



CS/HB 299, Engrossed 1

2016

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

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15 Be It Enacted by the Legislature of the State of Florida:

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

21 348.0003 Expressway authority; formation; membership.—

22 (2) The governing body of an authority shall consist of
23 not fewer than five nor more than nine voting members. The
24 district secretary of the affected department district shall
25 serve as a nonvoting member of the governing body of each
26 authority located within the district. Each member of the



27 governing body must at all times during his or her term of
28 office be a permanent resident of the county which he or she is
29 appointed to represent.

30 (d) Notwithstanding any provision to the contrary in this
31 subsection, in any county as defined in s. 125.011(1), the
32 governing body of an authority shall consist of up to nine ~~13~~
33 members, and the following provisions of this paragraph shall
34 apply specifically to such authority. Except for the district
35 secretary of the department, the members must be residents of
36 the county. Five ~~Seven~~ voting members shall be appointed by the
37 governing body of the county. At the discretion of the governing
38 body of the county, up to two of the members appointed by the
39 governing body of the county may be elected officials residing
40 in the county. Three ~~Five~~ voting members of the authority shall
41 be appointed by the Governor. One member shall be the district
42 secretary of the department serving in the district that
43 contains such county. This member shall be an ex officio voting
44 member of the authority. If the governing body ~~board~~ of an
45 authority includes any member originally appointed by the
46 governing body of the county as a nonvoting member, when the
47 term of such member expires, that member shall be replaced by a
48 member appointed by the Governor until the governing body of the
49 authority is composed of five ~~seven~~ members appointed by the
50 governing body of the county and three ~~five~~ members appointed by
51 the Governor. A member of the authority serving as of July 1,
52 2016, may serve the remainder of his or her term. However, upon



53 the conclusion of the term or upon vacancy, such expired term or
54 vacancy may not be filled except if such appointment meets the
55 requirements of this section. When the term of a member expires
56 or a vacancy occurs, the member shall not be replaced by the
57 appointing entity until the governing body of the authority is
58 composed of five voting members appointed by the governing body
59 of the county and three voting members appointed by the
60 Governor, which three members shall not include the district
61 secretary serving as an ex officio member. Except as provided in
62 subsection (5), the qualifications, terms of office, and
63 obligations and rights of members of the authority shall be
64 determined by resolution or ordinance of the governing body of
65 the county in a manner that is consistent with subsections (3)
66 and (4).

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

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

71 2. A person may not be appointed to or serve as a member
72 of the governing body of an authority if that person currently
73 represents or has in the previous 4 years represented any client
74 for compensation before the authority.

75 3. A person may not be appointed to or serve as a member
76 of the governing body of an authority if that person currently
77 represents or has in the previous 4 years represented any person
78 or entity that is doing business, or in the previous 4 years has



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79 done business, with the authority.

80 (1) A finding of a violation of this subsection or chapter
81 112, or failure to comply within 90 days after receiving a
82 notice of failure to comply with financial disclosure
83 requirements, results in immediate termination from the
84 governing body of the authority.

85 Section 2. This act shall take effect July 1, 2016.

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