

DE 77-13A - June 14, 1977

**County Executive Committee Officers' Terms
Chapter 103, F.S.**

To: Ms. Phyllis M. Teller, Secretary, Pinellas County Democratic Executive Committee, 5700 Thirty-Fourth Street, North, St. Petersburg, Florida 33714

Prepared by: Division of Elections

This amended opinion supercedes and replaces DE 077-13.

You have asked whether a county executive committee, created and empowered by Section 103.011, F. S., may revise its bylaws to diminish the four-year terms as committee officers (e.g., Chairmen, Vice-Chairmen, et al) elected in 1976 for four-year terms, in order to make such terms of office expire in 1976 and thereafter to be for two years.

Section 103.111(2)(a), F.S., fixes the terms of county executive committee members at four-years, and this provision would not be affected by your proposed revision of the bylaws.

In 1953, the Attorney General considered essentially the question which you have now posed. In Attorney General's Opinion 033-249 (p. 116), it was ruled that the statutory provision that "The members of the committee shall, within thirty days after election, meet. . . and organize by electing from among their members a chairman and vice-chairman. . . ." entailed a four-year term per each officer.

The statute now provides, as it did then, for four-year terms for members, and newly provides at Section 103.111(2)(a):

.. .The outgoing chairman of each county executive committee shall within 14 days after the committee members take office, call an organizational meeting for the purpose of electing officers.

This requirement is operative once every four years.

Accordingly, it would be the opinion of the Division that the county executive committee could not alter nor abort the four-year terms of its officers by revision of by laws, except that Section 103.111(2) (a) is by its own terms subject to "party rule", to which rule the statutory text is subordinate. Article II, Section 3, L. of the Standing Rules of the Florida Democratic Party, empowers county committees to provide for terms of office less than four-years in duration. This grant of authority is without restriction.

In this respect, your question is answered in the affirmative.