

1 A bill to be entitled
2 An act relating to elections; creating s. 97.0525,
3 F.S.; requiring the Division of Elections of the
4 Department of State to develop an online voter
5 registration system; providing application and
6 security requirements; requiring the system to compare
7 information submitted online with Department of
8 Highway Safety and Motor Vehicles records; providing
9 for the disposition of voter registration
10 applications; requiring system compliance with federal
11 accessibility provisions; providing for construction;
12 amending s. 98.077, F.S.; revising the time by which
13 certain signature updates must be received by a
14 supervisor of elections; amending ss. 97.0535 and
15 101.043, F.S.; revising authorized methods for
16 identifying an elector; amending s. 101.20, F.S.;
17 authorizing a sample ballot to be mailed to certain
18 electors in lieu of publication; amending s. 101.6102,
19 F.S.; authorizing cities to conduct certain elections
20 by mail if approved by the governing body and
21 supervisor of elections; amending s. 101.62, F.S.;
22 requiring a supervisor of elections to make certain
23 ballot information available each day within a certain
24 timeframe; amending s. 101.657, F.S.; requiring a
25 supervisor of elections to designate early voting
26 sites in certain special elections; amending ss.

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27 | 101.68 and 101.6923, F.S.; conforming provisions;
28 | amending s. 101.6952, F.S.; authorizing an elector to
29 | vote on any ballot measure in an election using the
30 | federal write-in absentee ballot under certain
31 | circumstances; specifying that a vote cast in a
32 | judicial merit retention election is treated in the
33 | same manner as a vote on certain ballot measures;
34 | allowing for abbreviations, misspellings, and other
35 | minor variations in the form of a ballot measure;
36 | prohibiting the supervisor of elections from
37 | canvassing federal write-in absentee ballots from
38 | overseas voters in certain elections until a specified
39 | period after the date of the election; amending s.
40 | 102.166, F.S.; revising minimum requirements for
41 | department rules used to determine what constitutes a
42 | valid vote on a federal write-in absentee ballot;
43 | amending ss. 189.04 and 190.006, F.S.; requiring
44 | certain special district and community development
45 | district elections to be conducted on the ballot at a
46 | primary election; providing an effective date.

47 |
48 | Be It Enacted by the Legislature of the State of Florida:

49 |
50 | Section 1. Section 97.0525, Florida Statutes, is created
51 | to read:

52 | 97.0525 Online voter registration.—

53 (1) Beginning January 1, 2018, an applicant may submit an
 54 online voter registration application using the procedures set
 55 forth in this section.

56 (2) The division shall establish a secure Internet website
 57 to permit an applicant to:

58 (a) Submit a voter registration application, including
 59 first-time voter registration applications and updates to
 60 existing voter registration records.

61 (b) Submit information necessary to establish an
 62 applicant's eligibility to vote, pursuant to s. 97.041, which
 63 must include the information required for the uniform statewide
 64 voter registration application pursuant to s. 97.052(2).

65 (c) Swear to the oath required pursuant to s. 97.051.

66 (3) The division shall establish appropriate technological
 67 security measures, including use of a unique identifier for each
 68 applicant, to prevent unauthorized persons from altering a
 69 voter's registration information.

70 (4) (a) The online voter registration system shall compare
 71 the Florida driver license number or Florida identification
 72 number submitted pursuant to s. 97.052(2)(n) with information
 73 maintained by the Department of Highway Safety and Motor
 74 Vehicles to confirm that the name and date of birth on the
 75 application are consistent with the records of the Department of
 76 Highway Safety and Motor Vehicles.

77 (b) If the applicant's name and date of birth are
 78 consistent with the records of the Department of Highway Safety

79 and Motor Vehicles, the online voter registration system shall
80 transmit, using the statewide voter registration system
81 maintained pursuant to s. 98.035, the applicant's registration
82 application, along with the digital signature of the applicant
83 on file with the Department of Highway Safety and Motor
84 Vehicles, to the supervisor of elections. The applicant's
85 digital signature shall satisfy the signature requirement of s.
86 97.052(2)(q).

