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LEGISLATIVE ACTION

Senate

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House

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The Committee on Transportation (Burgess) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 348.50, Florida Statutes, is amended to  
read:

348.50 Title of law.—This part shall be known and may be  
cited as the "West Florida ~~Tampa-Hillsborough County~~ Expressway  
Authority Law."

Section 2. Section 348.51, Florida Statutes, is amended to



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11 read:

12 348.51 Definitions. ~~As The following terms whenever used or~~  
13 ~~referred to~~ in this part shall have the following meanings,  
14 unless except in those instances where the context clearly  
15 indicates otherwise, the term:

16 (1) "Agency of the state" means ~~and includes~~ the state and  
17 any department of, or corporation, agency, or instrumentality  
18 ~~heretofore or hereafter~~ created, designated, or established by,  
19 the state.

20 (2) "Authority" means the body politic, corporate, and  
21 agency of the state created by this part.

22 (3) "Bonds" means ~~and includes~~ the notes, bonds, refunding  
23 bonds, or other evidences of indebtedness or obligations, in  
24 either temporary or definitive form, which the authority is  
25 authorized to issue pursuant to this part.

26 (4) ~~"City" means the City of Tampa.~~

27 ~~(5)~~ "County" means each county located within the  
28 jurisdictional limits of the authority, including the County of  
29 Hillsborough County and any expansion county, as applicable.

30 (5) "County gasoline tax funds" means all the 80 percent  
31 surplus gasoline tax funds or 20 percent surplus gasoline tax  
32 funds accruing in each year to a county for use in a county  
33 under s. 9, Art. XII of the State Constitution, after deduction,  
34 if and only to the extent necessary, of any amounts of such  
35 gasoline tax funds pledged by a county for outstanding  
36 obligations.

37 (6) "Department" means the Department of Transportation ~~of~~  
38 ~~Florida~~ and any successor thereto.

39 (7) "Expansion county" means a county with the consent of



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40 which and in which the authority constructs or acquires a  
41 transportation facility, which may include Citrus, Hernando,  
42 Manatee, Pasco, Pinellas, and Polk Counties.

43 (8) "Expansion event" means the adoption of a resolution or  
44 other formal action by the governing board of the authority for  
45 the authority to construct, complete, or acquire a  
46 transportation facility located in an expansion county and to  
47 include the expansion county within its jurisdictional limits.

48 (9)~~(7)~~ "Expressway system" or "system" means, generally, a  
49 modern highway system of roads, bridges, causeways, and tunnels  
50 ~~in the metropolitan area of the city, or within any area of the~~  
51 ~~county, with access limited or unlimited access as the authority~~  
52 ~~may determine, and such buildings, and structures, and~~  
53 ~~appurtenances, and facilities related thereto, including all~~  
54 ~~approaches, streets, roads, bridges, and avenues of access for~~  
55 ~~such system.~~

56 (10)~~(8)~~ "Federal agency" means ~~and includes~~ the United  
57 States, the President of the United States, and any department  
58 of, or bureau, corporation, agency, or instrumentality  
59 ~~heretofore or hereafter~~ created, designated, or established by,  
60 the United States.

61 ~~(9) "Hillsborough County gasoline tax funds" means all the~~  
62 ~~80-percent surplus gasoline tax funds or 20-percent surplus~~  
63 ~~gasoline tax funds accruing in each year to the Department of~~  
64 ~~Transportation or the county, as the case may be, for use in~~  
65 ~~Hillsborough County under the provisions of s. 9, Art. XII of~~  
66 ~~the State Constitution, after deduction, if and only to the~~  
67 ~~extent necessary, of any amounts of said gasoline tax funds~~  
68 ~~heretofore pledged by the Department of Transportation or the~~



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69 ~~county for outstanding obligations.~~

70 ~~(11)(10)~~ "Lease-purchase agreement" ~~or "lease-purchase~~  
71 ~~agreements"~~ means a the lease-purchase agreement or agreements  
72 ~~which the authority may execute is authorized~~ pursuant to this  
73 part ~~to execute.~~

74 ~~(12)(11)~~ "Members" means the governing body of the  
75 authority, and the term "member" means one of the individuals  
76 constituting such governing body.

77 ~~(13)(12)~~ "Revenues" means all tolls, revenues, rates, fees,  
78 charges, receipts, rentals, contributions, including, but not  
79 limited to, contributions of revenues from a county,  
80 municipality, or other local governmental entity, and other  
81 income derived from or in connection with the operation or  
82 ownership of the expressway system, including the proceeds of  
83 any use and occupancy insurance on any portion of the system ~~but~~  
84 ~~excluding any Hillsborough County gasoline tax funds.~~

85 ~~(14)~~ "Transportation facility" means the mobile and fixed  
86 assets, and the associated real or personal property or rights,  
87 used in the transportation of persons or property by any means  
88 of conveyance which the authority may acquire, construct, and  
89 equip pursuant to this part, and all appurtenances, including,  
90 but not limited to, highways; limited or controlled access  
91 lanes, avenues of access, and facilities; and administrative and  
92 other office space, for the exercise by the authority of the  
93 powers and obligations granted in this part.

94 ~~(15)(13)~~ Words importing singular number include the plural  
95 number in each case and vice versa, and words importing persons  
96 include firms and corporations.

97 Section 3. Section 348.52, Florida Statutes, is amended to



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98 read:

99 348.52 West Florida ~~Tampa-Hillsborough County~~ Expressway  
100 Authority.—

101 (1) There is ~~hereby~~ created and established a body politic  
102 and corporate, an agency of the state, to be known as the "West  
103 Florida ~~Tampa-Hillsborough County~~ Expressway Authority."

104 (2) (a) Immediately on July 1, 2021, the West Florida  
105 Expressway Authority shall assume the governance and control of  
106 the expressway system operated by the former Tampa-Hillsborough  
107 County Expressway Authority, including its assets, personnel,  
108 contracts, obligations, liabilities, facilities, and tangible  
109 and intangible property. Any rights in such property and other  
110 legal rights of the former Tampa-Hillsborough County Expressway  
111 Authority are transferred to the West Florida Expressway  
112 Authority. The West Florida Expressway Authority shall  
113 immediately succeed to and assume the powers, responsibilities,  
114 and obligations of the former Tampa-Hillsborough County  
115 Expressway Authority.

116 (b) The transfer pursuant to this subsection is subject to  
117 the terms and covenants provided for the protection of the  
118 holders of the former Tampa-Hillsborough County Expressway  
119 Authority bonds in any agreement executed by the former  
120 authority and assumed by the West Florida Expressway Authority  
121 and the resolutions adopted in connection with the issuance of  
122 the bonds and any and all bonds issued pursuant to a resolution  
123 or trust indenture subsequent to any such agreement. Further,  
124 the transfer does not impair the terms of the contract between  
125 the West Florida Expressway Authority and the bondholders, does  
126 not act to the detriment of the bondholders, and does not



127 diminish the security for the bonds. After the transfer, the  
128 West Florida Expressway Authority shall operate and maintain the  
129 expressway system and any other facilities of the West Florida  
130 Expressway Authority in accordance with the terms, conditions,  
131 and covenants contained in the bond resolutions securing the  
132 bonds of the authority. The West Florida Expressway Authority  
133 shall collect toll revenues and apply them to the payment of  
134 debt service as provided in the bond resolution securing all  
135 bonds and shall expressly assume all obligations relating to all  
136 bonds to ensure that the transfer has no adverse impact on the  
137 security for all bonds. The transfer does not make the  
138 obligation to pay the principal and interest on the bonds a  
139 general liability of the West Florida Expressway Authority or  
140 pledge additional expressway system revenues to payment of the  
141 bonds. Expressway system revenues that are generated by the  
142 expressway system and other facilities of the West Florida  
143 Expressway Authority which were pledged by the former Tampa-  
144 Hillsborough County Expressway Authority to payment of the bonds  
145 will remain subject to the pledge for the benefit of the  
146 bondholders. The transfer does not modify or eliminate any prior  
147 obligation of the department to pay certain costs of the  
148 expressway system from sources other than revenues of the  
149 expressway system, nor does the transfer modify or eliminate the  
150 terms and conditions of the memorandum of agreement dated  
151 October 26, 2010, as amended by the amendment to memorandum of  
152 agreement dated March 28, 2012, and the second amendment to  
153 memorandum of agreement dated October 8, 2012, between the  
154 former authority and the department and assumed by the West  
155 Florida Expressway Authority.



