

1                                   A bill to be entitled  
 2           An act relating to the Pine Tree Water Control  
 3           District, Broward County; amending ch. 2001-320, Laws  
 4           of Florida; providing an exception to general law;  
 5           requiring members of the Board of Supervisors be  
 6           elected through a general election; providing for  
 7           staggered terms; providing requirements for elections  
 8           of the board and candidates seeking election;  
 9           requiring the Supervisor of Elections of Broward  
 10          County to appoint certain persons, prepare and furnish  
 11          ballots, designate polling places, and canvass the  
 12          returns; providing definitions; providing for  
 13          declaration and certification of election results;  
 14          providing requirements for a referendum; providing  
 15          effective dates.

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

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 19           Section 1. Subsection (1) of section 5 of section 3 of  
 20           chapter 2001-320, Laws of Florida, is amended to read:

21           Section 5. Board; election; organization; terms of office;  
 22           vacancy; quorum.—

23           (1) The Board of the District shall be the governing body  
 24           of the District and shall exercise the powers granted to the  
 25           District under this Act and under chapters 189 and 298, Florida

26 Statutes. The District is an independent special district as  
27 defined in section 189.012(3) ~~section 189.403(3)~~, Florida  
28 Statutes. The Board shall consist of five members and,  
29 notwithstanding any other provision of law to the contrary,  
30 three members of the Board of Supervisors shall be elected by  
31 the qualified electors of the District. Election of the Board by  
32 the qualified electors shall be the exclusive method for the  
33 elections of the members of the Board of Supervisors. The fourth  
34 member of the Board of Supervisors shall be appointed by the  
35 City Commission of the City of Coral Springs and shall serve as  
36 a member of the Board until replaced. The fifth member of the  
37 Board of Supervisors shall be appointed by the City Commission  
38 of the City of Parkland and shall serve as a member of the Board  
39 until replaced ~~except as otherwise provided herein, each member~~  
40 ~~shall be elected in compliance with all applicable election laws~~  
41 ~~by the landowners of the District. Commencing in 1994 and every~~  
42 ~~2 years thereafter, two members of the Board shall be elected by~~  
43 ~~the landowners of the District. The member receiving the highest~~  
44 ~~number of votes shall be elected for a 4-year term and the~~  
45 ~~member receiving the second highest number of votes shall be~~  
46 ~~elected for a 2-year term. The fourth and fifth members of the~~  
47 ~~Board of Supervisors shall be appointed by the City of Coral~~  
48 ~~Springs City Commission and the City of Parkland City~~  
49 ~~Commission, respectively, and shall serve as members of the~~  
50 ~~Board until replaced. All of the members shall be residents of~~

51 ~~Broward County and all members shall be residents of Florida and~~  
52 ~~shall be landowners within the District.~~

53 (a) The Board shall call an election at which the members  
54 of the Board of Supervisors will be elected. Such election shall  
55 be held in conjunction with the next general election in  
56 November 2024. Candidates may qualify for the offices of Board  
57 of Supervisors, designated as seat 1, seat 2, and seat 3, each  
58 elected at large within the District. A candidate qualifying for  
59 election must be an elector and resident of the District. Each  
60 Board member shall be elected by the qualified electors of the  
61 District for a term of 4 years, except that, at the first such  
62 election, the two members elected to seat 1 and seat 2 shall be  
63 elected for a term of 4 years each, and the member elected to  
64 seat 3 shall be elected for a term of 2 years. Thereafter, there  
65 shall be an election held every 2 years for expiring terms and  
66 all members shall be elected for terms of 4 years each. The  
67 candidate receiving the most votes for each seat shall be  
68 elected. All elected Board members must be qualified electors of  
69 the District. Members of the Board of Supervisors as of October  
70 1, 2023, shall serve until the certification of the November  
71 2024 general election results.

72 (b) Elections of board members by qualified electors held  
73 pursuant to this subsection shall be nonpartisan and shall be  
74 conducted in the manner prescribed by law for holding general  
75 elections. Board members shall assume the office on the second

76 Tuesday following their election.

77 (c) Candidates seeking election to office by qualified  
78 electors under this subsection shall conduct their campaigns in  
79 accordance with the provisions of chapter 106, Florida Statutes,  
80 and shall file qualifying papers and qualify for individual  
81 seats in accordance with section 99.061, Florida Statutes.  
82 Candidates shall pay a qualifying fee, which shall consist of a  
83 filing fee and election assessment or, as an alternative, shall  
84 file a petition signed by not less than 1 percent of the  
85 qualified electors for the District, and take the oath required  
86 in section 99.021, Florida Statutes, with the Supervisor of  
87 Elections of Broward County. The amount of the filing fee is 3  
88 percent of the annual salary of the office. The amount of the  
89 election assessment is 1 percent of the annual salary of the  
90 office. The filing fee and election assessment shall be  
91 distributed as provided in section 105.031(3), Florida Statutes.

92 (d) The Supervisor of Elections of Broward County shall  
93 appoint the inspectors and clerks of elections, prepare and  
94 furnish the ballots, designate polling places, and canvass the  
95 returns of the election of Board members by qualified electors.  
96 The county canvassing board shall declare and certify the  
97 results of the election.

98 (e) Subsections (2) and (3) shall apply to a Board of  
99 Supervisors elected pursuant to this subsection.

100 (f) The terms "qualifying elector" and "elector" shall

101 mean any person at least 18 years of age who is a citizen of the  
 102 United States, a permanent resident of Florida, and a resident  
 103 of the District who registers with the supervisor of elections  
 104 of the county in which the District lands are located when the  
 105 registration books are open.

106 Section 2. Referendum election.—

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

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

111 AMENDING DISTRICT CHARTER PROVIDING FOR ELECTION OF  
 112 DISTRICT SUPERVISORS BY MAJORITY OF ALL QUALIFIED ELECTORS

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

115 Shall Chapter 2021- , Laws of Florida, amending the  
 116 Pine Tree Water Control District Charter, providing for a  
 117 five member District Board of Supervisors, with three  
 118 members elected by majority vote of all qualified electors  
 119 of the district for four year terms, with staggered  
 120 elections every two years beginning in November 2024, one  
 121 member appointed by the City of Coral Springs, and one  
 122 member appointed by the City of Parkland, become effective?

123 ( ) YES.

124 ( ) NO.

125 (4) In the event this question is answered affirmatively

126 | by a majority of the qualified voters voting in the referendum,  
127 | the charter amendment will take effect. The referendum election  
128 | shall be conducted by the Supervisor of Elections of Broward  
129 | County in accordance with the Florida Election Code.

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