

1 _____ offers the following substitute for J-1:
2

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:**
23

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 special
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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