



P.O. Box 545
Bradenton, FL 34206

May 17, 2024

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

Dear Supervisor Satcher,

We are disappointed that we have not received, by May 15, an answer to the May 7 League of Women Voters of Manatee County letter. In that letter we requested that the Manatee County Supervisor of Elections open School Board District 5 for the 2024 election cycle upon resignation notification by Mr. Tatum. We want to be sure that your office has all the relevant legal information that is required, and that you do not misunderstand the impact of a provision in SB90.

The Florida constitutional provision, commonly termed “Resign to Run”, and the subsequent Supreme Court opinion, established the effective date for the 28 month rule as the date the resignation letter is submitted. There is a provision in SB90 that would appear to change the constitutional provision and make the effective date of resignation the date the office is vacant. <https://www.flsenate.gov/Session/Bill/2021/90/BillText/er/PDF>

This provision states:

570 The office is deemed vacant upon the effective date of the
571 resignation submitted by the official in his or her letter of
572 resignation.

The statutory change in SB 90 does not supersede the constitutional requirement that there be a special election if there are 28 months left in the term, or the Florida Supreme Court's interpretation of that constitutional mandate when a resignation is submitted more than 28 months out, but effective within 28 months. It is important that Manatee County and the State of Florida comply with the Florida constitution and run a special election upon the termination notification by Mr. Tatum of the District 5 School Board position.

We are aware that one person has filed to run for the District 5 School Board position in the 2026 election, in anticipation that Mr. Tatem will submit his resignation, and this candidate will be moved forward to run in the 2024 election. The Supervisor of Elections needs to be prepared to have District 5 on the 2024 ballot, according to the Florida constitution.

The League of Women Voters is nonpartisan. We never support a candidate or party. We do support and oppose issues. If Mr. Tatem submits his resignation on or before May 31, we support the constitutional right of any candidate, who fulfills the legal requirements, to run for the District 5 School Board position in the 2024 election.

Sincerely,

N. Alice Newlon Ruth Harenchar

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