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156        (3)~~(2)~~ The governing body of the authority shall initially  
157 consist of a board of seven members but shall be subject to  
158 increase to no more than 13 members through the addition of a  
159 new member for each expansion county upon the expansion of the  
160 authority's jurisdiction to include such expansion county in  
161 accordance with subsection (6).

162        (a) Four of the members shall be appointed by the Governor,  
163 one of whom must be a resident of Hillsborough County, and the  
164 remainder of whom may be residents of Hillsborough County or any  
165 expansion county upon the expansion of the authority's  
166 jurisdiction to include such expansion county, subject to  
167 confirmation by the Senate at the next regular session of the  
168 Legislature. Refusal or failure of the Senate to confirm an  
169 appointment shall create a vacancy. A board member currently  
170 serving an unexpired term on the former Tampa-Hillsborough  
171 County Expressway Authority as of the effective date of this act  
172 shall continue to serve the remainder of his or her unexpired  
173 term. Each member of the governing board, including each member  
174 representing an expansion county, shall be subject to the  
175 following:

176        1. Each ~~such~~ member's term of office shall be for 4 years  
177 or until his or her successor is shall have been appointed and  
178 qualified. However, the respective initial term of one or more  
179 members representing an expansion county may be for 2 years at  
180 the sole discretion of the governing board in order to achieve  
181 staggered terms of office for its governing board members.

182        2. A vacancy ~~Vacancies~~ occurring in the governing board  
183 body for any member before such members prior to the expiration  
184 of the affected term shall be filled for the unexpired term.



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185           3. The Governor may ~~shall have the authority to~~ remove from  
186 office any ~~such~~ member of the governing board ~~body~~ in the manner  
187 and for cause defined by the laws of this state.

188           4. Each ~~such~~ member, before entering upon his or her  
189 official duties, shall take and subscribe to an oath before an  
190 ~~some~~ official authorized by law to administer oaths that he or  
191 she will honestly, faithfully, and impartially perform the  
192 duties devolving upon him or her in office as a member of the  
193 governing board ~~body~~ of the authority and that he or she will  
194 not neglect any duties imposed upon him or her by this part.

195           (b) One member shall be the mayor, or the mayor's designee  
196 ~~designate~~, who shall be the chair of the city council of the  
197 city in Hillsborough County having the largest population,  
198 according to the latest decennial census, who shall serve as a  
199 member ex officio.

200           (c) One member shall be a member of the Board of County  
201 Commissioners of Hillsborough County, selected by such board,  
202 who shall serve as a member ex officio.

203           (d) One member shall be the district secretary of the  
204 department ~~of Transportation~~ serving in the district that  
205 contains Hillsborough County, who shall serve as a member ex  
206 officio.

207           (e) After the occurrence of an expansion event in a  
208 particular expansion county, the governing board shall be  
209 increased by one additional ex officio voting member for each  
210 such expansion county, which member must be a member of the  
211 board of county commissioners of such expansion county, selected  
212 by such board of county commissioners. Such increase in board  
213 membership shall become effective on the date that such





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214 expansion county member takes the oath required under  
215 subparagraph (a)4.

216 (4)~~(3)~~ The authority shall designate one of its members as  
217 chair. The members of the authority are ~~shall not be~~ entitled to  
218 compensation but are ~~shall be~~ entitled to receive their travel  
219 and other necessary expenses as provided in s. 112.061. A  
220 majority of the members of the authority shall constitute a  
221 quorum, and resolutions enacted or adopted by a vote of a  
222 majority of the members present and voting at any meeting shall  
223 become effective without publication or posting or any further  
224 action of the authority.

225 (5) Authority meetings and workshops may be conducted using  
226 communications media technology. The notice for any such public  
227 meeting or workshop shall state that the meeting or workshop  
228 will be conducted through the use of communications media  
229 technology, specify how persons interested in attending may do  
230 so, and provide a location where communications media technology  
231 facilities are available. The participation by a member in an  
232 authority meeting or workshop conducted using communications  
233 media technology constitutes that member's presence at such  
234 meeting or workshop and shall count toward a quorum. For  
235 purposes of this subsection, the term "communications media  
236 technology" means conference telephone, video conference, or  
237 other communications technology by which all persons attending a  
238 public meeting or workshop may audibly communicate.

239 (6) The authority's jurisdictional boundaries shall be  
240 automatically expanded to include any one or more expansion  
241 counties upon the occurrence of an expansion. However, an  
242 expansion event must occur on or before:



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243 (a) The date that the authority makes a final written  
244 determination to undertake a transportation facility located in  
245 the jurisdictional limits of an expansion county by adding  
246 elements of the study, design, engineering, acquisition,  
247 construction, or equipping of such transportation facility to  
248 its work plan; or

249 (b) The effective date that the authority becomes the owner  
250 of a transportation facility located in the jurisdictional  
251 limits of an expansion county.

252  
253 A delay in the designation of an expansion county board member  
254 shall not affect the expansion of the authority's jurisdiction  
255 under this part.

256 (7)-(4) The authority may employ a secretary and executive  
257 director, its own counsel and legal staff, and such legal,  
258 financial, and other professional consultants, technical  
259 experts, engineers, and employees, permanent or temporary, as it  
260 may require and may determine the qualifications and fix the  
261 compensation of such persons, firms, or corporations. The  
262 authority may contract with the Division of Bond Finance of the  
263 State Board of Administration for any financial services  
264 authorized herein.

265 (8)-(5) The authority may delegate to one or more of its  
266 officers or employees such of its powers as it deems ~~shall deem~~  
267 necessary to carry out the purposes of this part, subject always  
268 to the supervision and control of the authority. A member  
269 ~~Members~~ of the governing board ~~authority~~ may be removed from  
270 ~~their~~ office by the Governor for misconduct, malfeasance,  
271 misfeasance, or ~~and~~ nonfeasance in office.



272 Section 4. Section 348.53, Florida Statutes, is amended to  
273 read:

274 348.53 Purposes of the authority.—

275 (1) The purposes of the authority are, and the authority  
276 has the is created for the purposes and shall have power, to  
277 construct, reconstruct, improve, extend, repair, maintain, and  
278 operate the expressway system. It is hereby found and declared  
279 that such purposes are in all respects for the benefit of the  
280 people of the State of Florida, the City of Tampa, and the West  
281 Florida region County of Hillsborough for the increase of their  
282 pleasure, convenience, and welfare; for the improvement of their  
283 health; and to facilitate transportation, including managed  
284 lanes and other transit supporting facilities, for their  
285 recreation and commerce and for the common defense. The  
286 authority is performing a public purpose and a governmental  
287 function in carrying out its corporate purpose and in exercising  
288 the powers granted in this section herein.