87 (c) If the applicant's name and date of birth cannot be
88 verified by the records of the Department of Highway Safety and
89 Motor Vehicles, or if the applicant indicated that he or she has
90 not been issued a Florida driver license or Florida
91 identification card, the online voter registration system shall
92 populate the applicant's information into a printable voter
93 registration application pursuant to s. 97.052(2) and shall
94 direct the applicant to print, sign, and date the application
95 and deliver the application to the supervisor of elections for
96 disposition pursuant to s. 97.073.

97 (5) Upon submission of a completed online voter
98 registration application, the website shall generate an
99 immediate electronic confirmation that the supervisor of
100 elections has received the application and shall provide
101 instructions regarding the ability of a registrant to check the
102 status of the application thereafter.

103 (6) Except as otherwise provided in this section, the
104 supervisor of elections shall process the application pursuant

105 | to s. 97.053.

106 | (7) The online voter registration system shall conform to
 107 | nationally accepted standards for accessibility for individuals
 108 | with disabilities, including s. 508 of the Rehabilitation Act of
 109 | 1973, s. 255 of the Telecommunications Act, and the Web Content
 110 | Accessibility Guidelines of the Worldwide Web Consortium, to
 111 | ensure equal access to voters with disabilities.

112 | (8) A legal distinction shall not be made between online
 113 | voter registration under this section and voter registration in
 114 | person, by mail, or by other methods provided by general law.

115 | Section 2. Paragraph (a) of subsection (3) of section
 116 | 97.0535, Florida Statutes, is amended to read:

117 | 97.0535 Special requirements for certain applicants.—

118 | (3)(a) The following forms of identification shall be
 119 | considered current and valid if they contain the name and
 120 | photograph of the applicant and have not expired:

- 121 | 1. United States passport or passport card.
- 122 | 2. Debit or credit card.
- 123 | 3. Military identification.
- 124 | 4. Student identification.
- 125 | 5. Retirement center identification.
- 126 | 6. Neighborhood association identification.
- 127 | 7. Public assistance identification.
- 128 | 8. United States Department of Veterans Affairs veteran
 129 | health identification card.
- 130 | 9. A license to carry a concealed weapon or firearm issued

131 pursuant to s. 790.06.

132 Section 3. Subsection (4) of section 98.077, Florida
 133 Statutes, is amended to read:

134 98.077 Update of voter signature.—

135 (4) All signature updates for use in verifying absentee
 136 and provisional ballots must be received by the appropriate
 137 supervisor of elections no later than 5 p.m. on the day before
 138 an election ~~the start of the canvassing of absentee ballots by~~
 139 ~~the canvassing board~~. The signature on file at the start of the
 140 canvass of the absentee ballots is the signature that shall be
 141 used in verifying the signature on the absentee and provisional
 142 ballot certificates.

143 Section 4. Paragraph (a) of subsection (1) of section
 144 101.043, Florida Statutes, is amended to read:

145 101.043 Identification required at polls.—

146 (1)(a) The precinct register, as prescribed in s. 98.461,
 147 shall be used at the polls for the purpose of identifying the
 148 elector at the polls before allowing him or her to vote. The
 149 clerk or inspector shall require each elector, upon entering the
 150 polling place, to present one of the following current and valid
 151 picture identifications:

- 152 1. Florida driver license.
- 153 2. Florida identification card issued by the Department of
 154 Highway Safety and Motor Vehicles.
- 155 3. United States passport or passport card.
- 156 4. Debit or credit card.

- 157 5. Military identification.
- 158 6. Student identification.
- 159 7. Retirement center identification.
- 160 8. Neighborhood association identification.
- 161 9. Public assistance identification.
- 162 10. United States Department of Veterans Affairs veteran
- 163 health identification card.
- 164 11. A license to carry a concealed weapon or firearm
- 165 issued pursuant to s. 790.06.

