

By the Committee on Transportation; and Senator Davis

596-03507-23

20231646c1

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; requiring a governing body to approve,
10 award, or ratify certain contracts by separate line
11 item on the agenda if such contracts exceed specified
12 amounts; prohibiting such contracts from being
13 approved, awarded, or ratified as part of a consent
14 agenda; providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

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

24 332.0075 Commercial service airports; transparency and
25 accountability; penalty.—

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

27 (b) "Consent agenda" means an agenda that consists of items
28 voted on as a group and that does not provide the opportunity
29 for public comment on each individual item before approval or

596-03507-23

20231646c1

30 disapproval by the governing body.

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

34 (d) A link to the airport master plan for the commercial
35 service airport on the commercial service airport's ~~Federal~~
36 ~~Aviation Administration's~~ website.

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

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

596-03507-23

20231646c1

59 exception consistent with an exception ~~applies as~~ provided in s.
60 287.057(3) applies or an immediate danger to the public health,
61 safety, or welfare or other substantial loss to the commercial
62 service airport requires emergency action.

63 (b)1. A governing body must approve, award, or ratify any
64 contract for commodities or contractual services ~~all contracts~~
65 executed by or on behalf of a commercial service airport ~~in~~
66 ~~excess of the threshold amount provided in s. 287.017 for~~
67 ~~CATEGORY FIVE~~ as a separate line item on the agenda and must
68 provide a reasonable opportunity for public comment if such
69 contract is executed by or on behalf of a commercial service
70 airport classified by the Federal Aviation Administration as a:

71 a. Small hub airport and the contract amount exceeds
72 \$500,000.

73 b. Medium hub airport and the contract amount exceeds \$1
74 million.

75 c. Large hub airport and the contract amount exceeds \$1.5
76 million.

77 2. A contract that exceeds the amounts specified in
78 subparagraph 1. for the respective airport hub sizes ~~Such~~
79 ~~contracts~~ may not be approved, awarded, or ratified as part of a
80 consent agenda.

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