



243780

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/14/2020	.	
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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.



243780

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



243780

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



243780

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



243780

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



243780

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.

154
155 ===== T I T L E A M E N D M E N T =====



243780

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



243780

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.