

By the Committee on Transportation; and Senator Garcia

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1                   A bill to be entitled  
2           An act relating to expressway authorities; amending s.  
3           348.0003, F.S.; requiring members of each expressway  
4           authority, transportation authority, bridge authority,  
5           or toll authority to comply with specified financial  
6           disclosure requirements; prohibiting certain  
7           activities by authority board members and executive  
8           directors during and after membership or employment;  
9           prohibiting certain activities and providing a  
10          penalty; specifying who may serve as an ethics  
11          officer; requiring disclosure of certain relationships  
12          and interests; prohibiting employees and consultants  
13          from membership on a board; providing for a code of  
14          ethics policy; amending ss. 348.52, 348.753, and  
15          348.9952, F.S., relating to the Tampa-Hillsborough  
16          County Expressway Authority, the Orlando-Orange County  
17          Expressway Authority, and the Osceola County  
18          Expressway Authority, respectively; prohibiting  
19          certain activities by authority board members and  
20          executive directors during and after membership or  
21          employment; providing a penalty; specifying who may  
22          serve as an ethics officer; requiring disclosure of  
23          certain relationships and interests; prohibiting  
24          employees and consultants from membership on a board;  
25          providing for a code of ethics policy; amending s.  
26          348.53, F.S.; revising the Legislative declaration of  
27          the Tampa-Hillsborough County Expressway Authority's  
28          purposes for the benefit of the people to include  
29          managed lanes; amending s. 348.54, F.S.; authorizing

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30 the Tampa-Hillsborough County Expressway Authority to  
31 construct, operate, and maintain certain  
32 transportation facilities within the jurisdictional  
33 boundaries of a consenting county contiguous to  
34 Hillsborough County, together with the right to  
35 construct, operate, and maintain facilities and  
36 electronic toll payment systems thereon or incidental  
37 thereto; amending s. 343.1003, F.S.; conforming a  
38 cross-reference; providing an effective date.

39  
40 Be It Enacted by the Legislature of the State of Florida:

41  
42 Section 1. Section 348.0003, Florida Statutes, is amended  
43 to read:

44 348.0003 Expressway authority; formation; membership.—

45 (1) Any county, or two or more contiguous counties located  
46 within a single district of the department, may, by resolution  
47 adopted by the board of county commissioners, form an expressway  
48 authority, which shall be an agency of the state, pursuant to  
49 the Florida Expressway Authority Act.

50 (2) The governing body of an authority shall consist of not  
51 fewer than five nor more than nine voting members. The district  
52 secretary of the affected department district shall serve as a  
53 nonvoting member of the governing body of each authority located  
54 within the district. Each member of the governing body must at  
55 all times during his or her term of office be a permanent  
56 resident of the county which he or she is appointed to  
57 represent.

58 (a) Two members of the authority shall be appointed for

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59 terms of 4 years by the Governor, subject to confirmation by the  
60 Senate. Such persons may not hold elective office during their  
61 terms of office.

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

65 (c) For a multicounty authority, the remaining members  
66 shall be apportioned, based on the population of such counties,  
67 among the counties within the authority. Each such member shall  
68 be appointed by the applicable board of county commissioners for  
69 a term of 3 years.

70 (d) Notwithstanding any provision of ~~to the contrary in~~  
71 this subsection, in any county as defined in s. 125.011(1), the  
72 governing body of an authority shall consist of up to 13  
73 members, and the following provisions of this paragraph shall  
74 apply specifically to such authority. Except for the district  
75 secretary of the department, the members must be residents of  
76 the county. Seven voting members shall be appointed by the  
77 governing body of the county. At the discretion of the governing  
78 body of the county, up to two of the members appointed by the  
79 governing body of the county may be elected officials residing  
80 in the county. Five voting members of the authority shall be  
81 appointed by the Governor. One member shall be the district  
82 secretary of the department serving in the district that  
83 contains such county. This member shall be an ex officio voting  
84 member of the authority. If the governing board of an authority  
85 includes any member originally appointed by the governing body  
86 of the county as a nonvoting member, when the term of such  
87 member expires, that member shall be replaced by a member

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88 appointed by the Governor until the governing body of the  
89 authority is composed of seven members appointed by the  
90 governing body of the county and five members appointed by the  
91 Governor. The qualifications, terms of office, and obligations  
92 and rights of members of the authority shall be determined by  
93 resolution or ordinance of the governing body of the county in a  
94 manner that is consistent with this paragraph, paragraphs (e)-  
95 (i), and subsections (3)-(12) ~~(3) and (4)~~.

