



574892

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/03/2014	.	
	.	
	.	
	.	

---

The Committee on Transportation (Garcia) recommended the following:

1           **Senate Substitute for Amendment (450614) (with title**  
2 **amendment)**

3  
4           Delete everything after the enacting clause  
5 and insert:

6           Section 1. Section 348.0003, Florida Statutes, is amended  
7 to read:

8           348.0003 Expressway authority; formation; membership.—

9           (1) Any county, or two or more contiguous counties located  
10 within a single district of the department, may, by resolution



574892

11 adopted by the board of county commissioners, form an expressway  
12 authority, which shall be an agency of the state, pursuant to  
13 the Florida Expressway Authority Act.

14 (2) The governing body of an authority shall consist of not  
15 fewer than five nor more than nine voting members. The district  
16 secretary of the affected department district shall serve as a  
17 nonvoting member of the governing body of each authority located  
18 within the district. Each member of the governing body must at  
19 all times during his or her term of office be a permanent  
20 resident of the county which he or she is appointed to  
21 represent.

22 (a) Two members of the authority shall be appointed for  
23 terms of 4 years by the Governor, subject to confirmation by the  
24 Senate. Such persons may not hold elective office during their  
25 terms of office.

26 (b) For a single-county authority, the remaining members  
27 shall be appointed by the board of county commissioners for  
28 terms of 3 years.

29 (c) For a multicounty authority, the remaining members  
30 shall be apportioned, based on the population of such counties,  
31 among the counties within the authority. Each such member shall  
32 be appointed by the applicable board of county commissioners for  
33 a term of 3 years.

34 (d) Notwithstanding any provision of ~~to the contrary in~~  
35 this subsection, in any county as defined in s. 125.011(1), the  
36 governing body of an authority shall consist of nine ~~up to 13~~  
37 members, and the ~~following~~ provisions of this paragraph shall  
38 apply specifically to such authority. Except for the district  
39 secretary of the department, the members must be residents of



574892

40 the county. Four ~~Seven~~ voting members shall be appointed by the  
41 governing body of the county. At the discretion of the governing  
42 body of the county, up to two of the members appointed by the  
43 governing body of the county may be elected officials residing  
44 in the county. Four ~~Five~~ voting members of the authority shall  
45 be appointed by the Governor. One member shall be the district  
46 secretary of the department serving in the district that  
47 contains such county. This member shall be an ex officio voting  
48 member of the authority. If the governing board of an authority  
49 includes any member originally appointed by the governing body  
50 of the county as a nonvoting member, when the term of such  
51 member expires, that member shall be replaced by a member  
52 appointed by the Governor until the governing body of the  
53 authority is composed of four ~~seven~~ members appointed by the  
54 governing body of the county and four ~~five~~ members appointed by  
55 the Governor. The qualifications, terms of office, and  
56 obligations and rights of members of the authority shall be  
57 determined by resolution or ordinance of the governing body of  
58 the county in a manner that is consistent with this paragraph,  
59 paragraphs (e)-(i), and subsections (3)-(12) ~~(3) and (4)~~.

60 (e) A member of an authority appointed by the governing  
61 board of the county or appointed by the Governor may not serve  
62 as a member of any other transportation-related, commission, or  
63 organization board with audit oversight of the authority while  
64 serving as a member of the authority.

65 (f) A lobbyist, as defined in s. 112.3215, may not be  
66 appointed or serve as a member of an authority.

67 (g) A member of an authority may be removed from office by  
68 the Governor for misconduct, malfeasance, misfeasance, or



574892

69 nonfeasance in office.

70 (h) Members of an authority may receive reimbursement from  
71 the authority for travel and other necessary expenses incurred  
72 in connection with the business of the authority as provided in  
73 s. 112.061, but may not draw salaries or other compensation.

74 (i) Members of each expressway authority, transportation  
75 authority, bridge authority, or toll authority created pursuant  
76 to this chapter, chapter 343, or any other general law shall  
77 comply with the applicable financial disclosure requirements of  
78 s. 8, Art. II of the State Constitution. This paragraph does not  
79 subject any statutorily created authority, other than an  
80 expressway authority created under this part, to any requirement  
81 of this part except this paragraph.

