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CS/CS/HB 1503

2021 Legislature

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 2 An act relating to North Springs Improvement District,
 3 Broward County; amending ch. 2005-341, Laws of
 4 Florida, as amended; revising a definition; revising
 5 the number of board members; requiring members to be
 6 residents of the district; providing designated seats
 7 for supervisors; providing for repeal unless reviewed
 8 and saved from repeal by the Legislature; providing an
 9 exception to general law; requiring that the board of
 10 supervisors be elected by the qualified electors of
 11 the district; providing definitions; providing
 12 requirements for a referendum; providing effective
 13 dates.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Effective November 5, 2030, subsection (1) of
 18 section 5 of section 3 of chapter 2005-341, Laws of Florida, as
 19 amended by chapter 2007-285, Laws of Florida, is amended to
 20 read:

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

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 chapter 298, Florida Statutes.

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

33 Section 2. Subsection (11) of section 4 and subsections
 34 (2) and (9) of section 5 of section 3 of chapter 2005-341, Laws
 35 of Florida, as amended by chapter 2007-285, Laws of Florida, are
 36 amended, and subsection (10) is added to section 5 of that
 37 section, to read:

38 Section 4. Definitions.—Unless the context shall indicate
 39 otherwise, the following words as used in this act shall have
 40 the following meanings:

41 (11) "Qualified elector" and "elector" mean ~~means~~ any
 42 person at least 18 years of age who is a citizen of the United
 43 States, a permanent legal ~~legal~~ resident of the state, and a resident
 44 of the district ~~and~~ who registers to vote with the supervisor of
 45 elections of the county in which the district lands are located
 46 when the registration books are open ~~Supervisor of Elections of~~
 47 ~~Broward County.~~

48 Section 5. Board; election; organization; terms of office;
 49 quorum; report and minutes.—

50 (2) In the month of June of each fourth year commencing

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51 June of 1972, there shall be held a meeting of the landowners of
52 the district at the office of the district in Broward County,
53 for the purpose of electing three supervisors for said district.
54 One supervisor, designated as seat 1, shall be elected solely by
55 those landowners owning property within the city limits of the
56 City of Parkland, and this supervisor must be a landowner who
57 owns property within the city limits of the City of Parkland.
58 One supervisor, designated as seat 2, shall be elected solely by
59 those landowners owning property within the city limits of the
60 City of Coral Springs, and this supervisor must be a landowner
61 who owns property within the city limits of the City of Coral
62 Springs. One supervisor, designated as seat 3, shall be elected
63 at large by all landowners of the district, regardless of where
64 his or her property is located. Candidates for each supervisor
65 position will be nominated during the meeting of landowners, and
66 the nominee who receives the highest number of votes for a
67 supervisor position shall be declared elected. Notice of said
68 landowners' meeting shall be published once a week for 2
69 consecutive weeks in a newspaper in Broward County which is in
70 general circulation within the district, the last of said
71 publication to be not less than 14 days nor more than 28 days
72 before the date of the election. The landowners when assembled
73 at such meeting shall organize by electing a chair that shall
74 conduct the meeting. At such meeting each landowner shall be
75 entitled to cast one vote per acre of land owned by him or her

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76 | and located within the district. A landowner may vote in person
77 | or by proxy in writing. Fractions of an acre shall be treated as
78 | 1 acre, entitling the landowner to one vote with respect
79 | thereto. This subsection is repealed November 5, 2030, unless
80 | reviewed and saved from repeal by the Legislature.

81 | (9) (a) Pursuant to the transition schedule in subsection
82 | (10) and notwithstanding any provision of law to the contrary,
83 | the board shall be elected solely by the qualified electors of
84 | the district. ~~The board of supervisors may, upon vote of a~~
85 | ~~majority of the board, determine to convert to a board of~~
86 | ~~supervisors elected by the qualified electors of the district.~~
87 | ~~Upon the call of an election for such purpose by the board as~~
88 | ~~provided in paragraph (b), election of the board by the~~
89 | ~~qualified electors shall thereafter be the exclusive method for~~
90 | ~~the election of the members of the board of supervisors.~~

91 | ~~(b) Upon vote of the board of supervisors pursuant to~~
92 | ~~paragraph (a),~~ The board shall call an election at which the
93 | members of the board of supervisors will be elected. Such
94 | election shall be held in conjunction with the next general
95 | election in November. Candidates may qualify for the offices of
96 | board of supervisors seat 1, seat 2, and seat 3, each elected at
97 | large within the district. A candidate qualifying for election
98 | to seat 1 must be an elector and resident of the City of
99 | Parkland. A candidate qualifying for election to seat 2 must be
100 | an elector and resident of the City of Coral Springs. A