96 (e) A member of an authority appointed by the governing  
97 board of the county or appointed by the Governor may not serve  
98 as a member of any other transportation-related board,  
99 commission, or organization with audit oversight of the  
100 authority while serving as a member of the authority.

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

103 (g) A member of an authority may be removed from office by  
104 the Governor for misconduct, malfeasance, misfeasance, or  
105 nonfeasance in office.

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

110 (i) Members of each expressway authority, transportation  
111 authority, bridge authority, or toll authority created pursuant  
112 to this chapter, chapter 343, or any other general law shall  
113 comply with the applicable financial disclosure requirements of  
114 s. 8, Art. II of the State Constitution. This paragraph does not  
115 subject any statutorily created authority, other than an  
116 expressway authority created under this part, to any requirement

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117 of this part except this paragraph.

118 (3) (a) The governing body of each authority shall elect one  
119 of its members as its chair and shall elect a secretary and a  
120 treasurer who need not be members of the authority. The chair,  
121 secretary, and treasurer shall hold their offices at the will of  
122 the authority. A simple majority of the governing body of the  
123 authority constitutes a quorum, and the vote of a majority of  
124 those members present is necessary for the governing body to  
125 take any action. A vacancy on an authority shall not impair the  
126 right of a quorum of the authority to exercise all of the rights  
127 and perform all of the duties of the authority.

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

131 (4) ~~(a)~~ An authority may employ an executive secretary, an  
132 executive director, its own counsel and legal staff, technical  
133 experts, and such engineers and employees, permanent or  
134 temporary, as it may require and shall determine the  
135 qualifications and fix the compensation of such persons, firms,  
136 or corporations. An authority may employ a fiscal agent or  
137 agents; however, the authority must solicit sealed proposals  
138 from at least three persons, firms, or corporations for the  
139 performance of any services as fiscal agents. An authority may  
140 delegate to one or more of its agents or employees such of its  
141 power as it deems necessary to carry out the purposes of the  
142 Florida Expressway Authority Act, subject always to the  
143 supervision and control of the authority. ~~Members of an~~  
144 ~~authority may be removed from office by the Governor for~~  
145 ~~misconduct, malfeasance, misfeasance, or nonfeasance in office.~~

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146 ~~(b) Members of an authority are entitled to receive from~~  
147 ~~the authority their travel and other necessary expenses incurred~~  
148 ~~in connection with the business of the authority as provided in~~  
149 ~~s. 112.061, but they may not draw salaries or other~~  
150 ~~compensation.~~

151 ~~(c) Members of each expressway authority, transportation~~  
152 ~~authority, bridge authority, or toll authority, created pursuant~~  
153 ~~to this chapter, chapter 343, or any other general law, shall~~  
154 ~~comply with the applicable financial disclosure requirements of~~  
155 ~~s. 8, Art. II of the State Constitution. This paragraph does not~~  
156 ~~subject any statutorily created authority, other than an~~  
157 ~~expressway authority created under this part, to any other~~  
158 ~~requirement of this part except the requirement of this~~  
159 ~~paragraph.~~

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

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

165 2. After vacating his or her position as a board member or  
166 the executive director, have an employment or contractual  
167 relationship with a business entity other than an agency, as  
168 defined in s. 112.312, in connection with a contract in which  
169 the member or executive director personally and substantially  
170 participated through decision, approval, disapproval,  
171 recommendation, rendering of advice, or investigation while he  
172 or she was a member or employee of the authority.

