

ENROLLED

CS/CS/HB 1501

2021 Legislature

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An act relating to the Sunshine Drainage District, Broward County; amending ch. 63-609, Laws of Florida; revising the number of members of the board of supervisors; providing an exception to general law; providing for members of the board of supervisors to be elected by qualified electors of the district; providing for staggered terms; requiring nonpartisan elections; providing requirements for candidates; providing election duties of the supervisor of elections; providing a definition; providing requirements for a referendum; providing effective dates.

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

Section 1. Section 16 of chapter 63-609, Laws of Florida, is created to read:

Section 16. (1) As of November 5, 2024, the board of supervisors shall consist of five members.

(2) Notwithstanding any provision of law to the contrary, members of the board of supervisors shall be elected by the qualified electors of the district. Election of board members by the qualified electors shall be the exclusive method for the election of the members of the board of supervisors.

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26 (3) The board shall call an election at which the members
27 of the board of supervisors will be elected. Such election shall
28 be held in conjunction with the general election in November
29 2024. Candidates may qualify for the offices of board of
30 supervisors, which shall be designated as seat 1, seat 2, seat
31 3, seat 4, and seat 5, each elected at large within the
32 district. A candidate qualifying for election must be an elector
33 and resident of the district. Each board member shall be elected
34 by the qualified electors of the district for a term of 4 years,
35 except that, at the first such election, the three members
36 elected to seat 1, seat 2, and seat 3 shall be elected for terms
37 of 4 years each, and the two members elected to seat 4 and seat
38 5 shall be elected for terms of 2 years each. Thereafter, there
39 shall be an election held every 2 years for expiring terms and
40 all members shall be elected for terms of 4 years each. The
41 candidate receiving the most votes for each seat shall be
42 elected. All elected board members must be qualified electors of
43 the district. Members of the board of supervisors as of October
44 1, 2023, shall serve until the certification of the November
45 2024 general election results.

46 (4) Elections of board members by qualified electors held
47 pursuant to this section shall be nonpartisan and shall be
48 conducted in a manner prescribed by law for holding general
49 elections. Board members shall assume the office on the second
50 Tuesday following their election.

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51 (5) Candidates seeking election to office by qualified
52 electors under this subsection shall conduct their campaigns in
53 accordance with the provisions of Chapter 106, Florida Statutes,
54 and shall file qualifying papers and qualify for individual
55 seats in accordance with Section 99.061, Florida Statutes.
56 Candidates shall pay a qualifying fee, which shall consist of a
57 filing fee and election assessment or, as an alternative, shall
58 file a petition signed by not less than 1 percent of the
59 qualified electors of the district, and take the oath required
60 in Section 99.021, Florida Statutes, with the Supervisor of
61 Elections of Broward County. The amount of the filing fee is 3
62 percent of the annual salary of the office. The amount of the
63 election assessment is 1 percent of the annual salary of the
64 office. The filing fee and election assessment shall be
65 distributed as provided in Section 105.031(3), Florida Statutes.

66 (6) The Supervisor of Elections of Broward County shall
67 appoint the inspector and clerks of elections, prepare and
68 furnish the ballots, designate polling places, and canvass the
69 returns of the election of board members by qualified electors.
70 The county canvassing board shall declare and certify the
71 results of the election.

72 (7) The terms "qualified elector" and "elector" mean any
73 person at least 18 years of age who is a citizen of the United
74 States, a permanent resident of the state, and a resident of the
75 county within which the district lands are location when the

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76 | registration books are open.

77 | Section 2. Referendum election.—

78 | (1) The referendum election called for by this act shall
 79 | be held on November 8, 2022, the 2022 general election.

80 | (2) The ballot title for the referendum question shall be
 81 | in substantially the following form:

82 | AMENDING DISTRICT CHARTER PROVIDING FOR ELECTION OF
 83 | DISTRICT SUPERVISORS BY MAJORITY OF ALL QUALIFIED ELECTORS

84 | (3) The referendum question shall be placed on the ballot
 85 | in substantially the following form:

86 | Shall Chapter 2021- , Laws of Florida, amending the
 87 | Sunshine Drainage District Charter, adding two members to
 88 | the District Board of Supervisors and providing that the
 89 | members of the District Board of Supervisors shall be
 90 | elected by majority vote of all qualified electors of the
 91 | district instead of just landowners for four year terms,
 92 | with staggered elections every two years beginning in
 93 | November 2024, become effective?

94 | () YES.

95 | () NO.

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

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101 Section 3. This act shall take effect upon its approval by
102 a majority vote of the qualified electors of the Sunshine
103 Drainage District voting in a referendum conducted in accordance
104 with the provisions of law relating to elections currently in
105 force, except this section and section 2 shall take effect upon
106 becoming a law.