

By Senator Geller

31-220-07

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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 created
15 pursuant to chapter 343, any legal or administrative entity
16 created by an interlocal agreement pursuant to s. 163.01(7),
17 unless any party to such agreement is otherwise an agency as
18 defined in this subsection, or any multicounty special
19 district with a majority of its governing board comprised of
20 elected persons; however, this definition shall include a
21 regional water supply authority.

22 Section 2. This act shall take effect July 1, 2007.

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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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