

1 Representative Fischer offers the following substitute for J-1:  
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3 **J-1**

4 AN ACT RELATING TO THE CITY OF JACKSONVILLE,  
5 DUVAL COUNTY; AMENDING CHAPTER 92-341, LAWS OF  
6 FLORIDA, AS AMENDED; AMENDING SECTION 13.07,  
7 TO PROVIDE FOR ELECTION RATHER THAN  
8 APPOINTMENT, OF THE SUPERINTENDENT OF SCHOOLS,  
9 TO PROVIDE FOR A TERM OF FOUR YEARS, AND TO  
10 PROVIDE FOR A TWO-TERM LIMIT; TO PROVIDE FOR  
11 HOLDOVER FOR THE CURRENT SUPERINTENDENT;  
12 PROVIDING THE AMENDMENT HEREIN SHALL TAKE  
13 EFFECT ONLY UPON REFERENDUM APPROVAL OF THIS  
14 ACT; DIRECTING THE SUPERVISOR OF ELECTIONS FOR  
15 DUVAL COUNTY TO PLACE THE REFERENDUM QUESTION  
16 ON THE 2020 GENERAL ELECTION BALLOT ON  
17 NOVEMBER 3, 2020; PROVIDING THAT THE FIRST  
18 FULL TERM OF THE SUCH SUPERINTENDENT SHALL  
19 BEGIN WITH THE 2022 GENERAL ELECTION;  
20 PROVIDING AN EFFECTIVE DATE.  
21

22 **Be It Enacted by the Legislature of the State of Florida:**  
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24 **Section 1.** Article 13, of chapter 92-341, as amended, is  
25 hereby amended to read as follows:

26 **ARTICLE 13.**

27 **DUVAL COUNTY SCHOOL BOARD**

28 \* \* \*

29 **Section 13.07. - Superintendent of Schools; two term limit.**

30 ~~The Duval County School Board shall designate a person with~~  
31 ~~experience in school management and supervision as the~~

1 ~~superintendent of schools who shall be the chief administrative~~  
2 ~~employee of the board. The superintendent of schools shall be~~  
3 ~~considered an elected constitutional officer for purposes of~~  
4 ~~section 8 of article II of the State Constitution. There shall be a~~  
5 ~~superintendent of schools who shall be elected for a term of four~~  
6 ~~years. The initial term of the elected superintendent shall begin~~  
7 ~~with the 2022 General Election. No person elected and qualified~~  
8 ~~for two consecutive full terms as superintendent shall be eligible~~  
9 ~~for election as superintendent for the next succeeding term. The~~  
10 ~~election of the superintendent shall be governed by state electoral~~  
11 ~~laws for county officers.~~

12           **Section 2.           Referendum.**

13           (a) A referendum of the qualified electors residing in Duval  
14 County, Florida is hereby called to be held on November 3, 2020,  
15 the 2020 General Election, to determine whether this act shall  
16 become effective.

17           (b) The referendum shall be held and conducted in the manner  
18 prescribed by law for holding elections under a referendum  
19 provision.

20           (c) All qualified electors in Duval County shall be entitled  
21 and permitted to vote in the referendum. The places and times of  
22 voting shall be those polling places and times established for  
23 voting by law. The inspectors and clerks for the referendum shall  
24 be designated by the Supervisor of Elections in accordance with  
25 applicable State law.

26           (d) The Supervisor of Elections is authorized and directed,  
27 when printing the sample and voting ballots for use in the  
28 referendum election called in Subsection 2(a) hereinabove, to print  
29 the referendum ballot title and referendum question set forth in  
30 Sections 4 and 5 hereof on said ballots at the appropriate place  
31 therefore. Immediately after said question shall be provided a space

1 for the voter to indicate whether his or her vote is "yes" or "no"  
2 on the question.

3 **Section 3. Notice of Referendum.** The Supervisor of  
4 Elections is directed to ensure at least thirty (30) days notice of  
5 the referendum by publishing at least twice in a daily newspaper of  
6 general circulation in Duval County, once in the fifth week and  
7 once in the third week prior to the week in which the referendum  
8 election day is to be held, in the manner provided in Section  
9 100.342, Florida Statutes.

10 **Section 4. Ballot Title.** The Legislature hereby directs  
11 that the referendum ballot title for the referendum question be in  
12 substantially the following form:

13 "AMENDING CHARTER TO PROVIDE FOR AN ELECTED,  
14 RATHER THAN AN APPOINTED, SUPERINTENDENT OF  
15 SCHOOLS"

16 **Section 5. Official Ballot.** The Legislature hereby  
17 directs that the following referendum question, in substantially  
18 the form set forth below, be placed on the ballot at the election  
19 called for in this act:

20 "Currently, the Jacksonville City Charter,  
21 Chapter 92-341, as amended, provides for an  
22 appointed Duval County Superintendent of  
23 Schools. Shall Chapter 2020-\_\_\_\_, Laws of  
24 Florida, which amends the Jacksonville Charter  
25 to provide that the Duval County  
26 Superintendent of Schools shall no longer be  
27 appointed by the School Board but shall be  
28 elected for a term of four years, with a two-  
29 term limit, beginning with the 2022 General  
30 Election, become effective?"

31 (\_\_\_\_\_) YES.

1 (\_\_\_\_\_) NO.

2 **Section 6. Referendum Results.** The Supervisor of  
3 Elections for Duval County, Florida shall certify the results of  
4 the referendum to the Florida Department of State in accordance  
5 with law. If a majority of the votes cast in the referendum shall  
6 be for the amendment, the amendment in Section 1 shall be approved,  
7 and shall take effect as provided in this Act.

8 **Section 7. Initial Term.**

9 Upon approval of the referendum called in Section 2 and upon  
10 taking effect of the charter amendment in Section 1, the initial  
11 term of the elected superintendent shall begin with the 2022  
12 General Election. The election of the superintendent shall be  
13 governed by state statutes regarding election of county officers.

14 **Section 8. Holdover.** The superintendent in office at the  
15 time the amendment in Section 1 takes effect shall remain in office  
16 until the 2022 General Election; provided, however, that such  
17 Superintendent is subject to removal and replacement by the Duval  
18 County School Board under such terms and conditions of any contract  
19 between the superintendent and the School Board. Any such  
20 superintendent appointed by the School Board prior to the 2022  
21 General Election shall remain in office until the 2022 General  
22 Election; provided however, that such Superintendent is subject to  
23 removal and replacement by the Duval County School Board under such  
24 terms and conditions of any contract between the superintendent and  
25 the School Board.

26 **Section 9. Effective Date.** This Act shall become  
27 effective upon becoming law. If the referendum scheduled herein is  
28 approved, then the terms of section 1 of this Act shall become  
29 effective immediately upon verification of the results of the  
30 referendum's election vote.

1 Form Approved:

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4 Office of General Counsel

5 Legislation Prepared By: Stephen M. Durden

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