

1 A bill to be entitled
2 An act relating to elections of county commissioners,
3 district school board members, and district school
4 superintendents; amending s. 124.01, F.S.;
5 establishing county commissioner districts based on
6 the population of the county; requiring county
7 commissioners to be nominated and elected by qualified
8 electors who reside in the same county commissioner
9 district as the commissioner; requiring membership of
10 a board of county commissioners to be based on certain
11 population criteria for each county; requiring
12 commissioners to be elected at a specified time and
13 terms to be staggered; providing applicability;
14 repealing s. 124.011, F.S., relating to an alternate
15 procedure for the election of county commissioners to
16 provide for single-member representation; amending s.
17 100.041, F.S.; conforming a provision to changes made
18 by the act; amending s. 1001.34, F.S.; revising the
19 membership of district school boards; requiring
20 membership to be based on certain population criteria
21 for each county; requiring membership to be identical
22 to that of the board of county commissioners;
23 authorizing a specified change to such membership if
24 certain conditions are met; removing provisions
25 relating to modification of the number of district

26 school board members; repealing s. 1001.36, F.S.,
27 relating to district school board member residence
28 areas; amending s. 1001.361, F.S.; requiring members
29 of the district school board to be elected by the
30 qualified electors who reside in the same school
31 district as the member; repealing s. 1001.362, F.S.,
32 relating to an alternate procedure for the election of
33 district school board members to provide for single-
34 member representation; amending s. 1001.46, F.S.;
35 revising provisions relating to the election and term
36 of office for district school superintendents;
37 repealing s. 1001.461, F.S., relating to procedures
38 for making the office of district school
39 superintendent an appointive office; amending ss.
40 1001.38, 1001.50, and 1011.10, F.S.; conforming
41 provisions to changes made by the act; amending s.
42 1002.32, F.S.; conforming cross-references; providing
43 a contingent effective date.

44
45 Be It Enacted by the Legislature of the State of Florida:

46
47 **Section 1. Section 124.01, Florida Statutes, is amended to**
48 **read:**

49 124.01 Division of counties into districts; election of
50 county commissioners to provide for single-member

51 representation; applicability.—

52 ~~(1) There shall be five county commissioners' districts in~~
53 ~~each county, which shall be numbered one to five, inclusive, and~~
54 ~~shall be as nearly equal in proportion to population as~~
55 ~~possible.~~

56 (1)(2) County commissioner districts shall be established
57 in each county, the number of which shall be based on the
58 population of the county. There shall be one county commissioner
59 for each of such county commissioners' districts, who shall be
60 nominated and elected by the qualified electors who reside in
61 the same county commissioner district as the county commissioner
62 of the county, as provided by s. 1(e), Art. VIII of the State
63 Constitution. The membership of a board of county commissioners
64 shall be based on the population of each county, according to
65 the last state census, as follows:

66 (a) In each county having a population of 2.5 million or
67 more: 13 members.

68 (b) In each county having a population of 1.25-2.499
69 million: nine members.

70 (c) In each county having a population of 750,000-1.249
71 million: seven members.

72 (d) In each county having a population of 749,000 or less:
73 five members.

74

75 However, a board of county commissioners may have more

76 commissioners and districts than those prescribed based on
 77 population.

78 (2) At the general election immediately following
 79 redistricting directed by s. 1(e), Art. VIII of the State
 80 Constitution, each commissioner must be elected and terms
 81 thereafter shall be staggered as provided in s. 100.041.

82 (3) (a) The board of county commissioners shall, from time
 83 to time, fix the boundaries of the county commissioners'
 84 districts so as to keep them as nearly equal in proportion to
 85 population as practicable, provided that changes made in the
 86 boundaries of county commissioner districts pursuant to this
 87 section may not be made in the 270 days before a regular general
 88 election for the board of county commissioners.

89 (b) Districts may not be drawn with the intent to favor or
 90 disfavor a candidate for county commission or an incumbent
 91 county commissioner based on the candidate's or incumbent's
 92 residential address.

93 (c) Any ordinance enacted or adopted by a county on or
 94 after July 1, 2025 ~~2023~~, which is in conflict with this
 95 subsection is void.

