

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

JACKSONVILLE BRANCH OF
THE NAACP, et al.,
Plaintiffs,

Case No. 3:22-cv-493-MMH-LLL

v.

CITY OF JACKSONVILLE, et al.,
Defendants.

**DEFENDANTS' RESPONSE IN OPPOSITION TO
PLAINTIFFS' MOTION TO ORDER SPECIAL ELECTIONS
FOR DUVAL COUNTY SCHOOL BOARD DISTRICTS 4 AND 6**

For the first time since filing suit in May 2022, Plaintiffs claim that Duval County School Board Districts 4 and 6 (SBDs) are racially gerrymandered due to boundaries drawn by the City Council in 2011. Doc. 134 at 4-6 (Motion). They therefore ask the Court order special elections to cure this alleged injury. *Id.* at 1. Plaintiffs, however, lack standing to make this request, and in presenting their Motion, invite the Court to disregard the jurisdictional boundaries of Art. III, section 2 of the U.S. Constitution. *See Flast v. Cohen*, 392 U.S. 83, 94-95 (1968). Plaintiffs' request cannot be justified.

Rather, in an action for which judgment has been entered and the case dismissed, *see* Docs. 131 (Order Approving Settlement), 132 (Final Judgment), Plaintiffs now essentially seek to amend their Complaint, add a new claim, and

obtain immediate relief for the same. This, they cannot do. Plaintiffs have never presented the Court with the case and controversy for which they presently seek relief, nor do they have standing to do so. Accordingly, Plaintiffs' petition for special elections is not necessary, fair, or workable. *See North Carolina v. Covington*, 581 U.S. 486, 488 (2017). Defendants therefore respectfully request the Court deny Plaintiff's Motion seeking special elections for SBDs 4 and 6.

MEMORANDUM OF LAW

I. BACKGROUND

On May 3, 2022, Plaintiffs filed suit alleging the City Council, when it passed council district lines in March 2022, racially gerrymandered Districts 2, 7, 8, 9, 10, 12 and 14. Doc. 1 at ¶¶ 261-69 (Complaint).¹ Because SBDs are predicated on council lines, Plaintiffs also alleged the March 2022 SBDs 4, 5, and 6 were unconstitutional. *Id.* Plaintiffs therefore requested the Court declare the challenged council districts and SBDs unlawful; “preliminarily and permanently enjoin Defendants . . . from calling, holding, supervising, or certifying any elections in the Challenged Districts as defined” by the March 2022 lines, *id.* at 65; and order “Defendants to hold special elections in the Challenged Districts as defined [by the March 2022 lines] to limit the harm to

¹ Plaintiffs also alleged that the Council drew the district lines in violation of the City Charter. *See* Complaint at ¶¶ 270-277.

Plaintiffs *should adequate relief be unavailable prior to the next regularly scheduled elections.*” *Id.* (emphasis added).

On July 22, 2022, Plaintiffs sought preliminary injunctive relief requesting the Court enjoin Defendants from using the March 2022 lines in future elections pending the Court’s final judgment. Plaintiffs requested that in the interim, the Court order Defendants to use a constitutional map, drafted either by the Council, or in the alternative, by the Plaintiffs. *See* Doc. 36 at 1 (PI Motion); Doc. 39 at 2-3 (Remedial Brief). After briefing and oral argument, the Court determined Plaintiffs demonstrated a substantial likelihood of success on the merits of their gerrymandering claim, enjoined the City from using the March 2022 map, and ordered the Council to draw a remedial plan no later than November 8, 2022. Doc. 53 at 137 (PI Order). The Council did so, *see* Doc. 67 (IRP), to which Plaintiffs objected and presented alternative maps. *See* Doc. 92-2 (Remedial Objections). The Court ultimately rejected the IRP, and selected Plaintiffs’ proffered P3 map for the March 2023 elections (and correspondingly modified SDBs 4 and 6 to reflect this change) pending final judgment in this action. Doc. 101 at 58 (Remedial Order).

The parties later reached a settlement, the terms of which included that Defendants adopt P3 “as its redistricting plan for the Jacksonville City Council and Duval County School Board district boundaries for the 2020 decennial census term.” Doc. 132-1 at 3 (Court Approved Settlement). The Court

subsequently entered final judgment in the matter, approving the parties' agreement, dismissing the matter, and ordering the Clerk of the Court to close the file. Final Judgment at 2-3. The Court nonetheless retained limited jurisdiction to enforce the terms of the agreement, and to adjudicate Plaintiffs' Motion now before the Court. *Id.*

In the instant Motion, Plaintiffs assert they “are suffering immense constitutional harm” because SBDs 4 and 6 – and representatives elected to those districts in August 2022 – exist pursuant to racially gerrymandered lines drawn by the Council in 2011. Motion at 7.² Accordingly, they ask the Court to redeem this harm by ordering special elections in 2024 for SBDs 4 and 6.

In their Motion, Plaintiffs aptly describe the number of Duval County SBDs, how those districts are configured, the length of board member terms, and the staggered nature of the election cycle. Motion at 3-4. More particularly, should the Court grant Plaintiffs their requested relief, all SBDs will be up for election during the 2024 elections, but for SBD2. *See* Ex. 1. at ¶ 4 (Carney Dec.); *See* Ex. 2 at ¶19 (Willie Dec.). At present, April Carney is the elected representative for SBD2, serving her first term. Carney Dec. at ¶ 2. Darryl Willie is the elected representative for SBD4, serving his second term,

² Plaintiffs also suggest that the racial gerrymandering existed as early as 1991. Motion at 10. It is not entirely clear, therefore, if they are alleging their injury occurred in 1991, 2011, or August of 2022. *See Doe, as next friend on behalf of Doe #6 v. Swearingen*, 51 F.4th 1295, 1303-07 (11th Cir. 2022) (discussing date of injury for statute of limitations purposes).

for which he ran unopposed. *See* Willie Dec. at ¶¶ 2, 6. Finally, Charlotte D. Joyce is the elected representative for SBD6, also serving her second term. *See* Ex. 3 at ¶¶ 2-3 (Joyce Dec.).

