

HB 4073

2026

A bill to be entitled  
An act relating to the Manatee County Port Authority, Manatee County; amending chapter 2003-351, Laws of Florida, as amended; providing that the district is an independent special district, rather than a dependent special district; revising and providing definitions; providing for the operation of the port authority; providing powers, functions, and duties of the port authority; providing for construction and effect; providing an effective date.

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

Section 1. Section 3 of chapter 2003-351, Laws of Florida, as amended by chapter 2011-253, Laws of Florida, is amended to read:

Section 1. District formation ratified, restated, and approved.—The Manatee County Port Authority (Port Authority) as initially established pursuant to chapter 67-1681, Laws of Florida, and thereafter amended as provided by special acts of the Legislature, is ratified, confirmed, and approved.

Section 2. Establishment.—The Port Authority, an ~~independent~~ ~~and~~ dependent special district, is established for all purposes set forth in this act and chapters 189 and 315, Florida Statutes, as the same may be amended from time to time. This

26 charter may be amended only by special act of the Legislature.

27 Section 3. Popular name.—This charter shall be known and  
28 may be cited as the Manatee County Port Authority Act.

29 Section 4. Definitions.—As used in this charter, the  
30 following words and terms shall have the following meanings:

31 (1) "Port Authority" shall mean the governing board of the  
32 ~~County Commissioners of Manatee County, Florida, acting as a~~  
33 ~~Manatee County Port Authority. When conducting business as a~~  
34 ~~Port Authority, the board of county commissioners shall use the~~  
35 ~~name of~~ Manatee County Port Authority.

36 (2) "Port facilities" shall mean and shall include harbor,  
37 shipping, and port facilities and improvements of every kind,  
38 nature, and description, including, but not limited to,  
39 channels, turning basins, jetties, breakwaters, public landings,  
40 wharves, waterways, ferries, slips, quays, terminals, sidings,  
41 shipyards, moles, canals, cold storage plants, locks, tidal  
42 basin, trainways, cable ways, depots, warehouses, industrial  
43 parks, industrial and manufacturing plans, icing plants,  
44 refrigeration plants, precooling plants, commercial, business  
45 mercantile, markets, parks, recreational facilities, structures,  
46 buildings, piers, storage facilities, public buildings,  
47 anchorages, utilities, bridges, tunnels, roads, railroads,  
48 causeways, port-related aviation facilities such as helipads,  
49 and any and all property and facilities necessary or useful in  
50 connection with the foregoing, and any one or more of any

51 combination thereof and any extension, addition, betterment, or  
52 improvement of any thereof and other related projects,  
53 conveyors, appliances for economical handling, storage, and  
54 transportation of freight and handling passenger traffic, or in  
55 connection with the operation, improvement, and maintenance of  
56 the Port and all other harbor improvements and facilities which  
57 the Port Authority may determine to be necessary and to perform  
58 customary services, including handling, weighing, measuring,  
59 regulation, control, inspections and reconditioning of all  
60 commodities and cargoes received or shipped throughout any port  
61 or harbor within the jurisdiction of the Port Authority ~~docks,~~  
62 ~~markets, parks, recreational facilities, structures, buildings,~~  
63 ~~piers, storage facilities, public buildings and plazas,~~  
64 ~~anchorages, utilities, bridges, tunnels, roads, railroads,~~  
65 ~~causeways, port related aviation facilities such as helipads,~~  
66 ~~and any and all property and facilities necessary or useful in~~  
67 ~~connection with the foregoing, and any one or more of any~~  
68 ~~combination thereof and any extension, addition, betterment, or~~  
69 ~~improvement of any thereof.~~

70 (3) "Cost" as applied to any port facilities shall mean  
71 and shall include the cost of acquisition or construction, the  
72 cost of all labor, materials, machinery, and equipment, the cost  
73 of all lands, property, rights, easements, and franchises  
74 acquired, financing charges, interest prior to and during  
75 construction and for 1 year after completion of construction,

76 cost of plans and specifications, surveys and estimates of cost  
77 and of revenues, cost of engineering and legal services, all  
78 other expenses necessary or incident to determining the  
79 feasibility or practicability of such construction, the cost of  
80 acquiring or improving, enlarging, and extending existing port  
81 facilities and preparing the same for sale or lease to provide  
82 funds for financing port facilities under the provisions of this  
83 charter, if in the determination of the Port Authority governing  
84 body, such acquisition, such improvement, enlargement, and  
85 extension, or such preparation for sale or lease are necessary  
86 to such financing, administrative expenses, and such other  
87 expenses as may be necessary or incident to any financing herein  
88 authorized. Any obligation or expense heretofore or hereafter  
89 incurred by ~~Manatee County and/or~~ the Manatee County Port  
90 Authority in connection with any of the foregoing items of cost  
91 may be regarded as a part of such cost and reimbursed to the  
92 ~~Manatee County and/or the Manatee County~~ Port Authority out of  
93 the proceeds of port facilities bonds issued under the  
94 provisions of this charter or previously issued prior to the  
95 enactment of this act.

96 (4) "Bonds" shall mean any bonds, debentures, notes,  
97 warrants, bond anticipation notes, tax anticipation notes,  
98 commercial paper, or other evidence of indebtedness or lease,  
99 installment purchase contracts, or other agreements or  
100 certificates of participation therein issued by or on behalf of

101     the Port Authority.

102       Section 5. Public purpose declared.—It is hereby  
103       determined and declared that each and all of the powers  
104       conferred by this charter and the exercise thereof are proper  
105       public and proprietary ~~county~~ purposes and benefit to the  
106       citizens of Manatee County and the state.