82 (3) (a) The governing body of each authority shall elect one  
83 of its members as its chair and shall elect a secretary and a  
84 treasurer who need not be members of the authority. The chair,  
85 secretary, and treasurer shall hold their offices at the will of  
86 the authority. A simple majority of the governing body of the  
87 authority constitutes a quorum, and the vote of a majority of  
88 those members present is necessary for the governing body to  
89 take any action. A vacancy on an authority shall not impair the  
90 right of a quorum of the authority to exercise all of the rights  
91 and perform all of the duties of the authority.

92 (b) Upon the effective date of his or her appointment, or  
93 as soon thereafter as practicable, each appointed member of an  
94 authority shall enter upon his or her duties.

95 ~~(4)(a)~~ An authority may employ an executive secretary, an  
96 executive director, its own counsel and legal staff, technical  
97 experts, and such engineers and employees, permanent or



574892

98 temporary, as it may require and shall determine the  
99 qualifications and fix the compensation of such persons, firms,  
100 or corporations. An authority may employ a fiscal agent or  
101 agents; however, the authority must solicit sealed proposals  
102 from at least three persons, firms, or corporations for the  
103 performance of any services as fiscal agents. An authority may  
104 delegate to one or more of its agents or employees such of its  
105 power as it deems necessary to carry out the purposes of the  
106 Florida Expressway Authority Act, subject always to the  
107 supervision and control of the authority. ~~Members of an~~  
108 ~~authority may be removed from office by the Governor for~~  
109 ~~misconduct, malfeasance, misfeasance, or nonfeasance in office.~~

110 ~~(b) Members of an authority are entitled to receive from~~  
111 ~~the authority their travel and other necessary expenses incurred~~  
112 ~~in connection with the business of the authority as provided in~~  
113 ~~s. 112.061, but they may not draw salaries or other~~  
114 ~~compensation.~~

115 ~~(c) Members of each expressway authority, transportation~~  
116 ~~authority, bridge authority, or toll authority, created pursuant~~  
117 ~~to this chapter, chapter 343, or any other general law, shall~~  
118 ~~comply with the applicable financial disclosure requirements of~~  
119 ~~s. 8, Art. II of the State Constitution. This paragraph does not~~  
120 ~~subject any statutorily created authority, other than an~~  
121 ~~expressway authority created under this part, to any other~~  
122 ~~requirement of this part except the requirement of this~~  
123 ~~paragraph.~~

124 (5) (a) A member or the executive director of an authority  
125 may not:

126 1. Within 2 years after vacating his or her position as a



574892

127 board member or the executive director, personally represent  
128 another person or entity for compensation before the authority;

129 2. After vacating his or her position as a board member or  
130 the executive director, have an employment or contractual  
131 relationship with a business entity other than an agency, as  
132 defined in s. 112.312, in connection with a contract in which  
133 the member or executive director personally and substantially  
134 participated through decision, approval, disapproval,  
135 recommendation, rendering of advice, or investigation while he  
136 or she was a member or employee of the authority.

137 (b) A violation of this subsection is punishable in  
138 accordance with s. 112.317.

139 (6) An authority's general counsel shall serve as the  
140 authority's ethics officer.

141 (7) An authority board member, employee, or consultant who  
142 holds a position that may influence authority decisions may not  
143 engage in any relationship that may adversely affect his or her  
144 judgment in carrying out authority business. The following  
145 disclosures must be made annually on a disclosure form to  
146 prevent such conflicts of interest and preserve the integrity  
147 and transparency of the authority to the public:

148 (a) Any relationship that a board member, employee, or  
149 consultant has which affords a current or future financial  
150 benefit to such board member, employee, or consultant, or to a  
151 relative or business associate of such board member, employee,  
152 or consultant, and which a reasonable person would conclude has  
153 the potential to create a prohibited conflict of interest.

154 (b) Whether a relative of such board member, employee, or  
155 consultant is a registered lobbyist and, if so, the names of



574892

156 such lobbyist's clients. Such names shall be provided in writing  
157 to the ethics officer.

