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LEGISLATIVE ACTION

Senate

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House

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The Committee on Community Affairs (Diaz) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (m) is added to subsection (2) of  
section 11.45, Florida Statutes, to read:

11.45 Definitions; duties; authorities; reports; rules.—

(2) DUTIES.—The Auditor General shall:

(m) At least once every 7 years, conduct an operational and  
financial audit of each large-hub commercial service airport.



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11 Each operational audit shall include, at a minimum, an  
12 assessment of compliance with s. 332.0075, including compliance  
13 with chapter 287, and compliance with the public records and  
14 public meetings laws of this state. For purposes of this  
15 paragraph, the term "large-hub commercial service airport" means  
16 a publicly owned airport that has at least 1 percent of the  
17 annual passenger boardings in the United States as reported by  
18 the Federal Aviation Administration.

19  
20 The Auditor General shall perform his or her duties  
21 independently but under the general policies established by the  
22 Legislative Auditing Committee. This subsection does not limit  
23 the Auditor General's discretionary authority to conduct other  
24 audits or engagements of governmental entities as authorized in  
25 subsection (3).

26 Section 2. Paragraph (c) is added to subsection (1) of  
27 section 112.3144, Florida Statutes, to read:

28 112.3144 Full and public disclosure of financial  
29 interests.-

30 (1)

31 (c) Each member of the governing body of a large-hub  
32 commercial service airport shall comply with the applicable  
33 financial disclosure requirements of s. 8, Art. II of the State  
34 Constitution. Any person otherwise required under this  
35 subsection to file a full and public financial disclosure, is  
36 not required to separately file a full and public financial  
37 disclosure under this paragraph. For purposes of this paragraph,  
38 the term "large-hub commercial service airport" means a publicly  
39 owned airport that has at least 1 percent of the annual



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40 passenger boardings in the United States as reported by the  
41 Federal Aviation Administration.

42 Section 3. Subsection (3) of section 287.017, Florida  
43 Statutes, is amended to read:

44 287.017 Purchasing categories, threshold amounts.—The  
45 following purchasing categories are hereby created:

46 (3) CATEGORY THREE: \$100,000 ~~\$65,000~~.

47 Section 4. Section 332.0075, Florida Statutes, is created  
48 to read:

49 332.0075 Commercial service airports; transparency and  
50 accountability; penalty.—

51 (1) As used in this section, the term:

52 (a) "Commercial service airport" means a primary airport,  
53 as defined in 49 U.S.C. s. 47102, that is classified as a large,  
54 medium, or small-hub airport by the Federal Aviation  
55 Administration.

56 (b) "Department" means the Department of Transportation.

57 (c) "Governing body" means the governing body of the  
58 county, municipality, or special district that operates a  
59 commercial service airport.

60 (2) Each governing body shall establish and maintain a  
61 website to post information relating to the operation of a  
62 commercial service airport, including:

63 (a) All published notices of meetings and published meeting  
64 agendas of the governing body.

65 (b) The official minutes of each meeting of the governing  
66 body, which shall be posted within 7 business days after the  
67 date of the meeting in which the minutes were approved.

68 (c) The approved budget for the commercial service airport



69 for the current fiscal year, which shall be posted within 7  
70 business days after the date of adoption. Budgets must remain on  
71 the website for 2 years after the conclusion of the fiscal year  
72 for which they were adopted.

73 (d) A link to the airport master plan for the commercial  
74 service airport on the Federal Aviation Administration's  
75 website.

76 (e) A link to all financial and statistical reports for the  
77 commercial service airport on the Federal Aviation  
78 Administration's website.

79 (f) Any contract or contract amendment executed by or on  
80 behalf of the commercial service airport in excess of the  
81 threshold amount provided in s. 287.017 for CATEGORY THREE,  
82 shall be posted no later than 7 business days after the  
83 commercial service airport executes the contract or contract  
84 amendment. However, a contract or contract amendment may not  
85 reveal information made confidential or exempt by law. Each  
86 commercial service airport must redact confidential or exempt  
87 information from each contract or contract amendment before  
88 posting a copy on its website.

89 (g) Position and rate information for each employee of the  
90 commercial service airport, including, at a minimum, the  
91 employee's position title, position description, and annual or  
92 hourly salary.

