

By Senator Davis

5-00997A-23

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1                   A bill to be entitled  
2       An act relating to commercial service airport  
3       transparency and accountability; amending s. 332.0075,  
4       F.S.; defining the term "consent agenda"; revising  
5       information required to be posted on the website of a  
6       governing body; requiring a commercial service airport  
7       to use specified competitive solicitation processes  
8       for certain purchases of commodities or contractual  
9       services; revising the amount of a contract that a  
10      governing body may not approve, award, or ratify as  
11      part of a consent agenda; providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15       Section 1. Present paragraphs (b) and (c) of subsection (1)  
16      of section 332.0075, Florida Statutes, are redesignated as  
17      paragraphs (c) and (d), respectively, a new paragraph (b) is  
18      added to that subsection, and paragraphs (d) and (f) of  
19      subsection (2) and subsection (3) of that section are amended,  
20      to read:

21       332.0075 Commercial service airports; transparency and  
22      accountability; penalty.—

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

24       (b) "Consent agenda" means an agenda that consists of items  
25      voted on as a group and that does not provide the opportunity  
26      for public comment on each individual item before approval or  
27      disapproval by the governing body.

28       (2) Each governing body shall establish and maintain a  
29      website to post information relating to the operation of a

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30 commercial service airport, including:

31 (d) A link to the airport master plan for the commercial  
32 service airport on the commercial service airport's ~~Federal~~  
33 ~~Aviation Administration's~~ website.

34 (f) Any contract or contract amendment for the purchase of  
35 commodities or contractual services executed by or on behalf of  
36 the commercial service airport in excess of the threshold amount  
37 provided in s. 287.017 for CATEGORY FIVE ~~THREE~~, which must ~~shall~~  
38 be posted no later than 7 business days after the commercial  
39 service airport executes the contract or contract amendment.  
40 However, a contract or contract amendment may not reveal  
41 information made confidential or exempt by law. Each commercial  
42 service airport shall ~~must~~ redact confidential or exempt  
43 information from each contract or contract amendment before  
44 posting a copy on its website.

45 (3) (a) Notwithstanding any other provision of law to the  
46 contrary, commercial service airports shall use competitive  
47 solicitation processes consistent with ~~are subject to~~ the  
48 requirements of s. 287.057 ~~chapter 287~~ for purchases of  
49 commodities or contractual services which exceed the threshold  
50 amount provided in s. 287.017 for CATEGORY FIVE ~~THREE~~. If the  
51 purchase of commodities or contractual services exceeds the  
52 threshold amount provided in s. 287.017 for CATEGORY FIVE ~~THREE~~,  
53 the purchase of commodities or contractual services may not be  
54 made without receiving competitive sealed bids, competitive  
55 sealed proposals, or competitive sealed replies unless an  
56 exception consistent with an exception ~~applies as~~ provided in s.  
57 287.057(3) applies or an immediate danger to the public health,  
58 safety, or welfare or other substantial loss to the commercial

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59 service airport requires emergency action.

60 (b) A governing body must approve, award, or ratify all  
61 contracts for commodities or contractual services executed by or  
62 on behalf of a commercial service airport in excess of \$4  
63 million ~~the threshold amount provided in s. 287.017 for CATEGORY~~  
64 ~~FIVE~~ as a separate line item on the agenda and must provide a  
65 reasonable opportunity for public comment. Such contracts may  
66 not be approved, awarded, or ratified as part of a consent  
67 agenda.

68 Section 2. This act shall take effect July 1, 2023.