



**THE FLORIDA SENATE**  
SENATOR BILL GALVANO  
*President*

## MEMORANDUM

**TO:** All Senators  
**FROM:** Bill Galvano *WG*  
**SUBJECT:** Executive Suspension of Dr. Brenda Snipes  
**DATE:** December 13, 2018

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Florida's Constitution delegates to the Senate the authority to remove from office or reinstate a suspended elected official. The procedures for such action are enumerated in state law and our Senate Rules, and informed by relevant case law. The decision to remove or reinstate a public servant duly elected by the citizens of this state is a solemn responsibility; one I have approached cautiously and with the due diligence you expected when you entrusted me with the responsibility of serving as President of the Senate.

As you are aware, on November 30, 2018, Governor Scott issued an Executive Order suspending Dr. Brenda Snipes, Broward County Supervisor of Elections. Upon receiving notice of the suspension, I directed Senate General Counsel Jeremiah Hawkes to review the requirements under Florida's Constitution and the process under Senate Rule 12.7 for the Senate to act on the suspension. I directed Mr. Hawkes to take into account the totality of facts surrounding the suspension, including the unconditional letter of resignation Dr. Snipes submitted to the Governor on November 18, 2018, and the Governor's subsequent appointment of a successor.

I have reviewed Mr. Hawkes' legal memorandum on this matter, which I have attached for your reference. In summary, the Florida Constitution provides the only two options for the Senate in regards to an executive suspension are to remove from office or to reinstate the suspended official, and the Senate Rules require an inquiry or investigation prior to such an action by the body. We are presented with a situation where Dr. Snipes' unconditional resignation will take effect on January 4, 2019, well before the Senate can complete a full investigation into the serious assertions made in the Governor's Executive Order.

Past Senate practice as recently as 2012 dictates if a term ends prior to the Senate being able to take action, then no further proceedings are held. For this reason, I have directed Secretary Brown to inform Dr. Snipes no further action will be taken by the Senate. Secretary Brown's letter is also attached for your reference.

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This decision in no way reflects on Dr. Snipes, the Governor, or their actions. The decision merely reflects that no timely action can be taken by the Senate. Nothing precludes Dr. Snipes from seeking a judicial determination of any rights she may have related to the Office of Broward County Supervisor of Elections.