158 (c) All interests in real property that such board member,  
159 employee, or consultant has, or that a relative, principal,  
160 client, or business associate of such board member, employee, or  
161 consultant has, if such real property is located within, or  
162 within a 1/2-mile radius of, any actual or prospective authority  
163 roadway project. The executive director shall provide a corridor  
164 map and a property ownership list reflecting the ownership of  
165 all real property within the disclosure area, or an alignment  
166 map with a list of associated owners, to all board members,  
167 employees, and consultants.

168 (8) The disclosure forms filed as required under subsection  
169 (7) must be reviewed by the ethics officer or, if a form is  
170 filed by the general counsel, by the executive director.

171 (9) The conflict of interest process shall be outlined in  
172 the authority's code of ethics.

173 (10) Authority employees and consultants may not serve on  
174 the governing body of the authority while employed by or under  
175 contract with the authority.

176 (11) The code of ethics policy shall be reviewed and  
177 updated by the ethics officer and presented for board approval  
178 at least once every 2 years.

179 (12) Employees shall be adequately informed and trained on  
180 the code of ethics and shall continually participate in ongoing  
181 ethics education.

182 Section 2. Section 348.52, Florida Statutes, is amended to  
183 read:

184 348.52 Tampa-Hillsborough County Expressway Authority.—



574892

185 (1) There is hereby created and established a body politic  
186 and corporate, an agency of the state, to be known as the  
187 "Tampa-Hillsborough County Expressway Authority."

188 (2) The governing body of the authority shall consist of a  
189 board of seven members.

190 (a) Four of the members shall be appointed by the Governor  
191 subject to confirmation by the Senate at the next regular  
192 session of the Legislature. Refusal or failure of the Senate to  
193 confirm an appointment shall create a vacancy.

194 1. Each such member's term of office shall be for 4 years  
195 or until his or her successor shall have been appointed and  
196 qualified.

197 2. Vacancies occurring in the governing body for any such  
198 members prior to the expiration of the affected term shall be  
199 filled for the unexpired term.

200 ~~3. The Governor shall have the authority to remove from~~  
201 ~~office any such member of the governing body in the manner and~~  
202 ~~for cause defined by the laws of this state.~~

203 ~~3.4.~~ Each such member, before entering upon his or her  
204 official duties, shall take and subscribe to an oath before some  
205 official authorized by law to administer oaths that he or she  
206 will honestly, faithfully, and impartially perform the duties  
207 devolving upon him or her in office as a member of the governing  
208 body of the authority and that he or she will not neglect any  
209 duties imposed upon him or her by this part.

210 (b) One member shall be the mayor, or the mayor's  
211 designate, who shall be the chair of the city council of the  
212 city in Hillsborough County having the largest population,  
213 according to the latest decennial census, who shall serve as a





574892

214 member ex officio.

215 (c) One member shall be a member of the Board of County  
216 Commissioners of Hillsborough County, selected by such board,  
217 who shall serve as a member ex officio.

218 (d) One member shall be the district secretary of the  
219 Department of Transportation serving in the district that  
220 contains Hillsborough County, who shall serve ex officio.

221 (e) A member of the authority appointed by the governing  
222 board of the county or appointed by the Governor may not serve  
223 as a member of any other transportation-related board,  
224 commission, or organization with audit oversight of the  
225 authority while serving as a member of the authority.

226 (f) A lobbyist, as defined in s. 112.3215, may not be  
227 appointed or serve as a member of the authority.

228 (g) A member of the authority may be removed from office by  
229 the Governor for misconduct, malfeasance, misfeasance, or  
230 nonfeasance in office.

231 (h) Members of the authority may receive reimbursement from  
232 the authority for travel and other necessary expenses incurred  
233 in connection with the business of the authority as provided in  
234 s. 112.061, but may not draw salaries or other compensation.

235 (3) The authority shall designate one of its members as  
236 chair. ~~The members of the authority shall not be entitled to~~  
237 ~~compensation but shall be entitled to receive their travel and~~  
238 ~~other necessary expenses as provided in s. 112.061.~~ A majority  
239 of the members of the authority shall constitute a quorum, and  
240 resolutions enacted or adopted by a vote of a majority of the  
241 members present and voting at any meeting shall become effective  
242 without publication or posting or any further action of the



574892

243 authority.

