

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

**BILL #:** HB 1047 CS  
**SPONSOR(S):** Sobel  
**TIED BILLS:**

Broward County

**IDEN./SIM. BILLS:**

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Local Government Council</u>	<u>7 Y, 0 N</u>	<u>Dominguez</u>	<u>Hamby</u>
2) <u>Ethics &amp; Elections Committee</u>	<u>8 Y, 0 N, w/CS</u>	<u>West</u>	<u>Mitchell</u>
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

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**SUMMARY ANALYSIS**

Chapter 75-350, L.O.F., governs municipal elections in Broward County, FL. Chapter 75-350, L.O.F., was last amended in 2004 by ch. 2004-443, L.O.F, to change provisions relating to elections dates and qualification periods.

This bill shortens the elections filing period established in ch. 2004-443, L.O.F., by seven days. The new filing period will be from noon on the first work day in January to noon on the 7<sup>th</sup> day following the first work day in January for elections held in March.

For elections held in November, the new filing period will be from noon on the first work day in September to the 7<sup>th</sup> day following the first work day in September.

The bill changes when primary elections are to be held in Broward County, calling for all primary elections to be held on the Tuesday 9 weeks prior to the corresponding general election.

The bill also clarifies that any November general elections are to be held on the first Tuesday after the first Monday in November.

The bill takes effect upon becoming a law.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

#### B. EFFECT OF PROPOSED CHANGES:

##### Background

Chapter 75-350, L.O.F., governs municipal elections in Broward County, FL. Chapter 75-350, L.O.F., was last amended in 2004 by ch. 2004-443, L.O.F., to change provisions relating to elections dates and qualification periods.

According to a report by Patricia A. Bated, City Clerk of the City of Weston, Chapter 75-350, L.O.F. was changed because of the cost of running up to 5 elections on an even year (i.e. local primary, local general, presidential primary, statewide primary and statewide general). Public participation in government was adversely affected by the scheduling of local elections and not in the best interest of the community. To realize increased citizen participation in the election process and to facilitate the most cost effective and voter friendly means available a change in the election dates was recommended.

##### Current Provisions

Currently, ch. 2004-443, L.O.F., provides the following municipal elections provisions:

An election day on the second Tuesday in March of even numbered calendar years.

- For municipal elections in March, the filing period is between noon on the first working day in January and noon on the 14<sup>th</sup> day after the first work day in January.
- A primary election, if needed, is held on the 2<sup>nd</sup> Tuesday in February of even numbered calendar years.

An election day on the second Tuesday in November on even numbered calendar years.

- For municipal elections in November, the filing period is between noon on the first work day in September and noon on the 14<sup>th</sup> day following the first work day September.
- A primary election, if needed, is held on the first Tuesday in October of even numbered calendar years.

##### Effect of Proposed Changes

This bill shortens the elections filing period established in ch. 2004-443, L.O.F., by seven days. The new filing period will be from noon on the first work day in January to noon on the 7<sup>th</sup> day following the first work day in January for elections held in March.

For elections held in November, the new filing period will be from noon on the first work day in September to the 7<sup>th</sup> day following the first work day in September.

The bill also changes when primary elections are to be held, calling for all primary elections in Broward County to be held on the Tuesday 9 weeks prior to the corresponding general election.

The bill also clarifies that any November general elections are to be held on the first Tuesday after the first Monday in November.

The bill takes effect upon becoming a law.

C. SECTION DIRECTORY:

Section 1: Amends sections 2 and 3 of ch. 2004-443, L.O.F.

Section 2: Provides that the bill takes effect upon becoming a law.

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

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN? January 10, 2005

WHERE? *Sun-Sentinel*, Ft. Lauderdale, Broward 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:

B. RULE-MAKING AUTHORITY:

C. DRAFTING ISSUES OR OTHER COMMENTS:

#### **IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES**

A Strike-all amendment was adopted in committee at the request of the sponsor and the Broward county delegation. This amendment simplifies the bill making all municipal primaries 9 weeks prior to the corresponding general election.