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CS/HB 299, Engrossed 1

2016 Legislature

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 2 An act relating to expressway authorities; amending s.  
 3 348.0003, F.S.; revising membership of the governing  
 4 body of certain expressway authorities; providing  
 5 procedures when there is a vacancy or conclusion of a  
 6 term; revising qualifications for membership on the  
 7 governing body of certain expressway authorities;  
 8 providing for termination from an authority's  
 9 governing body upon a finding of a violation of  
 10 specified ethical conduct provisions or failure to  
 11 comply with a notice of failure to comply with  
 12 financial disclosure requirements; providing an  
 13 effective date.

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 15 Be It Enacted by the Legislature of the State of Florida:

16  
 17 Section 1. Paragraph (d) of subsection (2) and paragraph  
 18 (a) of subsection (5) of section 348.0003, Florida Statutes, are  
 19 amended, and paragraph (1) is added to subsection (5) of that  
 20 section, to read:

21 348.0003 Expressway authority; formation; membership.—  
 22 (2) The governing body of an authority shall consist of  
 23 not fewer than five nor more than nine voting members. The  
 24 district secretary of the affected department district shall  
 25 serve as a nonvoting member of the governing body of each  
 26 authority located within the district. Each member of the



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27 governing body must at all times during his or her term of  
28 office be a permanent resident of the county which he or she is  
29 appointed to represent.

30 (d) Notwithstanding any provision to the contrary in this  
31 subsection, in any county as defined in s. 125.011(1), the  
32 governing body of an authority shall consist of up to nine ~~13~~  
33 members, and the following provisions of this paragraph shall  
34 apply specifically to such authority. Except for the district  
35 secretary of the department, the members must be residents of  
36 the county. Five ~~Seven~~ voting members shall be appointed by the  
37 governing body of the county. At the discretion of the governing  
38 body of the county, up to two of the members appointed by the  
39 governing body of the county may be elected officials residing  
40 in the county. Three ~~Five~~ voting members of the authority shall  
41 be appointed by the Governor. One member shall be the district  
42 secretary of the department serving in the district that  
43 contains such county. This member shall be an ex officio voting  
44 member of the authority. If the governing body ~~board~~ of an  
45 authority includes any member originally appointed by the  
46 governing body of the county as a nonvoting member, when the  
47 term of such member expires, that member shall be replaced by a  
48 member appointed by the Governor until the governing body of the  
49 authority is composed of five ~~seven~~ members appointed by the  
50 governing body of the county and three ~~five~~ members appointed by  
51 the Governor. A member of the authority serving as of July 1,  
52 2016, may serve the remainder of his or her term. However, upon



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53 the conclusion of the term or upon vacancy, such expired term or  
54 vacancy may not be filled except if such appointment meets the  
55 requirements of this section. When the term of a member expires  
56 or a vacancy occurs, the member shall not be replaced by the  
57 appointing entity until the governing body of the authority is  
58 composed of five voting members appointed by the governing body  
59 of the county and three voting members appointed by the  
60 Governor, which three members shall not include the district  
61 secretary serving as an ex officio member. Except as provided in  
62 subsection (5), the qualifications, terms of office, and  
63 obligations and rights of members of the authority shall be  
64 determined by resolution or ordinance of the governing body of  
65 the county in a manner that is consistent with subsections (3)  
66 and (4).

67 (5) In a county as defined in s. 125.011(1):

68 (a)1. A lobbyist, as defined in s. 112.3215, may not be  
69 appointed or serve as a member of the governing body of an  
70 authority.

71 2. A person may not be appointed to or serve as a member  
72 of the governing body of an authority if that person currently  
73 represents or has in the previous 4 years represented any client  
74 for compensation before the authority.

75 3. A person may not be appointed to or serve as a member  
76 of the governing body of an authority if that person currently  
77 represents or has in the previous 4 years represented any person  
78 or entity that is doing business, or in the previous 4 years has



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79 done business, with the authority.

80 (1) A finding of a violation of this subsection or chapter  
81 112, or failure to comply within 90 days after receiving a  
82 notice of failure to comply with financial disclosure  
83 requirements, results in immediate termination from the  
84 governing body of the authority.

85 Section 2. This act shall take effect July 1, 2016.

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