289 (2) (a) In the construction of the expressway system, the  
290 authority may construct any extensions, additions, or  
291 improvements to the system or appurtenant facilities, including  
292 all necessary approaches, roads, bridges, avenues of access, and  
293 boulevards, with any changes, modifications, or revisions of any  
294 project which are deemed desirable and proper. However, the  
295 authorization provided in this subsection does not extend to any  
296 appurtenant facility without the advance written consent of the  
297 owner of the underlying right-of-way.

298 (b) A transportation facility shall become part of the  
299 expressway system of the authority upon the authority governing  
300 board's designation of such transportation facility as part of



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301 its expressway system. However, no such designation may be  
302 construed to include any portion of a facility as part of the  
303 expressway system without the advance written consent of the  
304 owner of the underlying right-of-way of such facility.

305 Section 5. Section 348.54, Florida Statutes, is amended to  
306 read:

307 348.54 Powers of the authority.—Except as otherwise limited  
308 herein, the authority shall have the power:

309 (1) To sue and be sued, implead and be impleaded, and  
310 complain and defend in all courts.

311 (2) To adopt, use, and alter at will, ~~a~~ seal.

312 (3) To acquire, purchase, hold, lease as lessee, and use  
313 any franchise, property, real, personal or mixed, tangible or  
314 intangible, or any interest therein, necessary or desirable for  
315 carrying out the purposes of the authority, and to sell, lease  
316 as lessor, transfer, and dispose of any property or interest  
317 therein at any time acquired by it.

318 (4) To construct, reconstruct, or improve on or along the  
319 expressway system suitable facilities for gas stations,  
320 restaurants, and other facilities for the public. ~~Such~~  
321 facilities may be publicly offered for leasing for operation  
322 under rules and regulations to be established by the authority.

323 (5) To enter into and make lease-purchase agreements as  
324 provided in s. 348.60 for terms not exceeding 40 years, or until  
325 all bonds secured by a pledge thereunder, and all refundings  
326 thereof, are fully paid as to both principal and interest,  
327 whichever is longer.

328 (6) To fix, alter, charge, establish, and collect tolls,  
329 rates, fees, rentals, and other charges for the services and



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330 facilities of the expressway system, which tolls, rates, fees,  
331 rentals, and other charges shall always be sufficient to comply  
332 with any covenants made with the holders of any bonds.~~+~~  
333 ~~provided,~~ However, ~~that~~ such right and power, or any part  
334 thereof, may be assigned or delegated~~+~~ by the authority~~+~~ to the  
335 lessee under a lease-purchase agreement. Toll revenues  
336 attributable to a toll rate increase for the use of a portion of  
337 the expressway system that become effective on or after the date  
338 that the jurisdiction of the authority is first expanded to  
339 include any one or more expansion counties may not be used to  
340 construct or expand a different portion of the system unless a  
341 two-thirds majority of the members of the authority governing  
342 board, determined as of the time of such vote, votes to approve  
343 such use. This requirement does not apply if and to the extent  
344 that application of the requirement would:

345 (a) Violate any covenant established in a resolution or  
346 trust indenture under which bonds were issued by the authority  
347 on or before the first date that the authority's jurisdiction is  
348 expanded to include one or more expansion counties; or

349 (b) Cause the authority to be unable to meet its  
350 obligations under the terms of the memorandum of agreement dated  
351 October 26, 2010, as amended by the amendment to memorandum of  
352 agreement dated March 28, 2012, and the second amendment to  
353 memorandum of agreement dated October 8, 2012, between the  
354 former authority and the department and assumed by the West  
355 Florida Expressway Authority.

356 (7) To borrow money and to make and issue negotiable bonds,  
357 notes, refunding bonds, and other evidences of indebtedness or  
358 obligations, either in temporary or definitive form, referred to



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359 ~~hereinafter~~ in this chapter ~~referred to~~ as "bonds of the  
360 authority," for the purpose of financing all or part of the  
361 improvement or extension of the expressway system and  
362 appurtenant facilities, including all approaches, streets,  
363 roads, bridges, and avenues of access for the ~~expressway~~ system,  
364 and for any other purpose authorized by this part, and to  
365 provide for the rights of the holders thereof.

366 (8) To secure the payment of bonds by a pledge of all or  
367 any portion of the expressway system revenues or such other  
368 moneys legally available therefor and of all or any portion of a  
369 county's ~~the Hillsborough County~~ gasoline tax funds in the  
370 manner provided by this part; and in general to provide for the  
371 security of the bonds and the rights and remedies of the holders  
372 thereof. ~~Interest upon the amount of gasoline tax funds to be~~  
373 ~~repaid to the county pursuant to s. 348.60 shall be payable, at~~  
374 ~~the highest rate applicable to any outstanding bonds of the~~  
375 ~~authority, out of revenues and other available moneys not~~  
376 ~~required to meet the authority's obligations to its bondholders.~~  
377 The authority may not, ~~shall have no power~~ at any time or in any  
378 manner, to ~~to~~ pledge the credit or taxing power of the state or any  
379 political subdivision or agency thereof, including a ~~the~~ city  
380 and a ~~the~~ county, nor shall any of the authority's obligations  
381 be deemed to be obligations of the state or of any political  
382 subdivision or agency thereof, nor shall the state or any  
383 political subdivision or agency thereof, except the authority,  
384 be liable for the payment of the principal of or interest on  
385 such obligations.

386 (9) To make contracts of every name and nature and to  
387 execute all instruments necessary or convenient for the carrying



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388 on of its business.

389 (10) Without limitation of the foregoing, to borrow money  
390 and accept gifts or grants from, and to enter into contracts,  
391 leases, l or other transactions with, l any federal agency, the  
392 state, any agency of the state, a ~~the~~ county, a ~~the~~ city, l or  
393 ~~with~~ any other public body of the state or any other person and  
394 to comply with the terms and conditions thereof.

395 (11) ~~To have the power~~ Of eminent domain.

396 (12) To construct and maintain over, under, along, or  
397 across the expressway system, ~~7~~ telephone, telegraph, television,  
398 electric power, l and other wires or cables, pipelines, water  
399 mains, l and other conduits and mechanical equipment, ~~7~~ not  
400 inconsistent with the appropriate use of the system, or to  
401 contract for such construction, l ~~7~~ and, l upon such terms and  
402 conditions as the authority determines ~~shall determine~~, to lease  
403 all or any part of such property and facilities or the right to  
404 use such property and facilities ~~the same~~ whether such  
405 facilities are constructed by the authority or under a contract  
406 for such construction, ~~7~~ ~~for a period of not more than 20 years~~  
407 ~~from the date when such lease is made.~~

408 (13) To do all acts and things necessary or convenient for  
409 the conduct of its business and the general welfare of the  
410 authority, ~~7~~ in order to carry out the powers granted to it by  
411 this part or any other law.

412 (14) To enter into partnerships, contracts, and agreements,  
413 including, but not limited to, interlocal agreements, with any  
414 federal, state, or local governmental entity with respect to the  
415 purposes of this part.

416



417 Before entering into any sale, lease, transfer, or disposition  
418 of its real properties under subsection (3), leasing any of its  
419 facilities under subsection (4), or taking final action under  
420 subsection (7), the authority shall give notice thereof by  
421 publication on at least 5 separate days in a newspaper of  
422 general circulation in the affected county. Such notice shall  
423 state the place and time, not less than 14 days after the first  
424 such publication, when objections may be filed with and heard by  
425 the authority.