107       Section 6. Governing authority.—The Port Authority shall  
108       constitute a body politic and a body corporate and is deemed a  
109       political subdivision of the state within the meaning of  
110       sovereign immunity from taxation and for all other purposes; it  
111       shall have perpetual existence; its operation shall be deemed a  
112       proper governmental function; it shall adopt and use an official  
113       seal and may alter the same; it may contract and be contracted  
114       with; in its corporate name it may sue or implead in any of the  
115       courts in the various states and the courts of the United  
116       States; and it may be sued or impleaded in the courts of the  
117       State of Florida and in the courts of the United States for the  
118       Middle District of the State of Florida, except as may be  
119       limited by the provisions of s. 768.28, Florida Statutes, or any  
120       succeeding enactment.

121       (1) The Port Authority shall consist of five member seats  
122       to be appointed as follows:

123       (a) Members occupying Seats 1 through 4 shall be appointed  
124       by the Governor.

125       (b) Seat 5 shall be occupied by a member of the Board of

126 County Commissioners of Manatee County, appointed by that board.

127 (2) At least 30 days prior to the expiration of the term  
128 of the member occupying Seat 1, Seat 2, Seat 3, or Seat 4 of the  
129 Port Authority appointed by the Governor through the routinely  
130 established application process, or within 10 days after the  
131 occurrence of a vacancy in any such seat, a successor shall be  
132 appointed by the Governor.

133 (3) The first appointments by the Governor shall be for a  
134 2-year term for Seats 1 and 3 and a 4-year term for seats 2 and  
135 4. Terms shall commence on October 1 of the year of the first  
136 appointment. Thereafter all appointments shall be for a 4-year  
137 term from the expiration of the previous term, and all vacancies  
138 shall be filled by the Governor for the unexpired term. No more  
139 than two of the board members shall be persons who are primarily  
140 engaged in the maritime business and no person shall be eligible  
141 for appointment as a commissioner except residents of Manatee  
142 County or Sarasota County. Members serve at the pleasure of who  
143 appointed the member, the Governor or the Board of County  
144 Commissioners of Manatee County. Any member appointed is  
145 eligible for reappointment. Each member shall continue to serve  
146 until his or her death, resignation, removal, or until his or  
147 her respective successor is duly appointed.

148 (4) Before assuming office, each member shall take an oath  
149 that he or she will faithfully discharge the duties of his or  
150 her office and that he or she will uphold and defend the

151     constitutions and laws of the United States and of the State of  
152     Florida.

153         (5) The appointed members of the Port Authority shall  
154         receive no compensation for their services. Each member will  
155         receive reimbursement for per diem and travel expenses incurred  
156         in connection with their official duties as provided in chapter  
157         112, Florida Statutes, and will be provided with the option to  
158         participate in health insurance program. Reimbursement of said  
159         per diem and expenses to members of the Port Authority shall  
160         only be made pursuant to approval of the Port Authority and  
161         proper travel expense vouchers.

162         (6) Three of the officers of the Port Authority shall be  
163         elected annually by and from among the members and shall consist  
164         of a vice chair, a secretary, and a treasurer, the latter two of  
165         which offices may be held by a single member at the discretion  
166         of the members. The chair of the Port Authority shall be elected  
167         for a 2-year term by and from among the members.

168         (7) Three members shall constitute a quorum. An  
169         affirmative vote of at least three of the members is required  
170         for any action to be taken by the Port Authority involving the  
171         establishment of policy. The provisions of s. 286.012, Florida  
172         Statutes, require any member of the Port Authority physically  
173         present at a meeting to vote unless there is a possible conflict  
174         of interest. All Port Authority members are subject to the  
175         Florida Ethics Code.

176        (8) No court shall have the power or jurisdiction to  
177 appoint any officer of the court to exercise the duties and  
178 powers of the Port Authority or any Port Authority member. In  
179 the event any Port Authority member shall be guilty of  
180 intentional and willful malfeasance, nonfeasance, or misfeasance  
181 in office, or commission of a felony, he or she shall be subject  
182 to be removed by the Governor in the manner provided for the  
183 removal of county officers.

184        (9) The members shall appoint by resolution a Port  
185 Director who shall be chosen for his or her executive,  
186 administrative, and technical qualifications, shall be a full-  
187 time employee of the Port Authority, shall receive such salary  
188 as may be approved by the members, and shall devote his or her  
189 time and attention to the discharge of his or her duties. The  
190 Port Director's office shall be kept open during such hours as  
191 the members fix, the minimum of which shall be the ordinary  
192 business hours upon all business days. The Port Authority shall  
193 be responsible for all policies. The Port Director shall be  
194 responsible for policy implementation.

195        (10) The Port Authority may employ such additional persons  
196 as the business of the Port Authority may require and may  
197 designate which, if any, require the approval of the members for  
198 employment or dismissal.

199        (11) All meetings of the Port Authority shall be open to  
200 the public, shall be governed by chapters 189 and 286, Florida

201 Statutes, and shall be held at a duly noticed location within  
202 Manatee County. The Port Authority shall have the power to  
203 prescribe rules for the conduct of its meeting not inconsistent  
204 herewith.

205 Section 7. Grant of powers.—Subject to the jurisdiction  
206 of, and the rights and powers granted under applicable laws to,  
207 the State of Florida or the United States Government, the Port  
208 Authority, in addition to any and all powers granted to it by  
209 section 315.03, Florida Statutes, other laws, general, local or  
210 special, is hereby authorized and empowered:

211 (1) To acquire by purchase, grant, gift, or lease, or by  
212 the exercise of the right of eminent domain, and to hold and  
213 dispose of any property, real or personal, tangible or  
214 intangible, or any right or interest in any such property, for  
215 or in connection with any port facilities, whether or not  
216 subject to mortgage, liens, charges, or other encumbrances.

217 (2) To construct within Manatee County any bridge, tunnel,  
218 road, or railroad lines, or any combination thereof, to, from,  
219 or between any port facilities.

