

By the Committees on Ethics and Elections; and Environment and Natural Resources; and Senator Hutson

582-02834-22

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1 A bill to be entitled
2 An act relating to soil and water conservation
3 districts; amending s. 582.15, F.S.; providing for the
4 subdivision of certain proposed soil and water
5 conservation districts; requiring the Department of
6 Agriculture and Consumer Services to subdivide certain
7 proposed soil and water conservation districts;
8 amending s. 582.18, F.S.; requiring the supervisors of
9 each soil and water conservation district to be
10 elected from each of the district's subdivisions;
11 providing for the initial terms of office of
12 candidates elected in each district subdivision;
13 amending s. 582.19, F.S.; providing qualification
14 requirements for supervisors to serve on the governing
15 body of a soil and water conservation district;
16 requiring candidates to submit a specified affirmation
17 at the time of qualifying; requiring all supervisors
18 of soil and water conservation district governing
19 bodies to be elected at the 2022 general election;
20 specifying that subsequent elections will be held
21 according to certain provisions; providing for the
22 subdivision of certain soil and water conservation
23 districts by a specified date; requiring the
24 department to subdivide certain soil and water
25 conservation districts by a specified date; providing
26 transitional provisions regarding the implementation
27 of newly subdivided districts and the election of
28 supervisors; providing an effective date.
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30 Be It Enacted by the Legislature of the State of Florida:

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32 Section 1. Subsection (4) is added to section 582.15,
33 Florida Statutes, to read:

34 582.15 Organization of district, etc.—

35 (4) After the Department of Agriculture and Consumer
36 Services has determined that operation of a proposed district is
37 administratively practicable and feasible, the district shall be
38 subdivided into five numbered subdivisions that match, as
39 practicable, the boundaries of either the five county commission
40 districts or five school board districts within the county. When
41 neither the county commission nor the school board is subdivided
42 into five districts, the department shall subdivide the district
43 into five numbered subdivisions as nearly equal in area as
44 practicable to ensure geographical representation within that
45 soil and water conservation district's governing body.

46 Section 2. Subsection (1) of section 582.18, Florida
47 Statutes, is amended to read:

48 582.18 Election of supervisors of each district.—

49 (1) The election of supervisors for each soil and water
50 conservation district shall be held every 2 years, with one
51 supervisor elected from each of the five numbered subdivisions
52 created by the department pursuant to s. 582.15(4). The
53 elections shall be held at the time of the general election
54 provided for by s. 100.041. The office of the supervisor of a
55 soil and water conservation district is a nonpartisan office,
56 and candidates for such office are prohibited from campaigning
57 or qualifying for election based on party affiliation.

58 (a) Each candidate for supervisor for such district must

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59 ~~shall~~ qualify as directed by chapter 99.

60 (b) Each nominee who collects or expends campaign
61 contributions shall conduct her or his campaign for supervisor
62 of a soil and water conservation district in accordance with the
63 provisions of chapter 106. Candidates who neither receive
64 contributions nor make expenditures, other than expenditures for
65 verification of signatures on petitions, are exempt from the
66 provisions of chapter 106 requiring establishment of bank
67 accounts and appointment of a campaign treasurer, but shall file
68 periodic reports as required by s. 106.07.

69 (c) The names of all nominees on behalf of whom such
70 nominating petitions have been filed shall appear upon ballots
71 in accordance with the general election laws. All qualified
72 electors residing within the district shall be eligible to vote
73 in such election. The candidates who receive the largest number
74 of the votes cast from each group of candidates in such election
75 shall be the elected supervisors from such group for such
76 district. In the case of a newly created district participating
77 in a regular election for the first time, ~~three groups of~~
78 candidates shall be elected from district subdivisions 1, 3, and
79 5 for terms of 4 years, and candidates ~~two groups~~ shall be
80 elected from district subdivisions 2 and 4 for initial terms of
81 2 years. Each candidate elected shall assume office on the first
82 Tuesday after the first Monday in January following the
83 election.

84 Section 3. Subsection (1) of section 582.19, Florida
85 Statutes, is amended to read:

86 582.19 Qualifications and tenure of supervisors.—

87 (1) The governing body of the district shall consist of

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88 five supervisors, elected as provided in s. 582.18 hereinabove.

89 (a) To qualify to serve on the governing body of a
90 district, a supervisor must:

91 1. Be an eligible voter who resides within the numbered
92 subdivision from which she or he is elected; and

93 2. Be actively engaged in, or retired after 15 years of
94 being engaged in, agriculture as defined in s. 570.02 or be
95 employed by an agricultural producer.

96 (b) If, 1 week before the qualifying period, a district
97 subdivision does not have a candidate who meets the
98 qualification requirements of subparagraph (a)1., any eligible
99 voter who resides in the district and who meets the
100 qualification requirements of subparagraph (a)2. may seek to be
101 elected in that district subdivision.

102 (c) At the time of qualifying, a candidate for supervisor
103 shall submit an affirmation in substantially the following form:

104
105 State of Florida

106 County of

107
108 Statement of Candidate for Supervisor of Soil and Water
109 Conservation District

110
111 I, ...(Name of candidate)..., a candidate for Supervisor of
112 Soil and Water Conservation District, meet the qualifications
113 pursuant to s. 582.19(1), Florida Statutes, to serve on the
114 governing body of the Soil and Water Conservation District.

115 ...(Signature of candidate)...

116 ...(Address)...

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Sworn to and subscribed before me this day of
....., ... (year)...., at County, Florida.

Section 4. (1) Each supervisor for a soil and water
conservation district governing body shall be elected at the
2022 general election. After the 2022 general election,
candidates shall be elected pursuant to s. 582.18(1)(c), Florida
Statutes, as amended by this act, and subsection (3).

(2) By January 1, 2023, a district in existence on July 1,
2022, which was not subdivided in its initial creation pursuant
to chapter 582, Florida Statutes, must be subdivided into five
numbered subdivisions that match, as practicable, the boundaries
of either the five county commission districts or five school
board districts in the county. When neither the county
commission nor the school board is subdivided into five
districts, the Department of Agriculture and Consumer Services
shall subdivide the district into five numbered subdivisions as
nearly equal in area as practicable to ensure geographical
representation within that soil and water conservation
district's governing body.

(3) The following procedures apply to the election of
supervisors of soil and water conservation districts subdivided
by the department pursuant to subsection (2):

(a) District governing body seats 1, 3, and 5, which have
terms that initially expired in January 2025 or 2027, as
applicable depending on the year in which the district was
formed, shall represent district subdivisions 1, 3, and 5,
respectively. Such seats shall be filled for a term of 4 years.

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146 (b) District governing body seats 2 and 4, which have terms
147 that initially expired in January 2025 or 2027, as applicable
148 depending on the year in which the district was formed, shall
149 represent district subdivisions 2 and 4, respectively. Such
150 seats shall initially be filled for a term of 2 years in order
151 to achieve staggered terms; thereafter, any such seats shall be
152 filled for a term of 4 years as provided under s. 582.19,
153 Florida Statutes.

154 Section 5. This act shall take effect upon becoming a law.