96 (4) ~~(5)~~ This section applies to all counties in this state,
 97 including charter counties ~~shall not apply to Miami-Dade County.~~

98 (5) This section applies to a county with a system of
 99 local government under which the mayor serves as the chair of
 100 the board of county commissioners and is the executive head of

101 the county.

102 **Section 2.** Section 124.011, Florida Statutes, is repealed.

103 **Section 3. Paragraph (a) of subsection (2) of section**
 104 **100.041, Florida Statutes, is amended to read:**

105 100.041 Officers chosen at general election.—

106 (2) (a) ~~Except as provided in s. 124.011 relating to single~~
 107 ~~member districts after decennial redistricting,~~ Each county
 108 commissioner from an odd-numbered district shall be elected at
 109 the general election in each year the number of which is a
 110 multiple of 4, for a 4-year term commencing on the second
 111 Tuesday following such election, and each county commissioner
 112 from an even-numbered district shall be elected at the general
 113 election in each even-numbered year the number of which is not a
 114 multiple of 4, for a 4-year term commencing on the second
 115 Tuesday following such election. A county commissioner is
 116 "elected" for purposes of this paragraph on the date that the
 117 county canvassing board certifies the results of the election
 118 pursuant to s. 102.151.

119 **Section 4. Section 1001.34, Florida Statutes, is amended**
 120 **to read:**

121 1001.34 Membership of district school board.—

122 (1) Each district school board shall be composed of not
 123 less than five members. The membership of a district school
 124 board shall be based on the population of the county, according
 125 to the last state census, as follows:

126 (a) In each county having a population of 2.5 million or
 127 more: 13 members.

128 (b) In each county having a population of 1.25-2.499
 129 million: nine members.

130 (c) In each county having a population of 750,000-1.249
 131 million: seven members.

132 (d) In each county having a population of 749,000 or less:
 133 five members.

134
 135 Membership of the district school board shall be identical to
 136 membership of the board of county commissioners and may only
 137 have more members and districts than those prescribed based on
 138 the population which are identical to any such change in the
 139 membership of the board of county commissioners or the county
 140 commissioners' districts.

141 (2) Each member of the district school board shall be a
 142 qualified elector of the school district in which she or he
 143 serves, shall be a resident of the school district school board
 144 member residence area from which she or he is elected, and shall
 145 maintain said residency throughout her or his term of office.

146 ~~(2) A district school board may modify the number of~~
 147 ~~members on its board by adopting a resolution that establishes~~
 148 ~~the total number of members on the board, which may not be less~~
 149 ~~than five, and the number of members who shall be elected by~~
 150 ~~residence areas or elected at large. The resolution must specify~~

151 ~~an orderly method and procedure for modifying the membership of~~
152 ~~the board, including staggering terms of additional members as~~
153 ~~necessary. If the resolution is adopted, the district school~~
154 ~~board shall submit to the electors for approval at a referendum~~
155 ~~held at the next primary or general election the question of~~
156 ~~whether the number of board members should be modified in~~
157 ~~accordance with the resolution adopted by the district school~~
158 ~~board. If the referendum is approved, election of additional~~
159 ~~school board members may occur at any primary, general, or~~
160 ~~otherwise called special election.~~

161 **Section 5.** Section 1001.36, Florida Statutes, is repealed.

162 **Section 6. Section 1001.361, Florida Statutes, is amended**
163 **to read:**

164 1001.361 Election of district school board members to
165 provide for single-member representation by districtwide vote.-
166 Notwithstanding any provision of local law, ~~or any county~~
167 ~~charter, the election of members of the district school board~~
168 shall be elected by must be by vote of the qualified electors
169 who reside in the same school district area as the member of the
170 ~~entire district~~ in a nonpartisan election as provided in chapter
171 105. Each elected candidate for district school board member
172 must, by the date she or he assumes office, be a resident of the
173 school district school board member residence area from which
174 she or he was elected. Each candidate who qualifies to have her
175 or his name placed on the ballot must be listed according to the

176 school district ~~school board member residence area~~ in which she
177 or he is a candidate. ~~Each qualified elector of the district is~~
178 ~~entitled to vote for one candidate from each district school~~
179 ~~board member residence area.~~ The candidate from each school
180 district ~~school board member residence area~~ who receives the
181 highest number of votes in the general election shall be elected
182 to the district school board.