244 (4) The authority may employ a secretary and executive  
245 director, its own counsel and legal staff, and such legal,  
246 financial, and other professional consultants, technical  
247 experts, engineers, and employees, permanent or temporary, as it  
248 may require and may determine the qualifications and fix the  
249 compensation of such persons, firms, or corporations. The  
250 authority may contract with the Division of Bond Finance of the  
251 State Board of Administration for any financial services  
252 authorized herein.

253 (5) The authority may delegate to one or more of its  
254 officers or employees such of its powers as it shall deem  
255 necessary to carry out the purposes of this part, subject always  
256 to the supervision and control of the authority. ~~Members of the~~  
257 ~~authority may be removed from their office by the Governor for~~  
258 ~~misconduct, malfeasance, misfeasance, and nonfeasance in office.~~

259 (6) (a) A member or the executive director of the authority  
260 may not:

261 1. Within 2 years after vacating his or her position as a  
262 board member or the executive director, personally represent  
263 another person or entity for compensation before the authority;

264 2. After vacating his or her position as a board member or  
265 the executive director, have an employment or contractual  
266 relationship with a business entity other than an agency, as  
267 defined in s. 112.312, in connection with a contract in which  
268 the member or executive director personally and substantially  
269 participated through decision, approval, disapproval,  
270 recommendation, rendering of advice, or investigation while he  
271 or she was a member or employee of the authority.



574892

272 (b) A violation of this subsection is punishable in  
273 accordance with s. 112.317.

274 (7) The authority's general counsel shall serve as the  
275 authority's ethics officer.

276 (8) An authority board member, employee, or consultant who  
277 holds a position that may influence authority decisions may not  
278 engage in any relationship that may adversely affect his or her  
279 judgment in carrying out authority business. The following  
280 disclosures must be made annually on a disclosure form to  
281 prevent such conflicts of interest and preserve the integrity  
282 and transparency of the authority to the public:

283 (a) Any relationship a board member, employee, or  
284 consultant has which affords a current or future financial  
285 benefit to such board member, employee, or consultant, or to a  
286 relative or business associate of such board member, employee,  
287 or consultant, and which a reasonable person would conclude has  
288 the potential to create a prohibited conflict of interest.

289 (b) Whether a relative of such board member, employee, or  
290 consultant is a registered lobbyist and, if so, the names of  
291 such lobbyist's clients. Such names shall be provided in writing  
292 to the ethics officer.

293 (c) All interests in real property that such board member,  
294 employee, or consultant has, or that a relative, principal,  
295 client, or business associate of such board member, employee, or  
296 consultant has, if such real property is located within, or  
297 within a 1/2-mile radius of, any actual or prospective authority  
298 roadway project. The executive director shall provide a corridor  
299 map and a property ownership list reflecting the ownership of  
300 all real property within the disclosure area, or an alignment



574892

301 map with a list of associated owners, to all board members,  
302 employees, and consultants.

303 (9) The disclosure forms filed as required under subsection  
304 (8) must be reviewed by the ethics officer or, if a form is  
305 filed by the general counsel, by the executive director.

306 (10) The conflict of interest process shall be outlined in  
307 the authority's code of ethics.

308 (11) Authority employees and consultants may not serve on  
309 the governing body of the authority while employed by or under  
310 contract with the authority.

311 (12) The code of ethics policy shall be reviewed and  
312 updated by the ethics officer and presented for board approval  
313 at least once every 2 years.

314 (13) Employees shall be adequately informed and trained on  
315 the code of ethics and shall continually participate in ongoing  
316 ethics education.

317 Section 3. Section 348.53, Florida Statutes, is amended to  
318 read:

319 348.53 Purposes of the authority.—The authority is created  
320 for the purposes and shall have power to construct, reconstruct,  
321 improve, extend, repair, maintain and operate the expressway  
322 system. It is hereby found and declared that such purposes are  
323 in all respects for the benefit of the people of the State of  
324 Florida, City of Tampa and the County of Hillsborough, for the  
325 increase of their pleasure, convenience and welfare, for the  
326 improvement of their health, to facilitate transportation,  
327 including managed lanes, for their recreation and commerce and  
328 for the common defense. The authority shall be performing a  
329 public purpose and a governmental function in carrying out its



574892

330 corporate purpose and in exercising the powers granted herein.

