

**HOUSE OF REPRESENTATIVES  
FINAL BILL ANALYSIS**

**BILL #:** HB 1367

**FINAL HOUSE FLOOR ACTION:**

**SPONSOR(S):** Young

114 Y's                      0 N's

**COMPANION** N/A  
**BILLS:**

**GOVERNOR'S ACTION:** Approved

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**SUMMARY ANALYSIS**

HB 1367 passed the House on April 26, 2013, and subsequently passed the Senate on April 30, 2013.

The Port of Tampa is Florida's largest cargo port as measured by annual tons throughput, followed by the Port of Jacksonville. However, the Tampa port director is restricted to one of the lowest spending limits of all Florida ports at \$15,000. In comparison, the Jacksonville limit is \$250,000. This bill removes the requirement that the Tampa Port Authority approve any expenditure over \$15,000 made by the port director, allowing the port authority to establish port director spending policies.

This bill has no fiscal impact on state or local government.

The bill was approved by the Governor on June 28, 2013, ch. 2013-267, L.O.F., and became effective on that date.

## I. SUBSTANTIVE INFORMATION

### A. EFFECT OF CHANGES:

#### Present Situation

Chapter 95-488, L.O.F., as amended, contains the enabling legislation and serves as the governing document of the Tampa Port Authority in Hillsborough County, Florida. Section 4(i) requires that four of the seven members constituting the port authority board must affirmatively vote to allow

- (1) incurring indebtedness in excess of \$15,000,
- (2) spending any funds or money in excess of \$15,000, and
- (3) establishing policy for the port director's expenditure of funds.

The provision relating to spending limits the port director's ability to respond to commercial opportunities as a meeting must be called and vote held before the director may make a purchase or enter a contract over \$15,000. This spending limit was established in 1995. Furthermore, this provision may be interpreted as requiring four votes even if a policy has been adopted relating to the port director's spending limits.

Spending limits vary widely throughout the state as the ports are structured differently, some being county entities (such as Port Everglades and Miami) and others are governed by local bill authorities (such as Tampa).

#### Effect of Changes

This bill amends ch. 95-488, L.O.F., by eliminating the requirement for four affirmative votes for port director expenditures in excess of \$15,000. This modification of the Tampa Port Authority Enabling Act leaves the four vote requirement for establishing port director spending policy, allowing the port authority to determine the spending limit instead of the Legislature. This bill does not change the procurement procedures involving notice and competitive bidding for purchases over \$15,000, but only removes the requirement of a favorable vote before the port director spends over \$15,000.

This bill improves the Tampa port director's ability to respond efficiently to commercial opportunities.

This bill takes effect upon becoming law.

## II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes  No

IF YES, WHEN? February 3, 2013

WHERE? *The Times*, a daily published newspaper in Hillsborough County, Florida.

B. REFERENDUM(S) REQUIRED? Yes  No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes  No

D. ECONOMIC IMPACT STATEMENT FILED? Yes  No