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

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

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

184 (a) Any relationship that a board member, employee, or  
185 consultant has which affords a current or future financial  
186 benefit to such board member, employee, or consultant, or to a  
187 relative or business associate of such board member, employee,  
188 or consultant, and which a reasonable person would conclude has  
189 the potential to create a prohibited conflict of interest.

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

194 (c) All interests in real property that such board member,  
195 employee, or consultant has, or that a relative, principal,  
196 client, or business associate of such board member, employee, or  
197 consultant has, if such real property is located within, or  
198 within a 1/2-mile radius of, any actual or prospective authority  
199 roadway project. The executive director shall provide a corridor  
200 map and a property ownership list reflecting the ownership of  
201 all real property within the disclosure area, or an alignment  
202 map with a list of associated owners, to all board members,  
203 employees, and consultants.

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

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

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

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

215       (12) Employees shall be adequately informed and trained on  
216 the code of ethics and shall continually participate in ongoing  
217 ethics education.

218       Section 2. Section 348.52, Florida Statutes, is amended to  
219 read:

220       348.52 Tampa-Hillsborough County Expressway Authority.—

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

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

226       (a) Four of the members shall be appointed by the Governor  
227 subject to confirmation by the Senate at the next regular  
228 session of the Legislature. Refusal or failure of the Senate to  
229 confirm an appointment shall create a vacancy.

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



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233           2. Vacancies occurring in the governing body for any such  
234 members prior to the expiration of the affected term shall be  
235 filled for the unexpired term.

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

239           3.4. Each such member, before entering upon his or her  
240 official duties, shall take and subscribe to an oath before some  
241 official authorized by law to administer oaths that he or she  
242 will honestly, faithfully, and impartially perform the duties  
243 devolving upon him or her in office as a member of the governing  
244 body of the authority and that he or she will not neglect any  
245 duties imposed upon him or her by this part.

246           (b) One member shall be the mayor, or the mayor's  
247 designate, who shall be the chair of the city council of the  
248 city in Hillsborough County having the largest population,  
249 according to the latest decennial census, who shall serve as a  
250 member ex officio.

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

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

257           (e) A member of the authority appointed by the governing  
258 board of the county or appointed by the Governor may not serve  
259 as a member of any other transportation-related board,  
260 commission, or organization with audit oversight of the  
261 authority while serving as a member of the authority.

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

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

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

271 (3) The authority shall designate one of its members as  
272 chair. ~~The members of the authority shall not be entitled to~~  
273 ~~compensation but shall be entitled to receive their travel and~~  
274 ~~other necessary expenses as provided in s. 112.061.~~ A majority  
275 of the members of the authority shall constitute a quorum, and  
276 resolutions enacted or adopted by a vote of a majority of the  
277 members present and voting at any meeting shall become effective  
278 without publication or posting or any further action of the  
279 authority.

280 (4) The authority may employ a secretary and executive  
281 director, its own counsel and legal staff, and such legal,  
282 financial, and other professional consultants, technical  
283 experts, engineers, and employees, permanent or temporary, as it  
284 may require and may determine the qualifications and fix the  
285 compensation of such persons, firms, or corporations. The  
286 authority may contract with the Division of Bond Finance of the  
287 State Board of Administration for any financial services  
288 authorized herein.

289 (5) The authority may delegate to one or more of its  
290 officers or employees such of its powers as it shall deem

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291 necessary to carry out the purposes of this part, subject always  
292 to the supervision and control of the authority. ~~Members of the~~  
293 ~~authority may be removed from their office by the Governor for~~  
294 ~~misconduct, malfeasance, misfeasance, and nonfeasance in office.~~

295 (6) (a) A member or the executive director of the authority  
296 may not:

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

300 2. After vacating his or her position as a board member or  
301 the executive director, have an employment or contractual  
302 relationship with a business entity other than an agency, as  
303 defined in s. 112.312, in connection with a contract in which  
304 the member or executive director personally and substantially  
305 participated through decision, approval, disapproval,  
306 recommendation, rendering of advice, or investigation while he  
307 or she was a member or employee of the authority.