426 ~~(14) Prior to entering into any sale, lease, transfer or~~  
427 ~~disposition of its real properties pursuant to subsection (3),~~  
428 ~~leasing any of its facilities pursuant to subsection (4), or~~  
429 ~~taking final action under subsection (7), the authority shall~~  
430 ~~give notice thereof by publication on at least 5 separate days,~~  
431 ~~in a newspaper of general circulation in the county. Such notice~~  
432 ~~shall state the place and time, not less than 14 days following~~  
433 ~~the first such publication, when objections may be filed with~~  
434 ~~and heard by the authority.~~

435 ~~(15) With the consent of the county within whose~~  
436 ~~jurisdiction the activities occur, to construct, operate, and~~  
437 ~~maintain roads, bridges, avenues of access, thoroughfares, and~~  
438 ~~boulevards and managed lanes and other transit supporting~~  
439 ~~facilities outside of the jurisdictional boundaries of~~  
440 ~~Hillsborough County and within the jurisdictional boundaries of~~  
441 ~~counties contiguous to Hillsborough County, together with the~~  
442 ~~right to construct, repair, replace, operate, install, and~~  
443 ~~maintain such facilities and electronic toll payment systems~~  
444 ~~thereon or incidental thereto, with all necessary and incidental~~  
445 ~~powers to accomplish the foregoing.~~





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446 Section 6. Section 348.565, Florida Statutes, is amended to  
447 read:

448 348.565 Revenue bonds for specified projects.—The existing  
449 facilities that constitute the ~~Tampa Hillsborough County~~  
450 expressway system are hereby approved to be refinanced by  
451 revenue bonds issued by the Division of Bond Finance of the  
452 State Board of Administration pursuant to s. 11(f), Art. VII of  
453 the State Constitution and the State Bond Act or by revenue  
454 bonds issued by the authority pursuant to s. 348.56(1)(b). In  
455 addition, the capital projects that the authority is authorized  
456 to acquire, construct, reconstruct, equip, operate, and maintain  
457 under this part following projects of the Tampa Hillsborough  
458 County Expressway Authority are approved to be financed or  
459 refinanced by the issuance of revenue bonds in accordance with  
460 this part and s. 11(f), Art. VII of the State Constitution:

461 ~~(1) Brandon area feeder roads.~~

462 ~~(2) Capital improvements to the expressway system,~~  
463 ~~including safety and operational improvements and toll~~  
464 ~~collection equipment.~~

465 ~~(3) Lee Roy Selmon Crosstown Expressway System widening,~~  
466 ~~and any extensions thereof.~~

467 ~~(4) The connector highway linking the Lee Roy Selmon~~  
468 ~~Crosstown Expressway to Interstate 4.~~

469 ~~(5) Capital projects that the authority is authorized to~~  
470 ~~acquire, construct, reconstruct, equip, operate, and maintain~~  
471 ~~pursuant to this part, including, without limitation, s.~~  
472 ~~348.54(15), provided that any financing of such projects does~~  
473 ~~not pledge the full faith and credit of the state.~~

474 Section 7. Section 348.60, Florida Statutes, is amended to



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475 read:

476 348.60 Lease-purchase agreements.—

477 (1) In order to effectuate the purposes of this part, the  
478 authority may enter into lease-purchase agreements with a ~~the~~  
479 city, a ~~the~~ county, or the state or any agency thereof,  
480 excluding ~~including~~ the department, and any federal agency  
481 relating to and covering the expressway system or any portion  
482 thereof.

483 (2) Such lease-purchase agreements may provide for the  
484 leasing of the expressway system or any portion thereof by the  
485 authority as lessor to any one or more of the aforementioned  
486 governmental entities or agencies as lessee, shall prescribe the  
487 term of such lease and the rentals to be paid thereunder, and  
488 may provide that upon the completion of the faithful performance  
489 thereunder and the termination of such lease-purchase  
490 agreements, title in fee simple absolute to the expressway  
491 system, as then constituted, shall be transferred in accordance  
492 with law by the authority to such lessee or otherwise as  
493 provided in such agreements. In the event of such transfer to  
494 the lessee, the authority shall deliver to such lessee such  
495 deeds and conveyances as shall be necessary or convenient to  
496 vest title in fee simple absolute in such lessee.

497 (3) (a) The lease-purchase agreements may include such other  
498 provisions, agreements, and covenants as the authority and the  
499 lessee deem advisable or necessary, including, but not limited  
500 to, provisions with respect to bonds; the construction,  
501 reconstruction, extension, improvements, operation, repair, and  
502 maintenance of the expressway system; the expenses and costs of  
503 operation of the system and of the authority; the charging and



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504 collecting of tolls, rates, fees, and other charges for the use  
505 of the services and facilities thereof; ~~the application of~~  
506 federal, state, or other grants or aid that ~~which~~ may be made or  
507 given to assist the authority; ~~the enforcement of payment and~~  
508 collection of rentals; and any other terms, provisions, or  
509 covenants necessary, incidental, or convenient to the making of  
510 and full performance under such lease-purchase agreements.

511 ~~(a) In the event the department is a lessee under any such~~  
512 ~~lease-purchase agreement, it is authorized to pay as rentals~~  
513 ~~thereunder in addition to the revenues accruing thereto from the~~  
514 ~~operation of the expressway system, all or any portion of the~~  
515 ~~Hillsborough county gasoline tax funds and may also pay as~~  
516 ~~rentals any appropriations received by the department pursuant~~  
517 ~~to any act of the Legislature heretofore or hereafter enacted;~~  
518 ~~provided, however, that nothing herein nor in such lease-~~  
519 ~~purchase agreement shall be construed to require the Legislature~~  
520 ~~to make or continue such appropriations nor shall any holder of~~  
521 ~~bonds ever have any right to require the Legislature to make or~~  
522 ~~continue such appropriations.~~

523 (b) In the event a ~~the~~ county is a lessee under any such  
524 lease-purchase agreement, the county may ~~it shall be authorized~~  
525 ~~to~~ pay as rentals thereunder in addition to the expressway  
526 revenues accruing to the county from the operation of the  
527 expressway system all or any part of the 20-percent surplus  
528 gasoline tax funds accruing to the ~~Hillsborough~~ county.

529 (4) A ~~No~~ pledge of either the 80-percent surplus gasoline  
530 ~~tax funds or the 20-percent~~ surplus gasoline tax funds under any  
531 such lease-purchase agreement may not ~~shall~~ be made without the  
532 consent of the county evidenced by a resolution duly adopted by



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533 its board of county commissioners, which resolution may  
534 authorize the execution and delivery of an interlocal agreement  
535 between the authority and the county setting forth the terms and  
536 provisions for the use by the authority of any such gasoline tax  
537 funds nor unless the revenues pledged under any such lease-  
538 purchase agreements are estimated by the authority to aggregate  
539 during the term of such lease purchase agreements not less than  
540 the principal amount of the bonds secured thereunder plus  
541 interest thereon. Such resolution, among other things shall  
542 provide that any excess of such pledge of the Hillsborough  
543 County gasoline tax funds which is not required for debt service  
544 or reserves for such debt service for any bonds shall be  
545 returned annually to the appropriate board or agency for  
546 distribution to the county as provided by law; and shall  
547 provide, further, that any Hillsborough County gasoline tax  
548 funds actually expended for such debt service, shall be repaid  
549 with interest out of revenues and other available moneys not  
550 required to meet the authority's obligations to its bondholders,  
551 as determined by the authority.

552 (5) A Any lessee under any such lease-purchase agreement  
553 may agreements shall have power to covenant therein that it will  
554 pay all or any part of the cost of the operation, maintenance,  
555 repair, renewal, and replacement of the expressway system, and  
556 any part of the cost of completing such system, to the extent  
557 that the proceeds of bonds issued therefor are insufficient,  
558 from sources other than expressway system revenues and  
559 Hillsborough county gasoline tax funds. Any Such lessee may also  
560 agree to make such other payments from moneys available to a the  
561 county, a the city, or the authority, or the department in



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562 connection with the construction or completion of the expressway  
563 ~~such~~ system as ~~shall be~~ deemed by such lessee to be fair and  
564 proper under any such covenants ~~heretofore or hereafter~~ entered  
565 into.

