

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 299 Central Florida Expressway Authority

SPONSOR(S): Goodson

TIED BILLS: IDEN./SIM. **BILLS:** SB 720

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Infrastructure Subcommittee	15 Y, 0 N	Johnson	Vickers
2) Government Accountability Committee	21 Y, 0 N	Johnson	Williamson

SUMMARY ANALYSIS

The Central Florida Expressway Authority (CFX) is a multi-county, special district that has the right to acquire, hold, construct, improve, maintain, operate, own, and lease in the capacity of lessor the Central Florida Expressway System. The areas served by CFX include Lake, Orange, Osceola, and Seminole Counties.

CFX is governed by a nine member board. Five members of the authority constitute a quorum, and the vote of five members is required for any action taken by the authority.

The bill amends part III of Ch. 348, F.S., to incorporate Brevard County into CFX. It increases the number of members on CFX's board by one person to include a member appointed by the Brevard County Board of County Commissioners. The bill also allows the Governor to appoint a citizen member of CFX's board from Brevard County. The bill revises the quorum and vote requirements to conform to the increase in the number of board members. Additionally, the bill provides that the areas served by CFX include Brevard County.

The bill is not expected to have a fiscal impact on the state or local governments.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Central Florida Expressway Authority

Part III of Ch. 348, F.S., creates the Central Florida Expressway Authority (CFX). It is a multi-county, special district that has the right to acquire, hold, construct, improve, maintain, operate, own, and lease in the capacity of lessor the Central Florida Expressway System.¹ It is the successor to the Orlando-Orange County Expressway Authority. The areas served by CFX include Lake, Orange, Osceola, and Seminole Counties.²

CFX may exercise all powers necessary, appurtenant, convenient, or incidental to the implementation of its stated purposes.³ With the consent of the county within whose jurisdiction the following activities occur, CFX has the right to construct, operate, and maintain roads, bridges, avenues of access, transportation facilities, thoroughfares, and boulevards outside the jurisdictional boundaries of Orange, Seminole, Lake, and Osceola Counties, together with the right to construct, repair, replace, operate, install, and maintain electronic toll payment systems thereon.⁴

CFX is governed by a nine member board whose members are as follows:

- The chairs of the boards of the county commissions of Lake, Osceola, and Seminole Counties each appoint one member from their respective county. The member must be a commission member or chair or the county mayor.
- The Mayor of Orange County appoints a member from the Orange County Commission.
- The Governor appoints three citizen members each of whom must be a resident of Lake, Orange, Osceola, or Seminole Counties. In addition, the citizen members must be confirmed by the Senate.
- The Mayor of Orange County and the Mayor of the City of Orlando serve as members.⁵

The executive director of the Florida Turnpike Enterprise serves as a nonvoting advisor to the board⁶

CFX is required to elect one of its members as the chair of the authority, one of its members as vice chair, and one of its members as treasurer. The chair, vice chair, and treasurer hold offices at the will of CFX's board. Five members constitute a quorum, and the vote of five members is required for any action taken by the board. A vacancy does not impair the right of a quorum of the board to exercise all of the rights and perform all of the duties of the authority.⁷

CFX is responsible for the construction, maintenance, and operation of a limited-access expressway system that serves a region with more than 2.3 million residents and an estimated 60 million annual visitors. The Central Florida Expressway system includes 109 centerline miles, 741 lane miles (including ramps), 59 interchanges, 285 bridges and 14 mainline toll plazas. The entire system is supported by tolls; no taxes of any kind fund CFX operations.⁸

¹ Section 348.754(1)(a), F.S.

² *Id.*

³ Section 348.754(2), F.S.

⁴ Section 348.754(2)(n), F.S.

⁵ Section 348.753(3), F.S.

⁶ *Id.*

⁷ Section 348.753(4)(a), F.S.

⁸ <https://www.cfxway.com/agency-information/agency-overview/about-cfx/> (Last visited January 30, 2017).

East Central Florida Corridor Task Force

In 2013, the Governor created the East Central Florida Corridor Task Force (Task Force) to develop consensus recommendations for future transportation planning in portions of Brevard, Orange, and Osceola Counties. Among the Task Force's recommendations are to identify future investment to maximize the use and add capacity to various corridors and to conduct evaluation studies of potential new corridors.⁹ The final report of the Task Force emphasizes the need for improving east-west connectivity between Brevard County and the rest of the study area, as well as improving north-south connectivity to the east of the Orlando International Airport in Orange and Osceola Counties.

Proposed Changes

The bill amends part III of Ch. 348, F.S., to incorporate Brevard County into CFX.

The bill amends s. 348.753(3), F.S., increasing from nine to 10 the number of members on CFX's governing board and provides that the board of county commissioners of Brevard County appoints one member from the county to serve on the board. The member must be a commission member or chair or the county mayor. The bill maintains the Governor's three appointments, but allows the Governor the option to fill one of the three appointments with a citizen member from Brevard County.

The bill amends s. 348.753(4)(a), F.S., increasing from five to six the number of members constituting a quorum of the board. It also provides that a vote of six members, instead of five members, is required for the board to take any action.

The bill amends s. 348.754, F.S., providing that the areas served by CFX include the geographical boundaries of Brevard County and authorizing CFX, with the consent of Brevard County, to construct, operate, and maintain certain transportation facilities outside of Orange, Seminole, Lake, Brevard, and Osceola Counties.

B. SECTION DIRECTORY:

Section 1 amends s. 348.753, F.S., relating to the Central Florida Expressway Authority.

Section 2 amends s. 348.754, F.S., relating to the purposes and powers of the Central Florida Expressway Authority.

Section 3 provides an effective date of July 1, 2017.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

⁹ East Central Florida Task Force Summary Report, December 1, 2014. (Copy on file with Transportation & Infrastructure Subcommittee).

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditures of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.