



# 2017 Legislative Issue Briefs



## Municipal Elections

The Florida League of Cities OPPOSES legislation that restricts municipalities Home Rule authority to set municipal election dates.

### Talking Points:

- The Florida League of Cities OPPOSES **HB 7103**, which restricts a municipality's Home Rule authority to set municipal election dates.
- HB 7103 violates the charters of Florida's 412 cities, towns and villages; only 151 hold November elections.

### Background:

Elections for municipal officers are conducted during the general election in November of even-numbered years unless the governing body of a municipality has adopted an ordinance to change the dates for qualifying and for the election of members of the governing body of the municipality.

The majority of Florida's 412 cities, towns and villages do not hold municipal elections in November. In fact, only 151 hold November elections.

Cities are responsible for the cost of city elections and usually contract with the local supervisor of elections to conduct municipal elections on their behalf. Alternatively, cities may conduct their own elections using their own voting system and equipment and not contract with the local supervisor of elections.

### Status:

**HB 7103** (Government Accountability Committee, Caldwell) will preempt to the state the authority to establish the dates of elections of municipal officers. Among other things, the bill provides that the terms of incumbent elected municipal officers affected by the change in election dates would be extended to the next municipal election.

The bill requires all municipal elections to be held in one of four choices:

- General election in November on even years
- First Tuesday after the first Monday in November of odd-numbered years
- First Tuesday after the first Monday in April of even-numbered years
- First Tuesday after the first Monday in April of odd-numbered years

During committee, the sponsor's stated intent is to allow cities to continue having staggered terms. Cities would be authorized to hold elections in April or November of both even and odd years. HB 7103 was introduced by the House Government Accountability Committee on March 29 (22-1) and has been referred to the House Public Integrity and Ethics Committee.

**SB 990 (Passidomo)** also preempts to the state the authority to establish the dates of municipal elections. Unlike HB 7103, SB 990 requires that cities hold their election in November. The bill gives the Supervisor of Elections new authority to determine whether municipal elections are held in odd years, even years, or both. SB 990 has not yet been heard in its first committee of reference, the Senate Ethics and Elections Committee.

**CS/HB 1325 (Renner)** was amended in the House Government Accountability Committee with the municipal election preemption language found in HB 7103. The Senate companion, SB 1160 (Bradley), does not contain the municipal election preemption language. CS/HB 1325 heads to the full House for approval. SB 1160 is in the Senate Rules Committee.

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