

# FLORIDA HOUSE OF REPRESENTATIVES

## FINAL BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 4001](#)

**TITLE:** Lee County

**SPONSOR(S):** Giallombardo

**COMPANION BILL:** None

**LINKED BILLS:** None

**RELATED BILLS:** None

**FINAL HOUSE FLOOR ACTION:** 94 Y's 11 N's **GOVERNOR'S ACTION:** Approved

### SUMMARY

#### Effect of the Bill:

If approved by a majority vote in a referendum, the bill amends the Lee County charter to require members of the county commission to be elected from single-member districts beginning with the 2028 general election. The bill provides that the conversion from at-large to single-member districts does not alter the existing staggering of terms. The charter amendment proposed by the bill is subject to approval by the electors of Lee County voting in a referendum to be held at the 2026 general election.

#### Fiscal or Economic Impact:

None.

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### ANALYSIS

#### EFFECT OF THE BILL:

If approved by a majority vote in a referendum, the bill amends the [Lee County Home Rule Charter](#) to require members of the [county commission](#) to be elected from single-member districts beginning with the 2028 general election. The bill provides that the conversion from at-large to single-member districts does not alter the existing staggering of terms, such that members elected at-large in Districts 2 and 4 in 2026 will continue to serve until the 2030 general election. (Section [1](#))

The bill provides that the charter amendment is subject to approval by the electors of Lee County voting in a referendum to be held at the 2026 general election. The bill provides ballot language for the referendum and requires the referendum to be held in accordance with the Florida Election Code. (Section [2](#))

The bill was approved by the Governor on June 11, 2025, ch. 2025- 222, L.O.F., and will become effective upon its approval by a majority vote of the qualified electors of Lee County voting in a referendum to be held in conjunction with the 2026 general election, except that sections 2 and 3 became effective on June 11, 2025. (Section [3](#))

### RELEVANT INFORMATION

#### SUBJECT OVERVIEW:

#### Composition of County Commissions

The Florida Constitution requires each county commission to divide the county into districts of contiguous territory with as equal population as practicable following each decennial census.<sup>1</sup> One commissioner residing in each district is elected as provided by law. Each county commission consists of five or seven members serving staggered terms of four years, unless otherwise provided by a county charter.

The default county election system requires the county commission to draw five districts nearly equal in population as possible, with one commissioner elected from each district by the qualified electors of the entire

<sup>1</sup> [Art. VIII, s. 1, Fla. Const.](#)

county.<sup>2</sup> County commissioners are responsible for making periodic boundary adjustments to ensure district populations are nearly equal as possible, but these changes may only be made during odd-numbered years.<sup>3</sup>

Alternatively, county commissioners may be elected from single-member districts, subject to voter approval at a referendum.<sup>4</sup> A referendum to convert to single-member districts may be called by the county commission or electors of the county may petition to have the proposition placed on the ballot by gathering the signatures of at least 10 percent of the qualified electors of the county.<sup>5</sup> The referendum may convert the county commission to a five-member body, with all members elected in districts, or a seven-member body with five members elected in districts and two members elected at-large by the qualified electors of the entire county.<sup>6</sup> Commissioners are elected to four-year terms which are staggered so that approximately half of the commissioners elected from districts and, if applicable, one of the commissioners elected at-large from the entire county, are elected every two years.<sup>7</sup> The conversion to single-member districts does not impact the term of current officeholders.<sup>8</sup>

### **Lee County Home Rule Charter**

Each county may adopt a charter using the procedures provided by general law.<sup>9</sup> Lee County adopted its Home Rule Charter in 1996.<sup>10</sup> The charter assigns legislative powers to a five-member county commission elected at-large.<sup>11</sup> Amendments to the charter may be proposed by a petition signed by at least 7 percent of the electors qualified to vote in the county as a whole in the last preceding general election.<sup>12</sup>

### **Local Bill Forms**

The Florida Constitution prohibits the passage of any special act unless a notice of intention to seek enactment of the bill has been published as provided by general law or the act is conditioned to take effect only upon approval by referendum vote of the electors in the area affected.<sup>13</sup> A legal advertisement of the proposed bill must be placed in a newspaper of general circulation or published on a publicly accessible website<sup>14</sup> at least 30 days prior to the introduction of the local bill in the House or Senate.<sup>15</sup> The bill will take effect only upon its approval in a referendum held on November 3, 2026.

The House local bill policy requires a completed and signed Local Bill Certification Form and Economic Impact Statement be filed with the Clerk of the House at the time the local bill is filed or as soon thereafter as possible.<sup>16</sup> Under the policy, a committee or subcommittee may not consider a local bill unless these forms have been filed. The following forms have been submitted for the bill:

- [Local Bill Certification Form](#)
- [Economic Impact Statement](#)

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<sup>2</sup> S. [124.01\(1\) and \(2\), F.S.](#)

<sup>3</sup> S. [124.01\(3\), F.S.](#)

<sup>4</sup> S. [124.011, F.S.](#)

<sup>5</sup> S. [124.011\(3\), F.S.](#)

<sup>6</sup> S. [124.011\(1\), F.S.](#)

<sup>7</sup> S. [124.011\(2\), F.S.](#)

<sup>8</sup> S. [124.011\(11\), F.S.](#)

<sup>9</sup> See ss. [125.60-125.64](#) and [125.80-125.88](#), F.S.

<sup>10</sup> See [Lee County Ordinance 08-15](#) (stating Lee County Board of County Commissioner adopted Ordinance 96-01 on January 3, 1996 calling for a referendum to determine whether to adopt a charter and that the charter was approved by the voters on November 5, 1996).

<sup>11</sup> [Lee County Charter art. II, s. 2.2 \(A\)\(1\).](#)

<sup>12</sup> [Lee County Charter art. IV, s. 4.1\(A\)\(1\).](#)

<sup>13</sup> [Art. III, s. 10, Fla. Const.](#)

<sup>14</sup> S. [50.0311\(2\), F.S.](#)

<sup>15</sup> S. [11.02, F.S.](#) If there is no newspaper circulated throughout or published in the county and no publicly accessible website has been designated, notice must be posted for at least 30 days in at least three public places in the county, one of which must be at the courthouse.

<sup>16</sup> Intergovernmental Affairs Subcommittee, [Local Bill Policies and Procedures Manual](#), p. 11 (last visited Mar. 20, 2025).