HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 4183   Brevard County Expressway Authority Law
SPONSOR(S): Nelson and others
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Highway Safety Subcommittee	15 Y, 0 N	Johnson	Brown
2) Economic Affairs Committee			

SUMMARY ANALYSIS

This bill repeals the Brevard County Expressway Authority, which was created in 1972, but has never met.

Florida expressway authorities are formed either under the Florida Expressway Authority Act or by special act of the Legislature.

The purpose of Florida's expressway authorities is to construct, maintain, and operate tolled transportation facilities complementing the State Highway System and the Florida Turnpike Enterprise. The expressway authorities have boards of directors that typically include a combination of local-government officials and Governor appointees who decide on projects and expenditure of funds.

Part II of ch. 348, F.S., creates the Brevard County Expressway Authority, which was originally created in 1972.

The bill repeals the statutory sections of part II of ch. 348, F.S.; thereby repealing the Brevard County Expressway Authority Law.

This bill does not have a fiscal impact on state or local governments.

The bill has an effective date of July 1, 2011.

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Florida expressway authorities are formed either under the Florida Expressway Authority Act[1] or by special act of the Legislature. Most existing expressway authorities were created prior to the Florida Expressway Authority Act being enacted in 1990 and, therefore, are not subject to most of its provisions. The Miami-Dade Expressway Authority is the only authority currently created and governed by the Florida Expressway Authority Act.

The purpose of Florida's expressway authorities is to construct, maintain, and operate tolled transportation facilities complementing the State Highway System and the Florida Turnpike Enterprise. The expressway authorities have boards of directors that typically include a combination of local-government officials and Governor appointees who decide on projects and expenditure of funds.

Part II of ch. 348, F.S., creates the Brevard County Expressway Authority, which was originally created in 1972.[2] This Authority has never met. It is registered as a dependent special district with the Department of Community Affairs.

Proposed Changes

The bill repeals the statutory sections of part II of ch. 348, F.S.; thereby repealing the Brevard County Expressway Authority Law.

The bill has an effective date of July 1, 2011.

B. SECTION DIRECTORY:

Section 1 Repeals ss. 348.216, 348.217, 348.218, 348.219, 348.22, 348.221, 348.223, 348.224, 345.225, 348.226, 348.227, 348.228, 348.229, and 348.23, F.S., relating to the Broward County Expressway Authority.

Section 2 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

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[1] Part I of Ch. 348, F.S.
[2] Ch. 72-408, L.O.F.

2. Expenditures:

   None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

   None

D. FISCAL COMMENTS:

   According to the Department of Community Affairs, there is a $175 annual registration fee for special districts. However, the Brevard County Expressway Authority meets the conditions to have the fee waived, and has received a fee waiver. Therefore, it is not currently paying this fee.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

   1. Applicability of Municipality/County Mandates Provision:

   Not applicable. This bill does not appear to: require counties or municipalities to spend funds or take an action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenue in the aggregate; or reduce the percentage of a state tax shared with counties or municipalities.

   2. Other:

   None

B. RULE-MAKING AUTHORITY:

   None

C. DRAFTING ISSUES OR OTHER COMMENTS:

   None

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES