

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

576-03522-22

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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:

31  
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 and that the district  
38 boundaries are wholly located in one county, the district must  
39 be subdivided into five numbered subdivisions that match, as  
40 practicable, the boundaries of either the five county commission  
41 districts or five school board districts within the county. When  
42 neither the county commission nor the school board is subdivided  
43 into five districts, or when the district is comprised of  
44 multiple counties, the department shall subdivide the district  
45 into five numbered subdivisions as nearly equal in area as  
46 practicable to ensure geographical representation within that  
47 soil and water conservation district's governing body.

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

50 582.18 Election of supervisors of each district.—

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

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59 or qualifying for election based on party affiliation.

60 (a) Each candidate for supervisor for such district must  
61 ~~shall~~ qualify as directed by chapter 99.

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

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

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

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88 582.19 Qualifications and tenure of supervisors.—

89 (1) The governing body of the district shall consist of  
90 five supervisors, elected as provided in s. 582.18 hereinabove.

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

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

95 2. Be actively engaged in, or retired after 10 years of  
96 being engaged in, agriculture as defined in s. 570.02; be  
97 employed by an agricultural producer; or own, lease, or actively  
98 be employed on land classified as agricultural under s. 193.461  
99 which has an annual gross revenue of more than \$500,000.

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

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

108  
109 State of Florida

110 County of ....

111  
112 Statement of Candidate for Supervisor of Soil and Water  
113 Conservation District

114  
115 I, ... (Name of candidate) ..., a candidate for Supervisor of  
116 Soil and Water Conservation District, meet the qualifications

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117 pursuant to s. 582.19(1), Florida Statutes, to serve on the  
 118 governing body of the Soil and Water Conservation District.  
 119 ...(Signature of candidate)...  
 120 ...(Address)...

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

125 Section 4. (1) Each supervisor for a soil and water  
 126 conservation district governing body shall be elected at the  
 127 2022 general election. After the 2022 general election,  
 128 candidates shall be elected pursuant to s. 582.18(1)(c), Florida  
 129 Statutes, as amended by this act, and subsection (3).

130 (2) By January 1, 2023, a district in existence on July 1,  
 131 2022, which was not subdivided in its initial creation pursuant  
 132 to chapter 582, Florida Statutes, and whose district boundaries  
 133 are wholly located in one county must be subdivided into five  
 134 numbered subdivisions that match, as practicable, the boundaries  
 135 of either the five county commission districts or five school  
 136 board districts in the county. When neither the county  
 137 commission nor the school board is subdivided into five  
 138 districts, or when the district is comprised of multiple  
 139 counties, the Department of Agriculture and Consumer Services  
 140 shall subdivide the district into five numbered subdivisions as  
 141 nearly equal in area as practicable to ensure geographical  
 142 representation within that soil and water conservation  
 143 district's governing body.

144 (3) The following procedures apply to the election of  
 145 supervisors of soil and water conservation districts subdivided

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146 by the department pursuant to subsection (2):

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

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

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