II. RELEVANT LAW

When a party requests that a court order special elections to remedy a racial gerrymandering claim, the court should consider what is necessary, fair, and workable. *Covington*, 581 U.S. at 488. Balancing both individual and collective interests, a court should evaluate “the severity and nature of the particular constitutional violation, the extent of the likely disruption to the ordinary processes of governance if early elections are imposed, and the need to act with proper judicial restraint when intruding on state sovereignty.” *Id.*

Of equal importance, “[t]he jurisdiction of federal courts is defined and limited by Article III of the Constitution,” curtailing the courts’ power to address only “cases” and “controversies.” *Flast*, 392 U.S. at 94–95; *see also* *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 559 (1992); *Bourdon v. U.S. Dep’t of Homeland Sec.*, 940 F.3d 537, 546 (11th Cir. 2019); *Coker v. Warren*, No. 3:22-CV-518-MMH-LLL, 2023 WL 2330666, at *2 (M.D. Fla. Mar. 2, 2023). “Grounded in ‘concern about the proper—and properly limited—role’ of an ‘unelected, unrepresentative judiciary’ in our democratic society,” the case and controversy requirement imposes “fundamental limits on federal judicial

power.” *Alumni Cruises, LLC v. Carnival Corp.*, 987 F. Supp. 2d 1290, 1299 (S.D. Fla. 2013) (citing *Allen v. Wright*, 468 U.S. 737, 750 (1984)).

“The requirement that jurisdiction be established as a threshold matter springs from the nature and limits of the judicial power of the United States and is inflexible and without exception.” *Steel Co. v. Cit. for a Better Env't*, 523 U.S. 83, 94-95 (1998) (internal citations and alterations omitted).

The power of a judicial decree rests neither in the power of the purse nor the sword, but in the integrity of its source. The vigilance of the judiciary in confining the scope of its authority to the constitutional grant embodied in Article III is one aspect of the foundation of that power.

U.S. v. Bogle, 689 F. Supp. 1121, 1140 (S.D. Fla. 1988). “If jurisdiction is absent, then [the courts] are without power to proceed. Indeed, courts have no business deciding legal disputes or expounding on law in the absence of such a case or controversy.” *Diamond State Ins. Co. v. Boys' Home Ass'n, Inc.*, No. 3:13-CV-457-J-34PDB, 2014 WL 4626597, at *3 (M.D. Fla. Sept. 16, 2014) (internal citations and quotations omitted). “For a court to pronounce upon the meaning or the constitutionality of a state or federal law when it has no jurisdiction to do so is, by very definition, for a court to act *ultra vires*.” *Steel Co.* 523 U.S. at 101–02.

Resting upon the bedrock case and controversy requirement is the “irreducible minimum” that a plaintiff also demonstrate standing. *Valley Forge Christian College v. Am. United for Sep. of Church & State*, 454 U.S. 464,

472 (1982); *Lujan*, 504 U.S. at 560-61; *Am. C.L. Union of Fla., Inc. v. Dixie Cty., Fla.*, 690 F.3d 1244, 1248 (11th Cir. 2012). Therefore, the plaintiff bears the burden of establishing “(1) that he has suffered an actual or threatened injury, (2) that the injury is fairly traceable to the challenged conduct of the defendant, and (3) that the injury is likely to be redressed by a favorable ruling.” *Fla. Right to Life, Inc. v. Lamar*, 273 F.3d 1318, 1322 (11th Cir. 2001).

In light of the foregoing, the Court lacks jurisdiction to address Plaintiffs’ request and their claim lacks merit. As such, it is neither necessary, fair, nor workable for the Court to provide Plaintiffs’ requested relief. *Covington*, 581 U.S. at 488. For these reasons, the Court should deny Plaintiffs’ Motion.

III. ARGUMENT

A. The Court Does Not Have Jurisdiction to Grant Plaintiffs’ Requested Relief

Plaintiffs suggest the lines drawn by the Council in 2011 violate the Fourteenth Amendment, and that the August 2022 School Board elections under those lines are equally suspect. Motion at 4-6, 7-9. Regardless of whether Plaintiffs’ assertions have merit, the Court lacks jurisdiction to grant their requested relief.

The Constitution limits the judicial power of the federal courts to cases and controversies. *See* U.S. CONST., art. III, § 2. This requirement serves to “limit the business of federal courts to questions *presented* in an adversary

context” *Flast*, 392 U.S. at 95 (emphasis added). Without a presented case or controversy a court lacks power to act, and proceeding otherwise violates the Constitution. *See Steel Co.*, 523 U.S. at 94–95, 101-02; *Diamond State Ins. Co.*, 2014 WL 4626597 at *3; *Bogle*, 689 F. Supp. at 1140. By asking the Court to redeem injuries Plaintiffs allege relate to district lines drawn in 2011, Plaintiffs request the Court to proceed unconstitutionally and to act *ultra vires*. *Steel Co.*, 523 U.S. at 101–02.

At no point in this litigation – until now – have Plaintiffs presented a claim that they are seeking relief for injuries associated with the 2011 lines or the August 2022 School Board elections. Plaintiffs were aware however, of City election cycles and which lines would be used for which elections. PI Motion at 2, n.3; PI Order at 126 n. 68. They nonetheless have never contended that the August 2022 elections were problematic. While Plaintiffs did raise arguments in their PI Motion regarding the legality of prior redistricting cycles, they did so to counter Defendants’ defense that the 2022 lines were drawn for the purposes of “core preservation,” rather than to assert a claim of injury in and of itself. *See* PI Motion at 6, 15-16; Doc. 43 at 3, 10 (PI Reply).

Likewise, at no point have Plaintiffs presented the Court with an opportunity to issue a ruling that the 2011 district lines were unconstitutional. Of course, the Plaintiffs’ argument for preliminary injunctive relief, and the Court’s granting of the same, relied in part, on past redistricting processes,

including that from 2011. *See* PI Motion at 6, 15-16; PI Reply at 3, 10; PI Order at 23-28, 102-03, 107-08. However, the Court, in citing to and examining that history, did not issue a legal ruling regarding the 2011 lines. Certainly, the Court sharply critiqued the 2011 process, PI Order at 23-28, 102-03, 107-08, but it qualified its comments, noting it considered the “2011 historical evidence only to the extent it gives rise to inferences regarding the intent of the City Council in 2022.” *Id.* at 104; *see also id.* at 100, 103. In issuing relief to Plaintiffs, the Court indicated its focus was on a “new harm – the maps enacted in 2022, and the harms posed by those maps” if used in the March 2023 elections. *Id.* at 129. Plaintiffs, therefore, have not presented the Court with a case and controversy regarding the 2011 lines, nor should the Court entertain those claims now. *Steel Co.*, 523 U.S. at 94–95, 101-02; *Flast*, 392 U.S. at 95; *Diamond State Ins. Co.*, 2014 WL 4626597 at *3; *Bogle*, 689 F. Supp. at 1140.