566 ~~(6) The system shall be a part of the state road system.~~  
567 ~~The department is hereby authorized, upon request of the~~  
568 ~~authority, to expend out of any funds available for the purpose,~~  
569 ~~such moneys, and to use such of its engineering or other forces,~~  
570 ~~as may be necessary and desirable in the judgment of the~~  
571 ~~department, for the operation of the authority and for traffic~~  
572 ~~surveys, borings, surveys, preparation of plans and~~  
573 ~~specifications, estimates of costs, preliminary engineering and~~  
574 ~~other studies.~~

575 Section 8. Section 348.61, Florida Statutes, is amended to  
576 read:

577 348.61 Department may be appointed agent of authority for  
578 construction.-The department may be appointed by the authority  
579 as its agent for the purpose of constructing, reconstructing,  
580 improving, extending, or repairing the expressway system. In  
581 such event, the authority shall provide the department with  
582 complete copies of all documents, agreements, resolutions,  
583 contracts, and instruments relating thereto and shall request  
584 the department to do such construction work, including the  
585 planning, surveying, and actual construction involved, and shall  
586 transfer to the credit of an account of the department in the  
587 Treasury of the state the necessary funds therefor. The  
588 department shall then ~~thereupon~~ be authorized, empowered, and  
589 directed to proceed with such construction work and to use such  
590 ~~the said~~ funds for such purpose and in the same manner that it



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591 is now authorized to use the funds otherwise authorized by law  
592 for its use in construction of roads and bridges.

593 Section 9. Section 348.62, Florida Statutes, is amended to  
594 read:

595 348.62 Acquisition of lands and property.-

596 (1) ~~For the purpose of this part,~~ The authority may acquire  
597 private or public property and property rights, including rights  
598 of access, air, view, and light, by gift, devise, purchase, or  
599 condemnation by eminent domain proceedings, as the authority  
600 deems ~~may deem~~ necessary for ~~any of~~ the purposes of this part,  
601 including, but not limited to, any lands reasonably necessary  
602 for securing applicable permits, areas necessary for management  
603 of access, borrow pits, drainage ditches, water retention areas,  
604 rest areas, and replacement access for landowners whose access  
605 is impaired due to the construction of a transportation  
606 facility. The right of eminent domain ~~herein~~ conferred in this  
607 subsection shall be exercised by the authority in the manner  
608 provided by law, in particular chapter 74.

609 (2) The authority may acquire such rights, title, interest,  
610 or easements in such lands and property as it deems ~~may deem~~  
611 necessary for ~~any of~~ the purposes of this part.

612 (3) In connection with the acquisition of property or  
613 property rights as ~~herein~~ provided in this section, the  
614 authority may, in its discretion, acquire an entire lot, block,  
615 parcel, or tract of land, if by so doing the interest of the  
616 public will be best served, even though such entire lot, block,  
617 parcel, or tract is not immediately needed for the right-of-way  
618 proper.

619 Section 10. Sections 348.68 and 348.681, Florida Statutes,



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620 are repealed.

621 Section 11. Section 348.70, Florida Statutes, is renumbered  
622 as section 348.682, Florida Statutes, and amended to read:

623 348.682 ~~348.70~~ This part complete and additional  
624 authority.—

625 (1) The powers conferred by this part are ~~shall be~~ in  
626 addition and supplemental to the existing respective powers of  
627 the authority, the department, a ~~the~~ county, and a ~~the~~ city, if  
628 any, and this part does ~~shall~~ not repeal ~~be construed as~~  
629 ~~repealing~~ any ~~of the~~ provisions of any other law, general,  
630 special, or local, but supersedes ~~shall be deemed to supersede~~  
631 such other law or laws in the exercise of the powers provided in  
632 this part insofar as such other law or laws are inconsistent  
633 with ~~the provisions of~~ this part and to provide a complete  
634 method for the exercise of the powers granted in this part  
635 ~~herein~~. The construction, reconstruction, improvement,  
636 extension, repair, maintenance, and operation of the expressway  
637 system, and the issuance of bonds under this part ~~hereunder~~ to  
638 finance all or part of the cost thereof, may be accomplished  
639 upon compliance with ~~the provisions of~~ this part without regard  
640 to or necessity for compliance with the provisions, limitations,  
641 or restrictions contained in any other general, special, or  
642 local law, including, but not limited to, s. 215.821, and ~~no~~  
643 approval of any bonds issued under this part by the qualified  
644 electors or qualified electors who are freeholders in the state  
645 or in a ~~the~~ county or ~~in the~~ city or in any other political  
646 subdivision of the state is not ~~shall be~~ required for the  
647 issuance of such bonds.

648 (2) This part does not repeal, rescind, or modify any other



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649 law or laws relating to the State Board of Administration, the  
650 Department of Transportation, or the Division of Bond Finance of  
651 the State Board of Administration, but supersedes ~~shall~~  
652 ~~supersede~~ such other law or laws as are inconsistent with ~~the~~  
653 ~~provisions~~ of this part, including, but not limited to, s.  
654 215.821.

655 Section 12. Subsection (2) of section 343.975, Florida  
656 Statutes, is amended to read:

657 343.975 Complete and additional statutory authority.—

658 (2) This part does not repeal, rescind, or modify any other  
659 law relating to the State Board of Administration, the  
660 Department of Transportation, the West Florida ~~Tampa-~~  
661 ~~Hillsborough County~~ Expressway Authority, or the Division of  
662 Bond Finance within the State Board of Administration; however,  
663 this part supersedes such other laws as are inconsistent with  
664 its provisions, including, but not limited to, s. 215.821.

665 Section 13. Section 348.545, Florida Statutes, is amended  
666 to read:

667 348.545 Facility improvement; bond financing authority.—

668 Pursuant to s. 11(f), Art. VII of the State Constitution, the  
669 Legislature ~~hereby~~ approves for bond financing by the West  
670 Florida ~~Tampa-Hillsborough County~~ Expressway Authority  
671 improvements to toll collection facilities, interchanges to the  
672 ~~legislatively approved~~ expressway system, and any other facility  
673 appurtenant, necessary, or incidental to the approved system.  
674 Subject to terms and conditions of applicable revenue bond  
675 resolutions and covenants, such costs may be financed in whole  
676 or in part by revenue bonds issued pursuant to s. 348.56(1)(a)  
677 or (b), whether currently issued or issued in the future, or by





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678 a combination of such bonds.

679 Section 14. Section 348.56, Florida Statutes, is amended to  
680 read:

681 348.56 Bonds of the authority.—

682 (1) (a) Bonds may be issued on behalf of the authority  
683 pursuant to the State Bond Act.

684 (b) Alternatively, the authority may ~~shall have the power~~  
685 ~~and is hereby authorized~~ from time to time ~~to~~ issue bonds in  
686 such principal amount as, in the opinion of the authority, shall  
687 be necessary to provide sufficient moneys for achieving its  
688 corporate purposes, including construction, reconstruction,  
689 improvement, extension, repair, maintenance, and operation of  
690 the expressway system, the cost of acquisition of all real  
691 property, interest on bonds during construction and for a  
692 reasonable period thereafter, establishment of reserves to  
693 secure bonds, and all other expenditures of the authority  
694 incident to and necessary or convenient to carry out its  
695 corporate purposes and powers.