166 Section 5. Subsection (2) of section 101.20, Florida
 167 Statutes, is amended to read:

168 101.20 Publication of ballot form; sample ballots.—

169 (2) Upon completion of the list of qualified candidates, a
 170 sample ballot shall be published by the supervisor of elections
 171 in a newspaper of general circulation in the county, before the
 172 day of election. A supervisor may send a sample ballot to each
 173 registered elector by e-mail at least 7 days before an election
 174 if an e-mail address has been provided and the elector has opted
 175 to receive a sample ballot by electronic delivery. If an e-mail
 176 address has not been provided, or if the elector has not opted
 177 for electronic delivery, a sample ballot may be mailed to each
 178 registered elector or to each household in which there is a
 179 registered elector in lieu of publication at least 7 days before
 180 an election.

181 Section 6. Paragraph (c) is added to subsection (1) of
 182 section 101.6102, Florida Statutes, to read:

183 101.6102 Mail ballot elections; limitations.—

184 (1)

185 (c) Notwithstanding subsection (2), cities may conduct
 186 candidate elections by mail if approved by the governing body
 187 and the supervisor of elections.

188 Section 7. Subsection (3) of section 101.62, Florida
 189 Statutes, is amended to read:

190 101.62 Request for absentee ballots.—

191 (3) For each request for an absentee ballot received, the
 192 supervisor shall record the date the request was made, the date
 193 the absentee ballot was delivered to the voter or the voter's
 194 designee or the date the absentee ballot was delivered to the
 195 post office or other carrier, the date the ballot was received
 196 by the supervisor, the absence of the voter's signature on the
 197 voter's certificate, if applicable, and such other information
 198 he or she may deem necessary. This information shall be provided
 199 in electronic format as provided by rule adopted by the
 200 division. The information shall be updated and made available no
 201 later than 12 p.m. ~~8 a.m.~~ of each day, including weekends,
 202 beginning 60 days before the primary until 15 days after the
 203 general election and shall be contemporaneously provided to the
 204 division. This information shall be confidential and exempt from
 205 s. 119.07(1) and shall be made available to or reproduced only
 206 for the voter requesting the ballot, a canvassing board, an
 207 election official, a political party or official thereof, a
 208 candidate who has filed qualification papers and is opposed in

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209 an upcoming election, and registered political committees for
 210 political purposes only.

211 Section 8. Paragraph (b) of subsection (1) of section
 212 101.657, Florida Statutes, is amended to read:

213 101.657 Early voting.—

214 (1)

215 (b) The supervisor shall designate each early voting site
 216 by no later than the 30th day before ~~prior to~~ an election and
 217 shall designate an early voting area, as defined in s. 97.021,
 218 at each early voting site. The supervisor shall designate, as
 219 necessary, the early voting sites in a special election held in
 220 a county. The supervisor shall provide to the division no later
 221 than the 30th day before an election the address of each early
 222 voting site and the hours that early voting will occur at each
 223 site.

224 Section 9. Paragraph (d) of subsection (4) of section
 225 101.68, Florida Statutes, is amended, and subsection (5) is
 226 added to that section, to read:

227 101.68 Canvassing of absentee ballot.—

228 (4)

229 (d) Instructions must accompany the absentee ballot
 230 affidavit in substantially the following form:

231 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
 232 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
 233 BALLOT NOT TO COUNT.

234 1. In order to ensure that your absentee ballot will be

235 counted, your affidavit should be completed and returned as soon
 236 as possible so that it can reach the supervisor of elections of
 237 the county in which your precinct is located no later than 5
 238 p.m. on the ~~2nd~~ day before the election.

239 2. You must sign your name on the line above (Voter's
 240 Signature).

241 3. You must make a copy of one of the following forms of
 242 identification:

243 a. Identification that includes your name and photograph:
 244 United States passport; debit or credit card; military
 245 identification; student identification; retirement center
 246 identification; neighborhood association identification; ~~or~~
 247 public assistance identification; United States Department of
 248 Veterans Affairs veteran health identification card; or license
 249 to carry a concealed weapon or firearm issued pursuant to s.
 250 790.06; or

251 b. Identification that shows your name and current
 252 residence address: current utility bill, bank statement,
 253 government check, paycheck, or government document (excluding
 254 voter identification card).