Plaintiffs also lack standing to request the Court order special elections. *Fla. Right to Life, Inc.*, 273 F.3d at 1322 (detailing standing elements). As relevant here, the redressability requirement of standing asks “whether the injury that a plaintiff alleges is likely to be redressed through the litigation.” *Falls v. DeSantis*, 609 F. Supp. 3d 1273, 1282–83 (N.D. Fla. 2022) (citations omitted). Courts must be able to “ascertain from the record whether the relief requested is likely to redress the alleged injury,” and if not, courts lack “jurisdiction to entertain the” request. *Hollywood Mobile Estates Ltd. v.*

Seminole Tribe of Fla., 641 F.3d 1259, 1266 (11th Cir. 2011). *See also Lewis v. Gov. of Ala.*, 944 F.3d 1287, 1301 (11th Cir. 2019); *I.L. v. Ala.*, 739 F.3d 1273, 1281 (11th Cir. 2014). Plaintiffs' Complaint does not indicate special elections for SBDs 4 and 6 will cure the underlying injury for which they sought relief.

Plaintiffs' Complaint focused on the March 2022 redistricting cycle and elections that might occur under the map produced in that process, specifically in March 2023. In particular, Count I alleged the Council, when enacting the March 2022 district lines, violated the Fourteenth Amendment by racially gerrymandering Districts 2, 7, 8, 9, 10, 12 and 14. Complaint at ¶¶ 261-269. As a result, SBDs 4, 5, and 6, also represented racial gerrymanders. Plaintiffs asked the Court to declare the challenged districts unlawful, enjoin Defendants from using the March 2022 map, and if adequate relief was not otherwise available, hold special elections in the challenged districts. *Id.* at 65.

Plaintiffs now belatedly ask the Court to order special elections for SBDs 4 and 6. Special elections, however, will not redress the injury alleged in their Complaint. *See generally Lewis*, 944 F.3d at 1301; *I.L.*, 739 F.3d at 1281; *Hollywood Mobile Estates Ltd.*, 641 F.3d at 1266. The Complaint focused on injuries resulting from the March 2022 lines, and sought to ensure those lines were not used in future Jacksonville elections. Complaint at ¶¶ 261-69; PI Motion at 1; Remedial Brief at 2-3. Hence, whatever injuries Plaintiffs presently raise regarding the 2011 lines or the August 2022 elections that

occurred thereunder, those harms were not caused by the map the Council drew in March of 2022. No elections have occurred under that map.

Indeed, Plaintiffs obtained remedies curing the injuries alleged in the Complaint as related to the March 2022 map. The Court declared that map unconstitutional, enjoined the Defendants from holding elections pursuant to the lines contained therein, and ordered the Defendants to use a different map pending final judgment.³ *See* PI order at 137; Remedial Order at 58. Likewise, the Court approved the parties' settlement adopting P3 as the district map. *See* Order Approving Settlement; Final Judgment.

The relief Plaintiffs request in the instant Motion is not aligned to cure the harms alleged in their Complaint. *Lewis*, 944 F.3d at 1305 (“Plaintiffs cannot demonstrate that the relief they seek would . . . significantly increase the likelihood” of redressing their asserted injury); *I.L.*, 739 F.3d at 1281 (“we must consider the requested relief in the context of the injury that it purports to redress”). Rather, Plaintiffs' remedy addresses their newly asserted injuries associated with the 2022 elections and the 2011 lines. The relevant harm before the Court, however, is the racial gerrymandering claim associated with the Council's March 2022 district lines, a harm that has been redressed.

³ In their Complaint, Plaintiffs did include a prayer for special elections. However, that request was conditional “should adequate relief be unavailable prior to the next regularly scheduled elections.” Complaint at 65. Because Plaintiffs obtained adequate relief in the preliminary injunction proceedings, there was no need for special elections.

Plaintiffs have not presented the Court with a case and controversy to address the harms raised in their Motion. Nor do they have standing to seek the relief requested therein. In the absence of the constitutionally required jurisdiction to entertain Plaintiffs' newly raised claims, it is not necessary, fair, or workable for the Court to consider their request. *Covington*, 581 U.S. at 488. The Court should therefore deny Plaintiffs' Motion.⁴

B. Plaintiffs Cannot Raise a New Claim in the Motion

On May 30, 2023, the Court entered judgment dismissing this case pursuant to Federal Rule of Civil Procedure 41(a)(2). *See* Order Approving Settlement; Final Judgment. Plaintiffs now appear to ask the Court to reopen the case so they can assert a new claim against Defendants and seek relief. Plaintiffs, however, have not articulated grounds to warrant such action.

Courts consistently hold that should a plaintiff seek to assert new legal claims or theories against a defendant, the plaintiff must do so in an amended complaint, rather than in responsive motions or other filings. *See, e.g., First English Evan. Lutheran Church of Glendale v. Cty. of Los Angeles*, 482 U.S. 304, 313 n.7 (1987); *E.E.O.C. v. Catastrophe Mgmt. Sols.*, 852 F.3d 1018, 1030 n.5 (11th Cir. 2016); *Herring v. Sec'y Dep't of Corr.*, 397 F.3d 1338, 1342 (11th

⁴ When the Court approved the parties' settlement agreement, neither the Court nor Defendants knew the legal basis of Plaintiffs' request for special elections. The Court's reservation of jurisdiction to address Plaintiffs' Motion cannot cure that Plaintiffs' current request places the Court outside the Constitution's jurisdictional limits.

Cir. 2005); *LeBlanc v Unifund CCR Partners, G.P.*, 552 F. Supp. 2d 1327, 1336 n.6 (M.D. Fla. 2008). Plaintiffs have presented nothing to the contrary.⁵

Nor have Plaintiffs suggested that the Federal Rules provide them with the means to re-open this otherwise closed case so that they could assert a new claim against Defendants and seek additional relief. *See, e.g., Arthur v. King*, 500 F.3d 1335, 1343 (11th Cir. 2007) (“[A] Rule 59(e) motion [cannot be used] to relitigate old matters, raise argument or present evidence that could have been raised prior to the entry of judgment.”); FED. R. CIV. P. 59(e) (“A motion to alter or amend a judgment must be filed no later than 28 days after the entry of the judgment); FED. R. CIV. P. 60(b) (detailing grounds for which a party may seek relief from a judgment or order). Hence, the Court should reject Plaintiffs’ attempt to amend their Complaint.