696 (2) (a) Bonds issued by the authority pursuant to paragraph  
697 (1) (a) or paragraph (1) (b) shall be authorized by resolution of  
698 the members of the authority and shall bear such date or dates,  
699 mature at such time or times, not exceeding 40 years from their  
700 respective dates, bear interest at such rate or rates, not  
701 exceeding the maximum rate fixed by general law for authorities,  
702 be in such denominations, be in such form, either coupon or  
703 fully registered, carry such registration, exchangeability, and  
704 interchangeability privileges, be payable in such medium of  
705 payment and at such place or places, be subject to such terms of  
706 redemption, and be entitled to such priorities of lien on the



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707 revenues, other available moneys, and any ~~the Hillsborough~~  
708 county gasoline tax funds as such resolution or any resolution  
709 subsequent thereto may provide. The bonds shall be executed  
710 ~~either~~ by manual or facsimile signature by such officers as the  
711 authority determines ~~shall determine~~, provided that such bonds  
712 shall bear at least one signature that ~~which~~ is manually  
713 executed thereon. The coupons attached to such bonds shall bear  
714 the facsimile signature or signatures of such officer or  
715 officers as shall be designated by the authority. Such bonds  
716 shall have the seal of the authority affixed, imprinted,  
717 reproduced, or lithographed thereon.

718 (b) The bonds issued pursuant to paragraph (1)(a) or  
719 paragraph (1)(b) shall be sold at public sale in the same manner  
720 provided in the State Bond Act. However, if the authority  
721 determines, by official action at a public meeting, that a  
722 negotiated sale of such bonds is in the best interest of the  
723 authority, the authority may negotiate the sale of such bonds  
724 with the underwriter or underwriters designated by the authority  
725 and the Division of Bond Finance within the State Board of  
726 Administration with respect to bonds issued pursuant to  
727 paragraph (1)(a) or solely by the authority with respect to  
728 bonds issued pursuant to paragraph (1)(b). The authority's  
729 determination to negotiate the sale of such bonds may be based,  
730 in part, upon the written advice of the authority's financial  
731 adviser. Pending the preparation of definitive bonds, temporary  
732 bonds or interim certificates may be issued to the purchaser or  
733 purchasers of such bonds and may contain such terms and  
734 conditions as the authority determines ~~may determine~~.

735 (3) Any such resolution or resolutions authorizing any



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736 bonds may contain provisions that ~~which~~ shall be part of the  
737 contract with the holders of such bonds, as to:

738 (a) The pledging of all or any part of the expressway  
739 system revenues, the ~~Hillsborough~~ county gasoline tax funds, or  
740 other moneys lawfully available therefor.

741 (b) The construction, reconstruction, improvement,  
742 extension, repair, maintenance, operation, lease, or lease-  
743 purchase of the expressway system, or any part or parts thereof,  
744 and the duties and obligations of the authority and others,  
745 including the department, with reference thereto.

746 (c) Limitations on the purposes to which the proceeds of  
747 the bonds, then or thereafter to be issued, or of any loan or  
748 grant by any federal agency or the state or any political  
749 subdivision thereof may be applied.

750 (d) The fixing, charging, establishing, revising,  
751 increasing, reducing, and collecting of tolls, rates, fees,  
752 rentals, or other charges for use of the services and facilities  
753 of the expressway system or any part thereof.

754 (e) The setting aside of reserves or of sinking funds and  
755 the regulation and disposition thereof.

756 (f) Limitations on the issuance of additional bonds.

757 (g) The terms and provisions of any lease-purchase  
758 agreement, deed of trust, or indenture securing the bonds, or  
759 under which such bonds ~~same~~ may be issued.

760 (h) Any other or additional matters of like or different  
761 character which in any way affect the security or protection of  
762 the bonds.

763 (4) The authority may enter into any deeds of trust,  
764 indentures, or other agreements with any bank or trust company



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765 within or without the state, as security for such bonds, and  
766 may, under such agreements, assign and pledge all or any of the  
767 expressway system revenues and other available moneys, including  
768 all or any portion of any ~~the Hillsborough~~ county gasoline tax  
769 funds, pursuant to the terms of this part. Such deed of trust,  
770 indenture, or other agreement, may contain such provisions as  
771 are customary in such instruments or as the authority may  
772 authorize, including, but not limited to ~~without limitation~~,  
773 provisions as to:

774 (a) The pledging of all or any part of the expressway  
775 system revenues, any ~~the Hillsborough~~ county gasoline tax funds,  
776 or other moneys lawfully available therefor.

777 (b) The application of funds and the safeguarding of funds  
778 on hand or on deposit.

779 (c) The rights and remedies of the trustee and the holders  
780 of the bonds.

781 (d) The terms and provisions of the bonds or the  
782 resolutions authorizing the issuance of such bonds ~~the same~~.

783 (e) Any other or additional matters, of like or different  
784 character, which in any way affect the security or protection of  
785 the bonds.

786 (5) ~~Any of~~ The bonds issued pursuant to this part are, ~~and~~  
787 ~~are hereby declared to be~~, negotiable instruments, and shall  
788 have all the qualities and incidents of negotiable instruments  
789 under the law merchant and the negotiable instruments law of the  
790 state.

791 (6) It is the intention hereof that any pledge made by the  
792 authority shall be valid and binding from the time when the  
793 pledge is made; that the moneys so pledged and thereafter



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794 received by the authority shall immediately be subject to the  
795 lien of such pledge without any physical delivery thereof or  
796 further act, and that the lien of any such pledge shall be valid  
797 and binding as against all parties having claims of any kind in  
798 tort, contract, or otherwise against the authority, irrespective  
799 of whether such parties have notice thereof. A ~~Neither the~~  
800 resolution or nor any other instrument by which a pledge is  
801 created is not required to ~~need~~ be recorded.

802 (7) A member or other ~~Neither the members nor any person~~  
803 executing the bonds is not ~~shall be~~ liable personally on the  
804 bonds or ~~be~~ subject to any personal liability or accountability  
805 by reason of the issuance thereof.

806 (8) The authority may, ~~shall have power~~ out of any funds  
807 available therefor, ~~to~~ purchase bonds, which shall thereupon be  
808 canceled, at a price not exceeding, if the bonds are then  
809 redeemable, the redemption price then applicable plus accrued  
810 interest to the next date of redemption thereof, or if the bonds  
811 are not then redeemable, the redemption price applicable on the  
812 first date after such purchase upon which the bonds become  
813 subject to redemption plus accrued interest to such ~~said~~ date.

814 Section 15. Section 348.57, Florida Statutes, is amended to  
815 read:

816 348.57 Refunding bonds.—

817 (1) Subject to public notice as provided in s. 348.54, the  
818 authority may ~~is authorized to~~ provide by resolution for the  
819 issuance from time to time of bonds pursuant to s. 348.56(1)(b)  
820 for the purpose of refunding any bonds then outstanding  
821 regardless of whether the bonds being refunded were issued by  
822 the authority pursuant to this chapter or on behalf of the



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823 authority pursuant to the State Bond Act. The authority is  
824 further authorized to provide by resolution for the issuance of  
825 bonds for the combined purpose of:

826 (a) Paying the cost of constructing, reconstructing,  
827 improving, extending, repairing, maintaining, and operating the  
828 expressway system.

829 (b) Refunding bonds then outstanding. The authorization,  
830 sale, and issuance of such obligations, the maturities and other  
831 details thereof, the rights and remedies of the holders thereof,  
832 and the rights, powers, privileges, duties, and obligations of  
833 the authority with respect to such bonds ~~the same~~ shall be  
834 governed by ~~the foregoing provisions of~~ this part insofar as ~~the~~  
835 ~~same~~ may be applicable.