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

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

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

319 (a) Any relationship a board member, employee, or

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320 consultant has which affords a current or future financial  
321 benefit to such board member, employee, or consultant, or to a  
322 relative or business associate of such board member, employee,  
323 or consultant, and which a reasonable person would conclude has  
324 the potential to create a prohibited conflict of interest.

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

329 (c) All interests in real property that such board member,  
330 employee, or consultant has, or that a relative, principal,  
331 client, or business associate of such board member, employee, or  
332 consultant has, if such real property is located within, or  
333 within a 1/2-mile radius of, any actual or prospective authority  
334 roadway project. The executive director shall provide a corridor  
335 map and a property ownership list reflecting the ownership of  
336 all real property within the disclosure area, or an alignment  
337 map with a list of associated owners, to all board members,  
338 employees, and consultants.

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

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

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

347 (12) The code of ethics policy shall be reviewed and  
348 updated by the ethics officer and presented for board approval

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349 at least once every 2 years.

350 (13) Employees shall be adequately informed and trained on  
351 the code of ethics and shall continually participate in ongoing  
352 ethics education.

353 Section 3. Section 348.53, Florida Statutes, is amended to  
354 read:

355 348.53 Purposes of the authority.—The authority is created  
356 for the purposes and shall have power to construct, reconstruct,  
357 improve, extend, repair, maintain and operate the expressway  
358 system. It is hereby found and declared that such purposes are  
359 in all respects for the benefit of the people of the State of  
360 Florida, City of Tampa and the County of Hillsborough, for the  
361 increase of their pleasure, convenience and welfare, for the  
362 improvement of their health, to facilitate transportation,  
363 including managed lanes, for their recreation and commerce and  
364 for the common defense. The authority shall be performing a  
365 public purpose and a governmental function in carrying out its  
366 corporate purpose and in exercising the powers granted herein.

367 Section 4. Subsection (15) is added to section 348.54,  
368 Florida Statutes, to read:

369 348.54 Powers of the authority.—Except as otherwise limited  
370 herein, the authority shall have the power:

371 (15) With the consent of the county within whose  
372 jurisdiction the following activities occur, the authority shall  
373 have the right to construct, operate, and maintain roads,  
374 bridges, avenues of access, thoroughfares, boulevards, and  
375 managed lanes outside the jurisdictional boundaries of  
376 Hillsborough County and within the jurisdictional boundaries of  
377 counties contiguous to Hillsborough County together with the

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378 right to construct, repair, replace, operate, install, and  
379 maintain facilities and electronic toll payment systems thereon  
380 or incidental thereto, with all necessary and incidental powers  
381 to accomplish the foregoing.

382 Section 5. Section 348.753, Florida Statutes, is amended to  
383 read:

384 348.753 Orlando-Orange County Expressway Authority.—

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

389 (2) (a) The governing body of the authority shall consist of  
390 five members. Three members shall be citizens of Orange County,  
391 who shall be appointed by the Governor. The fourth member shall  
392 be, ex officio, the chair of the County Commissioners of Orange  
393 County, and the fifth member shall be, ex officio, the district  
394 secretary of the Department of Transportation serving in the  
395 district that contains Orange County. The term of each appointed  
396 member shall be for 4 years. Each appointed member shall hold  
397 office until his or her successor has been appointed and has  
398 qualified. A vacancy occurring during a term shall be filled  
399 only for the balance of the unexpired term. Each appointed  
400 member of the authority shall be a person of outstanding  
401 reputation for integrity, responsibility, and business ability,  
402 but no person who is an officer or employee of any city or of  
403 Orange County in any other capacity shall be an appointed member  
404 of the authority. Any member of the authority shall be eligible  
405 for reappointment.

406 (b) A member of the authority appointed by the governing

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407 body of the county or appointed by the Governor may not serve as  
408 a member of any other transportation-related board, commission,  
409 or organization with audit oversight of the authority while  
410 serving as a member of the authority.

