January 28, 2019

**When do Candidates take office:** 100.041 Officers chosen at general election. —

(1) State senators shall be elected for terms of 4 years, those from odd-numbered districts in each year the number of which is a multiple of 4 and those from even-numbered districts in each even-numbered year the number of which is not a multiple of 4. Members of the House of Representatives shall be elected for terms of 2 years in each even-numbered year. In each county, a clerk of the circuit court, sheriff, superintendent of schools, property appraiser, and tax collector shall be chosen by the qualified electors at the general election in each year the number of which is a multiple of 4. The Governor and the administrative officers of the executive branch of the state shall be elected for terms of 4 years in each even-numbered year the number of which is not a multiple of 4. The terms of state offices other than the terms of members of the Legislature shall begin on the first Tuesday after the first Monday in January after said election. The term of office of each member of the Legislature shall begin upon election.

(2)(a) Each county commissioner from an odd-numbered district shall be elected at the general election in each year the number of which is a multiple of 4, for a 4-year term commencing on the second Tuesday following such election, and each county commissioner from an even-numbered district shall be elected at the general election in each even-numbered year the number of which is not a multiple of 4, for a 4-year term commencing on the second Tuesday following such election. A county commissioner is “elected” for purposes of this paragraph on the date that the county canvassing board certifies the results of the election pursuant to s. [102.151](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0100-0199/0102/Sections/0102.151.html).

(b) Notwithstanding paragraph (a), the governing board of a charter county may provide by ordinance, to be approved by referendum, that the terms of its members shall commence on a date later than the second Tuesday following general elections, but in any case the date of commencement shall be uniform for all members and shall be no later than the first Tuesday after the first Monday in January following each member’s election.

(3)(a) School board members shall be elected at a general election for terms of 4 years. The term of office of a school board member and of a superintendent of schools shall begin on the second Tuesday following the general election in which such member or superintendent is elected.

(b) In each school district which has five school board members, the terms shall be arranged so that three members are elected at one general election and two members elected at the next ensuing general election.

(4) The term of office of each county and each district officer not otherwise provided by law shall commence on the first Tuesday after the first Monday in January following his or her election.

**Taking office on the first Tuesday after the first Monday in January are**:

Clerk of Circuit court

Sheriff

Property Appraiser

Tax collector

Supervisor of Elections

Governor, Attorney General, Chief Financial Officer, and Commissioner of Agriculture and Consumer Services

State Attorney

Public defender

All Judges

**Taking office on the 2nd Tuesday after election day are:**

 County Commissioners

 School Board Members

 Key Largo Wastewater Board Members

**Taking office at first meeting in January**

Mosquito Control Board Members

**Takings office 10 days after election**

Key Largo Fire & Emergency Medical Services Board Members

**County Commissioners** take office the 2nd Tuesday AFTER election day but the wording of the statute causes some concern since it really states the 2nd Tuesday after the Canvassing Board certifies the election per FS. 101.151.  In the event of recounts, that could theoretically change to the 3rd Tuesday if a manual recount isn’t completed in time for the canvassing board to certify the election by the Tuesday following election day.  If the time for conducting recounts is extended in an amended statute, this concern could become a reality unless the current language in paragraph (2)(a) is clarified.  See magenta highlights.

**School Board Members** take office the 2nd Tuesday after election day.  Statute is clear.  FS 100.041(3)(a). See blue highlights.

**Mosquito Control,** terms begin at the first meeting in January following election.  See Section 3, Paragraph (3) of Chapter 2002-346, Laws of Florida.

**Key Largo Wastewater Board,** "(2) Any individual desiring to be elected to the governing board must qualify pursuant to section 189.405(2)(c), Florida Statutes, as the same may be amended from time to time. Additionally, in accordance with section 189.4051, Florida Statutes "(4) The term of office shall be 4 years and shall begin and end on the same dates as do the terms of the members of the Monroe County Board of County Commissioners;..."

**Key Largo Fire & Emergency Medical Board,** Chapter 2005-329, House Bill No. 1291, (1) In accordance with chapter 191, Florida Statutes, each elected member of the board shall assume office 10 days following the member’s election.

**For State Office contact the Division of Elections: (850) 245-6200.**

**For City Offices contact the City Clerk for that city:**

Key West - (305) 809-3835

Marathon - (305) 743-0033

Key Colony Beach - (305) 289-1212

Layton - (305) 664-4667

Islamorada - (305) 664-6412