836 (2) In the event that the authority determines ~~shall~~  
837 ~~determine~~ to issue bonds for the purpose of refunding any  
838 outstanding bonds before ~~prior to~~ the maturity thereof, the  
839 proceeds of such refunding bonds may, pending the redemption of  
840 the bonds to be refunded, be invested in direct obligations of  
841 the United States. It is the express intention of this part that  
842 outstanding bonds may be refunded and retired by and upon the  
843 issuance of bonds notwithstanding that all or a portion of such  
844 outstanding bonds will not mature or become redeemable until  
845 after the date of issuance of such refunding bonds.

846 Section 16. Section 348.58, Florida Statutes, is amended to  
847 read:

848 348.58 Remedies.—

849 (1) The rights and ~~the remedies herein~~ conferred upon or  
850 granted to the bondholders shall be in addition to and not in  
851 limitation of any rights and remedies lawfully granted to such



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852 bondholders by the resolution or resolutions or indenture  
853 providing for the issuance of bonds, or by any lease-purchase  
854 agreement, deed of trust, indenture, or other agreement under  
855 which the bonds may be issued or secured. In the event that the  
856 authority defaults ~~shall default~~ in the payment of the principal  
857 of or interest on any of the bonds issued pursuant to ~~the~~  
858 ~~provisions of~~ this part after such principal of or interest on  
859 the bonds has ~~shall have~~ become due, whether at maturity or upon  
860 call for redemption, as provided in said resolution or  
861 indenture, or in the event that the lessee defaults ~~shall~~  
862 ~~default~~ in any payments under, or covenants made in, any lease-  
863 purchase agreement and such default continues ~~shall continue~~ for  
864 ~~a period of~~ 30 days, or in the event that the authority or the  
865 lessee fails ~~shall fail~~ or refuses ~~refuse~~ to comply with ~~the~~  
866 ~~provisions of~~ this part or any agreement made with, or for the  
867 benefit of, the holders of the bonds, the holders of 25 percent  
868 in aggregate principal amount of the bonds then outstanding  
869 shall be entitled as of right to the appointment of a trustee to  
870 represent such bondholders for the purposes hereof. ~~provided,~~  
871 ~~However, that~~ such holders of 25 percent in aggregate principal  
872 amount of the bonds then outstanding must ~~shall have~~ first give  
873 ~~given written notice of their intention to appoint a trustee,~~ to  
874 the authority and to such lessee written notice of their  
875 intention to appoint a trustee.

876 (2) Such trustee, and any trustee under any deed of trust,  
877 indenture, or other agreement, may, and upon written request of  
878 the holders of 25 percent, or such other percentages as may be  
879 specified in any deed of trust, indenture, or other agreement  
880 ~~aforsaid,~~ in principal amount of the bonds then outstanding,



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881 shall, in any court of competent jurisdiction, in his, her, or  
882 its own name:

883 (a) By mandamus or other suit, action, or proceeding at  
884 law, or in equity, enforce all rights of the bondholders,  
885 including the right to require the authority to fix, establish,  
886 maintain, collect, and charge rates, fees, rentals, and other  
887 charges, adequate to carry out any agreement as to, or pledge  
888 of, the expressway system revenues, and to require the authority  
889 to carry out any other covenants and agreements with or for the  
890 benefit of the bondholders, and to perform its and their duties  
891 under this part.

892 (b) By mandamus or other suit, action, or proceeding at  
893 law, or in equity, enforce all rights of the bondholders under  
894 or pursuant to any lease-purchase agreement, including the right  
895 to require the lessee to make all rental payments required to be  
896 made by it under ~~the provisions of~~ any such lease-purchase  
897 agreement, whether from the ~~Hillsborough~~ county gasoline tax  
898 funds or other funds so agreed to be paid and to require the  
899 lessee to carry out any other covenants and agreements with or  
900 for the benefit of the bondholders and to perform its and their  
901 duties under this part.

902 (c) Bring suit upon the bonds.

903 (d) By action or suit in equity require the authority or  
904 any lessee under any lease-purchase agreement to account as if  
905 it were the trustee of an express trust for the bondholders.

906 (e) By action or suit in equity, enjoin any acts or things  
907 that ~~which~~ may be unlawful or in violation of the rights of the  
908 bondholders.

909 (3) Any trustee when appointed ~~as aforesaid~~, or acting





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910 under a deed of trust, indenture, or other agreement, and  
911 regardless of whether or not all bonds have been declared due  
912 and payable, shall be entitled as of right to the appointment of  
913 a receiver, who may enter upon and take possession of the  
914 expressway system or the facilities or any part or parts  
915 thereof, the expressway system revenues, and other pledged  
916 moneys and, subject to and in compliance with ~~the provisions of~~  
917 any lease-purchase agreement, operate and maintain the same, for  
918 and on behalf of and in the name of, the authority, the lessee,  
919 and the bondholders, and collect and receive all expressway  
920 system revenues and other pledged moneys in the same manner as  
921 the authority or the lessee might do, and shall deposit all such  
922 revenues and moneys in a separate account and apply the same in  
923 such manner as the court directs ~~shall direct~~. In any suit,  
924 action, or proceeding by the trustee, the fees, counsel fees,  
925 and expenses of the trustee, and such ~~said~~ receiver, if any, and  
926 all costs and disbursements allowed by the court shall be a  
927 first charge on any expressway system revenues. Such trustee  
928 shall, in addition to the foregoing, have and possess all of the  
929 powers necessary or appropriate for the exercise of any  
930 functions specifically set forth herein or incident to the  
931 representation of the bondholders in the enforcement and  
932 protection of their rights.

933 (4) ~~Nothing in~~ This section or any other section of this  
934 part does not ~~shall~~ authorize any receiver appointed pursuant  
935 hereto for the purpose, subject to and in compliance with ~~the~~  
936 ~~provisions of~~ any lease-purchase agreement, of operating and  
937 maintaining the expressway system or any facilities or part or  
938 parts thereof, to sell, assign, mortgage, or otherwise dispose



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939 of any of the assets of whatever kind and character belonging to  
940 the authority. It is the intention of this part to limit the  
941 powers of such receiver, subject to and in compliance with ~~the~~  
942 ~~provisions of~~ any lease-purchase agreement, to the operation and  
943 maintenance of the system, or any facility or part or parts  
944 thereof, as the court directs ~~may direct~~, in the name and for  
945 and on behalf of the authority, the lessee, and the bondholders,  
946 and a ~~no~~ holder of bonds or a ~~nor any~~ trustee does not, ~~shall~~  
947 ~~ever~~ have the right in any suit, action, or proceeding at law,  
948 or in equity, to compel a receiver, nor shall any receiver be  
949 authorized, or any court be empowered to direct the receiver, to  
950 sell, assign, mortgage, or otherwise dispose of any assets of  
951 whatever kind or character belonging to the authority.

952 Section 17. Section 348.59, Florida Statutes, is amended to  
953 read:

954 348.59 Traffic control.-

955 (1) In addition to the powers conferred by the statutes of  
956 the state and by city ~~the ordinances of the city~~, the authority  
957 may adopt ~~is hereby authorized to promulgate~~ such rules and  
958 regulations for the use and occupancy of the expressway system  
959 as may be necessary and proper for the public safety and  
960 convenience, for the preservation of its property, and for the  
961 collection of tolls.

