



Legislation Text

File #: 210595., **Version:** 1

Ordinance Amending Chapter 9 Related to Elections (B)

Ordinance No. 210595

An ordinance of the City of Gainesville, Florida, amending Chapter 9 of the Code of Ordinances related to elections to conform to the charter amendments approved by voters on November 6, 2018; revising Chapter 9 to align the city election with the statewide primary election and the runoff election to coincide with the statewide general election; revising section 9-11 by changing the campaign contribution limit from \$250 to the limit set by statute; revising section 9-14 by providing that the county canvassing board will be used for the city election that coincides with the statewide primary election; updating section 9-14 to provide for vote-by-mail ballots instead of absentee ballots; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

The City Commission passed Ordinance No. 160876, which directed a proposed charter amendment relating to municipal elections to be presented to electors at the November 6, 2018 election. The electors approved the charter amendment on November 6, 2018. It is necessary to revise Chapter 9 to reflect those amendments. This ordinance aligns the city election with the statewide primary election, which generally occurs in late August, and aligns the city runoff election with the statewide general election, which generally occurs in early November. Qualifying dates and any early voting and vote-by-mail voting, will be consistent with the respective primary or general election dates. Because city elections will coincide with statewide elections, the services of the county canvassing board will be used. However, if a special municipal election is held, the services of a municipal board of canvassers will be used.

Other than ordinance changes necessitated by the amendments to the Charter Laws, additional revisions to Chapter 9 are needed in order to align the ordinances with current state law. The term "absentee" ballots is changed to "vote-by-mail" ballots. As a result of SB 1890, effective July 1, 2021, which changed Florida Statute section 106.08, municipalities are preempted from enacting campaign contribution limits that differ from the limitations in the statute. Therefore, the campaign contribution limit, which the ordinance sets as \$250.00, is changed to the limit set by state law, which is currently \$1,000.00. Finally, certain provisions in Chapter 9 have been removed because they are duplicative of laws contained in state statute.

The City Commission adopt the proposed ordinance.