

Committee on Infrastructure and Security

CS/CS/HB 915 — Commercial Service Airports

by State Affairs Committee; Transportation and Infrastructure Subcommittee; and Rep. Avila and others (CS/CS/SB 1258 by Rules Committee; Community Affairs Committee; and Senators Diaz and Baxley)

The bill requires the Auditor General to conduct an operational and financial audit of each large-hub commercial service airport (a publicly owned airport that has at least one percent of the annual passenger boardings in the United States as reported by the Federal Aviation Administration) at least once every seven years. Each member of the governing body of such airports is required to comply with the financial disclosure requirements of s. 112.3145(3), F.S., except for members required to comply with the full and public disclosure of financial interests set out in Art. II, s. 8, State Constitution. The bill also requires the governing body of each commercial service airport (a primary airport as defined by federal law which is classified as a large, medium, or small hub airport by the Federal Aviation Administration) to establish and maintain a website to post information relating to the operation of the airport.

The bill subjects commercial service airports to the requirements of Ch. 287, F.S., relating to procurement, for purchases of commodities or contractual services exceeding a threshold of \$65,000. Such contracts must use a competitive sealed bid, proposal, or reply process (unless an exception applies or an immediate danger to the public or other substantial loss to the airport requires emergency action) and must be posted (with confidential information redacted) on the airport website. After an opportunity for public comment, a governing body must approve, award, or ratify as a separate line item on its agenda each contract executed by or on behalf of a commercial service airport in amounts exceeding a threshold of \$325,000. Approval, award, or ratification of such contracts as part of a consent agenda is prohibited.

Members of a governing body and employees of a commercial service airport are subjected to ch. 112, part III, F.S., relating to the Code of Ethics for Public Officers and Employees, but the bill does not prohibit a county or municipal charter, ordinance, or resolution of the governing body from applying more stringent ethical standards. The bill also imposes on each member of a governing body annual ethics training requirements but exempts members that have completed the training for another public office.

Beginning November 1, 2021, and annually thereafter, each commercial service airport must submit its approved budget, federal financial reports, website link, and a statutory compliance statement to the Florida Department of Transportation (FDOT). The FDOT must review the information submitted and posted on the required websites to determine the accuracy of the information. Beginning January 15, 2022, and annually thereafter, the FDOT must submit to the Governor, the President of the Senate, and the Speaker of the House of Representatives a report summarizing commercial service airport compliance with the bill's provisions. Until a commercial service airport demonstrates its compliance, the FDOT is prohibited from expending any funds allocated to the airport unless the funds are pledged for debt service.

If approved by the Governor, these provisions take effect October 1, 2020.

Vote: Senate 36-3; House 112-0