

HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

BILL #: CS/HB 787 St. Augustine-St. Johns County Airport Authority, St. Johns County

SPONSOR(S): Local Administration & Veterans Affairs Subcommittee; Stevenson

TIED BILLS: **IDEN./SIM. BILLS:**

FINAL HOUSE FLOOR ACTION: 118 Y's 0 N's **GOVERNOR'S ACTION:** Approved

SUMMARY ANALYSIS

CS/HB 787 passed the House on April 15, 2021, and subsequently passed the Senate on April 29, 2021.

The St. Augustine-St. Johns County Airport Authority (Authority) is an independent special district that was created in 1963 and its charter was recodified in 2002. A five-member board governs the Authority. Board members serve staggered four-year terms with vacancies appointed by the Governor and confirmed by the Senate. The board may levy ad valorem taxes in order to pay for interest and principle of issued bonds, and for general purposes, at a rate not to exceed 0.5 mills. Board members are authorized to be reimbursed for verified travel and other expenses, which reimbursements must be paid from Authority funds.

The bill amends ch. 2002-347, Laws of Fla., to rename the Authority the St. Johns County Airport Authority. The bill authorizes the St. Johns County Airport Authority to conduct airport operations under the name "Northeast Florida Regional Airport."

The Economic Impact Statement filed with the bill indicates that it does not appear to have a fiscal impact on the state or local governments.

The bill was approved by the Governor on June 21, 2021, ch. 2021-246, L.O.F., and became effective on that date.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Present Situation

Independent Special Districts

A “special district” is a unit of local government created for a particular purpose, with jurisdiction to operate within a limited geographic boundary.¹ Special districts are created by general law, special act, local ordinance, or by rule of the Governor and Cabinet.² A special district has only those powers expressly provided by, or reasonably implied from, the authority provided in the district’s charter. Special districts provide specific municipal services in addition to, or in place of, those provided by a municipality or county.³

A “dependent special district” is a special district where the membership of the governing body is identical to the governing body of a single county or municipality, all members of the governing body are appointed by the governing body of a single county or municipality, members of the district’s governing body are removable at will by the governing body of a single county or municipality, or the district’s budget is subject to the approval of governing body of a single county or municipality.⁴ An “independent special district” is any district that is not a dependent special district.⁵

Special districts do not possess “home rule” powers and may impose only those taxes, assessments, or fees authorized by special or general law. The special act creating an independent special district may provide for funding from a variety of sources while prohibiting others. For example, ad valorem tax authority is not mandatory for a special district.⁶

St. Augustine-St. Johns County Airport Authority

The St. Augustine-St. Johns County Airport Authority (Authority) is an independent special district that was created in 1963⁷ and its charter was recodified in 2002.⁸

A five-member board governs the Authority. Board members serve staggered four-year terms with vacancies appointed by the Governor and confirmed by the Senate.⁹ Board members are authorized to be reimbursed for verified travel and other expenses, which reimbursements must be paid from Authority funds.¹⁰

The board has the power to hire employees, acquire property, maintain and operate airport facilities, enter into contracts, own aviation vehicles and equipment, conduct aviation related research and development, and issue revenue and general obligation bonds.¹¹ The board may levy ad valorem taxes in order to pay for interest and principle of issued bonds, and for general purposes, at a rate not to exceed 0.5 mills.¹²

¹ See *Halifax Hospital Medical Center v. State of Fla., et al.*, 278 So. 3d 545, 547 (Fla. 2019).

² See ss. 189.031(3), 189.02(1), and 190.005(1), F.S. See, generally, s. 189.012(6), F.S.

³ 2020– 2022 *Local Gov’t Formation Manual*, pp. 60-61, at

<https://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3117&Session=2021&DocumentType=General+Publications&FileName=2021-2022+Local+Government+Formation+Manual.pdf> (last visited Feb. 5, 2021).

⁴ S. 189.012(2), F.S.

⁵ S. 189.012(3), F.S.

⁶ Art. VII, s. 9(a), Fla. Const.

⁷ Ch. 63-1853, Laws of Fla.

⁸ Ch. 2002-347, Laws of Fla.

⁹ Ch. 2002-347, s. 3(3), Laws of Fla.

¹⁰ *Supra* note 7.

¹¹ Ch. 2002-347 s. 3(4)-(10), Laws of Fla.

¹² Ch. 2002-347, s. 3(11), Laws of Fla.

The financial statements filed with the Department of Financial Services in the below chart show the total revenue and expenditures for the Authority for years 2016-2019, which is the latest financial information available:¹³

Year	Expenditures	Revenues
2016	\$7,683,704	\$4,834,763
2017	\$7,339,781	\$8,090,240
2018	\$8,159,080	\$5,928,287
2019	\$7,577,435	\$9,932,602

Effect of the Bill

The bill amends ch. 2002-347, Laws of Fla., to rename the Authority the St. Johns County Airport Authority. The bill authorizes the St. Johns County Airport Authority to conduct airport operations under the name "Northeast Florida Regional Airport."

The Economic Impact Statement filed with the bill indicates that the bill does not appear to have a fiscal impact on the state or local governments.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. ECONOMIC IMPACT STATEMENT FILED? Yes No

D. NOTICE PUBLISHED? Yes No

IF YES, WHEN? December 18, 2020

WHERE? *St. Augustine Record*, a daily newspaper published in St. Augustine, St. Johns County, FL.

E. REFERENDUM(S) REQUIRED? Yes No

¹³ Department of Financial Services, *Local Government Ad Hoc Report 2016-2019*, file:///C:/Users/Renner.Jennifer/Downloads/AdhocAdvanced%20(2).pdf (last visited March 1, 2021).

IF YES, WHEN?