

# FLORIDA HOUSE OF REPRESENTATIVES

## FINAL BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

<b>BILL #:</b> <a href="#">CS/HB 4005</a>	<b>COMPANION BILL:</b> None
<b>TITLE:</b> City of Naples Airport Authority, Collier County	<b>LINKED BILLS:</b> None
<b>SPONSOR(S):</b> Botana	<b>RELATED BILLS:</b> None
<b>FINAL HOUSE FLOOR ACTION:</b> 112 Y's 1 N's	<b>GOVERNOR'S ACTION:</b> Pending

### SUMMARY

#### **Effect of the Bill:**

The bill revises the method of selection for the City of Naples Airport Authority board from a body appointed by the City to Naples to one elected by the residents of Collier County. The bill requires three members of the board be residents of the City of Naples, while two members are residents of Collier County outside of the City of Naples, and requires all members to have at least five years of experience in financial management, small business operations, or the aerospace industry. The bill also makes conforming changes to the district's charter to reflect the transition from an appointed board to an elected board.

#### **Fiscal or Economic Impact:**

None.

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### ANALYSIS

#### **EFFECT OF THE BILL:**

The bill amends the charter of the [City of Naples Airport Authority](#) (Authority), a dependent [special district](#) of the City of Naples, to require that Authority board members be elected by local voters rather than be appointed by the city council.<sup>1</sup> The bill transitions the board to a five-member elected body chosen at-large by the electors of Collier County starting with the 2026 general election, with three members who are residents of the City of Naples and two members who are residents of Collier County outside of the City of Naples. (Section [1](#))

The bill provides four-year terms for members of the board, except that two members who are elected at the 2026 general election will serve two-year terms for the purpose of creating staggered terms. The bill also requires each member of the board to have at least five years of experience in financial management, small business operations, or the aerospace industry.<sup>2</sup> The bill provides that any board vacancies are to be filled by the Governor for the remainder of the term. (Section [1](#))

The bill makes conforming revisions to the Authority's charter to reflect the transition from an appointed to an elected board by removing the:

- Requirement that the city council must declare a need for the Authority to function before the Authority can transact business;
- Power of the city council to remove board members for inefficiency, neglect, or misconduct;<sup>3</sup>

<sup>1</sup> This amendment would result in the district becoming an independent special district rather than a dependent special district. See [s. 189.012, F.S.](#)

<sup>2</sup> The bill defines "aerospace" as having the same meaning as [s. 331.303\(1\), F.S.](#) ("the technology and industry related to the design, manufacture, maintenance, repair, and operation of aircraft or any other device intended to be used or designed for flight or reentry, including rockets, missiles, spacecraft, satellites, space vehicles, space stations, space and aircraft facilities or components thereof, and related equipment, systems, facilities, simulators, programs, and activities, including, but not limited to, the application of aerospace and aviation technologies in air-based, land-based, space-based, and sea-based platforms for commercial, civil, and defense purposes").

<sup>3</sup> Members may still be removed for malfeasance, misfeasance, neglect of duty, habitual drunkenness, incompetence, or permanent inability by the Governor. [Ss. 112.51](#) and [112.511\(2\), F.S.](#)

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- Prohibition on officers or employees of the city serving as board members; and
- Prohibition on board members receiving compensation for their services. (Section [1](#))

The bill provides that members of the Authority’s board as of the effective date of the bill remain in office until the certification of the 2026 general election results. (Section [1](#))

Subject to the Governor’s veto powers, the effective date of this bill is upon becoming a law. (Section [2](#))

## FISCAL OR ECONOMIC IMPACT:

### LOCAL GOVERNMENT:

The Economic Impact Statement for the bill states the bill will have no fiscal impact as the elections required by the bill would coincide with regularly scheduled general elections.

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### [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.<sup>4</sup> Special districts are created by general law, special act, local ordinance, or rule of the Governor and Cabinet.<sup>5</sup> 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.<sup>6</sup> Special districts are funded through the imposition of ad valorem taxes, fees, or charges on the users of those services as authorized by law.<sup>7</sup>

Special districts may be classified as dependent or independent based on their relationship with local general-purpose governments. A special district is classified as “dependent” if the governing body of a single county or municipality:

- Serves as governing body of the district;
- Appoints the governing body of the district;
- May remove members of the district’s governing body at-will during their unexpired terms; or
- Approves or can veto the budget of the district.<sup>8</sup>

A district is classified as “independent” if it does not meet any of the above criteria, or is located in more than one county unless the district lies entirely within the boundaries of a single municipality.<sup>9</sup>

<sup>4</sup> See *Halifax Hospital Medical Center v. State of Fla., et al.*, 278 So. 3d 545, 547-548 (Fla. 2019).