255 4. Place the envelope bearing the affidavit into a mailing
 256 envelope addressed to the supervisor. Insert a copy of your
 257 identification in the mailing envelope. Mail, deliver, or have
 258 delivered the completed affidavit along with the copy of your
 259 identification to your county supervisor of elections. Be sure
 260 there is sufficient postage if mailed and that the supervisor's

261 address is correct.

262 5. Alternatively, you may fax or e-mail your completed
263 affidavit and a copy of your identification to the supervisor of
264 elections. If e-mailing, please provide these documents as
265 attachments.

266 (5) Until 5 p.m. on the day before an election, the
267 supervisor shall allow an elector who has submitted an absentee
268 ballot to update his or her signature if the ballot has not been
269 canvassed by the canvassing board.

270 Section 10. Subsection (2) of section 101.6923, Florida
271 Statutes, is amended to read:

272 101.6923 Special absentee ballot instructions for certain
273 first-time voters.—

274 (2) A voter covered by this section shall be provided with
275 printed instructions with his or her absentee ballot in
276 substantially the following form:

277 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.
278 FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT
279 TO COUNT.

280 1. In order to ensure that your absentee ballot will be
281 counted, it should be completed and returned as soon as possible
282 so that it can reach the supervisor of elections of the county
283 in which your precinct is located no later than 7 p.m. on the
284 date of the election. However, if you are an overseas voter
285 casting a ballot in a presidential preference primary or general
286 election, your absentee ballot must be postmarked or dated no

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287 later than the date of the election and received by the
288 supervisor of elections of the county in which you are
289 registered to vote no later than 10 days after the date of the
290 election.

291 2. Mark your ballot in secret as instructed on the ballot.
292 You must mark your own ballot unless you are unable to do so
293 because of blindness, disability, or inability to read or write.

294 3. Mark only the number of candidates or issue choices for
295 a race as indicated on the ballot. If you are allowed to "Vote
296 for One" candidate and you vote for more than one, your vote in
297 that race will not be counted.

298 4. Place your marked ballot in the enclosed secrecy
299 envelope and seal the envelope.

300 5. Insert the secrecy envelope into the enclosed envelope
301 bearing the Voter's Certificate. Seal the envelope and
302 completely fill out the Voter's Certificate on the back of the
303 envelope.

304 a. You must sign your name on the line above (Voter's
305 Signature).

306 b. If you are an overseas voter, you must include the date
307 you signed the Voter's Certificate on the line above (Date) or
308 your ballot may not be counted.

309 c. An absentee ballot will be considered illegal and will
310 not be counted if the signature on the Voter's Certificate does
311 not match the signature on record. The signature on file at the
312 start of the canvass of the absentee ballots is the signature

313 that will be used to verify your signature on the Voter's
314 Certificate. If you need to update your signature for this
315 election, send your signature update on a voter registration
316 application to your supervisor of elections so that it is
317 received no later than the start of canvassing of absentee
318 ballots, which occurs no earlier than the 15th day before
319 election day.

320 6. Unless you meet one of the exemptions in Item 7., you
321 must make a copy of one of the following forms of
322 identification:

323 a. Identification which must include your name and
324 photograph: United States passport; debit or credit card;
325 military identification; student identification; retirement
326 center identification; neighborhood association identification;
327 ~~or~~ public assistance identification; United States Department of
328 Veterans Affairs veteran health identification card; or license
329 to carry a concealed weapon or firearm issued pursuant to s.
330 790.06; or

331 b. Identification which shows your name and current
332 residence address: current utility bill, bank statement,
333 government check, paycheck, or government document (excluding
334 voter identification card).