220 (3) To exercise control over the Port Authority and any  
221 and all parts thereof; to apply to property authorities of the  
222 United State Government as a condition precedent to the  
223 establishment of a free port, foreign trade zone, or area for  
224 the reception of foreign countries of articles of commerce and  
225 to expedite and encourage foreign commerce, and the handling,

226 processing, and delivery thereof into foreign commerce free from  
227 the payment of custom duties and, provided there is an economic  
228 benefit to the Port Authority or Manatee County, to enter into  
229 any agreements required by such departments or agencies in  
230 connection therewith and to make like applications and  
231 agreements with respect to the establishment within and without  
232 the county of one or more bonded warehouses.

233 (4) To obtain permission from the United States Government  
234 to create, improve, regulate, and control all water and natural  
235 or artificial waterways within the Port Authority; to improve  
236 all navigable and non-navigable waters situated within the Port  
237 Authority necessary and useful to the operation, improvement,  
238 and maintenance of port facilities; to construct, improve, and  
239 maintain such inlets, slips, turning basins, and channels; to  
240 make and give to the United States Government such guarantees  
241 upon such terms and conditions as may be required; and to enact,  
242 adopt, and establish rules and regulations for the exercise of  
243 jurisdiction and control over all said lands and waters of the  
244 Port Authority and all port facilities within the Port Authority  
245 and all projects and matters under the control of the Port  
246 Authority.

247 (5) To exercise such police powers as the Port Authority  
248 shall determine to be necessary for the effective control,  
249 regulation, and protection of port facilities.

250        (6) To enact, adopt, and establish rules and regulations  
251        consistent with the Constitution and laws of the State of  
252        Florida and the laws of the United States of America for the  
253        promotions and conduct of navigation, commerce, and industry in  
254        the Port Authority. The rules and regulations shall be  
255        reasonable and shall apply uniformly to all similarly situated.

256        (7) To enact, adopt, and establish rules and regulations  
257        governing the fueling, refueling, loading and unloading,  
258        reloading, and related matters within the Port Authority and the  
259        navigable waters over which the Port Authority has jurisdiction.

260        (8) To prescribe, fix, and establish fines, penalties, and  
261        punishment for the violation of the rules and regulation of the  
262        Port Authority and to enforce such fines, penalties, and  
263        punishments in such a manner as the Port Authority may  
264        determine. All fines and penalties so imposed or levied shall be  
265        recoverable in the name of the Port Authority and in any court  
266        of the state having jurisdiction over the amount involved.

267        (9) To exercise the right of eminent domain and to  
268        condemn, appropriate, and acquire any property, both real and  
269        personal, and any interest or estate therein which by resolution  
270        the Port Authority shall determine to be necessary for  
271        deepening, widening, and extending of channels, turning basins,  
272        roads, and railroads, and the buildings and construction of  
273        slips, wharves, sheds, warehouse, breakwaters, jetties,  
274        bulkheads, and any and all other port improvements and port

275     facilities. Such determination of necessity shall be conclusive,  
276     except in cases of fraud or gross abuse of discretion. Such  
277     eminent domain or condemnation proceedings shall be exercised in  
278     a manner consistent with Florida law.

279         (10) To license stevedores as independent contractors for  
280     hire, to fix terms and conditions of such licenses, and to  
281     determine the fees to be charged. Such stevedores serve at the  
282     pleasure of the Port Director, unless terminated sooner by the  
283     licenses.

284         (11) To offer and make available life, health, accident,  
285     hospitalization, or all or any part of such insurance for Port  
286     Authority officers and employees upon a group insurance plan; to  
287     pay all or any portion of the premiums for such group insurance  
288     as an operating expense; and to contract with another  
289     governmental entity for such services.

290         (12) To grant exclusive and non-exclusive franchises to  
291     any person, firm, or corporation to construct, establish,  
292     operate, replace, repair, fix, enlarge, maintain, improve,  
293     equip, manage, and control port facilities and, should passenger  
294     service occur for the operation of restaurants, cafeterias,  
295     bars, cigar and cigarette stands, newsstands, buses, taxicabs,  
296     vending machines, hotels, motels, service stations, real estate  
297     developments, and other concessions in, on, and in connection  
298     with any property or project owned and operated by the Port  
299     Authority. In granting such franchises it shall be the duty of

300 the Port Authority to investigate and consider the  
301 qualifications and ability of the lessee or concessionaires to  
302 provide or perform the contemplated services and the revenues  
303 which will be derived therefrom by the Port Authority and to  
304 exercise sound prudent business judgment on behalf of the Port  
305 Authority with respect thereto, calling for bids when  
306 practicable and when the interests of the public will best be  
307 served by such action. The Port Authority shall have the power  
308 to impose a franchise or excise tax upon businesses and  
309 occupations carried on or operated under and by virtue of any  
310 franchise or franchises granted by the Port Authority. The  
311 administration of this section and the collection of this  
312 franchise tax are hereby vested in the Port Authority, and the  
313 Port Authority is authorized to make, promulgate, and enforce  
314 such reasonable rules and regulations relating to the  
315 administration and enforcement of this law and the collection of  
316 said franchise tax as may be deemed expedient, independently of  
317 all other remedies and proceedings authorized by law for the  
318 enforcement and collection of said franchise tax, a right of  
319 action, by suit in the name of Port Authority, is hereby  
320 created; and such suit may be maintained and prosecuted, and all  
321 proceedings taken, to the same effect and extent as for the  
322 enforcement of a right of action for debt or assumpsit, or  
323 substitute forms of action therefor, and any and all remedies  
324 available in such actions including attachment and garnishment

325 shall be and are hereby made available to the Port Authority in  
326 the enforcement of the payment of any franchise tax accruing  
327 hereunder. The Port Authority is not required to post bond in  
328 any such actions or proceedings.

329 (13) To solicit and enter into arrangements with shipping  
330 lines, railroad, any intermodal or common carrier or any other  
331 commercial enterprise related to the Port Authority's purpose  
332 and to do all things necessary to promote commerce, passenger  
333 traffic, and freight tonnage through the Port Authority operated  
334 by the Port Authority, as the Port Authority determines it  
335 advantageous to do so.