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101 candidate qualifying for election to seat 3 must be an elector
102 and resident of the district. Beginning in 2030, candidates may
103 qualify for the offices of board of supervisors seat 4 and seat
104 5, each elected at large within the district. A candidate
105 qualifying for election to seat 4 or seat 5 must be an elector
106 and resident of the district. Each board member shall be elected
107 by the qualified electors of the district for a term of 4 years,
108 except as otherwise provided by law that, ~~at the first such~~
109 ~~election, the two members elected to seat 1 and seat 2 shall be~~
110 ~~elected for a term of 4 years, and the member elected to seat 3~~
111 ~~shall be elected for a term of 2 years. Thereafter, there shall~~
112 ~~be an election held every 2 years for expiring terms and all~~
113 ~~members shall be elected for terms of 4 years each. The~~
114 candidate receiving the most votes for each seat shall be
115 elected. ~~All elected board members must be qualified electors of~~
116 ~~the district.~~

117 (b) ~~(e)~~ Elections of board members by qualified electors
118 held pursuant to this subsection shall be nonpartisan and shall
119 be conducted in the manner prescribed by law for holding general
120 elections. Board members shall assume the office on the second
121 Tuesday following their election.

122 (c) ~~(d)~~ Candidates seeking election to office by qualified
123 electors under this subsection shall conduct their campaigns in
124 accordance with the provisions of chapter 106, Florida Statutes,
125 and shall file qualifying papers and qualify for individual

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126 seats in accordance with section 99.061, Florida Statutes.
127 Candidates shall pay a qualifying fee, which shall consist of a
128 filing fee and election assessment or, as an alternative, shall
129 file a petition signed by not less than 1 percent of the
130 qualified electors of the district, and take the oath required
131 in section 99.021, Florida Statutes, with the Supervisor of
132 Elections of Broward County. The amount of the filing fee is 3
133 percent of \$4,800. The amount of the election assessment is 1
134 percent of \$4,800. The filing fee and election assessment shall
135 be distributed as provided in section 105.031 (3), Florida
136 Statutes.

137 (d)~~(e)~~ The Supervisor of Elections of Broward County shall
138 appoint the inspectors and clerks of elections, prepare and
139 furnish the ballots, designate polling places, and canvass the
140 returns of the election of board members by qualified electors.
141 The county canvassing board shall declare and certify the
142 results of the election.

143 ~~(f) The provisions of subsections (3), (4), (5), (6), and~~
144 ~~(7) shall apply to a board of supervisors elected pursuant to~~
145 ~~this subsection.~~

146 (10) (a) Effective June 1, 2026, the board of supervisors
147 seat 3 shall be elected by a majority vote of the qualified
148 electors of the district for a 4-year term during the next
149 general election.

150 (b) Effective June 1, 2028, the board of supervisors seat

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151 2 shall be elected by a majority vote of the qualified electors
 152 of the district for a 4-year term during the next general
 153 election.

154 (c) Effective November 5, 2030:

155 1. The board of supervisors seat 1 shall be elected by a
 156 majority vote of the qualified electors of the district for a 4-
 157 year term.

158 2. The board of supervisors seat 4 shall be elected by a
 159 majority vote of the qualified electors of the district for a 2-
 160 year term. Thereafter, all terms shall be for a period of 4
 161 years.

162 3. The board of supervisors seat 5 shall be elected by a
 163 majority vote of the qualified electors of the district for a 4-
 164 year term.

165 Section 3. Referendum election.-

166 (1) The referendum election called for by this act shall
 167 be held on November 5, 2024, the 2024 General Election.

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

170 AMENDING DISTRICT CHARTER PROVIDING FOR ELECTION OF
 171 DISTRICT SUPERVISORS BY MAJORITY OF ALL QUALIFIED ELECTORS

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

174 Shall Chapter 2021- , Laws of Florida, amending the
 175 North Springs Improvement District Charter, providing that

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176 | the members of the District Board of Supervisors shall be
 177 | elected by majority vote of all qualified electors of the
 178 | district instead of just landowners for four year terms,
 179 | with staggered elections every two years beginning in
 180 | November 2026, with two additional seats elected in 2030,
 181 | become effective?

182 | () YES.

183 | () NO.

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

189 | Section 4. This act shall take effect upon its approval by
 190 | a majority vote of the qualified electors of the North Springs
 191 | Improvement District voting in a referendum conducted in
 192 | accordance with the provisions of law relating to elections
 193 | currently in force, except that section 1 shall take effect on
 194 | November 5, 2030, if approved by a majority vote of the
 195 | qualified electors of the North Springs Improvement District
 196 | voting in a referendum and this section and section 3 shall take
 197 | effect upon becoming a law.