

The statutes addressed in this opinion have changed. Please consult current Florida law.

DE 80-15 - June 9,1980

Special District Office Candidates

To: Honorable Mary Morgan, Supervisor of Elections, Pasco County, Room 102, Pasco County Courthouse, Dade City, Florida 33525

Prepared by: Division of Elections

This is in response to your letter concerning the procedures candidates for special district offices within your county should follow in qualifying for office.

I suggest these candidates qualify according to the procedures set forth in the statute that creates the office being sought. This means the following procedures should be followed:

1. Candidates for seats on the Water and Sewer Districts for Pasco County should qualify according to Section 153.53(3), F.S. This requires the candidate to file a petition with signatures from persons owning not less than 10 percent of the property within the district, with the board of county commissioners not less than 14 days prior to the election with a qualifying fee of 25 dollars.
2. Candidates for seats on the Road and Bridge District for Pasco County should qualify according to the procedures set forth in Section 336.62(2)(a), F.S. This requires the candidate to file a petition, signed by persons having not less than 25 percent of the vote within the district, with the board of county commissioners not less than 14 days prior to the election with a qualifying fee of 250 dollars.
3. Candidates for seats on the Mosquito Control District of Pasco County should qualify according to Section 388.081, F.S. This requires the candidate to file a petition signed by not less than 25 qualified electors for the election with the board of county commissioners not less than 45 days before the election. No qualifying fee is required.

Candidates for these offices should qualify as set forth above, and not as set forth in Section 99.061, F. S. This position is required within your district because of Judge Bergstrom's issuance of two writs of mandamus requiring your office to qualify candidates for the Water and Sewer Districts and Road and Bridge Districts within your county according to Section 153.53(3), F.S., and Section 336.62(2)(a), F. S. It is anticipated that an attempt to qualify candidates for the Mosquito Control Districts in Pasco County according to Section 99.061, F.S., would bring a writ of mandamus requiring your office to qualify such candidates according to Section 338.081, F.S.

In closing, let me remind you that though these candidates are required to qualify with the Board of county commissioners, you are required to assist the board with such administrative matters pertaining to the conduct of the election as the board deems appropriate.