<sup>5</sup> See ss. [189.02\(1\)](#), [189.031\(3\)](#), and [190.005\(1\)](#), F.S. See generally [s. 189.012\(6\)](#), F.S.

<sup>6</sup> Intergovernmental Affairs Subcommittee, *Local Government Formation Manual*, p. 56 (last visited Jan. 22, 2026).

<sup>7</sup> The method of financing a district must be stated in its charter. Ss. [189.02\(4\)\(g\)](#) and [189.031\(3\)\(k\)](#), F.S. Independent special districts may be authorized to impose ad valorem taxes as well as non-ad valorem special assessments in the special acts comprising their charters. See, e.g., [ch. 2023-335, s. 1\(6\)](#), Laws of Fla. (East River Ranch Stewardship District) and [ch. 2004-397, s. 3\(27\)](#), Laws of Fla. (South Broward Hospital District). See also, e.g., ss. [190.021](#) (community development districts), [191.009](#) (independent special fire control districts), [197.3631](#) (non-ad valorem assessments), [298.305](#) (water control districts), and [388.221, F.S.](#) (mosquito control districts).

<sup>8</sup> [S. 189.012\(2\)](#), F.S.

<sup>9</sup> [S. 189.012\(3\)](#), F.S.

Special districts are governed generally by the Uniform Special District Accountability Act (USDAA).<sup>10</sup> The USDAA centralizes provisions governing special districts and applies to the formation,<sup>11</sup> governance,<sup>12</sup> administration,<sup>13</sup> supervision,<sup>14</sup> merger,<sup>15</sup> and dissolution<sup>16</sup> of special districts, unless otherwise expressly provided in law.<sup>17</sup> The USDAA requires notice and publication of tentative budgets and final budgets.<sup>18</sup> Certain budget amendments are allowed up to 60 days following the end of the fiscal year.<sup>19</sup>

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.<sup>20</sup>

### **Naples Airport**

The Naples Airport was constructed in 1943 as a military base for training during World War II.<sup>21</sup> The airport is located in western Collier County, approximately 1 mile from the City of Naples business district and 1.5 miles inland from the Gulf of America. The airport is owned by the City of Naples and was leased to the City of Naples Airport Authority in 1969 under a 99-year lease.

The airport supports a variety of general aviation activity but does not provide scheduled commercial airline services.<sup>22</sup> Airport activities include leisure and business travel, flight training, and emergency responder operations.<sup>23</sup> The airport served an estimated 200,000 passengers in fiscal year 2025. The Florida Department of Transportation estimated that the airport generates an annual economic impact of \$781 million community-wide.

### **City of Naples Airport Authority (Authority)**

The Authority was created in 1969 to operate and maintain the Naples Airport.<sup>24</sup> The Authority was established to enhance service to users, improve the community gateway image, and eliminate financial subsidies by city taxpayers.<sup>25</sup>

The Authority is governed by a five-member board of commissioners appointed by the Naples City Council.<sup>26</sup> Members of the board serve four-year terms, with at least one seat becoming vacant each year. The board retains an executive director to serve as the chief operating and administrative officer who has the authority to hire all other airport employees.<sup>27</sup>

<sup>10</sup> [S. 189.01, F.S.](#), but see ch. 190, F.S. (community development districts), ch. 191, F.S. (independent special fire control districts), ch. 298, F.S. (water control districts), ch. 388, F.S. (mosquito control districts), and ch. 582, F.S. (soil and water conservation districts).

<sup>11</sup> See ss. [189.02](#) (creation of dependent special districts) and [189.031, F.S.](#) (creation of independent special districts).

<sup>12</sup> See [s. 189.0311, F.S.](#) (charter requirements for independent special districts).

<sup>13</sup> See [s. 189.019, F.S.](#) (requiring codification of charters incorporating all special acts for the district).

<sup>14</sup> See [s. 189.0651, F.S.](#) (oversight for special districts created by special act of the Legislature).

<sup>15</sup> Ss. [189.071](#) (merger of dependent special districts) and [189.074, F.S.](#) (merger of independent special districts).

<sup>16</sup> Ss. [189.071](#) (dissolution of dependent special districts) and [189.072, F.S.](#) (dissolution of independent special districts).

