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LEGISLATIVE ACTION

Senate

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House

The Committee on Community Affairs (Diaz) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (m) is added to subsection (2) of
section 11.45, Florida Statutes, to read:

11.45 Definitions; duties; authorities; reports; rules.—

(2) DUTIES.—The Auditor General shall:

(m) At least once every 7 years, conduct an operational and
financial audit of each large-hub commercial service airport.



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Each operational audit shall include, at a minimum, an assessment of compliance with s. 332.0075, including compliance with chapter 287, and compliance with the public records and public meetings laws of this state. For purposes of this paragraph, the term "large-hub commercial service airport" means a publicly owned airport that has at least 1 percent of the annual passenger boardings in the United States as reported by the Federal Aviation Administration.

The Auditor General shall perform his or her duties independently but under the general policies established by the Legislative Auditing Committee. This subsection does not limit the Auditor General's discretionary authority to conduct other audits or engagements of governmental entities as authorized in subsection (3).

Section 2. Paragraph (c) is added to subsection (1) of section 112.3144, Florida Statutes, to read:

112.3144 Full and public disclosure of financial interests.—

(1)

(c) Each member of the governing body of a large-hub commercial service airport shall comply with the applicable financial disclosure requirements of s. 8, Art. II of the State Constitution. Any person otherwise required under this subsection to file a full and public financial disclosure, is not required to separately file a full and public financial disclosure under this paragraph. For purposes of this paragraph, the term "large-hub commercial service airport" means a publicly owned airport that has at least 1 percent of the annual



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passenger boardings in the United States as reported by the
Federal Aviation Administration.

Section 3. Section 332.0075, Florida Statutes, is created
to read:

332.0075 Commercial service airports; transparency and
accountability; penalty.—

(1) As used in this section, the term:

(a) "Commercial service airport" means a primary airport,
as defined in 49 U.S.C. s. 47102, that is classified as a large-
, medium-, or small-hub airport by the Federal Aviation
Administration.

(b) "Department" means the Department of Transportation.

(c) "Governing body" means the governing body of the
county, municipality, or special district that operates a
commercial service airport.

(2) Each governing body shall establish and maintain a
website to post information relating to the operation of a
commercial service airport, including:

(a) All published notices of meetings and published meeting
agendas of the governing body.

(b) The official minutes of each meeting of the governing
body, which shall be posted within 7 business days after the
date of the meeting in which the minutes were approved.

(c) The approved budget for the commercial service airport
for the current fiscal year, which shall be posted within 7
business days after the date of adoption. Budgets must remain on
the website for 2 years after the conclusion of the fiscal year
for which they were adopted.

(d) A link to the airport master plan for the commercial



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69 service airport on the Federal Aviation Administration's
70 website.

71 (e) A link to all financial and statistical reports for the
72 commercial service airport on the Federal Aviation
73 Administration's website.

74 (f) Any contract or contract amendment executed by or on
75 behalf of the commercial service airport in excess of \$100,000,
76 shall be posted no later than 7 business days after the
77 commercial service airport executes the contract or contract
78 amendment. However, a contract or contract amendment may not
79 reveal information made confidential or exempt by law. Each
80 commercial service airport must redact confidential or exempt
81 information from each contract or contract amendment before
82 posting a copy on its website.

83 (g) Position and rate information for each employee of the
84 commercial service airport, including, at a minimum, the
85 employee's position title, position description, and annual or
86 hourly salary.

87 (3) (a) Notwithstanding any other provision of law to the
88 contrary, commercial service airports are subject to the
89 requirements of chapter 287 for purchases of commodities or
90 contractual services that exceed \$100,000. If the purchase of
91 commodities or contractual services exceeds \$100,000, the
92 purchase of commodities or contractual services may not be made
93 without receiving competitive sealed bids, competitive sealed
94 proposals, or competitive sealed replies unless an exception
95 applies as provided in s. 287.057(3) or an immediate danger to
96 the public health, safety, or welfare, or other substantial loss
97 to the commercial service airport requires emergency action.



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(b) A governing body must approve, award, or ratify all contracts executed by or on behalf of a commercial service airport in excess of the threshold amount provided in s. 287.017 for CATEGORY FIVE as a separate line item on the agenda and must provide a reasonable opportunity for public comment. Such contracts may not be approved, awarded, or ratified as part of a consent agenda.

(4) (a) Members of a governing body and employees of a commercial service airport are subject to part III of chapter 112. However, this paragraph does not prohibit the application of more stringent ethical standards adopted by county or municipal charter, ordinance, or resolution of the governing body for its members and employees.

(b) Beginning January 1, 2021, each member of a governing body must complete 4 hours of ethics training each calendar year which addresses, at a minimum, s. 8, Art. II of the State Constitution, the Code of Ethics for Public Officers and Employees, and the public records and public meetings laws of this state. This requirement may be satisfied by completion of a continuing legal education class or other continuing professional education class, seminar, or presentation if the required subject material is covered therein. Constitutional officers and elected municipal officers who are members of the governing body who complete the ethics training required in s. 112.3142 shall be considered in compliance with this paragraph.

(5) (a) Beginning November 1, 2021, and each November 1 thereafter, the governing body of each commercial service airport shall submit the following information to the department:



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- 127 1. Its approved budget for the current fiscal year.
128 2. Any financial reports submitted to the Federal Aviation
129 Administration during the previous calendar year.
130 3. A link to its website.
131 4. A statement, verified as provided in s. 92.525, that it
132 has complied with part III of chapter 112, chapter 287, and this
133 section.

134 (b) The department shall review the information submitted
135 by the commercial service airport and posted on the airport's
136 website to determine the accuracy of such information. Beginning
137 January 15, 2022, and each January 15 thereafter, the department
138 shall submit to the Governor, the President of the Senate, and
139 the Speaker of the House of Representatives a report summarizing
140 commercial service airport compliance with this section.

141 (6) The department may not expend any funds allocated to a
142 commercial service airport as contained in the adopted work
143 program, unless pledged for debt service, until the commercial
144 service airport demonstrates its compliance with this section.

145 Section 4. This act shall take effect October 1, 2020.

147 ===== T I T L E A M E N D M E N T =====

148 And the title is amended as follows:

149 Delete everything before the enacting clause
150 and insert:

151 A bill to be entitled
152 An act relating to commercial service airports;
153 amending s. 11.45, F.S.; directing the Auditor General
154 to conduct specified audits of certain airports;
155 defining the term "large-hub commercial service



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airport"; amending s. 112.3144, F.S.; requiring members of the governing body of a large-hub commercial service airport to comply with certain financial disclosure requirements; providing that a separate filing is not required under specified circumstances; defining the term "large-hub commercial service airport"; creating s. 332.0075, F.S.; providing definitions; requiring the governing body of a municipality, county, or special district that operates a commercial service airport to establish and maintain a website; requiring the governing body to post or provide links to certain information on the website; requiring the posting of specified contracts; providing for the redaction of confidential and exempt information; requiring commercial service airports to comply with certain contracting requirements; providing exceptions; requiring the governing body to approve, award, or ratify certain contracts; requiring members of the governing body of a commercial service airport to comply with certain ethics requirements and complete annual ethics training; requiring governing bodies of commercial service airports to submit certain information annually to the Department of Transportation; requiring the department to review such information and submit an annual report to the Governor and the Legislature; prohibiting the department's expenditure of certain funds unless specified conditions are met; providing an effective date.