

By Representative Kosmas

1 A bill to be entitled
2 An act relating to Volusia County; providing
3 for members of the Volusia County School Board
4 to be elected on an nonpartisan basis;
5 prescribing procedures for qualification for
6 office and for conducting elections for members
7 of the board; ratifying referendum election;
8 providing an effective date.

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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Members of the Volusia County School Board
13 shall be elected on a nonpartisan basis. However, except as
14 otherwise provided in this act, the provisions of law
15 regulating elections of school board members apply to
16 elections of Volusia County School Board members.

17 (1) Each person seeking election to the Volusia County
18 School Board shall file qualification papers with the
19 supervisor of elections which do not contain any reference to
20 political party affiliation.

21 (2)(a) The name of an unopposed candidate for the
22 office of school board member shall not appear on any ballot,
23 and such candidate shall be deemed to have voted for himself
24 or herself at the general election.

25 (b) If two candidates, neither of whom is a write-in
26 candidate, qualify in a school-board-member residence area,
27 the names of those candidates shall be placed on the ballot at
28 the general election.

29 (c) If more than two candidates, none of whom is a
30 write-in candidate, qualify in a school-board-member residence
31 area, the names of those candidates shall be placed on the

1 ballot at the first primary election. If any candidate for
2 such office receives a majority of the votes cast for such
3 office in the first primary election, the name of the
4 candidate who receives such majority shall not appear on any
5 other ballot unless a write-in candidate has qualified for
6 such office. An unopposed candidate shall be deemed to have
7 voted for himself or herself at the general election. If no
8 candidate for such office receives a majority of the votes
9 cast for such office in the first primary election, the names
10 of the two candidates receiving the highest number of votes
11 for such office shall be placed on the general election
12 ballot. If more than two candidates receive an equal and
13 highest number of votes, the name of each candidate receiving
14 an equal and highest number of votes shall be placed on the
15 general election ballot. In any contest in which there is a
16 tie for second place and the candidate placing first did not
17 receive a majority of the votes cast for such office, the name
18 of the candidate placing first and the name of each candidate
19 tying for second shall be placed on the general election
20 ballot.

21 (d) The candidate who receives the highest number of
22 votes cast for the office in the general election shall be
23 elected to such office. If the vote at the general election
24 results in a tie, the outcome shall be determined by lot.

25 Section 2. The referendum election held in Volusia
26 County on November 8, 1994, approving the nonpartisan election
27 of school board members, and all acts and proceedings held in
28 connection with said referendum, are hereby ratified.

29 Section 3. This act does not affect the term of office
30 of any person serving on the Volusia County School Board on
31 the effective date of this act.

1 Section 4. This act shall take effect January 1, 1998.
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