962 (2) The enforcement of the rules and regulations of the  
963 authority and of those provisions of the statutes and ordinances  
964 applicable to the expressway system may be by a ~~the~~ city police  
965 department or ~~and~~ sheriff of a Hillsborough county within the  
966 jurisdiction of which a transportation facility is located. ~~+~~  
967 ~~provided~~, However, ~~that~~ at the request of the authority, such



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968 enforcement shall also be the duty of the Florida Highway  
969 Patrol. Violators shall be apprehended and prosecuted in the  
970 same manner as provided for the apprehension and prosecution of  
971 violators of such statutes and ordinances who commit violations  
972 thereof upon streets, roads, and thoroughfares in the state.

973 Section 18. Section 348.63, Florida Statutes, is amended to  
974 read:

975 348.63 Cooperation with other units, boards, agencies, and  
976 individuals.—Express authority and power is ~~hereby given and~~  
977 granted to any county, municipality, drainage district, road and  
978 bridge district, school district, or any other political  
979 subdivision, board, authority, corporation, or individual in or  
980 of the state to make and enter into with the authority  
981 contracts, leases, conveyances, or other agreements within the  
982 provisions and purposes of this part. The authority may ~~is~~  
983 ~~hereby expressly authorized to~~ make and enter into contracts,  
984 leases, conveyances, and other agreements with any political  
985 subdivision, agency, or instrumentality of the state and any and  
986 all federal agencies, corporations, and individuals for the  
987 purpose of carrying out the provisions of this part.

988 Section 19. Section 348.64, Florida Statutes, is amended to  
989 read:

990 348.64 Covenant of the state.—The state pledges ~~does hereby~~  
991 ~~pledge~~ to and agrees ~~agree~~ with the holders ~~from time to time~~ of  
992 the bonds that the state will not limit or alter the rights  
993 ~~hereby~~ vested in the authority, the department, a ~~the~~ county,  
994 and a ~~the~~ city to collect expressway system revenues, and  
995 ~~Hillsborough~~ county gasoline tax funds, and any other moneys and  
996 to fulfill the terms of any agreements made with the holders of



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997 bonds or to in any way impair the rights and remedies of such  
998 holders until such bonds and the interest due thereon have been  
999 paid. The state ~~does~~ further pledges ~~pledge~~ to and agrees ~~agree~~  
1000 with the United States and any federal agency that, in the event  
1001 any federal agency constructs ~~shall construct~~ or contributes  
1002 ~~contribute~~ funds for the construction, reconstruction,  
1003 extension, or improvement of the expressway system or any part  
1004 thereof, the state will not alter or limit the rights of the  
1005 authority, the department, a the county, or a the city in any  
1006 manner ~~which would be~~ inconsistent with the continued  
1007 maintenance or operation of the system or the construction,  
1008 reconstruction, extension, or improvement thereof and ~~which~~  
1009 ~~would be~~ inconsistent with the due performance of any agreements  
1010 between the authority and any such federal agency. The  
1011 authority, the department, a the county, and a the city shall  
1012 continue to have and may exercise all powers herein granted so  
1013 long as such powers are ~~the same shall be~~ necessary or desirable  
1014 for the carrying out of the purposes of this part.

1015 Section 20. Section 348.65, Florida Statutes, is amended to  
1016 read:

1017 348.65 Exemption from taxation.—The effectuation of the  
1018 authorized purposes of the authority created under this part ~~is~~  
1019 ~~shall and will be~~ in all respects for the benefit of the people  
1020 of the state for the increase of their commerce and prosperity  
1021 and for the improvement of their health and living conditions.  
1022 Since the authority will perform essential governmental  
1023 functions in effectuating such purpose, the authority is ~~shall~~  
1024 not ~~be~~ required to pay ~~any~~ taxes or assessments of any kind ~~or~~  
1025 ~~nature whatsoever~~ upon any property acquired or used by it for



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1026 such purposes or upon any expressway system revenues at any time  
1027 received by it. The bonds, their transfer, and the income  
1028 therefrom, including any profits made on the sale thereof, are  
1029 ~~shall at all times be~~ free from taxation of any kind by the  
1030 state or by any political subdivision or other taxing agency or  
1031 instrumentality thereof. The exemption granted by this section  
1032 does not apply ~~shall not be applicable~~ to any tax imposed by  
1033 chapter 220 on interest, income, or profits on debt obligations  
1034 owned by corporations.

1035 Section 21. Section 348.67, Florida Statutes, is amended to  
1036 read:

1037 348.67 Pledges enforceable for bondholders.—It is the  
1038 intent ~~express intention~~ of this part that any pledge of  
1039 expressway system revenues, ~~Hillsborough~~ county gasoline tax  
1040 funds, or other funds either as rentals to the authority or for  
1041 the payment of the principal of and interest on bonds, or any  
1042 covenant or agreement relative thereto, ~~may~~ be enforceable in  
1043 any court of competent jurisdiction against the authority or  
1044 directly against the department, a the county, or a the city, as  
1045 may be appropriate.

1046 Section 22. The Division of Law Revision is directed to  
1047 replace the phrase "the effective date of this act" wherever it  
1048 occurs in this act with the date the act becomes a law.

1049 Section 23. This act shall take effect upon becoming a law.

1050  
1051 ===== T I T L E A M E N D M E N T =====

1052 And the title is amended as follows:

1053 Delete everything before the enacting clause  
1054 and insert:



A bill to be entitled

An act relating to the Tampa-Hillsborough County Expressway Authority; amending s. 348.50, F.S.; renaming the Tampa-Hillsborough County Expressway Authority as the "West Florida Expressway Authority"; amending s. 348.51, F.S.; revising and defining terms; amending s. 348.52, F.S.; providing for the transfer of governance and control, property and legal rights, powers, responsibilities, and obligations from the Tampa-Hillsborough County Expressway Authority to the West Florida Expressway Authority; providing terms and conditions of the transfer; revising the composition of the governing body of the authority; revising requirements for membership, terms, and meetings; defining the term "communications media technology"; providing for expansion of the authority's jurisdictional boundaries; amending s. 348.53, F.S.; revising the purposes of the authority; authorizing the authority to construct certain facilities within the expressway system; specifying that such authorization does not extend to appurtenant facilities without the advance written consent of the owner of the underlying right-of-way; specifying that transportation facilities become part of the expressway system upon the authority governing board's designation; specifying that no such designation may be construed to include any portion of a facility as part of the expressway system without the advance written consent of the owner of the underlying right-



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1084 of-way; amending s. 348.54, F.S.; limiting the use of  
1085 certain toll revenues; providing exceptions; deleting  
1086 provisions relating to interest on gasoline tax funds  
1087 repaid to Hillsborough County; revising powers of the  
1088 authority; amending s. 348.565, F.S.; revising  
1089 projects approved for financing or refinancing through  
1090 revenue bonds; amending s. 348.60, F.S.; excluding the  
1091 department from the agencies with which the authority  
1092 is authorized to enter into lease-purchase agreements;  
1093 revising provisions relating to the pledge of surplus  
1094 gasoline tax funds under a lease-purchase agreement;  
1095 deleting a provision specifying that the system is  
1096 part of the state road system; conforming provisions  
1097 to changes made by the act; amending s. 348.61, F.S.;  
1098 updating terminology; amending s. 348.62, F.S.;  
1099 specifying lands and property the authority may  
1100 acquire; repealing ss. 348.68 and 348.681, F.S.,  
1101 relating to consultation with the Hillsborough County  
1102 City-County Planning Commission and design standards,  
1103 respectively; renumbering and amending s. 348.70,  
1104 F.S.; conforming provisions to changes made by the  
1105 act; amending ss. 343.975, 348.545, 348.56, 348.57,  
1106 348.58, 348.59, 348.63, 348.64, 348.65, and 348.67,  
1107 F.S.; conforming provisions to changes made by the  
1108 act; providing a directive to the Division of Law  
1109 Revision; providing an effective date.