



## Agenda Item Summary

---

**File #: 24-00734**

**Agenda Date: 8/13/2024**

---

**Agenda Item Name:**

**Appointment of substitute and alternate members of the Canvassing Board for the 2024 General Election**

**Presenter:**

Corbin Hanson

**Description:**

The Supervisor of Elections has an opponent in the November general election and cannot serve on the Canvassing Board. Pursuant to section 102.141, Fla. Stat., the Chair must appoint a member of the County Commission as a substitute member of the Canvassing Board to sit in the place of the Supervisor of Elections for the November election. Currently, Commissioner Wheeler is the County Commission's representative on the Canvassing Board and Commissioner Cornell is the alternate for that position. If Commissioner Cornell is appointed as the substitute, then the Chair must appoint another member of the County Commission, if available, as an alternate member of the Canvassing Board.

If no member of the County Commission is available to serve as a substitute or alternate, then the chief judge of the judicial circuit in which the county is located must appoint a qualified elector of the county who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed. We have done this in the past through a Chair letter to the Chief Judge with recommendations for qualified electors to be appointed.

All county commissioners serving on the Canvassing Board, whether in a primary, substitute, or alternate capacity, must meet the qualifications of serving on the Canvassing Board. Canvassing Board members may not be a candidate who has opposition in the election being canvassed and may not be an active participant in the campaign or candidacy of any candidate who has opposition in the election being canvassed.

**Attachments include:**

A 2009 opinion from the Division of Elections regarding when an individual is disqualified from serving on the County Canvassing Board due to being an active participant in an election and a 2018 example of a Chair letter to the Chief Judge of the Eighth Judicial Circuit asking him to appoint a qualified elector of the County to act as the Canvassing Board's alternate member. This letter would be sent to the Chief Judge if no member is able or qualified to serve on the Canvassing Board.

**Recommended Action:**

- 1) Appoint a qualified county commissioner as a substitute member of the Canvassing Board to serve in the place of the Supervisor of Elections. If this creates a vacancy in the Canvassing Board's alternate member, then appoint a qualified member of the County Commission to serve as an alternate member; or
- 2) Alternatively, if no member of the County Commission is qualified and able to serve as either a substitute member or an alternate member of the Canvassing Board, request that the Chief Judge of the Eighth Judicial Circuit appoint a qualified elector to fill the vacancy on the Canvassing Board, pursuant to section 102.141, Florida Statutes.

**Prior Board Motions:**

N/A

**Fiscal Note:**

N/A

**Strategic Guide:**

N/A

**Background:**

Section 102.141, Florida Statutes, provides that the County Canvassing Board should be composed of the Supervisor of Elections, a County Court Judge, and the Chair of the Board of County Commissioners, or another designated Commissioner. In addition, there must be alternate canvassing board members appointed and available to serve on the Canvassing Board if the primary members are unavailable for a meeting.