335 7. The identification requirements of Item 6. do not apply
336 if you meet one of the following requirements:

337 a. You are 65 years of age or older.

338 b. You have a temporary or permanent physical disability.

339 c. You are a member of a uniformed service on active duty
340 who, by reason of such active duty, will be absent from the
341 county on election day.

342 d. You are a member of the Merchant Marine who, by reason
343 of service in the Merchant Marine, will be absent from the
344 county on election day.

345 e. You are the spouse or dependent of a member referred to
346 in paragraph c. or paragraph d. who, by reason of the active
347 duty or service of the member, will be absent from the county on
348 election day.

349 f. You are currently residing outside the United States.

350 8. Place the envelope bearing the Voter's Certificate into
351 the mailing envelope addressed to the supervisor. Insert a copy
352 of your identification in the mailing envelope. DO NOT PUT YOUR
353 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
354 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
355 BALLOT WILL NOT COUNT.

356 9. Mail, deliver, or have delivered the completed mailing
357 envelope. Be sure there is sufficient postage if mailed.

358 10. FELONY NOTICE. It is a felony under Florida law to
359 accept any gift, payment, or gratuity in exchange for your vote
360 for a candidate. It is also a felony under Florida law to vote
361 in an election using a false identity or false address, or under
362 any other circumstances making your ballot false or fraudulent.

363 Section 11. Subsection (2) and paragraph (b) of subsection
364 (3) of section 101.6952, Florida Statutes, are amended, and

365 subsection (5) of that section is republished, to read:

366 101.6952 Absentee ballots for absent uniformed services
367 and overseas voters.—

368 (2)(a) An absent uniformed services voter or an overseas
369 voter who makes timely application for but does not receive an
370 official absentee ballot may use the federal write-in absentee
371 ballot to vote in any federal, election ~~and any state,~~ or local
372 election ~~involving two or more candidates.~~

373 (b)1. In an election for federal office, an elector may
374 designate a candidate by writing the name of a candidate on the
375 ballot. Except for a primary or special primary election, the
376 elector may alternatively designate a candidate by writing the
377 name of a political party on the ballot. A written designation
378 of the political party shall be counted as a vote for the
379 candidate of that party if there is such a party candidate in
380 the race.

381 2. In ~~an election for~~ a state or local election ~~office~~, an
382 elector may vote in the section of the federal write-in absentee
383 ballot designated for nonfederal races by writing on the ballot
384 the title of each office and by writing on the ballot the name
385 of the candidate for whom the elector is voting. Except for a
386 primary, special primary, or nonpartisan election, the elector
387 may alternatively designate a candidate by writing the name of a
388 political party on the ballot. A written designation of the
389 political party shall be counted as a vote for the candidate of
390 that party if there is such a party candidate in the race. In

391 addition, the elector may vote on any ballot measure presented
392 in such election by identifying the ballot measure on which he
393 or she desires to vote and specifying his or her vote on the
394 measure. For purposes of this section, a vote cast in a judicial
395 merit retention election shall be treated in the same manner as
396 a ballot measure in which the only allowable responses are "Yes"
397 and "No."

398 (c) In the case of a joint candidacy, such as for the
399 offices of President/Vice President or Governor/Lieutenant
400 Governor, a valid vote for one or both qualified candidates on
401 the same ticket shall constitute a vote for the joint candidacy.

402 (d) For purposes of this subsection and except when ~~where~~
403 the context clearly indicates otherwise, such as when ~~where~~ a
404 candidate in the election is affiliated with a political party
405 whose name includes the word "Independent," "Independence," or a
406 similar term, a voter designation of "No Party Affiliation" or
407 "Independent," or any minor variation, misspelling, or
408 abbreviation thereof, shall be considered a designation for the
409 candidate, other than a write-in candidate, who qualified to run
410 in the race with no party affiliation. If more than one
411 candidate qualifies to run as a candidate with no party
412 affiliation, the designation may ~~shall~~ not count for any
413 candidate unless there is a valid, additional designation of the
414 candidate's name.