183 **Section 7.** Section 1001.362, Florida Statutes, is
184 repealed.

185 **Section 8. Section 1001.46, Florida Statutes, is amended**
186 **to read:**

187 1001.46 District school superintendent; election and term
188 of office.—The district school superintendent shall be elected
189 for a term of 4 years or until the election ~~or appointment and~~
190 ~~qualification~~ of his or her successor.

191 **Section 9.** Section 1001.461, Florida Statutes, is
192 repealed.

193 **Section 10. Section 1001.38, Florida Statutes, is amended**
194 **to read:**

195 1001.38 Vacancies; how filled.—The office of any district
196 school board member shall be vacant when the member removes his
197 or her residence from the school district ~~school board member~~
198 ~~residence area~~ from which he or she was elected. All vacancies
199 on the district school board shall be filled by appointment by
200 the Governor.

201 **Section 11. Subsection (2) of section 1001.50, Florida**
 202 **Statutes, is amended to read:**

203 1001.50 Superintendents employed under Art. IX of the
 204 State Constitution.—

205 (2) Each district school board shall enter into an
 206 employment contract with the district school superintendent ~~and~~
 207 ~~shall adopt rules relating to his or her appointment;~~ however,
 208 if the employment contract contains a provision for severance
 209 pay, it must include the provisions required by s. 215.425.

210 **Section 12. Subsection (3) of section 1011.10, Florida**
 211 **Statutes, is amended to read:**

212 1011.10 Penalty.—

213 (3) If any of the conditions identified in s. 218.503(1)
 214 exist within a school district, the salary of each district
 215 school board member and district superintendent, calculated
 216 pursuant to ss. 1001.395 and 1001.47, shall be withheld until
 217 the conditions are corrected. This subsection does not apply to
 218 a district school board member or district superintendent
 219 elected ~~or appointed~~ within 1 year after the identification of
 220 the conditions in s. 218.503(1) if he or she did not participate
 221 in the approval or preparation of the final school district
 222 budget adopted before the identification of such conditions.

223 **Section 13. Paragraph (a) of subsection (10) of section**
 224 **1002.32, Florida Statutes, is amended to read:**

225 1002.32 Developmental research (laboratory) schools.—

226 (10) EXCEPTIONS TO LAW.—To encourage innovative practices
 227 and facilitate the mission of the lab schools, in addition to
 228 the exceptions to law specified in s. 1001.23(1), the following
 229 exceptions shall be permitted for lab schools:

230 (a) The methods and requirements of the following statutes
 231 shall be held in abeyance: ss. 316.75; 1001.30; 1001.31;
 232 1001.32; 1001.33; 1001.34; 1001.35; ~~1001.36~~; 1001.361; ~~1001.362~~;
 233 1001.363; 1001.37; 1001.371; 1001.372; 1001.38; 1001.39;
 234 1001.395; 1001.40; 1001.41; 1001.44; 1001.453; 1001.46;
 235 ~~1001.461~~; 1001.462; 1001.463; 1001.464; 1001.47; 1001.48;
 236 1001.49; 1001.50; 1001.51; 1006.12(2); 1006.21(3), (4); 1006.23;
 237 1010.07(2); 1010.40; 1010.41; 1010.42; 1010.43; 1010.44;
 238 1010.45; 1010.46; 1010.47; 1010.48; 1010.49; 1010.50; 1010.51;
 239 1010.52; 1010.53; 1010.54; 1010.55; 1011.02(1)–(3), (5);
 240 1011.04; 1011.20; 1011.21; 1011.22; 1011.23; 1011.71; 1011.72;
 241 1011.73; and 1011.74.

242 **Section 14.** This act shall take effect on the effective
 243 date of the amendment to the State Constitution proposed by HJR
 244 1263 or a similar joint resolution having substantially the same
 245 specified intent and purpose, if such amendment to the State
 246 Constitution is approved at the next general election or at an
 247 earlier special election specifically authorized by law for that
 248 purpose.