

By Senator Diaz

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1                                   A bill to be entitled  
2       An act relating to commercial service airports;  
3       amending s. 11.45, F.S.; requiring the Auditor General  
4       to conduct specified audits of certain airports;  
5       defining the term "large-hub commercial service  
6       airport"; amending s. 112.3144, F.S.; requiring  
7       members of the governing body of a large-hub  
8       commercial service airport to comply with certain  
9       financial disclosure requirements; defining the term  
10      "large-hub commercial service airport"; creating s.  
11      332.0075, F.S.; defining terms; requiring the  
12      governing body of a municipality, county, or special  
13      district that operates a commercial service airport to  
14      establish and maintain a website; requiring the  
15      governing body to post certain information on the  
16      website; requiring commercial service airports to  
17      comply with certain contracting requirements;  
18      providing approval requirements for certain contracts;  
19      requiring governing body members and employees of a  
20      commercial service airport to comply with certain  
21      ethics requirements; requiring governing body members  
22      to complete annual ethics training; requiring  
23      commercial service airports to submit certain  
24      information annually to the Department of  
25      Transportation; requiring the department to review  
26      such information and submit an annual report to the  
27      Governor and the Legislature; prohibiting the  
28      expenditure of certain funds unless specified  
29      conditions are met; providing an effective date.

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

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 5 years, conduct an operational and financial audit of each large-hub commercial service airport.

For purposes of this paragraph, the term "large-hub commercial service airport" means a publicly owned airport that has at least 1 percent of the annual passenger boardings in the United States as reported by the Federal Aviation Administration.

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

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

112.3144 Full and public disclosure of financial interests.—

(1)

(c) Each member of the governing body of a large-hub commercial service airport shall comply with the applicable financial disclosure requirements of s. 8, Art. II of the State Constitution. For purposes of this paragraph, the term "large-

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59 hub commercial service airport” means a publicly owned airport  
60 that has at least 1 percent of the annual passenger boardings in  
61 the United States as reported by the Federal Aviation  
62 Administration.

63 Section 3. Section 332.0075, Florida Statutes, is created  
64 to read:

65 332.0075 Commercial service airports; transparency and  
66 accountability; penalty.—

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

68 (a) “Commercial service airport” means a publicly owned  
69 airport that has at least 2,500 passenger boardings each  
70 calendar year and receives scheduled passenger service as  
71 reported by the Federal Aviation Administration.

72 (b) “Department” means the Department of Transportation.

73 (c) “Governing body” means the governing body of the  
74 municipality, county, or special district that operates a  
75 commercial service airport.

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

79 (a) All published notices of meetings and published meeting  
80 agendas of the governing body.

81 (b) The official minutes of each meeting of the governing  
82 body, which shall be posted within 3 business days after the  
83 date of the meeting in which the minutes were approved.

84 (c) The approved budget for the commercial service airport  
85 for the current fiscal year, which shall be posted within 7 days  
86 after the date of adoption. Budgets must remain on the website  
87 for 2 years after the conclusion of the fiscal year in which

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88 they were adopted.

89 (d) All commercial service airport planning documents  
90 submitted to the Federal Aviation Administration, which shall be  
91 posted upon submission to the Federal Aviation Administration.

92 (e) All financial and statistical reports required to be  
93 submitted to the Federal Aviation Administration, which shall be  
94 posted upon submission to the Federal Aviation Administration.

95 (f) Any contract or contract amendment executed by or on  
96 behalf of the commercial service airport in excess of the  
97 threshold amount provided for in s. 287.017 for CATEGORY TWO,  
98 which shall be posted no later than 7 days before the governing  
99 body votes to approve the contract or contract amendment.

100 (g) Position and rate information for each employee of the  
101 commercial service airport, including, at a minimum, the  
102 employee's position title, position description, and annual or  
103 hourly salary.

104 (3) (a) Notwithstanding any other provision of law to the  
105 contrary, commercial service airports are subject to the  
106 requirements of chapter 287.

107 (b) A governing body must approve each contract executed by  
108 or on behalf of a commercial service airport in excess of the  
109 threshold amount provided for in s. 287.017 for CATEGORY THREE  
110 as a separate line item on the agenda after providing a  
111 reasonable opportunity for public comment. Such contracts may  
112 not be approved as part of a 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.

116 (b) Beginning January 1, 2021, each member of a governing

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117 body must complete 4 hours of ethics training each calendar year  
118 which addresses, at a minimum, s. 8, Art. II of the State  
119 Constitution, the Code of Ethics for Public Officers and  
120 Employees, and the public records and public meetings laws of  
121 this state. This requirement may be satisfied by completion of a  
122 continuing legal education class or other continuing  
123 professional education class, seminar, or presentation if the  
124 required subject material is covered therein.

125 (5) (a) Beginning November 1, 2021, and each November 1  
126 thereafter, each commercial service airport shall submit the  
127 following information to the department:

- 128 1. Its approved budget for the current fiscal year.
- 129 2. Any financial reports submitted to the Federal Aviation  
130 Administration during the previous calendar year.
- 131 3. A link to its website.
- 132 4. A statement, verified as provided in s. 92.525, that it  
133 has complied with part III of chapter 112, chapter 287, and this  
134 section.

135 (b) The department shall review the information submitted  
136 by the commercial service airport and posted on the airport's  
137 website to determine the accuracy of such information. Beginning  
138 January 15, 2022, and each January 15 thereafter, the department  
139 shall submit to the Governor, the President of the Senate, and  
140 the Speaker of the House of Representatives a report summarizing  
141 commercial service airport compliance with this section.

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

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Section 4. This act shall take effect July 1, 2020.