415 (e) Any abbreviation, misspelling, or other minor
416 variation in the form of the name of an office, the name of a

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417 candidate, the ballot measure, or the name of a political party
418 must be disregarded in determining the validity of the ballot.

419 (3)

420 (b) A federal write-in absentee ballot may not be
421 canvassed until 7 p.m. on the day of the election. A federal
422 write-in absentee ballot from an overseas voter in a
423 presidential preference primary or general election may not be
424 canvassed until the conclusion of the 10-day period specified in
425 subsection (5). Each federal write-in absentee ballot received
426 by 7 p.m. on the day of the election shall be canvassed pursuant
427 to ss. 101.5614(5) and 101.68, unless the elector's official
428 absentee ballot is received by 7 p.m. on election day. Each
429 federal write-in absentee ballot from an overseas voter in a
430 presidential preference primary or general election received by
431 10 days after the date of the election shall be canvassed
432 pursuant to ss. 101.5614(5) and 101.68, unless the overseas
433 voter's official absentee ballot is received by 10 days after
434 the date of the election. If the elector's official absentee
435 ballot is received by 7 p.m. on election day, or, for an
436 overseas voter in a presidential preference primary or general
437 election, no later than 10 days after the date of the election,
438 the federal write-in absentee ballot is invalid and the official
439 absentee ballot shall be canvassed. The time shall be regulated
440 by the customary time in standard use in the county seat of the
441 locality.

442 (5) An absentee ballot from an overseas voter in any

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443 presidential preference primary or general election which is
444 postmarked or dated no later than the date of the election and
445 is received by the supervisor of elections of the county in
446 which the overseas voter is registered no later than 10 days
447 after the date of the election shall be counted as long as the
448 absentee ballot is otherwise proper.

449 Section 12. Subsection (4) of section 102.166, Florida
450 Statutes, is amended to read:

451 102.166 Manual recounts of overvotes and undervotes.—

452 (4) (a) A vote for a candidate or ballot measure shall be
453 counted if there is a clear indication on the ballot that the
454 voter has made a definite choice.

455 (b) The Department of State shall adopt specific rules for
456 the federal write-in absentee ballot and for each certified
457 voting system prescribing what constitutes a "clear indication
458 on the ballot that the voter has made a definite choice." The
459 rules shall be consistent, to the extent practicable, and may
460 not:

461 1. Exclusively provide that the voter must properly mark
462 or designate his or her choice on the ballot; or

463 2. Contain a catch-all provision that fails to identify
464 specific standards, such as "any other mark or indication
465 clearly indicating that the voter has made a definite choice."

466 (c) The rule for the federal write-in absentee ballot must
467 address, at a minimum, the following issues:

468 1. The appropriate lines or spaces for designating a

469 candidate choice and, for state and local races, the office or
470 ballot measure to be voted, including the proximity of each to
471 the other and the effect of intervening blank lines.

472 2. The sufficiency of designating a candidate's first or
473 last name when no other candidate in the race has the same or a
474 similar name.

475 3. The sufficiency of designating a candidate's first or
476 last name when an opposing candidate has the same or a similar
477 name, notwithstanding generational suffixes and titles such as
478 "Jr.," "Sr.," or "III." The rule should contemplate the
479 sufficiency of additional first names and first initials, middle
480 names and middle initials, generational suffixes and titles,
481 nicknames, and, in general elections, the name or abbreviation
482 of a political party.

483 4. Candidate designations containing both a qualified
484 candidate's name and a political party, including those in which
485 ~~where~~ the party designated is the candidate's party, is not the
486 candidate's party, has an opposing candidate in the race, or
487 does not have an opposing candidate in the race.

488 5. Situations where the abbreviation or name of a
489 candidate is the same as the abbreviation or name of a political
490 party to which the candidate does not belong, including those in
491 which ~~where~~ the party designated has another candidate in the
492 race or does not have a candidate in the race.

