

By Senator Geller

31-1417-06

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A bill to be entitled  
An act relating to regional transportation  
authorities; amending s. 120.52, F.S.;  
exempting regional transportation authorities  
from the definition of the term "agency" for  
the purposes of ch. 120, F.S., the  
Administrative Procedure Act; providing an  
effective date.

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

Section 1. Subsection (1) of section 120.52, Florida  
Statutes, is amended to read:

120.52 Definitions.--As used in this act:

(1) "Agency" means:

(a) The Governor in the exercise of all executive  
powers other than those derived from the constitution.

(b) Each:

1. State officer and state department, and each  
departmental unit described in s. 20.04.

2. Authority, including a regional water supply  
authority.

3. Board.

4. Commission, including the Commission on Ethics and  
the Fish and Wildlife Conservation Commission when acting  
pursuant to statutory authority derived from the Legislature.

5. Regional planning agency.

6. Multicounty special district with a majority of its  
governing board comprised of nonelected persons.

7. Educational units.

1           8. Entity described in chapters 163, 373, 380, and 582  
2 and s. 186.504.

3           (c) Each other unit of government in the state,  
4 including counties and municipalities, to the extent they are  
5 expressly made subject to this act by general or special law  
6 or existing judicial decisions.

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8 This definition does not include any legal entity or agency  
9 created in whole or in part pursuant to chapter 361, part II,  
10 any metropolitan planning organization created pursuant to s.  
11 339.175, any separate legal or administrative entity created  
12 pursuant to s. 339.175 of which a metropolitan planning  
13 organization is a member, an expressway authority pursuant to  
14 chapter 348, a regional transportation authority pursuant to  
15 chapter 343, any legal or administrative entity created by an  
16 interlocal agreement pursuant to s. 163.01(7), unless any  
17 party to such agreement is otherwise an agency as defined in  
18 this subsection, or any multicounty special district with a  
19 majority of its governing board comprised of elected persons;  
20 however, this definition shall include a regional water supply  
21 authority.

22           Section 2. This act shall take effect July 1, 2006.

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25                           SENATE SUMMARY

26           Exempts regional transportation authorities from the  
27 definition of "agency" for the purposes of the  
28 Administrative Procedure Act.  
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