C. Plaintiffs’ Request for Relief Cannot Succeed on the Merits

Even if considered on the merits, the Court should reject Plaintiffs’ Motion. Stemming from the arguments above, *see supra* § III.A, Plaintiffs have not properly presented this Court with the opportunity to evaluate “the severity and nature of the particular constitutional violation” raised in their

⁵ Plaintiffs’ delayed attempt to add a new claim to their action may also be subject to laches. *See, e.g., Black Warrior Riverkeeper, Inc. v. U.S. Army Corps of Eng’rs*, 781 F.3d 1271, 1283 (11th Cir. 2015) (discussing laches defense); *see also White v. Daniel*, 909 F.2d 99, 102-03 (4th Cir. 1990) (accepting laches argument in redistricting litigation); *Fouts v. Harris*, 88 F. Supp. 2d 1351, 1353-56 (S.D. Fla. 1999) (same); *Lopez v. Hale Cty., Tex.*, 797 F. Supp. 547, 550 (N.D. Tex. 1992) (same).

Motion. *Covington*, 581 U.S. at 488. Plaintiffs have neither presented the Court with case and controversy at issue in their Motion, nor do they have standing to seek the relief they are presently requesting from the Court. *See supra* § III.A. Accordingly, in the instant procedural posture, the Court has not been presented with a constitutional violation to evaluate. Additionally, Plaintiffs' request for special elections will disrupt the ordinary processes of municipal governance, engender voter confusion, and infringe upon the City's sovereignty. *See generally Covington*, 581 U.S. at 488.

The Duval County School Board (Board) will suffer disruption should the Court grant Plaintiffs' request. The Board completes its core work during the summer months to prepare for the new school year. It meets multiple times a month, updating and executing relevant contracts, making curriculum changes, and formulating district wide budgets. This work requires Board members to spend significant time preparing and reviewing materials. *See Carney Dec.* at ¶¶ 7-8; *Willie Dec.* at ¶ 13; *Joyce Dec.* at ¶¶ 8-9.

If the Court orders special elections for SBDs 4 and 6 to coincide in 2024 with the regularly scheduled elections for SBDs 1, 3, 5, and 7, potentially all but one Board seat will be up for election. *See Carney Dec.* at ¶¶ 2, 6. Hence, during the period when the Board is engaged in some of its most vital preparation for the impending school year, a majority of its members must split their time between Board and campaign duties. *See Carney Dec.* at ¶ 10; *Willie*

Dec. at ¶¶ 13-14; Joyce Dec. at ¶¶ 8-9. Moreover, campaigning for office is expensive and time-consuming. *See* Carney Dec. at ¶ 9; Willie Dec. at ¶ 13; Joyce Dec. at ¶¶ 10-14. It takes Board members away from the time they would otherwise spend preparing for meetings, and undermines their ability to respond timely and efficiently to constituents. *See* Carney Dec. at ¶ 9; Willie Dec. at ¶¶ 13-14; Joyce Dec. at ¶ 20.

Pursuant to the Florida Constitution, Board members serve staggered terms. *See* FLA. CONST. art. 9, § 4(a). This structure serves, in part, to safeguard consistency in leadership, preserve institutional knowledge, and ensure the Board can address the issues before it, even while some of its members must spend time seeking reelection. *See In re Apport. Law SJR 1E*, 414 So. 2d 1040, 1054 (Fla. 1982) (Boyd J., concurring); Willie Dec. at ¶ 18. Plaintiffs' proposal could violate this constitutional mandate. Special elections could disrupt the work of the Board, as a majority of its members will be campaigning during the summer of 2024. A special election would unnecessarily take Board members away from their work, while also potentially threatening to disrupt the consistency in leadership fostered by staggered terms and violate the Florida Constitution. Ultimately, the Board's services to the City's near 127,000 students, their parents, and the entire citizenry of Jacksonville, could be compromised. *See* Carney Dec. at ¶ 10; Willie Dec. at ¶¶ 3, 20; Joyce Dec. at ¶ 21.

Plaintiffs also assert that special elections occurring over fourteen months from now will minimize intrusion into government functions. Motion at 12. Defendants reject how Plaintiffs frame this incursion. Rather, Plaintiffs are essentially asking the Court to undo the August 2022 elections; strip voters of the representatives they picked in an unchallenged selection process; and force two duly elected representatives to run again for seats they already won. Other courts have rejected similar redistricting challenges. *See, e.g. White*, 909 F.2d at 102-03; *Fouts*, 88 F. Supp. 2d at 1353-56; *Lopez*, 797 F. Supp. at 550.

Special elections would also disrupt the Supervisor of Elections (SOE). Should the SOE have to add a special election in 2024, staff members will have to enter additional data into the election management system and ensure that the ballot styles for the relevant precincts accurately include the additional races. *See Ex. 4 at ¶¶ 5-10* (Gicalone Dec.). Additionally, placing extra names on the ballot style as a result of a special election may increase the ballot to an additional page, costing up to \$200,000. *See Gicalone Dec. at ¶¶ 11-19*.

Similarly, special elections will cause voter confusion. Informed voters who participated in the August 2022 elections likely understood they were selecting a Board member for a four-year term. Hence, in 2024 voters may legitimately wonder why they must vote again. Likewise, residents in SBD2 may query why, unlike the rest of the City, they are not voting for a Board member. Moreover, Willie and Joyce note that had they known they would

have to run again in 2024, they would have campaigned differently in 2022, educating their constituents to expect them to return to make the case for why they should be entitled to fulfill the entirety of their terms. *See Willie Dec.* at ¶¶ 15-17; *Joyce Dec.* at ¶ 14-19. They now, however, face the prospect of revisiting those constituents, and explaining why, even after having duly won their seats, they must again ask for support. *See Willie Dec.* at ¶¶ 15-17; *Joyce Dec.* at ¶ ¶ 14-19.⁶

Plaintiffs' disenfranchisement argument is a distraction. Motion at 13-15. Temporary disenfranchisement following redistricting, in and of itself, does not constitute an injury warranting court intervention, and is often a natural consequence of the redistricting process. *See, e.g., Repub. Party of Oregon v. Keisling*, 959 F.2d 144, 145-56 (9th Cir. 1992); *Rice v. Williams*, No. 6:06-cv-341, 2007 WL 2064695, at *9 (E.D. Tex. July 17, 2007); *Farrell v. State of Okla., ex rel. Hall*, 339 F.Supp. 73, 82 (W.D. Okla. 1972); *Pate v. El Paso Cty., Tex.*, 337 F. Supp. 95, 96 (W.D. Tex. 1970).

