



2018 Legislative Issue Briefs



Municipal Elections

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

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. Many cities have staggered terms, meaning a five-member council with three year terms would hold elections each year with one or two seats on the ballot. Staggered terms improve stability of the governing body and allow for continuity of knowledge about city operations within the elected body as individual officials come and go over time.

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:

CS/SB 1262 (Hutson) and **HB 7037** (Government Accountability Committee) preempt to the state the authority to establish the dates of elections of municipal officers and provide the exclusive method for establishing those dates. The bills require the governing body of a municipality to choose to hold its municipal election on either the first Tuesday after the first Monday in November, or on the third Tuesday in March. If a city's charter or ordinance requires it to conduct its election in a runoff format, the bills would require the city to hold its general election 10 weeks prior to the runoff election. The bills would allow elected municipal officers to continue in office until the next municipal election date held in accordance with the new requirements.

Who is affected?

- Municipalities that currently hold elections on any date other than the dates specified in the bills
- Municipalities that currently hold their general election on the dates specified in the bills, but which currently provide for a runoff election on a date after their March or November general action (the bills will require these municipalities to hold their general elections in January/August, and any runoff election in March/November).

HB 7037 is on the House Special Order Calendar for February 14. **CS/SB 1262** passed the Senate Committee on Ethics and Elections on February 6 and is now in the Senate Community Affairs Committee.

Revised: 02/9/2018

Contact: Rebecca O'Hara, Deputy General Counsel – 850-701-3692 – rohara@flcities.com