493 6. The use of marks, symbols, or language, such as arrows,
494 quotation marks, or the word "same" or "ditto," to indicate that

495 the same political party designation applies to all listed
 496 offices or the elector's approval or disapproval of all listed
 497 ballot measures.

498 7. Situations in which ~~where~~ an elector designates the
 499 name of a qualified candidate for an incorrect office.

500 8. Situations in which ~~where~~ an elector designates an
 501 otherwise correct office name that includes an incorrect
 502 district number.

503 Section 13. Subsection (6) of section 189.04, Florida
 504 Statutes, is renumbered as subsection (7), and a new subsection
 505 (6) is added to that section to read:

506 189.04 Elections; general requirements and procedures.—

507 (6) Candidates for an election conducted in accordance
 508 with the Florida Election Code pursuant to this section shall
 509 appear on the ballot at the primary election conducted by the
 510 supervisor or supervisors of elections of the county or counties
 511 in which the district is located.

512 Section 14. Paragraph (a) of subsection (3) of section
 513 190.006, Florida Statutes, is amended to read:

514 190.006 Board of supervisors; members and meetings.—

515 (3)(a)1. If the board proposes to exercise the ad valorem
 516 taxing power authorized by s. 190.021, the district board shall
 517 call an election at which the members of the board of
 518 supervisors will be elected. Such election shall be held in
 519 conjunction with a primary ~~or general~~ election unless the
 520 district bears the cost of a special election. Each member shall

521 be elected by the qualified electors of the district for a term
522 of 4 years, except that, at the first such election, three
523 members shall be elected for a period of 4 years and two members
524 shall be elected for a period of 2 years. All elected board
525 members must be qualified electors of the district.

526 2.a. Regardless of whether a district has proposed to levy
527 ad valorem taxes, commencing 6 years after the initial
528 appointment of members or, for a district exceeding 5,000 acres
529 in area or for a compact, urban, mixed-use district, 10 years
530 after the initial appointment of members, the position of each
531 member whose term has expired shall be filled by a qualified
532 elector of the district, elected by the qualified electors of
533 the district. However, for those districts established after
534 June 21, 1991, and for those existing districts established
535 after December 31, 1983, which have less than 50 qualified
536 electors on June 21, 1991, sub-subparagraphs b. and d. shall
537 apply. If, in the 6th year after the initial appointment of
538 members, or 10 years after such initial appointment for
539 districts exceeding 5,000 acres in area or for a compact, urban,
540 mixed-use district, there are not at least 250 qualified
541 electors in the district, or for a district exceeding 5,000
542 acres or for a compact, urban, mixed-use district, there are not
543 at least 500 qualified electors, members of the board shall
544 continue to be elected by landowners.

545 b. After the 6th or 10th year, once a district reaches 250
546 or 500 qualified electors, respectively, then the positions of

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547 two board members whose terms are expiring shall be filled by
548 qualified electors of the district, elected by the qualified
549 electors of the district for 4-year terms. The remaining board
550 member whose term is expiring shall be elected for a 4-year term
551 by the landowners and is not required to be a qualified elector.
552 Thereafter, as terms expire, board members shall be qualified
553 electors elected by qualified electors of the district for a
554 term of 4 years.

555 c. Once a district qualifies to have any of its board
556 members elected by the qualified electors of the district, the
557 initial and all subsequent elections by the qualified electors
558 of the district shall be held at the primary election preceding
559 the general election in November. The board shall adopt a
560 resolution if necessary to implement this requirement when the
561 board determines the number of qualified electors as required by
562 sub-subparagraph d.~~7~~ to extend or reduce the terms of current
563 board members.

564 d. On or before June 1 of each year, the board shall
565 determine the number of qualified electors in the district as of
566 the immediately preceding April 15. The board shall use and rely
567 upon the official records maintained by the supervisor of
568 elections and property appraiser or tax collector in each county
569 in making this determination. Such determination shall be made
570 at a properly noticed meeting of the board and shall become a
571 part of the official minutes of the district.

572 Section 15. This act shall take effect July 1, 2015.