⁶ It is not entirely settled, whether, pursuant to *Board of Regents v. Roth*, 408 U.S. 564 (1972), Florida law creates in elected officials a property interest entitled to due process protections. The Florida Supreme Court has held that while “a public office is a public trust, . . . the incumbent has to some extent a recognizable property right in it.” *State v. Tedder*, 143 So. 148, 150-51 (Fla. 1932). While that holding has been subject to judicial questioning, *see Israel v. DeSantis*, No. 4:19-cv576, 2020 WL 2129450, at *9 (N.D. Fla. May 5, 2020), *Tedder* remains controlling law in Florida. *But see Coker*, 2023 WL 2330666 (M.D. Fla. 2023). Regardless of the unsettled nature of this matter, Plaintiffs' requested remedy requires that two duly elected Board members must now re-run for seats they otherwise won in an election that has never been challenged. It additionally may impact the rights of two individuals who are not a party to this litigation.

Equally distracting is Plaintiffs' suggestion that special elections are appropriate because Florida voters are familiar with truncated terms. Motion at 13-15. The State of Florida constitutionally mandates that senatorial terms will be truncated and subject to re-election following the redistricting process. See FLA. CONST. art. 3, § 15(a); *In re Apport. Law, SJR 1176*, 83 So.3d 597, 658-59 (Fla. 2012); *In re Apport. Law SJR IE*, 414 So.2d at 1048-49. The Florida Constitution, however, is silent regarding school board members. See FLA. CONST. art. 9, § 4(a). In the midst of that silence, the Jacksonville City Charter and Ordinance Code detail that following redistricting, new lines will only be applied to School Board elections which occur "at least nine months after the redistricting." JACKSONVILLE ORD. CODE § 18.110; § 13.03 JACKS. CHARTER. Likewise, the Charter details the appropriate circumstances for SBD special elections, and does not reference special elections after redistricting. § 13.05 JACKS. CHARTER. See also *Club Madonna Inc. v. City of Miami Beach*, 42 F.4th 1231, 1257-58 (11th Cir. 2022) (discussing when local ordinances are not preempted by state law); *D'Agastino v. City of Miami*, 220 So.3d 410, 420-23 (Fla. 2017) (same). Hence, while Florida voters may be familiar with truncated terms for their senators, that familiarity is not sufficient to justify the Court, in the absence of a properly presented case and controversy before it, to command the City to violate the terms of its Charter and Ordinance Code. Doing so would not only confuse the voters, but also unduly infringe upon the

City's sovereignty. *See generally Covington v. North Carolina*, 270 F. Supp. 3d 881, 894-896 (M.D. N.C. 2017).

Finally, much of Plaintiffs' cited case law, while accurate for the broad propositions asserted, is misapplied. Defendants do not contest that "individuals . . . whose constitutional rights have been injured by improper racial gerrymandering have suffered significant harm. Those citizens are entitled to vote as soon as possible for their representatives under a constitutional apportionment plan." Motion at 1 (citing cases). However, in many of those cited cases, the courts did not order special elections. Neither should this Court. Likewise, special elections can certainly be an appropriate remedy for racially gerrymandered districts. *See* Motion at 18. However, in the cases cited by Plaintiffs, courts ordered special elections to remedy harms properly presented to those judicial bodies in accordance with the Case and Controversy requirements of Art. III of the Constitution. Not so here.

IV. CONCLUSION

Plaintiffs ask the Court to act without jurisdiction and in violation of the foundational boundaries laid out in the Constitution. They have never presented the Court with the specific case and controversy for which they now seek relief, and lack standing to request the Court to issue special elections for SBDs 4 and 6. Nor does their substantive case have merit.

For the foregoing reasons, Defendants respectfully request the Court to

DENY Plaintiffs' Motion.

Respectfully submitted this 28th day of July, 2023.

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Attorneys for Defendants, City of Jacksonville and Mike Hogan, in his official capacity as Duval County Supervisor of Elections

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of July, 2023, a copy of this document was filed electronically through the CM/ECF system and furnished by email to all counsel of record.

/s/ Mary Margaret Giannini
Counsel for Defendant

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

JACKSONVILLE BRANCH OF
THE NAACP, et al.,

Plaintiffs,

Case No. 3:22-cv-493-MMH-LLL

v.

CITY OF JACKSONVILLE, et al.,

Defendants.

_____ /

DECLARATION OF APRIL CARNEY

1. My name is April Carney and I submit this declaration pursuant to 28 U.S.C. §1746. I am over the age of 18 and fully competent to make this declaration.

2. I am a member of the Duval County School Board (“the Board”) representing District 2. I was initially elected to this position on August 23, 2022, and am eligible to run for a second term in 2026.

3. When I was elected to the Board in 2022, I won District 2 with 52.4% of the relevant vote.

4. If special elections are ordered for School Board Districts 4 and 6, six out of the seven School Board seats would be up for election in 2024. My

district – District 2 – is the only School Board seat that would not be up for election in 2024.

5. Two of the School Board members – Warren Jones (District 5) and Lori Hershey (District 7) - will be completing their second term in 2024 and cannot run for another term during the 2024 elections.

6. If special elections are ordered, four out of the seven School Board members could potentially be campaigning for re-election in the August 2024 primary, and potentially, the November 2024 general election.

7. June and July are two of the School Board’s busiest months, with numerous meetings relating to contracts, budgets, and curriculum for the Duval County School system for the upcoming school year. In addition, the School Board is currently searching for a new Superintendent.

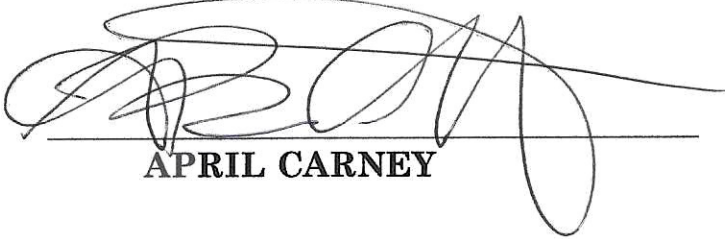
8. The School Board works in accordance with the Florida Sunshine Laws, meets several times a month, and requires members to spend extensive time prior to meetings preparing and reviewing relevant materials.

