Within each single-member district, members are elected by electors residing in that single-member district only. The three at-large members were to be elected county-wide. The voters of Pinellas County approved this proposal in November 2002. However, HB 559 inadvertently failed to authorize the Pinellas County School Board to properly redraw the district lines based upon this change.

The bill provides that during the year 2003, the School Board shall designate boundaries of the four single-member districts. It further provides that the four districts shall cover the entire county and be nearly as equal in population as possible.

HB 823 directs a conversion of the membership of the Pinellas County School Board from seven at-large members to four single-member and three at-large members. It further provides implementation of such a conversion over the next three years.

HB 823 provides for new elections beginning in the year 2004. School Board candidates will run in single-member districts 1 and 3, and one at-large seat designated as district 7 in 2004. In 2006, School Board candidates will run in single-member districts 2 and 4, and two at-large seats in districts 5 and 6. (Incumbent from at-large seat elected in 2002 may run for these seats).

The bill provides that after the year 2006, there should be 7 members who shall run in non-partisan elections for terms of 4 years. Candidates for single-member seats must be registered voters of the residence area at the time they qualify for office. Only voters in a single-member residence area may vote for the single-member candidate fro that district.

The act supersedes chapter 2001-294, Laws of Florida, (HB 559) which also provided for the election of four single-member districts and three at-large districts in Pinellas County.

HB 823 takes effect upon becoming a law.

C. SECTION DIRECTORY:

A section analysis was not conducted.

**II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS**

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN? February 7, 2003

WHERE? Tampa Bay Review, Clearwater, Pinellas County, Florida

B. REFERENDUM(S) REQUIRED? Yes  No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached  No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached  No

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES: Not Applicable.

B. RULE-MAKING AUTHORITY: Not Applicable.

C. DRAFTING ISSUES OR OTHER COMMENTS: None.

**IV. AMENDMENT/COMMITTEE SUBSTITUTE CHANGES**

At its meeting on March 27, 2003, the Subcommittee on Ethics and Elections adopted an amendment to HB 823 offered by the sponsor of the bill and reported it favorably to the Committee on Procedures.

The amendment renumbers the seven Pinellas County districts and changes the at-large districts to Districts 1, 2 and 3, and the single-member districts to Districts 4, 5, 6 and 7. The original bill provided candidates for school board would run in at-large seats in Districts 5, 6 and 7, and run in single-member seats in Districts 1, 2, 3 and 4.