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

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

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

420 (3) (a) The authority shall elect one of its members as  
421 chair of the authority. The authority shall also elect a  
422 secretary and a treasurer who may or may not be members of the  
423 authority. The chair, secretary, and treasurer shall hold such  
424 offices at the will of the authority. Three members of the  
425 authority shall constitute a quorum, and the vote of three  
426 members shall be necessary for any action taken by the  
427 authority. No vacancy in the authority shall impair the right of  
428 a quorum of the authority to exercise all of the rights and  
429 perform all of the duties of the authority.

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

433 (4) ~~(a)~~ The authority may employ an executive secretary, an  
434 executive director, its own counsel and legal staff, technical  
435 experts, such engineers, and such employees, permanent or

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436 temporary, as it may require and may determine the  
437 qualifications and fix the compensation of such persons, firms,  
438 or corporations and may employ a fiscal agent or agents,  
439 provided, however, that the authority shall solicit sealed  
440 proposals from at least three persons, firms, or corporations  
441 for the performance of any services as fiscal agents. The  
442 authority may delegate to one or more of its agents or employees  
443 such of its power as it shall deem necessary to carry out the  
444 purposes of this part, subject always to the supervision and  
445 control of the authority. ~~Members of the authority may be  
446 removed from their office by the Governor for misconduct,  
447 malfeasance, misfeasance, or nonfeasance in office.~~

448 ~~(b) Members of the authority shall be entitled to receive  
449 from the authority their travel and other necessary expenses  
450 incurred in connection with the business of the authority as  
451 provided in s. 112.061, but they shall draw no salaries or other  
452 compensation.~~

453 (5) (a) A member or the executive director of the authority  
454 may not:

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

458 2. After vacating his or her position as a board member or  
459 the executive director, have an employment or contractual  
460 relationship with a business entity other than an agency, as  
461 defined in s. 112.312, in connection with a contract in which  
462 the member or executive director personally and substantially  
463 participated through decision, approval, disapproval,  
464 recommendation, rendering of advice, or investigation while he



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465 or she was a member or employee of the authority.

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

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

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

477 (a) Any relationship a board member, employee, or  
478 consultant has which affords a current or future financial  
479 benefit to such board member, employee, or consultant, or to a  
480 relative or business associate of such board member, employee,  
481 or consultant, and which a reasonable person would conclude has  
482 the potential to create a prohibited conflict of interest.

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

487 (c) All interests in real property that such board member,  
488 employee, or consultant has, or that a relative, principal,  
489 client, or business associate of such board member, employee, or  
490 consultant has, if such real property is located within, or  
491 within a 1/2-mile radius of, any actual or prospective authority  
492 roadway project. The executive director shall provide a corridor  
493 map and a property ownership list reflecting the ownership of

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494 all real property within the disclosure area, or an alignment  
495 map with a list of associated owners, to all board member,  
496 employees, and consultants.

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

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

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

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

508 (12) Employees shall be adequately informed and trained on  
509 the code of ethics and shall continually participate in ongoing  
510 ethics education.

511 Section 6. Section 348.9952, Florida Statutes, is amended  
512 to read:

513 348.9952 Osceola County Expressway Authority.—

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

517 (2) (a) The governing body of the authority shall consist of  
518 six members. Five members, at least one of whom must be a member  
519 of a racial or ethnic minority group, must be residents of  
520 Osceola County, three of whom shall be appointed by the  
521 governing body of the county and two of whom shall be appointed  
522 by the Governor. The sixth member shall be the district

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523 secretary of the department serving in the district that  
524 includes Osceola County, who shall serve as an ex officio,  
525 nonvoting member. The term of each appointed member shall be for  
526 4 years, except that the first term of the initial members  
527 appointed by the Governor shall be 2 years each. Each appointed  
528 member shall hold office until his or her successor has been  
529 appointed and has qualified. A vacancy occurring during a term  
530 shall be filled only for the balance of the unexpired term. Each  
531 appointed member of the authority shall be a person of  
532 outstanding reputation for integrity, responsibility, and  
533 business ability, but a person who is an officer or employee of  
534 any municipality or of Osceola County in any other capacity may  
535 not be an appointed member of the authority. A member of the  
536 authority is eligible for reappointment.