9. Running for election is a time-consuming, expensive process and takes away from the time School Board members might otherwise devote to preparing for meetings and responding in a timely manner to constituent needs.

10. Requiring two additional School Board members to run for re-election during the School Board’s busiest part of the year would likely

negatively affect the work the School Board could accomplish before the start of the 2024/25 school year on August 12, 2024, which in turn would affect the Duval County Public Schools and the children attending the schools.

I declare and state under penalty of perjury, that the foregoing is true and correct. Executed this 2nd day of July, 2023, in Duval County, Florida.



APRIL CARNEY

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

JACKSONVILLE BRANCH OF
THE NAACP, et al.,

Plaintiffs,

Case No. 3:22-cv-493-MMH-LLL

v.

CITY OF JACKSONVILLE, et al.,

Defendants.

_____ /

DECLARATION OF DARRYL WILLIE

1. My name is Darryl Willie and I submit this declaration pursuant to 28 U.S.C. §1746. I am over the age of 18 and fully competent to make this declaration.

2. I am a member of the Duval County School Board representing District 4. I was initially elected to this position on November 6, 2018, and was re-elected in 2022.

3. Duval County public schools educate over 127,000 students in 194 different schools throughout the County.

4. In both the 2018 and 2022 election, School Board District 4 was comprised of City Council Districts 7 and 8, as identified in the 2011 district boundaries.

5. In 2018, six candidates qualified to represent District 4. Cynthia Smith and I received the largest percentage of votes in the August 28, 2018, primary election, and I won the November 6, 2018, general election by a margin of 1,608 votes (51.8% to 48.2%).

6. I ran unopposed for re-election in 2022.

7. I was elected Chairman of the Duval County School Board for the 2021/2022 year.

8. Dr. Coker (School Board District 1) and I attended many of the City Council redistricting meetings held in 2021 and 2022.

9. At the beginning of the redistricting process, the Special Committee on Redistricting decided not to accelerate the redistricting process to allow for the new City Council district lines to be in effect for the 2022 School Board elections for Districts 2, 4 and 6.

10. While there was discussion regarding the fact that the School Board district lines could change for the 2022 candidates should they run again in 2026, there was never any discussion about having a special election prior to the expiration of their term for those School Board members elected in 2022.

11. Because City Council adopted the 2022 City Council District lines in March 2022 - less than 9 months prior to the August 2022 School Board elections for Districts 2, 4 and 6 - the 2022 School Board elections occurred under the 2011 City Council District lines.

12. Even though I ultimately won the 2022 election without any opposition, I spent considerable time and resources preparing for an election campaign prior to learning that I was running unopposed.

13. Campaigning is a time-consuming and expensive process, and detracts from the time I might otherwise devote to preparing for School Board meetings, and speedily responding to constituent concerns.

14. If required to run again, rather than fully dedicating my time to the Duval County School Board, I would need to engage in campaign related activities, such as knocking on doors, raising money, attending events, recruiting volunteers to assist my election efforts, and researching, interviewing and hiring an election consultant.

15. I am in my second and final term as a School Board member. Had I known that I might need to run for my School Board seat again before the expiration of my term in 2026, I would have conducted my 2022 campaign differently and started planning at that time for an additional campaign.

16. For example, I would have educated my constituents that I would be seeking their support again prior the normal expiration of my term.

17. I also would have advised my constituents of an upcoming special election at the meetings I held regarding the implementation of new School Board district boundaries as a result of the Court ordered redistricting plan.

18. I believe that staggered terms for the seven person School Board promotes stability and safeguards institutional knowledge.

19. If special elections are ordered for District 4 and 6, therefore coinciding with the regularly scheduled elections for Districts 1, 3, 5, and 7, the Duval County School Board could potentially result in six new members, and only one member that served on the School Board during the prior year - April Carney, District 2.

20. A special election could threaten the institutional knowledge and consistency of leadership that staggered School Board elections help ensure, and hence special elections would likely detrimentally affect the School Board, the work it does for the Duval County school system, and the parents and children who rely on the Duval County school system.

I declare and state under penalty of perjury, that the foregoing is true and correct. Executed this ___ day of July, 2023, in Duval County, Florida.



DARRYL WILLIE

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

JACKSONVILLE BRANCH OF
THE NAACP, et al.,

Plaintiffs,

Case No. 3:22-cv-493-MMH-LLL

v.

CITY OF JACKSONVILLE, et al.,

Defendants.

_____ /

DECLARATION OF CHARLOTTE D. JOYCE

1. My name is Charlotte D. Joyce and I submit this declaration pursuant to 28 U.S.C. §1746. I am over the age of 18 and fully competent to make this declaration.

2. I am a member of the Duval County School Board representing District 6. I was initially elected to this position on November 6, 2018, and was re-elected on August 23, 2022.

3. I am currently in my second term and existing term limits preclude me from running again to represent School Board District 6.

4. In both the 2018 and 2022 election, School Board District 6 was comprised of City Council Districts 12 and 14.

5. Under the new redistricting plan agreed to by the City of Jacksonville, School Board District 6 remains comprised of City Council Districts 12 and 14.

6. In 2018, six candidates qualified to stand for election to represent District 6. I received the largest percentage of votes in the August 28, 2018, primary election, and won the November 6, 2018, general election over Dave Chauncey by a margin of 9,090 votes (59.1% to 40.9%).

7. In 2022, I had one opponent – Tanya Hardaker – and the election was therefore decided in the primary election. I won the August 23, 2022 election by 4,885 votes (58.8% to 41.2%).

8. The Duval County School Board meets several times a month to address issues ranging from school curriculum, vendor contracts, school policies, student expulsions, teacher retention, school safety and discipline, and fiscal responsibility. School Board members also attend numerous workshops to comprehensively address specific school related issues.

9. I spend a substantial amount of time preparing for the School Board meetings and workshops, responding to constituent communications, and visiting schools within my district.

10. Campaigning is a time-consuming and expensive process.

11. During all three of my campaigns, I spent dozens of hours each week going from door to door in my district to personally ask constituents to ask for their support.

12. I also compiled a team of volunteers – approximately 50 people in 2022 – to assist with my campaign.

13. I also raised money to help fund my campaign, raising almost \$20,000 in 2018 and over \$40,000 in 2022.

14. If required to run again in 2024, I would need to engage in all of these actions less than two years after completing them in 2022.

15. Had I known that I might need to run for my School Board seat again before the expiration of my term in 2026, I would have conducted my 2022 campaign differently.