331 Section 4. Subsection (15) of section 348.54, Florida  
332 Statutes, is created to read:

333 348.54 Powers of the authority.—Except as otherwise limited  
334 herein, the authority shall have the power:

335 (15) With the consent of the county within whose  
336 jurisdiction the following activities occur, the authority shall  
337 have the right to construct, operate, and maintain roads,  
338 bridges, avenues of access, thoroughfares, boulevards and  
339 managed lanes outside the jurisdictional boundaries of  
340 Hillsborough County and within the jurisdictional boundaries of  
341 counties contiguous to Hillsborough County together with the  
342 right to construct, repair, replace, operate, install, and  
343 maintain facilities and electronic toll payment systems thereon  
344 or incidental thereto, with all necessary and incidental powers  
345 to accomplish the foregoing.

346 Section 5. Section 348.753, Florida Statutes, is amended to  
347 read:

348 348.753 Orlando-Orange County Expressway Authority.—

349 (1) There is hereby created and established a body politic  
350 and corporate, an agency of the state, to be known as the  
351 Orlando-Orange County Expressway Authority, hereinafter referred  
352 to as "authority."

353 (2) (a) The governing body of the authority shall consist of  
354 five members. Three members shall be citizens of Orange County,  
355 who shall be appointed by the Governor. The fourth member shall  
356 be, ex officio, the chair of the County Commissioners of Orange  
357 County, and the fifth member shall be, ex officio, the district  
358 secretary of the Department of Transportation serving in the



574892

359 district that contains Orange County. The term of each appointed  
360 member shall be for 4 years. Each appointed member shall hold  
361 office until his or her successor has been appointed and has  
362 qualified. A vacancy occurring during a term shall be filled  
363 only for the balance of the unexpired term. Each appointed  
364 member of the authority shall be a person of outstanding  
365 reputation for integrity, responsibility, and business ability,  
366 but no person who is an officer or employee of any city or of  
367 Orange County in any other capacity shall be an appointed member  
368 of the authority. Any member of the authority shall be eligible  
369 for reappointment.

370 (b) A member of the authority appointed by the Governor may  
371 not serve as a member of any other transportation-related board,  
372 commission, or organization with audit oversight of the  
373 authority while serving as a member of the authority.

374 (c) A lobbyist, as defined in s. 112.3215, may not be  
375 appointed or serve as a member of the authority.

376 (d) A member of the authority may be removed from office by  
377 the Governor for misconduct, malfeasance, misfeasance, or  
378 nonfeasance in office.

379 (e) Members of the authority may receive reimbursement from  
380 the authority for travel and other necessary expenses incurred  
381 in connection with the business of the authority as provided in  
382 s. 112.061, but may not draw salaries or other compensation.

383 (3) (a) The authority shall elect one of its members as  
384 chair of the authority. The authority shall also elect a  
385 secretary and a treasurer who may or may not be members of the  
386 authority. The chair, secretary, and treasurer shall hold such  
387 offices at the will of the authority. Three members of the



574892

388 authority shall constitute a quorum, and the vote of three  
389 members shall be necessary for any action taken by the  
390 authority. No vacancy in the authority shall impair the right of  
391 a quorum of the authority to exercise all of the rights and  
392 perform all of the duties of the authority.

393 (b) Upon the effective date of his or her appointment, or  
394 as soon thereafter as practicable, each appointed member of the  
395 authority shall enter upon his or her duties.

396 (4) ~~(a)~~ The authority may employ an executive secretary, an  
397 executive director, its own counsel and legal staff, technical  
398 experts, such engineers, and such employees, permanent or  
399 temporary, as it may require and may determine the  
400 qualifications and fix the compensation of such persons, firms,  
401 or corporations and may employ a fiscal agent or agents,  
402 provided, however, that the authority shall solicit sealed  
403 proposals from at least three persons, firms, or corporations  
404 for the performance of any services as fiscal agents. The  
405 authority may delegate to one or more of its agents or employees  
406 such of its power as it shall deem necessary to carry out the  
407 purposes of this part, subject always to the supervision and  
408 control of the authority. ~~Members of the authority may be  
409 removed from their office by the Governor for misconduct,  
410 malfeasance, misfeasance, or nonfeasance in office.~~

