

HB 299

2016

1 A bill to be entitled
2 An act relating to expressway authorities; amending s.
3 348.0003, F.S.; revising qualifications for membership
4 on the governing body of certain expressway
5 authorities; providing for termination from an
6 authority's governing body upon a finding of a
7 violation of specified ethical conduct provisions or
8 failure to comply with a notice of failure to comply
9 with financial disclosure requirements; providing an
10 effective date.

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

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

18 348.0003 Expressway authority; formation; membership.—

19 (2) The governing body of an authority shall consist of
20 not fewer than five nor more than nine voting members. The
21 district secretary of the affected department district shall
22 serve as a nonvoting member of the governing body of each
23 authority located within the district. Each member of the
24 governing body must at all times during his or her term of
25 office be a permanent resident of the county which he or she is
26 appointed to represent.

27 (d) Notwithstanding any provision to the contrary in this
28 subsection, in any county as defined in s. 125.011(1), the
29 governing body of an authority shall consist of up to nine ~~13~~
30 members, and the following provisions of this paragraph shall
31 apply specifically to such authority. Except for the district
32 secretary of the department, the members must be residents of
33 the county. Five ~~Seven~~ voting members shall be appointed by the
34 governing body of the county. At the discretion of the governing
35 body of the county, up to two of the members appointed by the
36 governing body of the county may be elected officials residing
37 in the county. Three ~~Five~~ voting members of the authority shall
38 be appointed by the Governor. One member shall be the district
39 secretary of the department serving in the district that
40 contains such county. This member shall be an ex officio voting
41 member of the authority. If the governing body ~~board~~ of an
42 authority includes any member originally appointed by the
43 governing body of the county as a nonvoting member, when the
44 term of such member expires, that member shall be replaced by a
45 member appointed by the Governor until the governing body of the
46 authority is composed of five ~~seven~~ members appointed by the
47 governing body of the county and three ~~five~~ members appointed by
48 the Governor. Except as provided in subsection (5), the
49 qualifications, terms of office, and obligations and rights of
50 members of the authority shall be determined by resolution or
51 ordinance of the governing body of the county in a manner that
52 is consistent with subsections (3) and (4).

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

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

57 2. A person may not be appointed to or serve as a member
 58 of the governing body of an authority if that person currently
 59 represents or has in the previous 4 years represented any client
 60 for compensation before any state or municipal governmental
 61 body, including any agency, quasi-governmental entity, or body
 62 staffed by public employees, or entity that has its operations
 63 paid for by public dollars.

64 3. A person may not be appointed to or serve as a member
 65 of the governing body of an authority if that person currently
 66 represents or has in the previous 4 years represented any person
 67 or entity that is doing business, or in the previous 4 years has
 68 done business, with any state or municipal governmental agency
 69 or body.

70 (1) A finding of a violation of this subsection or chapter
 71 112, or failure to comply within 90 days after receiving a
 72 notice of failure to comply with financial disclosure
 73 requirements, results in immediate termination from the
 74 governing body of the authority.

75 Section 2. This act shall take effect upon becoming a law.