16. For example, during my 2022 campaign, I expressly told many of the people whom I asked for their support that, because of term limits, I would never again ask for their support in a School Board race.

17. I have genuine concern that, if required to run again in 2024, I risk a loss of credibility with my constituents and contributors because of these prior representations, which I believed to be true at the time.

18. I am also concerned about potential election fatigue and the ability to raise additional funds and recruit new volunteers so quickly after my successful 2022 campaign.

19. There may also be voter confusion as to the length of a School Board member's term and as to why I am running again after representing to my constituents I would be termed out after the 2022 election.

20. Finally, campaigning would necessarily and negatively affect the amount of time I would otherwise have to prepare for School Board meetings, respond to constituent concerns, and fulfill all of the obligations attendant to my office.

21. Having two additional School Board members running for election during the 2024 election cycle would take away from the work the School Board is able to accomplish, directly affecting the Duval County public school system, the students who attend the schools, and the parents who rely on the school system for their children's educational needs.

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I declare and state under penalty of perjury, that the foregoing is true and correct. Executed this 26th day of July, 2023, in Duval County, Florida.



CHARLOTTE D. JOYCE

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

JACKSONVILLE BRANCH OF
THE NAACP, et al.,

Plaintiffs,

Case No. 3:22-cv-493-MMH-LLL

v.

CITY OF JACKSONVILLE, et al.,

Defendants.

_____ /

DECLARATION OF JUSTIN GICALONE

1. My name is Justin Gicalone and I submit this declaration pursuant to 28 U.S.C. §1746. I am over the age of 18 and fully competent to make this declaration.

2. I am the Chief Elections Assistant for the Duval County Supervisor of Elections (“SOE”).

3. A special election will add to the work of the SOE, as well as to election costs.

4. In order to create an election ballot, the SOE uses an election management system (“EMS”).

5. The SOE will type the title, race, and candidate name into the EMS.

6. The SOE then uses a district template, based on software in the EMS, to ensure that district specific races, such as a School Board District race, are confined to the proper precincts and geographic area.

7. Once all the relevant information is inputted by SOE staff, the EMS generates draft ballot styles for each precinct.

8. The ballot style contains the combination of races and candidates for which the voter is eligible to vote.

9. Multiple precincts may have a single ballot style or a precinct may have multiple styles if the precinct includes voters split between two or more districts or other categories defining voter eligibility for particular races and candidates.

10. The SOE then proof-reads for accuracy the ballot styles for each precinct generated by the EMS.

11. A single page on an election ballot can hold up to 3 columns of 81 rows using 10-point font, which is the smallest font allowed by Florida law except for the ballot title, which must be bold with a minimum 12-point font. An example of this type of ballot is attached as Exhibit 1.

12. As of July 2023, there are eight separate races totaling 35 candidates who have filed the necessary paperwork with the State of Florida, including the following races: Presidential, Presidential Minor Party Nominee,

U.S. Senator, U.S. Representative, Public Defender, State Senator, State Representative and Circuit Judge.

13. As of July 2023, no local candidates have yet filed the necessary paperwork with the SOE to appear on the 2024 election ballot.

14. More races – both State and local – will be added to the 2024 election ballot as candidates file the necessary paperwork.

15. The 2024 election ballot will contain at least 88 different races ranging from President of the United States to seats on special taxing districts.

16. As of July 2023, there are also 28 initiatives or amendments that may be placed on the 2024 election ballot. In accordance with Florida law, the election ballot must contain a brief explanatory statement of each initiative/amendment in both English and Spanish.

17. More initiatives or amendments could be added to the 2024 election ballot.

18. Adding two special elections would necessarily increase the number of candidates and races listed on the ballot and could increase the election ballot to more than one page.

19. Should the ballot style increase to more than one page, the additional cost to the City of Jacksonville to format and print a second ballot page is approximately \$200,000.

I declare and state under penalty of perjury, that the foregoing is true and correct. Executed this 25th day of July, 2023, in Duval County, Florida.



JUSTIN GICALONE

EXHIBIT 1

Precinct: 403

046

**Official General Ballot
November 8, 2022
Duval County, Florida**

**Papeleta oficial de las elecciones generales
el 8 de noviembre de 2022
Condado de Duval, Florida**



0461

- Instructions: To vote, fill in the oval completely (●) next to your choice. Use a black pen only.
- If you make a mistake, ask for a new ballot. Do not cross out or your vote may not count.
- To vote for a write-in candidate, fill in the oval (●) and print the name clearly on the blank line provided for the write-in candidate.
- Instrucciones: Para votar, llene completamente el óvalo (●) al lado de su selección. Use bolígrafo de tinta negra.
- Si comete un error, pida una nueva papeleta. No lo tache, o puede que su voto no cuente.
- Para votar el nombre de un candidato que no está impreso en la papeleta, llene el óvalo (●) y escriba el nombre del candidato en la línea en blanco provista para el(la) candidato(a) por escrito.

**United States Senator
(Vote for One)**

**Senador Federal
(Vote por Uno)**

- Marco Rubio REP
- Val Demings DEM
- Dennis Misigoy LPF
- Steven B. Grant NPA
- Tuan TQ Nguyen NPA
-

Write-in/Voto Escrito

**Governor and Lieutenant Governor
(Vote for One)**

**Gobernador y ViceGobernador
(Vote por Uno)**

- Ron DeSantis REP
- Jeanette Nuñez DEM
- Charlie Crist LPF
- Karla Hernández NPA
- Hector Roos
- Jerry "Tub" Rorabaugh
- Carmen Jackie Gimenez
- Kyle "KC" Gibson

**Attorney General
(Vote for One)**

**Procurador General
(Vote por Uno)**

- Ashley Moody REP
- Aramis Ayala DEM

**Chief Financial Officer
(Vote for One)**

**Director Financiero
(Vote por Uno)**

- Jimmy Patronis REP
- Adam Hattersley DEM

**Commissioner of Agriculture
(Vote for One)**

**Comisionado de Agricultura
(Vote por Uno)**

- Wilton Simpson REP
- Naomi Esther Blemur DEM

**State Senator
District 4
(Vote for One)**

**Senador estatal
Distrito 4
(Vote por Uno)**

- Clay Yarborough REP
- Sharmin Smith DEM

**State Representative
District 16
(Vote for One)**

**Representante estatal
Distrito 16
(Vote por Uno)**

Justice of the Supreme Court

Magistrado de la Corte Suprema

Shall Justice Charles T. Canady of the Supreme Court be retained in office?