411 ~~(b) Members of the authority shall be entitled to receive  
412 from the authority their travel and other necessary expenses  
413 incurred in connection with the business of the authority as  
414 provided in s. 112.061, but they shall draw no salaries or other  
415 compensation.~~

416 (5) (a) A member or the executive director of the authority



574892

417 may not:

418 1. Within 2 years after vacating his or her position as a  
419 board member or the executive director, personally represent  
420 another person or entity for compensation before the authority;

421 2. After vacating his or her position as a board member or  
422 the executive director, have an employment or contractual  
423 relationship with a business entity other than an agency, as  
424 defined in s. 112.312, in connection with a contract in which  
425 the member or executive director personally and substantially  
426 participated through decision, approval, disapproval,  
427 recommendation, rendering of advice, or investigation while he  
428 or she was a member or employee of the authority.

429 (b) A violation of this subsection is punishable in  
430 accordance with s. 112.317.

431 (6) The authority's general counsel shall serve as the  
432 authority's ethics officer.

433 (7) An authority board member, employee, or consultant who  
434 holds a position that may influence authority decisions may not  
435 engage in any relationship that may adversely affect his or her  
436 judgment in carrying out authority business. The following  
437 disclosures must be made annually on a disclosure form to  
438 prevent such conflicts of interest and preserve the integrity  
439 and transparency of the authority to the public:

440 (a) Any relationship a board member, employee, or  
441 consultant has which affords a current or future financial  
442 benefit to such board member, employee, or consultant, or to a  
443 relative or business associate of such board member, employee,  
444 or consultant, and which a reasonable person would conclude has  
445 the potential to create a prohibited conflict of interest.





574892

446 (b) Whether a relative of such board member, employee, or  
447 consultant is a registered lobbyist and, if so, the names of  
448 such lobbyist's clients. Such names shall be provided in writing  
449 to the ethics officer.

450 (c) All interests in real property that such board member,  
451 employee, or consultant has, or that a relative, principal,  
452 client, or business associate of such board member, employee, or  
453 consultant has, if such real property is located within, or  
454 within a 1/2-mile radius of, any actual or prospective authority  
455 roadway project. The executive director shall provide a corridor  
456 map and a property ownership list reflecting the ownership of  
457 all real property within the disclosure area, or an alignment  
458 map with a list of associated owners, to all board member,  
459 employees, and consultants.

460 (8) The disclosure forms filed as required under subsection  
461 (7) must be reviewed by the ethics officer or, if a form is  
462 filed by the general counsel, by the executive director.

463 (9) The conflict of interest process shall be outlined in  
464 the authority's code of ethics.

465 (10) Authority employees and consultants may not serve on  
466 the governing body of the authority while employed by or under  
467 contract with the authority.

468 (11) The code of ethics policy shall be reviewed and  
469 updated by the ethics officer and presented for board approval  
470 at least once every 2 years.

471 (12) Employees shall be adequately informed and trained on  
472 the code of ethics and shall continually participate in ongoing  
473 ethics education.

474 Section 6. Section 348.9952, Florida Statutes, is amended



574892

475 to read:

476 348.9952 Osceola County Expressway Authority.—

477 (1) There is created a body politic and corporate, an  
478 agency of the state, to be known as the Osceola County  
479 Expressway Authority.

480 (2) (a) The governing body of the authority shall consist of  
481 six members. Five members, at least one of whom must be a member  
482 of a racial or ethnic minority group, must be residents of  
483 Osceola County, three of whom shall be appointed by the  
484 governing body of the county and two of whom shall be appointed  
485 by the Governor. The sixth member shall be the district  
486 secretary of the department serving in the district that  
487 includes Osceola County, who shall serve as an ex officio,  
488 nonvoting member. The term of each appointed member shall be for  
489 4 years, except that the first term of the initial members  
490 appointed by the Governor shall be 2 years each. Each appointed  
491 member shall hold office until his or her successor has been  
492 appointed and has qualified. A vacancy occurring during a term  
493 shall be filled only for the balance of the unexpired term. Each  
494 appointed member of the authority shall be a person of  
495 outstanding reputation for integrity, responsibility, and  
496 business ability, but a person who is an officer or employee of  
497 any municipality or of Osceola County in any other capacity may  
498 not be an appointed member of the authority. A member of the  
499 authority is eligible for reappointment.