336 (14) Except as otherwise provided in subsection (31), to  
337 sell at public or private sale or lease for public or private  
338 purposes all or any portion of any port facilities now or  
339 hereafter owned, including any such facilities as extended,  
340 enlarged, or improved, and all or any portion of any property  
341 improved, created, extended, or enlarged under the authority of  
342 this law, on such terms and subject to such conditions as the  
343 Port Authority shall determine to be in the best interests of  
344 the Port Authority and said determination shall be deemed  
345 conclusive, except in cases of fraud or malfeasance,  
346 nonfeasance, or misfeasance. For the sale of Port Authority  
347 property or the entry into a lease of 30 or more years, the Port  
348 Authority must approve such sale or lease by a four-fifths  
349 affirmative vote. To execute and deliver all contracts, deeds,

350        leases, franchise, assignments, releases and other instruments  
351        necessary and convenient to carry out the powers expressed or  
352        implied in this section.

353        (15) (4) To accept and apply for loans or grants of money, appropriations, gifts, aid, or materials or property at any time  
354        from the United States or the State of Florida or any agency, instrumentality, or subdivision thereof, upon such terms and  
355        conditions as the United States, the State of Florida, or such agency, instrumentality, or subdivision may impose.

359        (16) (5) To operate and maintain, and to fix and collect rates, rentals, fees, including, but not limited to, uniform rates of wharfage, dockage, warehousing, storage, port and terminal charges, and other charges for any of the services and facilities now or hereafter acquired, owned, or constructed by the Port Authority.

365        (17) (6) To lease or rent or contract with others for the operation of all or any part of any port facilities now or hereafter acquired, owned, or constructed by the Port Authority, on such terms and for such period or periods and subject to such conditions as the Port Authority shall determine to be in the best interests of the Port Authority and said determination shall be deemed conclusive, except in cases of fraud or malfeasance, nonfeasance, or misfeasance.

373        (18) (7) To contract debts for the acquisition or construction of any port facilities or for any other purposes of

375 this law, to borrow money, to make advances, and to issue bonds  
376 or other obligations to finance all or any part of such  
377 acquisition or construction or in the carrying out of any other  
378 purposes of this charter.

379 (19)(+8) To contract with the United States or the State of  
380 Florida or any agency or instrumentality thereof or with any  
381 public body or political subdivision or with any private person,  
382 firm, or corporation with reference to any of the powers hereby  
383 granted in this section.

384 ~~(9) To have and to exercise all of the powers, rights, and~~  
385 ~~authority now vested by the Statutes of the State of Florida in~~  
386 ~~the office of the Board of Pilot Commissioners.~~

387 (20)(+10) To appoint, regulate, control, and prescribe the  
388 powers, duties, and compensation of harbor masters.

389 ~~(11) To appoint and license such number of pilots as the~~  
390 ~~Port Authority shall, in its sole discretion, determine to be~~  
391 ~~necessary to properly conduct the business of the port. Provided~~  
392 ~~that nothing contained herein shall be construed as prohibiting~~  
393 ~~the Port Authority from appointing and licensing pilots who at~~  
394 ~~the time of appointment are also serving any other port on Tampa~~  
395 ~~Bay.~~

396 (21)(+12) To publicize, advertise, and promote the  
397 beneficial activities, and projects, and port facilities  
398 authorized by this act, to make known to users, potential users,  
399 and public in general, the advantages, facilities, resources,

400 products, attractions, and attributes of the activities and  
401 projects authorized by this charter; to further create a  
402 favorable climate of opinion concerning the activities, and  
403 projects, and port facilities authorized and indicated by this  
404 charter in accordance with present and future needs and  
405 requirements of prosperity and welfare of the people served by  
406 the port facilities, including, but not limited to, promoting  
407 and encouraging the development of business, agriculture,  
408 industry, commerce, and employment within the Port Authority; to  
409 establish, directly or indirectly, oceanographic facilities of  
410 all kinds, including, but not limited to, the encouragement of  
411 oceanographic research, development, commerce, and the  
412 encouragement of all businesses related to oceanographic  
413 purposes; to plan and carry out programs designed to enlarge and  
414 improve trade within the state, with other states, and with  
415 foreign countries through the use and port facilities of Port  
416 Authority; to advise, assist, and cooperate, including the  
417 granting of funds, with municipal, county, regional, and  
418 governmental planning and development agencies in preparing and  
419 putting into effect plans and programs for economic development  
420 of areas which will benefit through or by the development of the  
421 facilities under the Port Authority, or will encourage the  
422 development of the Port Authority and its port facilities; to  
423 cooperate, including the grant or expenditure of funds, to and  
424 with other agencies, both public and private, in accomplishing

425 the purposes enumerated and indicted by this charter; and in  
426 furtherance thereof, to authorize reasonable expenditures by  
427 supporting voucher to be filed for audit for the purposes herein  
428 enumerated, including, but not limited to, meals, hospitality,  
429 and entertainment of persons in the interest of promoting and  
430 engendering good will towards the activities and projects herein  
431 authorized, provided however, that funds obtained under chapter  
432 315, Florida Statutes, may not be used for such purposes.  
433 Whenever an expenditure of funds for any of the foregoing  
434 purposes is made by a member of the Port Authority or employee  
435 of the Port Authority, the Port Authority may reimburse such  
436 members or employees only in the manner duly authorized by the  
437 Port Authority.

