

1 A bill to be entitled

2 An act relating to the South Indian River Water Control
3 District, Palm Beach County; amending sections (1) and (2)
4 of Section 3 of Section 3 of Chapter 2001-313, Laws of
5 Florida relating to Board of Supervisors elections,
6 referenda and tabulation of votes; Providing for an
7 effective date.

8 Be it enacted by the Legislature of the State of Florida:

9 Section 1. Sections (1) and (2) of Section 3 of Section (3) are deleted in their entirety and
10 replaced by the following language:

11 Section 3. Board of Supervisors; elections.—

12 (1) Beginning with the election in 2016, the Board of Supervisors of the South Indian River
13 Water Control District shall consist of seven members. Members of the board shall be
14 elected for three years. Beginning with the election of four members in 2016, two
15 members to be elected shall reside west of Canal 18 and two members to be elected shall
16 reside east of Canal 18. In 2017, the member to be elected shall be a resident of the
17 district. In 2018, one member to be elected shall reside west of Canal 18 and one
18 member to be elected shall reside east of Canal 18. Thereafter, three members of the
19 board shall always reside east of Canal 18, three members shall reside west of Canal 18
20 and one member shall be elected at large. Beginning with the 2016 election, all
21 candidates for the board must be landowners and residents of the district on the date of
22 qualification and maintain ownership and residence through the term or terms of office
23 served. Failure to maintain residency shall automatically disqualify a supervisor from

24 serving on the board and the remaining members of the board shall by resolution remove
25 the board member and appoint a landowner resident of the district to serve the remainder
26 of the disqualified supervisor's term. Residency status shall be determined by the
27 addresses given on a supervisor's driver's license, voter registration card or other official
28 identification which shall be submitted to the district manager at the time of qualification
29 or requalification of a candidate for election to the Board. Any challenge to the
30 continuing residency of a sitting board member shall be initiated by the challenger in the
31 Circuit Court for Palm Beach County.

32 (2) Beginning with the 2016 election of board members, only landowners residing west of
33 Canal 18 may vote for board candidates to represent the area west of Canal 18.
34 Beginning with the 2016 election of board members, only landowners residing east of
35 Canal 18 may vote for board candidates to represent the area east of Canal 18.

36 (3) For Board of Supervisors elections, and all referenda conducted by the district, the board
37 shall appoint a forensic auditor to tabulate all ballots and report results to the Board of
38 Supervisors as soon as practicable after the election. The forensic auditor appointed by
39 the board shall not be otherwise employed by the District, any member of the Board or a
40 resident of the District nor shall the auditor be related by blood or marriage to any board
41 member or district resident.

42 (4) The forensic auditor will safeguard the tabulated ballots and any interested landowner
43 may examine the ballots under the supervision of the auditor and a resident observer
44 appointed by the board so that any landowner may have an opportunity to contest the
45 election by filing objections with the Board of Supervisors concerning any ballot believed
46 to be incorrect or improper. All objections must be filed with the board no later than one

NO. 3

47 week from the date of the election. Any appeal of a Board decision shall be by certiorari
48 to the Circuit Court for Palm Beach County.

49 Section 2. This act shall take effect upon becoming a law.

DRAFT