500 (b) A member of the authority appointed by the governing  
501 board of the county or appointed by the Governor may not serve  
502 as a member of any other transportation-related board,  
503 commission, or organization with audit oversight of the



574892

504 authority while serving as a member of the authority.

505 (c) A lobbyist, as defined in s. 112.3215, may not be  
506 appointed or serve as a member of the authority.

507 (d) ~~(b)~~ Members of the authority may be removed from office  
508 by the Governor for misconduct, malfeasance, ~~misfeasance~~, or  
509 nonfeasance in office.

510 (e) Members of the authority may receive reimbursement from  
511 the authority for travel and other necessary expenses incurred  
512 in connection with the business of the authority as provided in  
513 s. 112.061, but may not draw salaries or other compensation.

514 (3) (a) The authority shall elect one of its members as  
515 chair. The authority shall also elect a secretary and a  
516 treasurer, who may be members of the authority. The chair,  
517 secretary, and treasurer shall hold such offices at the will of  
518 the authority.

519 (b) Three members of the authority constitute a quorum, and  
520 the vote of three members is necessary for any action taken by  
521 the authority. A vacancy in the authority does not impair the  
522 right of a quorum of the authority to exercise all of the rights  
523 and perform all of the duties of the authority.

524 (4) (a) The authority may employ an executive secretary, an  
525 executive director, its own counsel and legal staff, technical  
526 experts, engineers, and other employees, permanent or temporary,  
527 as it may require, and may determine the qualifications and fix  
528 the compensation of such persons, firms, or corporations.  
529 Additionally, the authority may employ a fiscal agent or agents.  
530 However, the authority shall solicit sealed proposals from at  
531 least three persons, firms, or corporations for the performance  
532 of any services as fiscal agents. The authority may delegate to



574892

533 one or more of its agents or employees such of its power as it  
534 deems necessary to carry out the purposes of this part, subject  
535 always to the supervision and control of the authority.

536 ~~(b) Members of the authority are entitled to receive from~~  
537 ~~the authority their travel and other necessary expenses incurred~~  
538 ~~in connection with the business of the authority as provided in~~  
539 ~~s. 112.061, but members shall not draw salaries or other~~  
540 ~~compensation.~~

541 ~~(b)(e)~~ The department is not required to grant funds for  
542 startup costs to the authority. However, the governing body of  
543 the county may provide funds for such startup costs.

544 ~~(c)(d)~~ The authority shall cooperate with and participate  
545 in any efforts to establish a regional expressway authority.

546 ~~(d)(e)~~ Notwithstanding any other provision of law,  
547 including s. 339.175(3), the authority is not entitled to voting  
548 membership in a metropolitan planning organization in which  
549 Osceola County, or any of the municipalities therein, are also  
550 voting members.

551 (5) (a) A member or the executive director of the authority  
552 may not:

553 1. Within 2 years after vacating his or her position as a  
554 board member or the executive director, personally represent  
555 another person or entity for compensation before the authority;

556 2. After vacating his or her position as a board member or  
557 the executive director, have an employment or contractual  
558 relationship with a business entity other than an agency, as  
559 defined in s. 112.312, in connection with a contract in which  
560 the member or executive director personally and substantially  
561 participated through decision, approval, disapproval,



574892

562 recommendation, rendering of advice, or investigation while he  
563 or she was a member or employee of the authority.

564 (b) A violation of this subsection is punishable in  
565 accordance with s. 112.317.

566 (6) The authority's general counsel shall serve as the  
567 authority's ethics officer.

568 (7) An authority board member, employee, or consultant who  
569 holds a position that may influence authority decisions may not  
570 engage in any relationship that may adversely affect his or her  
571 judgment in carrying out authority business. The following  
572 disclosures must be made annually on a disclosure form to  
573 prevent such conflicts of interest and preserve the integrity  
574 and transparency of the authority to the public:

575 (a) Any relationship a board member, employee, or  
576 consultant has which affords a current or future financial  
577 benefit to such board member, employee, or consultant, or to a  
578 relative or business associate of such board member, employee,  
579 or consultant, and which a reasonable person would conclude has  
580 the potential to create a prohibited conflict of interest.