438 (22) To add to or extend, or cause or permit to be added  
439 to or extended, any existing land, including submerged land, or  
440 islands, now or hereafter owned by the district, bordering on or  
441 being in any waters within the Port Authority, by the pumping of  
442 sand or earth from any land, under or above water, or by any  
443 other means of construction, as a part of or for the purpose of  
444 providing any project or facility, or for the purpose of  
445 improving, creating, or extending any property of the Port  
446 Authority, for the use of or disposal by the Port Authority. To  
447 construct, or cause or permit to be constructed, any island or  
448 islands in any waters within the Port Authority by the pumping  
449 of sand or earth from any land above or under water or by any

450     other means of construction as a part of or for the purpose of  
451     providing any port project or facility herein, including, but  
452     not limited to, the creation of any recreational area to be  
453     maintained or supervised by the Port Authority or to be turned  
454     over to any governing body, public or private, as a public  
455     recreational area.

456         (23)     To dredge or deepen harbors, channels, and turning  
457     basins; to cooperate with the United States of America or any  
458     agency thereof in the dredging or deepening of any harbor,  
459     channel, or turning basin; to enter into contracts with the  
460     United States of America or with any agency thereof concerning  
461     any such dredging or deepening project; to pay such amounts to  
462     the United States of America or any agency thereof, as required  
463     by the terms of such contract, and in addition thereto to  
464     likewise contract with any private person, firm, or corporation  
465     in connection with any of the aforesaid dredging or deepening;  
466     and to pay such amounts as shall be required by the terms of any  
467     such contract entered into.

468         (24)     To enter on any lands, waters, or premises, within or  
469     without the Port Authority, or within the corporate limits of  
470     any county, port district, port authority, or municipality, for  
471     the purpose of making surveys, soundings, and examinations with  
472     relation to any existing or proposed port facilities or port  
473     projects.

474        (25) To develop and adopt all policies necessary to carry  
475        out the purposes of this law, including, but not limited to,  
476        personnel, procurement, investment, and other policies.

477        (26) To cause available funds to be invested in accordance  
478        with chapter 218, Florida Statutes, and sell such investments  
479        when deemed advisable.

480        (27) (13) To perform any of the acts hereby authorized  
481        through or by means of its own officers, agents, or employees or  
482        by contract.

483        (28) (14) To do all acts and things and to enter into all  
484        contracts and agreements necessary or convenient to carry out  
485        the purposes of this law.

486        (29) (15) To receive title to, right of entry upon, and to  
487        regulate the improvement of any and all submerged lands  
488        belonging to the Board of Trustees of the Internal Improvement  
489        Trust Fund contained within the area described in this  
490        subsection. The submerged lands were conveyed to the Port  
491        Authority, for consideration of \$1 from the Port Authority to  
492        the Board of Trustees of the Internal Improvement Trust Fund,  
493        subject to the riparian rights of the respective owners of the  
494        uplands adjacent thereto. Such titles and rights shall  
495        effectually and fully vest in the Port Authority. No such  
496        submerged lands owned by the Port Authority shall be sold or  
497        otherwise disposed of by the Port Authority to any party or  
498        parties and shall only be used for proper public and Port

499 Authority purposes. The submerged lands conveyed and granted to  
500 the Port Authority shall comprise and include the territory  
501 described as follows:

502  
503 Commence at the northeast corner sec. 1, township 33  
504 south, range 17, east thence N 89° 30' 22" W along the  
505 common line between Manatee and Hillsborough counties  
506 a distance of 1642.84 for a point of beginning, thence  
507 continue for 89° 30' 22" W along said line a distance  
508 of 162.63 to a point lying +/- 100 westerly of shore  
509 line, thence S 68° 00' 00" W a distance of 7680.0' to  
510 a point northwest of shore line of spoil island,  
511 thence continue of said line a distance of 1315.0'  
512 thence S 26'00' 00" E a distance of 2500.0', thence S  
513 51° 00' 00" E a distance of 4776.0' to the  
514 intersection of the shore line, said point lying +/-  
515 100.0 southerly of Red Fish Creek, thence continue  
516 along +/- MHWL N 76' 03' 53" E a distance of 81.92'  
517 thence N 54° 37' 19" W distance of 79.60 thence S 66°  
518 09' 45" E a distance of 51.92' thence S 68° 45' 58" E  
519 distance of 57.69, thence N 14° 29' 51" E distance or  
520 101.11', thence N 06° 24' 26" W a distance of 195.98,  
521 thence N 48° 04' 53" W distance of 166.06 thence N 28°  
522 20' 57" W distance 194.77' thence N 66° 34' 24" W  
523 distance of 265.74 thence continue at MHWL entering

524 site 7 N 34° 17' 49" W a distance of 50.72' thence N  
525 01° 08' 23" W a distance of 50.70' thence N 45° 10'  
526 56" E a distance of 67.70' thence N 08° 24' 59" E a  
527 distance of 132.72' thence N 80° 06' 31" E a distance  
528 of 81.43 thence con't. around site 7 at MHWL N 88° 25'  
529 22" E a distance of 64.00' thence S 78° 56' 03" E a  
530 distance of 70.58' thence N 83° 46' 11" E a distance  
531 of 57.51 thence S 87° 22' 25" E a distance of 297.08  
532 thence S 56° 16' 40" E a distance of 43.65 thence  
533 along easterly side of site 7 N 59° 11' 15" E a  
534 distance of 51.17, thence N 52° 01' 16" E a distance  
535 of 49.53 thence N 58° 31' 03" E a distance of 83.27',  
536 thence N 51 53' 44" E a distance of 45.91 thence N 39°  
537 56' 18"E a distance of 59.62' thence con't. along  
538 easterly side of site 7 N 13° 58' 29" E a distance of  
539 185.39' thence N 08° 06' 21"E a distance of 56.47'  
540 thence N 06° 45' 56" E a distance of 121.48 to the  
541 point of curve thence N 40° 48' 46" W on a chord  
542 bearing to the point of tangent having chord distance  
543 of 312.39' and having radius of 195.0' thence continue  
544 along the northerly side of site 7 at the MHWL S 85°  
545 57' 43" W a distance of 144.95' thence S 88° 44' 05" W  
546 a distance of 83.76' thence N 82° 56' 37" W a distance  
547 of 52.85' thence N 53° 59' 27" W a distance of 169.86'  
548 thence S 74° 09' 29" W a distance of 38.95' thence S

