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CS/HB 1495

2021 Legislature

1  
 2 An act relating to the Coral Springs Improvement  
 3 District, Broward County; amending ch. 2004-469, Laws  
 4 of Florida; providing an exception to general law;  
 5 revising the number of board members; requiring  
 6 members of the Board of Supervisors of the Coral  
 7 Springs Improvement District to be elected by  
 8 qualified electors of the district; providing for  
 9 staggered terms of office for the board; providing  
 10 requirements for elections of board members and for  
 11 candidates seeking election; providing duties of the  
 12 Supervisor of Elections of Broward County; providing a  
 13 definition; providing for a referendum; providing  
 14 effective dates.

15  
 16 Be It Enacted by the Legislature of the State of Florida:

17  
 18 Section 1. Subsections (1) and (3) of section 5 of section  
 19 3 of chapter 2004-469, Laws of Florida, are amended to read:

20 Section 5. Board of supervisors; election; organization;  
 21 terms of office; quorum; report and minutes.—

22 (1) The board of supervisors of the district shall be the  
 23 governing body of the district and shall exercise the powers  
 24 granted to the district under this act and under chapter 298,  
 25 Florida Statutes. The board shall consist of five ~~three~~ members,

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26 | and except as otherwise provided herein, each member shall hold  
27 | office for a term of 4 years and until his or her successor  
28 | shall be chosen and shall qualify. ~~A majority of the members of~~  
29 | ~~the board shall be residents of Broward County, and all members~~  
30 | ~~shall be residents of Florida. All members of the board shall be~~  
31 | ~~landowners within the district.~~

32 |       (3) (a) As of November 5, 2024, the board of supervisors  
33 | shall consist of five members.

34 |       (b) Notwithstanding any provision of law to the contrary,  
35 | members of the board of supervisors shall be elected by the  
36 | qualified electors of the district. Board members shall be  
37 | elected solely by the qualified electors of the district.

38 |       (c) The board shall call an election at which the members  
39 | of the board of supervisors will be elected. Such election shall  
40 | be held in conjunction with the next general election held in  
41 | November 2024. Candidates may qualify for the offices of board  
42 | of supervisors which shall be designated as seats 1, 2, 3, 4,  
43 | and 5, each elected at large within the district. A candidate  
44 | qualifying for election must be an elector and resident of the  
45 | district. Each board member shall be elected by the qualified  
46 | electors of the district for a term of 4 years, except that, at  
47 | the first such election, the three members elected to seats 1,  
48 | 2, and 3 shall be elected for terms of 4 years each, and the  
49 | members elected to seats 4 and 5 shall be elected for terms of 2  
50 | years each. Thereafter, there shall be an election held every 2

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51 years for expiring terms and all members shall be elected for  
52 terms of 4 years each. The candidate receiving the most votes  
53 for each seat shall be elected. All elected board members must  
54 be qualified electors of the district. Members of the board of  
55 supervisors as of October 1, 2023, shall serve until the  
56 certification of the November 2024 general election results.

57 (d) Elections of board members by qualified electors held  
58 pursuant to this subsection shall be nonpartisan and shall be  
59 conducted in the manner prescribed by law for holding general  
60 elections. Board members shall assume the office on the second  
61 Tuesday following their election.

62 (e) Candidates seeking election to office by qualified  
63 electors under this subsection shall conduct their campaigns in  
64 accordance with the provisions of chapter 106, Florida Statutes,  
65 and shall file qualifying papers and qualify for individual  
66 seats in accordance with s. 99.061, Florida Statutes. Candidates  
67 shall pay a qualifying fee, which shall consist of a filing fee  
68 and an election assessment or, as an alternative, shall file a  
69 petition signed by not less than 1 percent of the qualified  
70 electors of the district, and take the oath required in s.  
71 99.021, Florida Statutes, with the Supervisor of Elections of  
72 Broward County. The amount of the filing fee is 3 percent of the  
73 annual salary of the office. The amount of the election  
74 assessment is 1 percent of the annual salary of the office. The  
75 filing fee and election assessment shall be distributed as

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76 provided in s. 105.031(3), Florida Statutes.

77 (f) The Supervisor of Elections of Broward County shall  
 78 appoint the inspectors and clerks of elections, prepare and  
 79 furnish the ballots, designate polling places, and canvass the  
 80 returns of the election of board members by qualified electors.  
 81 The county canvassing board shall declare and certify the  
 82 results of the election.

83 (g) Subsections (4)-(8) shall apply to a board of  
 84 supervisors elected pursuant to this subsection.

85 (h) The terms "qualified elector" and "elector" mean any  
 86 person at least 18 years of age who is a citizen of the United  
 87 States, a permanent resident of this state, and a resident of  
 88 the district who registers with the supervisor of elections of  
 89 the county within which the district lands are located when the  
 90 registration books are open. In the month of June of each fourth  
 91 year commencing June of 1971, there shall be held a meeting of  
 92 the landowners of the district at the office of the district in  
 93 Broward County for the purpose of electing three supervisors for  
 94 said district. Notice of said landowners' meeting shall be  
 95 published once a week for 2 consecutive weeks in a newspaper in  
 96 Broward County that is in general circulation in the district,  
 97 the last of said publication to be not less than 14 days nor  
 98 more than 28 days before the date of the election. The  
 99 landowners, when assembled at such meeting, shall organize by  
 100 electing a chair who shall conduct the meeting. At such meeting,

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101 ~~each landowner shall be entitled to cast one vote per acre of~~  
 102 ~~land owned by him or her and located within the district for~~  
 103 ~~each person to be elected. A landowner may vote in person or by~~  
 104 ~~proxy in writing. Fractions of an acre shall be treated as one~~  
 105 ~~acre, entitling the landowner to one vote with respect thereto.~~  
 106 ~~The three persons receiving the highest number of votes for the~~  
 107 ~~office of supervisor shall be declared elected.~~

108 Section 2. Referendum election.-

109 (1) The referendum election called for by this act shall  
 110 be held on November 8, 2022, the 2022 General Election.

111 (2) The ballot title for the referendum question shall be  
 112 in substantially the following form:

113 AMENDING DISTRICT CHARTER PROVIDING FOR ELECTION OF  
 114 DISTRICT SUPERVISORS BY MAJORITY OF ALL QUALIFIED ELECTORS

115 (3) The referendum question shall be placed on the ballot  
 116 in substantially the following form:

117 Shall Chapter 2021- , Laws of Florida, amending the  
 118 Coral Springs Improvement District Charter, adding two  
 119 members to the District Board of Supervisors and providing  
 120 that the members of the District Board of Supervisors shall  
 121 be elected by majority vote of all qualified electors of  
 122 the district instead of just landowners for four year  
 123 terms, with staggered elections every two years beginning  
 124 in November 2024, become effective?

125 ( ) YES.

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126 |           (        ) NO.

127 |           (4) In the event this question is answered affirmatively  
 128 | by a majority of the qualified voters voting in the referendum,  
 129 | the charter amendment will take effect. The referendum election  
 130 | shall be conducted by the Supervisor of Elections of Broward  
 131 | County in accordance with the Florida Election Code.

132 |           Section 3. This act shall take effect upon its approval by  
 133 | a majority vote of the qualified electors of the Coral Springs  
 134 | Improvement District voting in a referendum conducted in  
 135 | accordance with the provisions of law relating to elections  
 136 | currently in force, except this section and section 2 shall take  
 137 | effect upon becoming a law.