

AGENDA ITEM SUMMARY

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| Meeting Date: | SEPTEMBER 4, 2019 |
| Agenda Category: | NEW BUSINESS |
| Agenda Item Number: | 11 B |
| Subject: | REQUEST TO AMEND SEC. 2-16, ROCKLEDGE CODE OF ORDINANCES, MODIFYING THE QUALIFYING PERIOD FOR ELECTIONS (OFFICE OF THE CITY CLERK) |

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| Attachments: | Memorandum; Sec. 2-16 Code of Ordinances |
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| Staff Contact: | Public Relations Officer & City Clerk Nicholas |
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| Background: | <p>With regard to elections and ballot information, Brevard County is required to be bilingual by 2020. As a result of these new regulations, the Brevard County Supervisor of Elections Office will need to receive election information from municipalities no later than 78 days prior to the election. Because the City's qualifying period runs from the 77th day to the 67th day prior to the election, the City has been requested to modify its qualifying period in order to conform to the 78-day deadline. The recommended change in qualifying dates will still provide for the same 10-day time frame for qualifying.</p> |
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| Reference: | Florida Election Code |
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| Suggested Action: | Authorize staff to draft the requisite ordinance amending Section 2-16, Rockledge Code of Ordinances, modifying the qualifying period and providing for any future modifications to the qualifying period by Resolution |
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CITY OF ROCKLEDGE

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Lisa C. Nicholas
Public Relations Officer &
City Clerk

*approved to
go to Council
Dr. Fettrow
8/26/2019*

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TO: Dr. Brenda Fettrow, City Manager
FROM: Lisa Nicholas, Public Relations Officer & City Clerk
SUBJECT: Amendment to Sec. 2-16, Rockledge Code of Ordinances
DATE: August 26, 2019

Recently, Brevard County Supervisor of Elections (BCSOE) Lori Scott addressed the Brevard County City Clerks Association. Supervisor Scott informed the group of various changes to the Election Law that impact submission deadlines for certain election information that needs to be transmitted to the state by county supervisor of elections offices.

These changes have been prompted because Florida statute now mandates that Brevard County is required to be bilingual by 2020. Therefore, the election information that is transmitted by municipalities to the BCSOE must be received by the BCSOE **no later than 78 days prior to the election.**

Currently, Section 2.16 (Procedure for candidates to qualify) sets forth that candidates must announce their candidacy "during the qualifying period which shall commence at noon on the seventy-seventh (77th) day immediately preceding the election and close at noon on the sixty-seventh (67th) day immediately preceding the election." Because the election information must be received by the BCSOE no later than the 78th day prior to the election, this prescribed time frame would render the City's election information to be submitted 11 days late.

Staff is therefore recommending an amendment to Section 2.16(a) that would modify the qualifying period to commence at noon on the ninety-first (91st) day preceding the election and close at noon on the eighty-first (81st) day preceding the election. Although this change would begin the qualifying period two weeks earlier, the period would extend for the same 10-day time frame, and staff would be able to transmit the information to the BCSOE in a timely manner.

Staff further recommends that any future modifications to the qualifying period should be permitted to be amended by Resolution.

ROCKLEDGE CODE OF ORDINANCES

CHAPTER 2 – ADMINISTRATION

ARTICLE II – ELECTIONS

Sec. 2-16. - Procedure for candidates to qualify.

(a) The city clerk or deputy city clerk shall receive a written statement from every person desiring to enter an election, announcing his or her candidacy, during the qualifying period which shall commence at noon on the seventy-seventh (77th) day immediately preceding the election and close at noon on the sixty-seventh (67th) day immediately preceding the election. Such written statement shall state that the candidate is a qualified elector of the city, that such candidate is qualified under the charter and ordinances of the city and of this Code for the office to which he desires to be elected, that such candidate has paid the assessment, if any, levied against him or her as a candidate for such office, and such candidate shall swear or affirm to the truth thereof. A copy of such sworn statement shall be filed with the city clerk. A copy of this election ordinance shall be furnished to each prospective candidate upon qualification by the city clerk or deputy city clerk.