93 (3) (a) Notwithstanding any other provision of law to the  
94 contrary, commercial service airports are subject to the  
95 requirements of chapter 287 for purchases of commodities or  
96 contractual services that exceed the threshold amount provided  
97 in s. 287.017 for CATEGORY THREE. If the purchase of commodities



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98 or contractual services exceeds the threshold amount provided in  
99 s. 287.017 for CATEGORY THREE, purchase of commodities or  
100 contractual services may not be made without receiving  
101 competitive sealed bids, competitive sealed proposals, or  
102 competitive sealed replies unless an exception applies as  
103 provided in s. 287.057(3) or an immediate danger to the public  
104 health, safety, or welfare, or other substantial loss to the  
105 commercial service airport requires emergency action.

106 (b) A governing body must approve, award, or ratify all  
107 contracts executed by or on behalf of a commercial service  
108 airport in excess of the threshold amount provided in s. 287.017  
109 for CATEGORY FIVE as a separate line item on the agenda and must  
110 provide a reasonable opportunity for public comment. Such  
111 contracts may not be approved, awarded, or ratified as part of a  
112 consent agenda.

113 (4) (a) Members of a governing body and employees of a  
114 commercial service airport are subject to part III of chapter  
115 112. However, this paragraph does not prohibit the application  
116 of more stringent ethical standards adopted by county or  
117 municipal charter, ordinance, or resolution of the governing  
118 body for its members and employees.

119 (b) Beginning January 1, 2021, each member of a governing  
120 body must complete 4 hours of ethics training each calendar year  
121 which addresses, at a minimum, s. 8, Art. II of the State  
122 Constitution, the Code of Ethics for Public Officers and  
123 Employees, and the public records and public meetings laws of  
124 this state. This requirement may be satisfied by completion of a  
125 continuing legal education class or other continuing  
126 professional education class, seminar, or presentation if the



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127 required subject material is covered therein. Constitutional  
128 officers and elected municipal officers who are members of the  
129 governing body who complete the ethics training required in s.  
130 112.3142 shall be considered in compliance with this paragraph.

131 (5) (a) Beginning November 1, 2021, and each November 1  
132 thereafter, the governing body of each commercial service  
133 airport shall submit the following information to the  
134 department:

135 1. Its approved budget for the current fiscal year.

136 2. Any financial reports submitted to the Federal Aviation  
137 Administration during the previous calendar year.

138 3. A link to its website.

139 4. A statement, verified as provided in s. 92.525, that it  
140 has complied with part III of chapter 112, chapter 287, and this  
141 section.

142 (b) The department shall review the information submitted  
143 by the commercial service airport and posted on the airport's  
144 website to determine the accuracy of such information. Beginning  
145 January 15, 2022, and each January 15 thereafter, the department  
146 shall submit to the Governor, the President of the Senate, and  
147 the Speaker of the House of Representatives a report summarizing  
148 commercial service airport compliance with this section.

149 (6) The department may not expend any funds allocated to a  
150 commercial service airport as contained in the adopted work  
151 program, unless pledged for debt service, until the commercial  
152 service airport demonstrates its compliance with this section.

153 Section 5. This act shall take effect October 1, 2020.

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155 ===== T I T L E A M E N D M E N T =====



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156 And the title is amended as follows:

157 Delete everything before the enacting clause  
158 and insert:

159 A bill to be entitled

160 An act relating to commercial service airports;  
161 amending s. 11.45, F.S.; directing the Auditor General  
162 to conduct specified audits of certain airports;  
163 defining the term "large-hub commercial service  
164 airport"; amending s. 112.3144, F.S.; requiring  
165 members of the governing body of a large-hub  
166 commercial service airport to comply with certain  
167 financial disclosure requirements; providing that a  
168 separate filing is not required under specified  
169 circumstances; defining the term "large-hub commercial  
170 service airport"; amending s. 287.017, F.S.; revising  
171 the threshold amount for a specified purchasing  
172 category; creating s. 332.0075, F.S.; providing  
173 definitions; requiring the governing body of a  
174 municipality, county, or special district that  
175 operates a commercial service airport to establish and  
176 maintain a website; requiring the governing body to  
177 post or provide links to certain information on the  
178 website; requiring the posting of specified contracts;  
179 providing for the redaction of confidential and exempt  
180 information; requiring commercial service airports to  
181 comply with certain contracting requirements;  
182 providing exceptions; requiring the governing body to  
183 approve, award, or ratify certain contracts; requiring  
184 members of the governing body of a commercial service



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185        airport to comply with certain ethics requirements and  
186        complete annual ethics training; requiring governing  
187        bodies of commercial service airports to submit  
188        certain information annually to the Department of  
189        Transportation; requiring the department to review  
190        such information and submit an annual report to the  
191        Governor and the Legislature; prohibiting the  
192        department's expenditure of certain funds unless  
193        specified conditions are met; providing an effective  
194        date.