549        42° 24' 26" W a distance of 200.54' thence N 89° 54'  
550        24" W a distance of 37.22' thence N 32° 32' 32" W a  
551        distance of 185.15' thence S 71° 34' 35" W a distance  
552        of 201.21' thence S 47° 24' 18" W a distance of 38.59'  
553        thence S 84° 04' 21" W a distance of 103.95' thence N  
554        25° 10' 43" E a distance of 344.7' thence S 67° 41'  
555        13" E a distance of 200.79' thence N 47° 03' 32" E a  
556        distance of 269.39' thence N 49° 21' 58" E a distance  
557        107.11' thence N 11° 16' 37" E a distance of 174.34'  
558        thence N 14° 07' 20" E a distance of 283.42' thence N  
559        25° 20' 31" E a distance of 176.78' thence N 45° 17'  
560        17" E a distance of 194.89' thence N 36° 45' 42" E a  
561        distance of 89.68' thence N 08° 12' 15" W a distance of  
562        401.86 thence S 30° 59' 55" W a distance of 29.34' thence  
563        N 89° 30' 00" W a distance of 87.98' thence N 06° 15' 00" E  
564        a distance of 653.29' thence S 89° 29' 57" E a distance  
565        of 405.26' thence N 31° 00' 19" E a distance of 928.40'  
566        thence N 89° 30' 00" W a distance of 795.99' thence N  
567        06° 15' 00" E a distance of 1306.57' thence S 89° 30' 00" E  
568        a distance of 245.24' thence S 41° 39' 46" E a distance  
569        of 85.02 thence along MHWL N 84° 12' 36" E a distance  
570        of 75.70' thence N 84° 48' 41" E a distance of 60.12'  
571        thence N 85° 46' 08" E a distance of 31.01' thence N  
572        81° 34' 07" E a distance of 124.11' thence N 71° 34'  
573        19" E a distance of 125.95' thence N 69° 34' 04" E a

574 distance of 71.70' thence con't along said MHWL S 83°  
575 58' 50" E a distance of 91.76' thence S 77° 25' 10" E a  
576 distance of 66.90' thence S 89° 35' 54" E a distance  
577 of 65.91' thence N 74° 03' 21" E a distance of 85.96'  
578 thence cont along MHWL on northerly side of Port  
579 Manatee S 87° 49' 54" E a distance of 256.55' thence N  
580 64° 08' 51" E a distance of 118.68' thence N 58° 51'  
581 27" E a distance of 106.97' thence N 90° 00' 00" E a  
582 distance of 32.45' thence N 44° 26' 47" E a distance  
583 of 64.36' thence cont along said MHWL between Port  
584 Manatee and Piney Point N 22° 59' 12" E distance of  
585 122.33' thence N 32° 49' 10" E a distance of 129.72'  
586 thence N 12° 31' 40" E a distance of 38.19' thence N  
587 24° 48' 58" E a distance of 118.12' thence N 16° 25'  
588 '47" E a distance of 107.89' thence N 23° 40' 54" E a  
589 distance of 85.84' thence N 20° 16' 13" E a distance  
590 of 77.45' thence N 06° 36' 22" E a distance of 81.77'  
591 thence N 18° 56' 55" E a distance of 212.48' thence N  
592 40° 41' 40" E a distance of 109.25' thence N 42° 46'  
593 34" W a distance 71.88' thence N 61° 43' 42" W a  
594 distance of 365.29' thence cont along said MHWL S 09°  
595 23' 40" W a distance of 84.26' thence S 12° 07' 20" E  
596 a distance of 55.20' thence S 38° 44' 27" E a distance  
597 of 119.03' thence S 32° 18' 23" E a distance of 32.76'  
598 thence S 46° 26' 41" E a distance of 58.05' thence

599       cont along said MHWL S 33° 22' 22" E a distance of  
600       28.20' thence S 11° 08' 57" E a distance of 55.95'  
601       thence S 04° 05' 31" W a distance of 47.24' thence S  
602       81° 21' 03" W a distance of 25.28' thence N 50° 01' 51"  
603       W a distance of 21.98' thence N 03° 04' 16" E a  
604       distance of 30.46' thence N 40° 52' 58" W a distance  
605       of 24.28' thence N 73° 46' 50" E a distance of 20.59'  
606       thence N 01° 23' 18" W a distance of 28.79' thence N  
607       44° 20' 10" W a distance of 106.02' thence N 52° 53'  
608       48" W a distance of 63.82' thence N 42° 13' 45" W a  
609       distance of 61.71' thence N 14° 03' 11" W a distance  
610       of 58.45' thence continued along said MHWL N 53° 00'  
611       29" W a distance of 28.33' thence N 05° 52' 34" W a  
612       distance of 25.83' thence N 23° 39' 27" E distance of  
613       15.75' thence N 00° 42' 19" W a distance of 62.69'  
614       thence N 21° 33' 24" W a distance of 51.13' thence cont  
615       along MHWL said point lying on the southerly side of  
616       Piney Point N 61° 44' 16" W a distance of 40.30' thence  
617       N 80° 09' 19" W a distance of 37.06' thence S 80° 27'  
618       42" W a distance of 31.65' thence N 67° 45' 37" W a  
619       distance of 23.24' thence N 02° 11' 39" W a distance  
620       of 13.62' thence S 61° 27' 37" E a distance of 22.30'  
621       thence cont along MHWL thence N 70° 09' 07" E a  
622       distance of 25.52' thence N 54° 29' 37" E a distance  
623       of 134.04' thence cont along said MHWL point being