581 (b) Whether a relative of such board member, employee, or  
582 consultant is a registered lobbyist and, if so, the names of  
583 such lobbyist's clients. Such names shall be provided in writing  
584 to the ethics officer.

585 (c) Any and all interests in real property that such board  
586 member, employee, or consultant has, or that a relative,  
587 principal, client, or business associate of such board member,  
588 employee, or consultant has, if such real property is located  
589 within, or within a 1/2-mile radius of, any actual or  
590 prospective authority roadway project. The executive director



574892

591 shall provide a corridor map and a property ownership list  
592 reflecting the ownership of all real property within the  
593 disclosure area, or an alignment map with a list of associated  
594 owners, to all board member, employees, and consultants.

595 (8) The disclosure forms filed as required under subsection  
596 (7) must be reviewed by the ethics officer or, if a form is  
597 filed by the general counsel, by the executive director.

598 (9) The conflict of interest process shall be outlined in  
599 the authority's code of ethics.

600 (10) Authority employees and consultants may not serve on  
601 the governing body of the authority while employed by or under  
602 contract with the authority.

603 (11) The code of ethics policy shall be reviewed and  
604 updated by the ethics officer and presented for board approval  
605 at least once every 2 years.

606 (12) Employees shall be adequately informed and trained on  
607 the code of ethics and shall continually participate in ongoing  
608 ethics education.

609 Section 7. Subsection (6) of section 343.1003, Florida  
610 Statutes, is amended to read:

611 343.1003 Northeast Florida Regional Transportation  
612 Commission.—

613 (6) Notwithstanding s. 348.0003(2)(i) ~~348.0003(4)(e)~~,  
614 members of the board shall file a statement of financial  
615 interest with the Commission on Ethics pursuant to s. 112.3145.

616 Section 8. This act shall take effect July 1, 2014.

617  
618 ===== T I T L E A M E N D M E N T =====

619 And the title is amended as follows:



574892

620 Delete everything before the enacting clause  
621 and insert:

622 A bill to be entitled  
623 An act relating to expressway authorities; amending s.  
624 348.0003, F.S.; revising requirements relating to  
625 expressway authority membership in specified counties;  
626 requiring members of each expressway authority,  
627 transportation authority, bridge authority, or toll  
628 authority to comply with specified financial  
629 disclosure requirements; prohibiting certain  
630 activities by authority board members and executive  
631 directors during and after membership or employment;  
632 prohibiting certain activities and providing a  
633 penalty; specifying who may serve as an ethics  
634 officer; requiring disclosure of certain relationships  
635 and interests; prohibiting employees and consultants  
636 from membership on a board; providing for a code of  
637 ethics policy; amending ss. 348.52, 348.753, and  
638 348.9952, F.S., relating to the Tampa-Hillsborough  
639 County Expressway Authority, the Orlando-Orange County  
640 Expressway Authority, and the Osceola County  
641 Expressway Authority, respectively; prohibiting  
642 certain activities by authority board members and  
643 executive directors during and after membership or  
644 employment; providing a penalty; specifying who may  
645 serve as an ethics officer; requiring disclosure of  
646 certain relationships and interests; prohibiting  
647 employees and consultants from membership on a board;  
648 providing for a code of ethics policy; amending s.



574892

649 348.53, F.S.; revising the Legislative declaration of  
650 the Tampa-Hillsborough County Expressway Authority's  
651 purposes for the benefit of the people to include  
652 managed lanes; amending s. 348.54, F.S.; authorizing  
653 the Tampa-Hillsborough County Expressway Authority to  
654 construct, operate, and maintain certain  
655 transportation facilities within the jurisdictional  
656 boundaries of a consenting county contiguous to  
657 Hillsborough County, together with the right to  
658 construct, operate, and maintain facilities and  
659 electronic toll payment systems thereon or incidental  
660 thereto; amending s. 343.1003, F.S.; conforming a  
661 cross-reference; providing an effective date.