

ENROLLED
HB 1401, Engrossed 1

2004 Legislature

A bill to be entitled

An act relating to Broward County; amending chapter 75-350, Laws of Florida, as amended by chapters 76-336, 77-507, and 81-349, Laws of Florida; revising provisions relating to the governing of municipal elections in Broward County; specifying the dates on which municipal candidates shall file qualification papers and pay certain fees with respect to certain elections; revising provisions relating to the dates on which municipal primary and general elections shall be held; authorizing municipalities to extend or reduce terms of office for certain purposes; authorizing the governing body of each municipality to change the date of its municipal elections by ordinance, subject to approval by referendum; requiring the supervisor of elections to provide to each municipality a schedule of fees and charges for all municipal election services for the following calendar year by a time certain; providing an effective date.

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

Section 1. Chapter 75-350, Laws of Florida, as amended by chapters 76-336, 77-507, and 81-349, Laws of Florida, is amended to read:

Section 1. It is the intent of this act to provide for uniform filing and election dates for all municipal elections in Broward County. It is not the intent of this act to determine the length of terms of municipal offices.

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Section 2. For any municipal elections held in Broward County in March of a calendar year, candidates for any municipal office in such elections ~~Broward County~~ shall file such papers and pay such fees as may be required by law with the applicable municipal city clerk no earlier than noon on the first work day in January nor later than noon on the 14th day following the first work day in January of the calendar year in which the election is to be held. For any municipal elections held in Broward County in November of a calendar year, candidates for office in such elections shall file such papers and pay such fees as may be required by law with the applicable municipal clerk no earlier than noon on the first work day in September nor later than noon on the 14th day following the first work day in September of the calendar year in which the election is to be held.

Section 3. Any primary election relating to a municipal office held in a municipality in Broward County shall be held on the second ~~2nd~~ Tuesday in ~~of~~ February of a calendar year or the first Tuesday of October of any even-numbered calendar year and all general elections relating to a municipal office held in a municipality in Broward County shall be held on the second Tuesday in March of a ~~the~~ calendar year or the first Tuesday in November of any even numbered calendar year.

Section 4. In any primary election held in any race for municipal offices in Broward County the manner and method by which a slate of candidates is to be determined shall be as provided by the Charter or Code of Ordinances of the municipality conducting the primary election as provided herein.

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In any general election in races for municipal offices in Broward County, the candidate or candidates, depending upon the number to be elected, receiving the highest number of votes in the election shall be the winner. Such duly elected municipal officers shall take office within fourteen (14) days after the general election with the specific day to be decided by local ordinance.

Section 5. In order to implement any change in the month in which elections will be held, Broward County municipalities may either extend or reduce terms of office of existing elected officials for a period of up to eight (8) months. ~~Initially any municipal officer whose term of office expires subsequent to July 1 in any calendar year shall stand for re-election in March of the following calendar year and shall continue in office until the election of his successor. Initially any municipal officer whose term of office expires prior to and including July 1 in any calendar year shall stand for re-election in March of that calendar year.~~

Section 6. The governing body of each municipality in Broward County may, at its discretion, amend its Charter to change the date of its municipal elections in accordance with this act by ordinance, subject to approval by referendum; provided, however, that any change in election date will not be effective until at least eighteen (18) months after the approval of the ordinance by the municipality's governing body. ~~The provisions of section 6 shall apply only to the first election for each office to be held under the provisions of the act.~~

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~~Thereafter, the terms of all municipal offices shall correspond to the dates provided pursuant to this act.~~

Section 7. All municipal elections shall be canvassed by the county canvassing board with said board certifying the results to each city clerk within five (5) days after the election.

Section 8. The Broward Supervisor of Elections shall provide to each Broward County municipality by the first work day in April of the calendar year a schedule of fees and charges for municipal election services for the following calendar year.

Section 2. This act shall take effect upon becoming a law.