

By Senator Collins

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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.; requiring  
5       county commissioners to be nominated and elected by  
6       qualified electors who reside in the same county  
7       commission district as the commissioner; requiring  
8       membership of a board of county commissioners to be  
9       based on certain population criteria for each county;  
10      authorizing a board of county commissioners to have  
11      more commissioners and districts than prescribed;  
12      requiring commissioners to be elected at a specified  
13      time and terms to be staggered; providing  
14      applicability; repealing s. 124.011, F.S., relating to  
15      an alternate procedure for the election of county  
16      commissioners to provide for single-member  
17      representation; amending s. 100.041, F.S.; conforming  
18      a provision to changes made by the act; amending s.  
19      1001.34, F.S.; revising the membership of district  
20      school boards; requiring membership to be based on  
21      certain population criteria for each county;  
22      authorizing a district school board, within a  
23      specified time, to adopt a resolution to increase its  
24      membership; repealing s. 1001.36, F.S., relating to  
25      district school board member residence areas; amending  
26      s. 1001.361, F.S.; requiring members of the district  
27      school board to be elected by the qualified electors  
28      who reside in the same school district as the member;  
29      repealing s. 1001.362, F.S., relating to an alternate

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30 procedure for the election of district school board  
31 members to provide for single-member representation;  
32 amending s. 1001.46, F.S.; revising provisions  
33 relating to the election and term of office for  
34 district school superintendents; repealing s.  
35 1001.461, F.S., relating to procedures for making the  
36 office of district school superintendent an appointive  
37 office; amending ss. 1001.38, 1001.50, and 1011.10,  
38 F.S.; conforming provisions to changes made by the  
39 act; amending s. 1002.32, F.S.; conforming cross-  
40 references; providing a contingent effective date.

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

43  
44 Section 1. Section 124.01, Florida Statutes, is amended to  
45 read:

46 124.01 Election of Division of counties into districts;  
47 county commissioners to provide for single-member  
48 representation; applicability.-

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

53 ~~(2)~~ There shall be one county commissioner for each of such  
54 county commissioners' districts, who shall be nominated and  
55 elected by the qualified electors who reside in the same county  
56 commission district as the commissioner of the county, as  
57 provided by s. 1(e), Art. VIII of the State Constitution. The  
58 membership of a board of county commissioners shall be based on

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59 the population of each county, according to the last state  
60 census, as follows:

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

63 (b) In each county having a population of 1.25 million or  
64 more but less than 2.5 million: 9 members.

65 (c) In each county having a population of 750,000 or more  
66 but less than 1.25 million: 7 members.

67 (d) In each county having a population of less than  
68 750,000: 5 members.

69  
70 However, a board of county commissioners may have more  
71 commissioners and districts than those prescribed based on  
72 population.

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

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

84 (b) Districts may not be drawn with the intent to favor or  
85 disfavor a candidate for county commission or an incumbent  
86 county commissioner based on the candidate's or incumbent's  
87 residential address.

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

91        ~~(4)-(5)~~ Except as otherwise provided in subsection (5), this  
92 section applies to all counties in this state, including charter  
93 counties shall not apply to Miami-Dade County.

94        (5) This section does not apply to a county that has a  
95 system of local government under which the mayor serves as the  
96 chair of the board of county commissioners and is the executive  
97 head of the county. In such counties, the mayor shall be elected  
98 at large.

99        Section 2. Section 124.011, Florida Statutes, is repealed.

100        Section 3. Paragraph (a) of subsection (2) of section  
101 100.041, Florida Statutes, is amended to read:

102        100.041 Officers chosen at general election.—

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

116        Section 4. Section 1001.34, Florida Statutes, is amended to

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117 read:

118 1001.34 Membership of district school board.-

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

123 1. In each county having a population of 2.5 million or  
124 more: 13 members.

125 2. In each county having a population of 1.25 million or  
126 more but less than 2.5 million: 9 members.

127 3. In each county having a population of 750,000 or more  
128 but less than 1.25 million: 7 members.

129 4. In each county having a population of less than 750,000:  
130 5 members.

131

132 However, a district school board may have more members and  
133 districts than those prescribed based on population.

134 (b) Each member of the district school board shall be a  
135 qualified elector of the school district in which she or he  
136 serves, shall be a resident of the school district ~~school board~~  
137 ~~member residence area~~ from which she or he is elected, and shall  
138 maintain said residency throughout her or his term of office.

139 (2) (a) A district school board may modify the number of  
140 members on its board by adopting a resolution that establishes  
141 the total number of members on the board, which may not be less  
142 than five, and the number of members who shall be elected by  
143 districts ~~residence areas or elected at large~~. The resolution  
144 must specify an orderly method and procedure for modifying the  
145 membership of the board, including staggering terms of

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146 additional members as necessary. If the resolution is adopted,  
147 the district school board shall submit to the electors for  
148 approval at a referendum held at the next primary or general  
149 election the question of whether the number of board members  
150 should be modified in accordance with the resolution adopted by  
151 the district school board. If the referendum is approved,  
152 election of additional school board members may occur at any  
153 primary, general, or otherwise-called special election.

154 (b) By July 1, 2027, a district school board may adopt a  
155 resolution to increase its membership pursuant to this section.  
156 The district school board shall submit to the electors for  
157 approval at a referendum held at the next primary or general  
158 election the question of whether the number of board members  
159 should be increased in accordance with the resolution adopted by  
160 the district school board. If the referendum is approved,  
161 election of additional school board members may occur at the  
162 next primary, general, or otherwise-called special election.

163 Section 5. Section 1001.36, Florida Statutes, is repealed.

164 Section 6. Section 1001.361, Florida Statutes, is amended  
165 to read:

166 1001.361 Election of district school board members to  
167 provide for single-member representation by districtwide vote.-  
168 ~~Notwithstanding any provision of local law, or any county~~  
169 ~~charter, the election of members of the district school board~~  
170 shall be elected by ~~must be by vote of~~ the qualified electors  
171 who reside in the same school district as the member ~~of the~~  
172 ~~entire district~~ in a nonpartisan election as provided in chapter  
173 105. Each elected candidate for district school board member  
174 must, by the date she or he assumes office, be a resident of the

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175 school district ~~school board member residence area~~ from which  
176 she or he was elected. Each candidate who qualifies to have her  
177 or his name placed on the ballot must be listed according to the  
178 school district ~~school board member residence area~~ in which she  
179 or he is a candidate. ~~Each qualified elector of the district is~~  
180 ~~entitled to vote for one candidate from each district school~~  
181 ~~board member residence area.~~ The candidate from each school  
182 district ~~school board member residence area~~ who receives the  
183 highest number of votes in the general election shall be elected  
184 to the district school board.

185 Section 7. Section 1001.362, Florida Statutes, is repealed.

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

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

192 Section 9. Section 1001.461, Florida Statutes, is 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 State

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204 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~~;



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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 SJR  
244 1454, or a similar joint resolution having substantially the  
245 same specific 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.