¿Deberá ser retenido en su puesto el Juez Charles T. Canady de la Corte Suprema?

- Yes / Sí
- No / No

Shall Justice John D. Couriel of the Supreme Court be retained in office?

¿Deberá ser retenido en su puesto el Juez John D. Couriel de la Corte Suprema?

- Yes / Sí
- No / No

Shall Justice Jamie Grosshans of the Supreme Court be retained in office?

¿Deberá ser retenido en su puesto el Juez Jamie Grosshans de la Corte Suprema?

- Yes / Sí
- No / No

Shall Justice Jorge Labarga of the Supreme Court be retained in office?

¿Deberá ser retenido en su puesto el Juez Jorge Labarga de la Corte Suprema?

- Yes / Sí
- No / No

Shall Justice Ricky Polston of the Supreme Court be retained in office?

¿Deberá ser retenido en su puesto el Juez Ricky Polston de la Corte Suprema?

- Yes / Sí
- No / No

District Court of Appeal

Tribunal de Distrito de Apelaciones

Shall Judge Ross L. Bilbrey of the First District Court of Appeal be retained in office?

¿Deberá ser retenido en su puesto el Juez Ross L. Bilbrey de la Corte de Apelación del Primer Distrito?

- Yes / Sí

Shall Judge Bobby Long of the First District Court of Appeal be retained in office?

¿Deberá ser retenido en su puesto el Juez Bobby Long de la Corte de Apelación del Primer Distrito?

- Yes / Sí
- No / No

Shall Judge Lori S. Rowe of the First District Court of Appeal be retained in office?

¿Deberá ser retenido en su puesto el Juez Lori S. Rowe de la Corte de Apelación del Primer Distrito?

- Yes / Sí
- No / No

Shall Judge Bo Winokur of the First District Court of Appeal be retained in office?

¿Deberá ser retenido en su puesto el Juez Bo Winokur de la Corte de Apelación del Primer Distrito?

- Yes / Sí
- No / No

**Soil and Water Conservation District Group 3
(Vote for One)**

**Supervisor del Distrito de Conservación de Tierra y Agua Grupo 3
(Vote por Uno)**

- Eugene Ford III
- Demetris Harrison

**Soil and Water Conservation District Group 5
(Vote for One)**

**Supervisor del Distrito de Conservación de Tierra y Agua Grupo 5
(Vote por Uno)**

- Ray "R.J." Deacon Jr
- Bryson Kade Morgan

<p>No. 1 Constitutional Amendment Article VII, Section 4; Article XII, Section 42</p> <p>N.º 1 Enmienda Constitucional Capítulo VII, Artículo 4; Capítulo XII, Artículo 42</p>	<p>No. 3 Constitutional Amendment Article VII, Section 6; Article XII</p> <p>N.º 3 Enmienda Constitucional Capítulo VII, Artículo 6; Capítulo XII</p>	
<p>Limitation on the Assessment of Real Property Used for Residential Purposes</p> <p>Proposing an amendment to the State Constitution, effective January 1, 2023, to authorize the Legislature, by general law, to prohibit the consideration of any change or improvement made to real property used for residential purposes to improve the property's resistance to flood damage in determining the assessed value of such property for ad valorem taxation purposes.</p> <p>Límites Sobre La Tasación de Bienes Raíces Utilizados con Fines Residenciales</p> <p>Proponer una enmienda a la Constitución Estatal, con entrada en vigor el 1.º de enero de 2023, que autorice a Legislatura, de acuerdo con la ley general, a prohibir la consideración de cualquier cambio o mejora a los bienes raíces utilizados con fines residenciales que aumente la resistencia del bien frente a daños por inundaciones a la hora de determinar el valor de dicho bien con el fin de calcular el impuesto <i>ad valorem</i>.</p> <p><input type="radio"/> Yes / Sí <input type="radio"/> No / No</p>	<p>Additional Homestead Property Tax Exemption for Specified Critical Public Services Workforce</p> <p>Proposing an amendment to the State Constitution to authorize the Legislature, by general law, to grant an additional homestead tax exemption for nonschool levies of up to \$50,000 of the assessed value of homestead property owned by classroom teachers, law enforcement officers, correctional officers, firefighters, emergency medical technicians, paramedics, child welfare services professionals, active duty members of the United States Armed Forces, and Florida National Guard members. This amendment shall take effect January 1, 2023.</p> <p>Exención Impositiva Adicional Para Viviendas Familiares de Trabajadores de Servicios Públicos Esenciales Determinados</p> <p>Se propone una enmienda a la Constitución Estatal que autorice al Poder Legislativo, de conformidad con la ley general, para conceder una exención impositiva adicional respecto a gravámenes no escolares de hasta USD 50,000 de la tasación de viviendas familiares de maestros de aula, policías, funcionarios penitenciarios, bomberos, técnicos médicos de emergencia, paramédicos, profesionales de servicios de asistencia social infantil, miembros en servicio activo de las Fuerzas Armadas de los Estados Unidos, y miembros de la Guardia Nacional de Florida. La enmienda entrará en vigencia el 1 de enero de 2023.</p>	
<p>No. 2 Constitutional Amendment, Article II, Section 5; Article XI, Sections 2 and 5</p> <p>N.º 2 Enmienda Constitucional Capítulo II, Artículo 5; Capítulo XI, Artículos 2 y 5</p>		
<p>Abolishing the Constitution Revision Commission</p> <p>Proposing an amendment to the State Constitution to abolish the Constitution Revision Commission, which meets at 20-year intervals and is scheduled to next convene in 2037, as a method of submitting proposed amendments or revisions to the State Constitution to electors of the state for approval. This amendment does not affect the ability to revise or amend the State Constitution through citizen initiative, constitutional convention, the Taxation and Budget Reform Commission, or legislative joint resolution.</p> <p>Disolver la Comisión de Revisión Constitucional</p> <p>Proponer una enmienda a la Constitución Estatal para disolver la Comisión de Revisión Constitucional, la cual se reúne cada 20 años y cuya próxima convocatoria está programada para 2037, como método para presentar propuestas de enmiendas o revisiones a la Constitución Estatal para la aprobación de los electores del estado. Esta enmienda no afecta la capacidad de revisar o enmendar la Constitución Estatal por medio de una iniciativa de los ciudadanos, convención constitucional, Comisión de Reforma Impositiva v</p>	<p><input type="radio"/> Yes / Sí <input type="radio"/> No / No</p>	