

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 22-279

(Declaring a Vacancy on the Broward County School Board)

WHEREAS, article VI, section 4(a) of the Florida Constitution states, “No person convicted of a felony . . . shall be qualified to . . . hold office until restoration of civil rights”; and

WHEREAS, Rodney Velez was convicted of a felony in 1995; and

WHEREAS, Velez’s civil rights have not been restored; and

WHEREAS, in 2021, Velez became a candidate in the election for Broward County School Board, District 1; and

WHEREAS, Velez won the general election for Broward County School Board, District 1, on November 8, 2022; and

WHEREAS, the current term of office for Broward County School Board, District 1, commenced on November 22, 2022; and

WHEREAS, Velez refused to accept the office on November 22, 2022, by declining to take the oath of office during the swearing-in ceremony for newly-elected School Board members; and

WHEREAS, Velez publicly stated that he will continue to refuse to accept the office until receiving a favorable decision on a pending clemency application; and

WHEREAS, section 114.01(1)(i), Florida Statutes, provides that a vacancy in office shall occur “[u]pon the refusal of the person elected or appointed to accept the office”; and

WHEREAS, section 114.01(1)(h), Florida Statutes, additionally provides that a vacancy in office shall occur “[u]pon the failure of a person elected or appointed to office to qualify for office within 30 days from the commencement of the term of office”; and

WHEREAS, thirty (30) days have passed since the commencement of the term of office for Broward County School Board District 1 to which Velez was elected, but Velez has failed to qualify for such office within that time period; and

WHEREAS, section 114.01(2), Florida Statutes, provides that the Governor must file an Executive Order with the Secretary of State setting forth the facts giving rise to the vacancy in office.

NOW, THEREFORE, I, RON DESANTIS, Governor of Florida, by virtue of the authority vested in me by the Constitution and laws of the State of Florida, declare that a vacancy exists on the Broward County School Board, District 1, which I will fill in compliance with the law.



IN TESTIMONY WHEREOF, I have hereunto set my hand and have caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 22nd day of December, 2022.



RON DESANTIS, GOVERNOR

ATTEST:



SECRETARY OF STATE

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TALLAHASSEE, FL
SECRETARY OF STATE