

1                                   A bill to be entitled  
2           An act relating to commercial service airports;  
3           amending s. 11.45, F.S.; directing 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.; providing definitions; 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 Legislature; prohibiting the expenditure  
 28 of certain funds unless specified conditions are met;  
 29 providing an effective date.

30

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

32

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

35 11.45 Definitions; duties; authorities; reports; rules.—

36 (2) DUTIES.—The Auditor General shall:

37 (m) At least once every 5 years, conduct an operational  
 38 and financial audit of each large-hub commercial service  
 39 airport. For purposes of this paragraph, the term "large-hub  
 40 commercial service airport" means a publicly owned airport that  
 41 has at least 1 percent of the annual passenger boardings in the  
 42 United States as reported by the Federal Aviation  
 43 Administration.

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

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

53 112.3144 Full and public disclosure of financial  
 54 interests.—

55 (1)

56 (c) Each member of the governing body of a large-hub  
 57 commercial service airport shall comply with the applicable  
 58 financial disclosure requirements of s. 8, Art. II of the State  
 59 Constitution. For purposes of this paragraph, the term "large-  
 60 hub commercial service airport" means a publicly owned airport  
 61 that has at least 1 percent of the annual passenger boardings in  
 62 the United States as reported by the Federal Aviation  
 63 Administration.

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

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

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

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

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

74 (c) "Governing body" means the governing body of the  
 75 municipality, county, or special district that operates a

76 commercial service airport.

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

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

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

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

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

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

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

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

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

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

114 (4) (a) Members of a governing body and employees of a  
115 commercial service airport are subject to part III of chapter  
116 112.

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

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

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

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

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

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