

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 4003 (2026)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED _____ (Y/N)

ADOPTED AS AMENDED _____ (Y/N)

ADOPTED W/O OBJECTION _____ (Y/N)

FAILED TO ADOPT _____ (Y/N)

WITHDRAWN _____ (Y/N)

OTHER

Committee/Subcommittee hearing bill: Intergovernmental Affairs
Subcommittee

Representative Benarroch offered the following:

Amendment (with title amendment)

Remove lines 25-69 and insert:

election shall be held within 130 days after the occurrence of
the vacancy, unless the vacancy occurs within one (1) year
before a general election of city officials, in which event the
Council shall, within 60 days after the occurrence of such
vacancy, by a majority vote, appoint a citizen who meets the
requirements for qualification under section 5.03(1) of the
Charter who shall hold office until the next general election.

(b) If four or more Council vacancies occur at one time or
the Council does not appoint a qualified citizen to a fill a
vacancy within 60 days when appointment is required by paragraph

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17 (a), the Governor shall fill such vacancies until successors are
18 chosen at the next regular election.

19 (c) If the Council does not adopt a resolution to call a
20 special election within 30 days after the occurrence of the
21 vacancy when a special election is required by paragraph (a),
22 the Governor shall call a special election within 10 days. as
23 follows:-

24 ~~(a) If a vacancy occurs and the remainder of the unexpired~~
25 ~~term is 28 months or less, the remaining Council Members shall,~~
26 ~~within sixty (60) days following the occurrence of such vacancy,~~
27 ~~by majority vote of the Council Members, appoint a person to~~
28 ~~fill the vacancy for the remainder of the unexpired term.~~

29 ~~(b) If the remainder of the unexpired term exceeds 28~~
30 ~~months, the remaining Council Members shall, within sixty (60)~~
31 ~~days following the occurrence of such vacancy, by majority vote~~
32 ~~of the Council Members seated, appoint a person to fill the~~
33 ~~vacancy until the next regularly scheduled City election at~~
34 ~~which the balance of the term for the seat shall be filled in~~
35 ~~accordance with Article V.~~

36 ~~(c) If four or more Council vacancies occur at one time,~~
37 ~~the Governor shall fill such vacancies until successors are~~
38 ~~chosen at the next regular election.~~

39 **Section 2.** Referendum election.-

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(1) A referendum on the adoption of section 1 of this act shall be held on November 3, 2026, concurrent with the 2026 general election.

(2) The ballot title for the referendum question shall be in substantially the following form: "REVISIONS TO CITY OF MARCO ISLAND'S PROCEDURES FOR FILLING VACANT CITY COUNCIL SEATS."

(3) The referendum question shall be placed on the ballot in substantially the following form:

Shall Chapter 2026- , Laws of Florida, amending the charter of the City of Marco Island to require a special election to fill a Council vacancy, unless the vacancy occurs within 1 year before a general election, in which event the Council shall appoint a qualified citizen to hold office until the next general election; and to provide for the Governor to call a special election or appoint a Council member in certain circumstances, become effective?

T I T L E A M E N D M E N T

Remove line 11 and insert:

fill vacancies; providing for the Governor to call a special election in certain circumstances; requiring a referendum; providing