<sup>17</sup> See, e.g., [s. 190.004, F.S.](#) (ch. 190, F.S., as “sole authorization” for creation of community development districts).

<sup>18</sup> [S. 189.016\(4\), F.S.](#)

<sup>19</sup> [S. 189.016\(6\), F.S.](#)

<sup>20</sup> See, e.g., [ch. 2006-354, Laws of Fla.](#) (Argyle Fire District may impose special assessments, but has no ad valorem tax authority).

<sup>21</sup> City of Naples Airport Authority, [Annual Comprehensive Financial Report](#), p. 2 (last visited Jan. 22, 2026).

<sup>22</sup> *Id.*

<sup>23</sup> City of Naples Airport Authority, [City of Naples Airport Authority Operating and Capital Budget for Fiscal Year 2026](#), p. 3 (last visited Jan. 22, 2026).

<sup>24</sup> Ch. 69-1326, Laws of Fla.

<sup>25</sup> City of Naples Airport Authority, [City of Naples Airport Authority Operating and Capital Budget for Fiscal Year 2026](#), p. 3 (last visited Dec. Jan. 22, 2026).

<sup>26</sup> Ch. 69-1326, s. 3, Laws of Fla. as amended by chs. 79-516 and 90-468, Laws of Fla.

<sup>27</sup> City of Naples Airport Authority, [Annual Comprehensive Financial Report](#), p. 2 (last visited Jan. 22, 2026).

The Authority's projected annual revenues for Fiscal Year 2025-26 are \$45,841,900, a 12 percent increase over the prior year.<sup>28</sup> Two-thirds of the Authority's revenues are derived from aviation fuel sales, with a majority of the remainder coming from fixed-base operator services and landing fees. The Authority had no debt in fiscal years 2022, 2023, and 2024.<sup>29</sup>

The Authority does not have taxing authority.<sup>30</sup> All revenues used for operation, maintenance, and improvements come from airport activities or from federal and state agency grants. The district does not receive any local, state or federal general taxes for direct support. However, the Authority receives capital funding from state and federal grants generated from aviation fuel taxes and airline ticket taxes.<sup>31</sup>

### Local Bill Forms

The Florida Constitution prohibits the passage of any special act unless a notice of intention to seek enactment of the bill has been published as provided by general law or the act is conditioned to take effect only upon approval by referendum vote of the electors in the area affected.<sup>32</sup> A legal advertisement of the proposed bill must be placed in a newspaper of general circulation or published on a publicly accessible website<sup>33</sup> at least 30 days prior to the introduction of the local bill in the House or Senate.<sup>34</sup> The bill was noticed in the [Naples Daily News on Sept. 24, 2025](#).

The House local bill policy requires a completed and signed Local Bill Certification Form and Economic Impact Statement Form be filed with the Clerk of the House at the time the local bill is filed or as soon thereafter as possible.<sup>35</sup> Under the policy, a committee or subcommittee may not consider a local bill unless these forms have been filed. The following forms have been submitted for the bill:

- [Local Bill Certification Form](#)
- [Economic Impact Statement Form](#)

<sup>28</sup> City of Naples Airport Authority, [City of Naples Airport Authority Operating and Capital Budget for Fiscal Year 2026](#), p. 8 (last visited Jan. 22, 2026).

<sup>29</sup> City of Naples Airport Authority, [Annual Comprehensive Financial Report](#), p. 19 (last visited Jan. 22, 2026).

<sup>30</sup> City of Naples Airport Authority, [Naples Airport Authority](#) (last visited Jan. 22, 2026). *See also* ch. 69-1326, Laws of Fla. (authorizing the district to collect fees).

<sup>31</sup> City of Naples Airport Authority, [City of Naples Airport Authority Operating and Capital Budget for Fiscal Year 2026](#), p. 4 (last visited Jan. 22, 2026).

<sup>32</sup> [Art. III, s. 10, Fla. Const.](#)

<sup>33</sup> [S. 50.0311\(2\), F.S.](#)

<sup>34</sup> [S. 11.02, F.S.](#) If there is no newspaper circulated throughout or published in the county and no publicly accessible website has been designated, notice must be posted for at least 30 days in at least three public places in the county, one of which must be at the courthouse.

<sup>35</sup> Intergovernmental Affairs Subcommittee, [Local Bill Policies and Procedures Manual](#), p. 11 (last visited Jan. 22, 2026).