

## CHAPTER 2022-191

### Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 1078

An act relating to soil and water conservation districts; amending s. 582.15, F.S.; providing for the subdivision of certain proposed soil and water conservation districts; requiring the Department of Agriculture and Consumer Services to subdivide certain proposed soil and water conservation districts; amending s. 582.18, F.S.; requiring the supervisors of each soil and water conservation district to be elected from each of the district's subdivisions; providing for the initial terms of office of candidates elected in each district subdivision; amending s. 582.19, F.S.; providing qualification requirements for supervisors to serve on the governing body of a soil and water conservation district; requiring candidates to submit a specified affirmation at the time of qualifying; creating s. 582.195, F.S.; requiring mandatory public meetings at least annually for the supervisors of soil and water conservation districts; creating s. 582.295, F.S.; providing for the automatic dissolution of soil and water conservation districts under certain conditions; providing for the transfer of the assets and liabilities of such districts to the department; exempting automatic dissolutions from specified provisions; dissolving the Baker Soil and Water Conservation District and the Martin Soil and Water Conservation District; transferring the assets and liabilities of those districts to the department; requiring all supervisors of soil and water conservation district governing bodies to be elected at the 2022 general election; specifying that subsequent elections will be held according to certain provisions; providing for the subdivision of certain soil and water conservation districts by a specified date; requiring the department to subdivide certain soil and water conservation districts by a specified date; providing transitional provisions regarding the implementation of newly subdivided districts and the election of supervisors; providing an effective date.

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

Section 1. Subsection (4) is added to section 582.15, Florida Statutes, to read:

582.15 Organization of district, etc.—

(4) After the Department of Agriculture and Consumer Services has determined that operation of a proposed district is administratively practicable and feasible and that the district boundaries are wholly located in one county, the district must be subdivided into five numbered subdivisions that match, as practicable, the boundaries of either the five county commission districts or five school board districts within the county. When neither the county commission nor the school board is subdivided into five districts, or when the district is comprised of multiple counties, the department shall subdivide the district into five numbered subdivisions

as nearly equal in area as practicable to ensure geographical representation within that soil and water conservation district's governing body.

Section 2. Subsection (1) of section 582.18, Florida Statutes, is amended to read:

582.18 Election of supervisors of each district.—

(1) The election of supervisors for each soil and water conservation district shall be held every 2 years, with one supervisor elected from each of the five numbered subdivisions created by the department pursuant to s. 582.15(4). The elections shall be held at the time of the general election provided for by s. 100.041. The office of the supervisor of a soil and water conservation district is a nonpartisan office, and candidates for such office are prohibited from campaigning or qualifying for election based on party affiliation.

(a) Each candidate for supervisor for such district must ~~shall~~ qualify as directed by chapter 99.

(b) Each nominee who collects or expends campaign contributions shall conduct her or his campaign for supervisor of a soil and water conservation district in accordance with the provisions of chapter 106. Candidates who neither receive contributions nor make expenditures, other than expenditures for verification of signatures on petitions, are exempt from the provisions of chapter 106 requiring establishment of bank accounts and appointment of a campaign treasurer, but shall file periodic reports as required by s. 106.07.

(c) The names of all nominees on behalf of whom such nominating petitions have been filed shall appear upon ballots in accordance with the general election laws. All qualified electors residing within the district shall be eligible to vote in such election. The candidates who receive the largest number of the votes cast from each group of candidates in such election shall be the elected supervisors from such group for such district. In the case of a newly created district participating in a regular election for the first time, ~~three groups of candidates shall be elected from district subdivisions 1, 3, and 5 for terms of 4 years, and candidates two groups shall be elected from district subdivisions 2 and 4 for initial terms of 2 years.~~ Each candidate elected shall assume office on the first Tuesday after the first Monday in January following the election.

Section 3. Subsection (1) of section 582.19, Florida Statutes, is amended to read:

582.19 Qualifications and tenure of supervisors.—

(1) The governing body of the district shall consist of five supervisors, elected as provided in s. 582.18 hereinabove.

(a) To qualify to serve on the governing body of a district, a supervisor must be an eligible voter who resides in the district and who:

- 1. Is actively engaged in, or retired after 10 years of being engaged in, agriculture as defined in s. 570.02;
- 2. Is employed by an agricultural producer; or
- 3. Owns, leases, or is actively employed on land classified as agricultural under s. 193.461.

(b) At the time of qualifying, a candidate for supervisor shall submit an affirmation in substantially the following form:

State of Florida

County of .....

Statement of Candidate for Supervisor of  
Soil and Water Conservation District

I, ...(Name of candidate)..., a candidate for Supervisor of Soil and Water Conservation District, meet the qualifications pursuant to s. 582.19(1), Florida Statutes, to serve on the governing body of the Soil and Water Conservation District.

...(Signature of candidate)...

...(Address)...

Sworn to and subscribed before me this ..... day of ....., ...(year)..., at ..... County, Florida.

Section 4. Section 582.195, Florida Statutes, is created to read:

582.195 Mandatory meeting of supervisors.—All five supervisors of the governing body of each district shall meet at least once per calendar year in a public meeting pursuant to s. 286.011.

Section 5. Section 582.295, Florida Statutes, is created to read:

582.295 Automatic dissolution of districts.—

(1) If the governing body of a district fails to meet as required under s. 582.195, the district shall be automatically dissolved as of January 1 of the year immediately following the year in which the governing body failed to meet. All assets and liabilities of the district shall be transferred to the Department of Agriculture and Consumer Services.

(2) Sections 189.076, 582.30, 582.31, and 582.32 do not apply to dissolution of a district under this section.

Section 6. The Department of Economic Opportunity declared the Baker Soil and Water Conservation District inactive on August 3, 2020, and the Martin Soil and Water Conservation District inactive on March 17, 2020; therefore, the districts are hereby dissolved and all assets and liabilities of the districts are transferred to the Department of Agriculture and Consumer Services.

Section 7. (1) Each supervisor for a soil and water conservation district governing body shall be elected at the 2022 general election. After the 2022 general election, candidates shall be elected pursuant to s. 582.18(1)(c), Florida Statutes, as amended by this act, and subsection (3).

(2) By January 1, 2023, a district in existence on July 1, 2022, which was not subdivided in its initial creation pursuant to chapter 582, Florida Statutes, and whose district boundaries are wholly located in one county must be subdivided into five numbered subdivisions that match, as practicable, the boundaries of either the five county commission districts or five school board districts in the county. When neither the county commission nor the school board is subdivided into five districts, or when the district is comprised of multiple counties, the Department of Agriculture and Consumer Services shall subdivide the district into five numbered subdivisions as nearly equal in area as practicable to ensure geographical representation within that soil and water conservation district's governing body.

(3) The following procedures apply to the election of supervisors of soil and water conservation districts subdivided by the department pursuant to subsection (2):

(a) District governing body seats 1, 3, and 5, which have terms that initially expired in January 2025 or 2027, as applicable depending on the year in which the district was formed, shall represent district subdivisions 1, 3, and 5, respectively. Such seats shall be filled for a term of 4 years.

(b) District governing body seats 2 and 4, which have terms that initially expired in January 2025 or 2027, as applicable depending on the year in which the district was formed, shall represent district subdivisions 2 and 4, respectively. Such seats shall initially be filled for a term of 2 years in order to achieve staggered terms; thereafter, any such seats shall be filled for a term of 4 years as provided under s. 582.19, Florida Statutes.

Section 8. This act shall take effect upon becoming a law.

Approved by the Governor June 15, 2022.

Filed in Office Secretary of State June 15, 2022.