

P.O. Box 545
Bradenton, FL 34206

May 7, 2024

James Satcher
Supervisor of Elections, Manatee County
PO Box 1000
Bradenton FL 34206-1000

Dear Supervisor Satcher,

Congratulations on your appointment to Manatee Supervisor of Elections. The purpose of this letter is to inform the Supervisor of Elections and your office of the legal obligation to hold an election, in the August and November 2024 election cycle, for the District 5 school board position.

Richard Tatem, Manatee County school board member for district 5 whose term runs until the 2026 election, has announced his intention to run for state house representative district 72. Tatem stated he will vacate the school board seat on November 5, the day of the 2024 election. State election law dictates that he must submit a resignation letter at least 10 days before the candidate qualifying period begins, which this year is on June 10. Florida statute states that elections to fill a vacancy are required if the remainder of the term is 28 months or longer. Gov. Ron DeSantis would need to appoint someone to fill a seat on the school board if a resignation occurs with less than 28 months remaining in the term.

According to a FL Supreme Court advisory opinion (928 So.2d 1218, Supreme Court of Florida), the "remainder of the term" for elected county officials should be calculated from the date the resignation is tendered, not the date the incumbent intends to vacate the office. As stated previously, FL election law requires that Mr. Tatem must submit his resignation letter on/before May 31 2024. Calculating from May 31 2024, there are more than 28 months left in Tatem's term on the school board. So, although he does not intend to vacate the office until November 5, the FL Supreme Court opinion indicates that the position should be included in the August/November election cycle in Manatee County. We have included the advisory opinion with this letter.

The League of Women Voters of Manatee County requests that the Manatee County Supervisor of Election open school board district 5 for the 2024 election cycle and welcome eligible candidates to run for the position. Please respond in writing about your intentions by May 15th so that we are able to have time to seek additional remedies if needed. Thank you for your attention to this issue of importance to District 5 and our schools.

Sincerely,

N. Alice Newlon Ruth Harenchar

N. Alice Newlon and Ruth Harenchar
Co-Presidents
League of Women Voters of Manatee County