624       most northerly side of Piney Point N 88° 28' 44"E a  
625       distance of 48.18' thence S 80° 19' 03" E a distance  
626       of 80.55' thence N 65° 09' 03" E a distance of 35.10'  
627       thence S 58° 23' 58" E a distance of 48.51' thence N  
628       70° 36' 00" E a distance of 41.20' thence S 57° 37'  
629       44" E a distance of 51.59' thence N 85° 40' 16" E a  
630       distance of 42.39' thence N 63° 49' 06" E a distance  
631       of 36.41' thence S 79° 53' 46" E a distance of 23.46'  
632       thence S 67° 11' 50" E a distance of 65.33' thence S  
633       87° 49' 35" E a distance of 78.78' thence N 87° 44'  
634       29" E a distance of 66.56' thence N 69° 02' 32" E a  
635       distance of 47.64' thence cont along said MHWL N 77°  
636       48' 22" E a distance of 57.21' thence N 72° 35' 46" E  
637       a distance of 57.61' thence N 67° 51' 14" E a distance  
638       of 51.28' hence N 01° 58' 56" E a distance of 48.64'  
639       thence N 38° 40' 23" E a distance of 39.12' thence N  
640       90° 00' 00" E a distance of 22.22' thence S 49° 14'  
641       59" E a distance of 21.27' thence S 37° 59' 05" E a  
642       distance of 28.88' thence S 00° 39' 05" W a distance  
643       of 48.87' thence cont on said MHWL N 59° 13' 40" E a  
644       distance of 30.39' thence N 70° 30' 22" E for a  
645       distance of 28.29' thence N 14° 47' 20" E for a  
646       distance of 31.24' thence N 28° 41' 51" E a distance  
647       of 42.12' thence N 10° 00' 00" W a distance of 41.84'  
648       thence N 56° 13' 32" E a distance of 29.03' thence N

649        90° 00' 00" E a distance of 30.69' thence S 01° 08'  
650        47" E a distance of 34.86' thence N 47° 30' 11" E a  
651        distance of 56.76' thence N 33° 53' 58" E a distance  
652        of 56.27' thence N 70° 21' 17" E a distance of 31.10'  
653        thence cont along said MHWL N 29° 48' 31" E a distance  
654        of 255.11 thence N 27° 27' 03"E a distance of 208.93  
655        thence N 33° 23' 54" E a distance of 214.28' thence N  
656        33° 17' 14" E a distance of 136.49" thence N 76° 02'  
657        27" E a distance of 135.64' to the point of beginning.  
658

659        Nothing in this charter, including this section, relating to the  
660        granting of powers, shall grant the Port Authority any rights or  
661        authority related to piloting, including, but not limited to,  
662        the examination, appointment, or licensing of pilots, performing  
663        any acts or activities of pilots or pilotage, or fixing the  
664        rates of pilots, all of which shall be governed by the laws of  
665        the State of Florida and chapter 310.

666        Section 8.7. Contracts for borrowing of money.—Pursuant to  
667        chapter 315, Florida Statutes, and this charter, the Port  
668        Authority may contract with any person, firm, corporation, or  
669        public body or with the United States or any agency or  
670        instrumentality thereof for the borrowing of money for paying  
671        all or any part of the cost of any one or more port facilities,  
672        and any such contract may contain such terms, conditions, or  
673        provisions as the Port Authority may determine not in conflict

674 with the provisions of this charter or chapter 315, Florida  
675 Statutes. The provisions of section 14 ~~13~~ of this charter  
676 applicable to bonds shall be applicable also to contracts  
677 entered into under the above provisions of this section. Any  
678 such contract may be hypothecated by the Port Authority and the  
679 Port Authority may borrow money under such terms and conditions  
680 as it shall determine in anticipation of the receipt of funds  
681 under such contract.

682 Section 9.8. Taxation and judgment liens ~~Exemption from~~  
683 ~~taxation.~~—As adequate port facilities are essential for the  
684 welfare of the inhabitants and the industrial and commercial  
685 development of the area within or served by the Port Authority,  
686 and as the exercise of the powers conferred by this charter to  
687 effect such purposes constitute the performance of proper public  
688 and governmental functions, and as such port facilities  
689 constitute public property and are used for public purposes,  
690 property, real and personal, tangible and intangible, now owned  
691 or hereinafter acquired and held by the Port Authority, the Port  
692 Authority shall not be required to pay any state, county,  
693 municipal, or other taxes or assessments thereof, or upon the  
694 income therefrom, and any bonds issued under the provisions of  
695 this charter, their transfer and the income therefrom, including  
696 any profit made on the sale thereof, shall at all times be free  
697 from taxation within the state. No judgment or decree, writ of  
698 execution, or any other writ issued or tendered against the Port

699     Authority shall be a lien upon the real or personal property now  
700     owned or hereafter acquired and held by the Port Authority. All  
701     property, both real and personal, tangible and intangible, now  
702     owned or hereafter acquired and held by the Port Authority shall  
703     be exempt from sale, under writ of execution and any other  
704     judicial sale.

705       Section 10.9. Resolutions authorized.—All action required  
706     or authorized to be taken under the provisions of this charter  
707     or chapter 315, Florida Statutes, by the Port Authority may be  
708     by resolution, which resolution may be adopted at the meeting of  
709     the Port Authority at which such resolution is introduced and  
710     shall take effect immediately upon such adoption. Except as  
711     otherwise provided in this charter, no resolution under this  
712     charter need be published or posted, nor shall any such  
713     resolution require for its passage more than a majority of all  
714     the members of the Port Authority then in office.

715       Section 11.10. Liberal construction.—This charter, being  
716     necessary for the welfare of the inhabitants of the state, shall  
717     be liberally construed to effect the purposes thereof.

718       Section 12.11. Chapter cumulative.—This charter shall be  
719     deemed to provide an additional and alternative method for the  
720     doing of the things authorized hereby and shall be regarded as  
721     supplemental and additional to the powers conferred by any other  
722     law, and shall not be regarded as in derogation of any powers  
723     now existing. Bonds may be issued and any other action may be

724 taken hereunder notwithstanding that any other law may provide  
725 for the issuance of bonds for like purposes or the taking of  
726 like action and without regard to the requirements,  
727 restrictions, or procedural provisions contained in any other  
728 law.