537 (b) A member of the authority appointed by the governing  
538 board of the county or appointed by the Governor may not serve  
539 as a member of any other transportation-related board,  
540 commission, or organization with audit oversight of the  
541 authority while serving as a member of the authority.

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

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

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

551 (3) (a) The authority shall elect one of its members as

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552 chair. The authority shall also elect a secretary and a  
553 treasurer, who may be members of the authority. The chair,  
554 secretary, and treasurer shall hold such offices at the will of  
555 the authority.

556 (b) Three members of the authority constitute a quorum, and  
557 the vote of three members is necessary for any action taken by  
558 the authority. A vacancy in the authority does not impair the  
559 right of a quorum of the authority to exercise all of the rights  
560 and perform all of the duties of the authority.

561 (4) (a) The authority may employ an executive secretary, an  
562 executive director, its own counsel and legal staff, technical  
563 experts, engineers, and other employees, permanent or temporary,  
564 as it may require, and may determine the qualifications and fix  
565 the compensation of such persons, firms, or corporations.  
566 Additionally, the authority may employ a fiscal agent or agents.  
567 However, the authority shall solicit sealed proposals from at  
568 least three persons, firms, or corporations for the performance  
569 of any services as fiscal agents. The authority may delegate to  
570 one or more of its agents or employees such of its power as it  
571 deems necessary to carry out the purposes of this part, subject  
572 always to the supervision and control of the authority.

573 ~~(b) Members of the authority are entitled to receive from~~  
574 ~~the authority their travel and other necessary expenses incurred~~  
575 ~~in connection with the business of the authority as provided in~~  
576 ~~s. 112.061, but members shall not draw salaries or other~~  
577 ~~compensation.~~

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

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

583 (d)~~(e)~~ Notwithstanding any other provision of law,  
584 including s. 339.175(3), the authority is not entitled to voting  
585 membership in a metropolitan planning organization in which  
586 Osceola County, or any of the municipalities therein, are also  
587 voting members.

588 (5) (a) A member or the executive director of the authority  
589 may not:

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

593 2. After vacating his or her position as a board member or  
594 the executive director, have an employment or contractual  
595 relationship with a business entity other than an agency, as  
596 defined in s. 112.312, in connection with a contract in which  
597 the member or executive director personally and substantially  
598 participated through decision, approval, disapproval,  
599 recommendation, rendering of advice, or investigation while he  
600 or she was a member or employee of the authority.

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

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

605 (7) An authority board member, employee, or consultant who  
606 holds a position that may influence authority decisions may not  
607 engage in any relationship that may adversely affect his or her  
608 judgment in carrying out authority business. The following  
609 disclosures must be made annually on a disclosure form to

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610 prevent such conflicts of interest and preserve the integrity  
611 and transparency of the authority to the public:

612 (a) Any relationship a board member, employee, or  
613 consultant has which affords a current or future financial  
614 benefit to such board member, employee, or consultant, or to a  
615 relative or business associate of such board member, employee,  
616 or consultant, and which a reasonable person would conclude has  
617 the potential to create a prohibited conflict of interest.

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

622 (c) Any and all interests in real property that such board  
623 member, employee, or consultant has, or that a relative,  
624 principal, client, or business associate of such board member,  
625 employee, or consultant has, if such real property is located  
626 within, or within a 1/2-mile radius of, any actual or  
627 prospective authority roadway project. The executive director  
628 shall provide a corridor map and a property ownership list  
629 reflecting the ownership of all real property within the  
630 disclosure area, or an alignment map with a list of associated  
631 owners, to all board member, employees, and consultants.

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

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

637 (10) Authority employees and consultants may not serve on  
638 the governing body of the authority while employed by or under

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639 contract with the authority.

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

643 (12) Employees shall be adequately informed and trained on  
644 the code of ethics and shall continually participate in ongoing  
645 ethics education.

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

648 343.1003 Northeast Florida Regional Transportation  
649 Commission.—

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

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