

CHAPTER 2012-262

Committee Substitute for House Bill No. 1481

An act relating to Loxahatchee Groves Water Control District, Palm Beach County; amending chapter 99-425, Laws of Florida; revising procedures for election of members of the board of supervisors; providing that this act shall take precedence over any conflicting law to the extent of such conflict; providing severability; providing an effective date.

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

Section 1. Subsections a. and d. of section 2 of chapter 99-425, Laws of Florida, are amended to read:

Section 2. Landowner's meeting and election of supervisors.—

a. Election of supervisors.—Every year in the same month that a supervisor's term expires as provided in ss. 298.11 and 298.12, Florida Statutes, the district shall call a meeting of the landowners in the district for the purpose of electing a supervisor for such vacancy or existing vacancies. There shall be one ballot for each vacancy. To be elected, a candidate must have a majority of the votes on that ballot. In the event no candidate receives a majority of votes on the first ballot, a run-off ballot shall be held between the two candidates receiving the highest number of votes on the first ballot. The following procedures shall apply to the election of board members, including appointees, to the board of supervisors of the district:

(1) The board member seats shall be numbered seats 1, 2, 3, 4, and 5, respectively.

(a) The seats held by the board members whose terms expire in 2012 shall be designated seat 1 and seat 2, respectively. Either seat 1 or seat 2 shall be elected by the qualified electors of the district, as described in paragraph (3), which determination shall be decided by lot. The seat held by the board member whose term expires in 2012 and who is determined by lot to be elected by the qualified electors of the district, as described in paragraph (3), shall be designated seat 1. The seat held by the board member whose term expires in 2012 and who is determined by lot to be elected by the landowners of the district, pursuant to this subsection, shall be designated seat 2.

(b) The seat held by the board member whose term expires in 2013 shall be designated seat 3.

(c) The seats held by the board members whose terms expire in 2014 shall be designated seat 4 and seat 5, respectively.

(2) The board member holding seat 1 shall serve until the expiration of his or her term in 2012. The current 2012 term of the board member holding

seat 2 shall be extended for 1 additional year until 2013. The board member holding seat 3 shall serve until the expiration of his or her term in 2013. The board members holding seat 4 and seat 5 shall serve until the expiration of their terms in 2014.

(3) Seat 1 shall be converted to a nonpartisan office as defined by section 97.021, Florida Statutes. Candidates for this position shall qualify with the Palm Beach County Supervisor of Elections pursuant to section 99.061, Florida Statutes. The qualifying period for seat 1 shall be between noon of the 71st day before the date of the annual landowners' meeting to noon of the 67th day before the date of the annual landowners' meeting. The district-administered election shall be held the day of the annual landowner's meeting in 2012, and every 3 years thereafter, for a term of 3 years, by a plurality of the district qualified electors voting in such election. "Qualified electors" shall have the same meaning as in section 189.4051(1)(a), Florida Statutes. The board member elected to seat 1 shall take office within 10 days after election and shall serve until expiration of his or her term, resignation, or removal, or the election of a new board member for that seat.

(4) Seats 2, 3, 4, and 5 shall be elected by the landowners of the district at the annual landowner's meeting in accordance with this section. The terms of office for seats 2, 3, 4, and 5 shall be 3 years each.

d. Membership of the board of supervisors.—~~The board of supervisors of the district shall consist of~~ be increased from three members to five members.

Section 2. In the event of a conflict of the provisions of this act with the provisions of any other act, the provisions of this act shall control to the extent of such conflict.

Section 3. In the event any section or provision of this act is determined to be invalid or unenforceable, such determination shall not affect the validity of or enforceability of each other section and provision of this act.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor April 6, 2012.

Filed in Office Secretary of State April 6, 2012.