

HB 989

2015

1                   A bill to be entitled  
2           An act relating to expressway authorities; amending s.  
3           348.0003, F.S.; revising qualifications for membership  
4           on the governing body of certain expressway  
5           authorities; providing for termination from an  
6           authority's governing body upon a finding of a  
7           violation of specified ethical conduct provisions or  
8           failure to comply with a notice of failure to comply  
9           with financial disclosure requirements; providing an  
10          effective date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

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14           Section 1. Paragraph (d) of subsection (2) and paragraph  
15           (a) of subsection (5) of section 348.0003, Florida Statutes, are  
16           amended, and paragraph (1) is added to subsection (5) of that  
17           section, to read:

18           348.0003 Expressway authority; formation; membership.—

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

27 (d) Notwithstanding any provision to the contrary in this  
28 subsection, in any county as defined in s. 125.011(1), the  
29 governing body of an authority shall consist of up to 9 ~~13~~  
30 members, and the following provisions of this paragraph shall  
31 apply specifically to such authority. Except for the district  
32 secretary of the department, the members must be residents of  
33 the county. Four ~~Seven~~ voting members shall be appointed by the  
34 governing body of the county. At the discretion of the governing  
35 body of the county, up to two of the members appointed by the  
36 governing body of the county may be elected officials residing  
37 in the county. Four ~~Five~~ voting members of the authority shall  
38 be appointed by the Governor. One member shall be the district  
39 secretary of the department serving in the district that  
40 contains such county. This member shall be an ex officio voting  
41 member of the authority. If the governing body ~~board~~ of an  
42 authority includes any member originally appointed by the  
43 governing body of the county as a nonvoting member, when the  
44 term of such member expires, that member shall be replaced by a  
45 member appointed by the Governor until the governing body of the  
46 authority is composed of four ~~seven~~ members appointed by the  
47 governing body of the county and four ~~five~~ members appointed by  
48 the Governor. Except as provided in subsection (5), the  
49 qualifications, terms of office, and obligations and rights of  
50 members of the authority shall be determined by resolution or  
51 ordinance of the governing body of the county in a manner that  
52 is consistent with subsections (3) and (4).

53 (5) In a county as defined in s. 125.011(1):

54 (a)1. A lobbyist, as defined in s. 112.3215, may not be  
55 appointed or serve as a member of the governing body of an  
56 authority.

57 2. A person may not be appointed to or serve as a member  
58 of the governing body of an authority if that person currently  
59 represents or has in the previous 10 years represented any  
60 client for compensation before any state or municipal  
61 governmental body, including any agency, quasi-governmental  
62 entity, or body staffed by public employees, or entity that has  
63 its operations paid for by public dollars.

64 3. A person may not be appointed to or serve as a member  
65 of the governing body of an authority if that person currently  
66 represents or has in the previous 10 years represented any  
67 person or entity that is doing business, or within the previous  
68 10 years has done business, with any state or municipal  
69 governmental agency or body.

70 (1) A finding of a violation of this subsection or chapter  
71 112, or failure to comply within 90 days after receiving a  
72 notice of failure to comply with financial disclosure  
73 requirements, results in immediate termination from the  
74 governing body of the authority.

75 Section 2. This act shall take effect upon becoming a law.