

20221078er

1
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; creating s. 582.195, F.S.;
18 requiring mandatory public meetings at least annually
19 for the supervisors of soil and water conservation
20 districts; creating s. 582.295, F.S.; providing for
21 the automatic dissolution of soil and water
22 conservation districts under certain conditions;
23 providing for the transfer of the assets and
24 liabilities of such districts to the department;
25 exempting automatic dissolutions from specified
26 provisions; dissolving the Baker Soil and Water
27 Conservation District and the Martin Soil and Water
28 Conservation District; transferring the assets and
29 liabilities of those districts to the department;

20221078er

30 requiring all supervisors of soil and water
31 conservation district governing bodies to be elected
32 at the 2022 general election; specifying that
33 subsequent elections will be held according to certain
34 provisions; providing for the subdivision of certain
35 soil and water conservation districts by a specified
36 date; requiring the department to subdivide certain
37 soil and water conservation districts by a specified
38 date; providing transitional provisions regarding the
39 implementation of newly subdivided districts and the
40 election of supervisors; providing an effective date.

41
42 Be It Enacted by the Legislature of the State of Florida:

43
44 Section 1. Subsection (4) is added to section 582.15,
45 Florida Statutes, to read:

46 582.15 Organization of district, etc.—

47 (4) After the Department of Agriculture and Consumer
48 Services has determined that operation of a proposed district is
49 administratively practicable and feasible and that the district
50 boundaries are wholly located in one county, the district must
51 be subdivided into five numbered subdivisions that match, as
52 practicable, the boundaries of either the five county commission
53 districts or five school board districts within the county. When
54 neither the county commission nor the school board is subdivided
55 into five districts, or when the district is comprised of
56 multiple counties, the department shall subdivide the district
57 into five numbered subdivisions as nearly equal in area as
58 practicable to ensure geographical representation within that

20221078er

59 soil and water conservation district's governing body.

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

62 582.18 Election of supervisors of each district.—

63 (1) The election of supervisors for each soil and water
64 conservation district shall be held every 2 years, with one
65 supervisor elected from each of the five numbered subdivisions
66 created by the department pursuant to s. 582.15(4). The
67 elections shall be held at the time of the general election
68 provided for by s. 100.041. The office of the supervisor of a
69 soil and water conservation district is a nonpartisan office,
70 and candidates for such office are prohibited from campaigning
71 or qualifying for election based on party affiliation.

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

74 (b) Each nominee who collects or expends campaign
75 contributions shall conduct her or his campaign for supervisor
76 of a soil and water conservation district in accordance with the
77 provisions of chapter 106. Candidates who neither receive
78 contributions nor make expenditures, other than expenditures for
79 verification of signatures on petitions, are exempt from the
80 provisions of chapter 106 requiring establishment of bank
81 accounts and appointment of a campaign treasurer, but shall file
82 periodic reports as required by s. 106.07.

83 (c) The names of all nominees on behalf of whom such
84 nominating petitions have been filed shall appear upon ballots
85 in accordance with the general election laws. All qualified
86 electors residing within the district shall be eligible to vote
87 in such election. The candidates who receive the largest number

20221078er

88 of the votes cast from each group of candidates in such election
89 shall be the elected supervisors from such group for such
90 district. In the case of a newly created district participating
91 in a regular election for the first time, ~~three groups of~~
92 candidates shall be elected from district subdivisions 1, 3, and
93 5 for terms of 4 years, and candidates ~~two groups~~ shall be
94 elected from district subdivisions 2 and 4 for initial terms of
95 2 years. Each candidate elected shall assume office on the first
96 Tuesday after the first Monday in January following the
97 election.

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

100 582.19 Qualifications and tenure of supervisors.—

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

103 (a) To qualify to serve on the governing body of a
104 district, a supervisor must be an eligible voter who resides in
105 the district and who:

106 1. Is actively engaged in, or retired after 10 years of
107 being engaged in, agriculture as defined in s. 570.02;

108 2. Is employed by an agricultural producer; or

109 3. Owns, leases, or is actively employed on land classified
110 as agricultural under s. 193.461.

111 (b) At the time of qualifying, a candidate for supervisor
112 shall submit an affirmation in substantially the following form:

113
114 State of Florida

115 County of

116

20221078er

117 Statement of Candidate for Supervisor of Soil and Water
118 Conservation District

119
120 I, ... (Name of candidate) ..., a candidate for Supervisor of
121 Soil and Water Conservation District, meet the qualifications
122 pursuant to s. 582.19(1), Florida Statutes, to serve on the
123 governing body of the Soil and Water Conservation District.

124 ... (Signature of candidate) ...

125 ... (Address) ...

126
127 Sworn to and subscribed before me this day of
128, ... (year), at County, Florida.

129 Section 4. Section 582.195, Florida Statutes, is created to
130 read:

131 582.195 Mandatory meeting of supervisors.—All five
132 supervisors of the governing body of each district shall meet at
133 least once per calendar year in a public meeting pursuant to s.
134 286.011.

135 Section 5. Section 582.295, Florida Statutes, is created to
136 read:

137 582.295 Automatic dissolution of districts.—

138 (1) If the governing body of a district fails to meet as
139 required under s. 582.195, the district shall be automatically
140 dissolved as of January 1 of the year immediately following the
141 year in which the governing body failed to meet. All assets and
142 liabilities of the district shall be transferred to the
143 Department of Agriculture and Consumer Services.

144 (2) Sections 189.076, 582.30, 582.31, and 582.32 do not
145 apply to dissolution of a district under this section.

20221078er

146 Section 6. The Department of Economic Opportunity declared
147 the Baker Soil and Water Conservation District inactive on
148 August 3, 2020, and the Martin Soil and Water Conservation
149 District inactive on March 17, 2020; therefore, the districts
150 are hereby dissolved and all assets and liabilities of the
151 districts are transferred to the Department of Agriculture and
152 Consumer Services.

153 Section 7. (1) Each supervisor for a soil and water
154 conservation district governing body shall be elected at the
155 2022 general election. After the 2022 general election,
156 candidates shall be elected pursuant to s. 582.18(1)(c), Florida
157 Statutes, as amended by this act, and subsection (3).

158 (2) By January 1, 2023, a district in existence on July 1,
159 2022, which was not subdivided in its initial creation pursuant
160 to chapter 582, Florida Statutes, and whose district boundaries
161 are wholly located in one county must be subdivided into five
162 numbered subdivisions that match, as practicable, the boundaries
163 of either the five county commission districts or five school
164 board districts in the county. When neither the county
165 commission nor the school board is subdivided into five
166 districts, or when the district is comprised of multiple
167 counties, the Department of Agriculture and Consumer Services
168 shall subdivide the district into five numbered subdivisions as
169 nearly equal in area as practicable to ensure geographical
170 representation within that soil and water conservation
171 district's governing body.

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

20221078er

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

180 (b) District governing body seats 2 and 4, which have terms
181 that initially expired in January 2025 or 2027, as applicable
182 depending on the year in which the district was formed, shall
183 represent district subdivisions 2 and 4, respectively. Such
184 seats shall initially be filled for a term of 2 years in order
185 to achieve staggered terms; thereafter, any such seats shall be
186 filled for a term of 4 years as provided under s. 582.19,
187 Florida Statutes.

188 Section 8. This act shall take effect upon becoming a law.