729       Section 13.12. Bonds.—Pursuant to chapter 315, Florida  
730 Statutes, and this charter, the Port Authority is hereby  
731 authorized to provide by resolution, at one time or from time to  
732 time, for the issuance of bonds for the purpose of paying all or  
733 a part of the cost of any one or more port facilities, including  
734 the cost of enlargement, expansion, or development of the Port  
735 Authority whether the property used there has previously been  
736 acquired or not and the cost of removing therefrom or relocating  
737 or reconstructing at another location any buildings, structures,  
738 or facilities, which in the opinion of the Port Authority  
739 constitute obstructions or hazards to the safe or efficient  
740 operation of any such project or for the purposes of paying off  
741 and retiring any bonds issued or assumed under the provisions of  
742 this act. The bonds of each issue or series shall be dated,  
743 shall bear interest, and shall mature at such time or times not  
744 exceeding 40 years from their date or dates, as may be  
745 determined by the Port Authority, and may be made redeemable  
746 before maturity, at the option of the Port Authority, at such  
747 price or prices and under such terms and conditions as may be  
748 fixed by the Port Authority prior to the issuance of the bonds.

749 The Port Authority shall determine the form of the bonds,  
750 including any interest coupons to be attached thereto, and the  
751 manner or execution of the bonds, and shall fix the denomination  
752 or denominations of the bonds, and the place or places of  
753 payment of principal and interest, which may be at any bank or  
754 trust company within or without the state. The resolution  
755 authorizing the issuance of the bonds shall contain such  
756 provisions relating to the use of the proceeds from the sale of  
757 the bonds and for the protection and security of holders of the  
758 bonds, including their rights and remedies, and the rights,  
759 powers, privileges, duties, and obligations of the Port  
760 Authority with respect to the same, as shall be determined by  
761 the Port Authority. In case any officer whose signature or a  
762 facsimile of whose signature shall appear on the bonds or  
763 coupons shall cease to be such officer before the delivery of  
764 such bonds, such signature or such facsimile shall nevertheless  
765 be valid and sufficient for all purposes the same as if he or  
766 she had remained in office until such delivery, and any bond may  
767 bear the facsimile signature of, or may be signed by, such  
768 persons as at the actual time of the execution of such bond  
769 shall be the proper officers to sign such bond, although at the  
770 date of such bond such persons may not have been such officers.  
771 Notwithstanding any other provisions of this charter or any  
772 recitals in any bonds issued under the provisions of this  
773 charter, all such bonds shall be deemed to be negotiable

774 instruments under the laws of Florida. The bonds shall ~~may~~ be  
775 issued ~~in coupon or~~ in registered form, ~~or both,~~ as the Port  
776 Authority may determine, ~~and provision may be made for the~~  
~~registration of any coupon bonds as to principal alone and also~~  
777 ~~as to both principal and interest, for the reconversion into~~  
778 ~~couponed bonds of any bonds registered as to both principal and~~  
779 ~~interest, and for the interchange of coupon and registered~~  
780 ~~bonds.~~ The issuance of such bonds shall not be subject to any  
781 limitation or conditions contained in any other law, and any  
782 bonds issued under this charter shall not be considered in  
783 computing the amount of indebtedness which ~~Manatee County or~~ the  
784 Port Authority may incur under any other law. The Port Authority  
785 may sell such bonds in such manner, either at public or private  
786 sale and for such price, as it may determine to be for the best  
787 interest of the Port Authority. Prior to the delivery of  
788 definitive bonds, the Port Authority may, under like  
789 restrictions, issue interim receipts or temporary bonds, ~~with or~~  
790 ~~without coupons,~~ exchangeable for definitive bonds when such  
791 bonds have been executed and are available for delivery. The  
792 Port Authority may also provide for the replacement of any bonds  
793 which have become mutilated or destroyed or lost. Bonds may be  
794 issued under the provisions of this charter without obtaining  
795 the consent of any commission, board, bureau, or agency of the  
796 state, and without any other proceeding or the happening of any  
797

798 other condition or thing than those proceedings, conditions, or  
799 things which are specifically required by this charter.

800       Section 14.13. Source of payment and security for bonds.—  
801 The Port Authority may provide that bonds issued under the  
802 provisions of this charter or chapter 315, Florida Statutes,  
803 shall be payable from and secured by a pledge of any one or more  
804 of the following sources:

805       (1) Revenues of any one or more port facilities now owned  
806 or hereafter acquired or constructed by the Port Authority.

807       (2) Proceeds of the sale or lease of all or any part of  
808 any port facilities now or hereafter owned by the Port Authority  
809 as such facilities may be extended, enlarged, or improved, or of  
810 any property improved, created, extended, or enlarged or  
811 prepared for sale or lease under the authority of this charter.

812       (3) Any money received by the Port Authority from the  
813 United States or any agency or instrumentality thereof in  
814 connection with any port facilities or in repayment of any  
815 advances made by the Port Authority for all or any part of the  
816 cost of any port facilities.

817       (4) Any funds received or to be received from the State of  
818 Florida under authority of chapter 315, Florida Statutes. The  
819 Legislature does hereby covenant with the holders of bonds  
820 issued pursuant to the provisions of this law that it will not  
821 enact any law which will repeal, impair or amend, in any manner,  
822 the rights of such holders or the security of the taxes received

HB 4073

2026

823 pursuant to s. 212.20, Florida Statutes, which may be pledged to  
824 the payment of the principal or of interest on such bonds and  
825 the redemption premium, if any.

826

827 The Board of County Commissioners of Manatee County may provide  
828 that such bonds shall be additionally secured by the full faith  
829 credit and taxing power of said Manatee County and that the  
830 county shall be irrevocably and unconditionally obligated to  
831 levy ad valorem taxes upon all taxable property within said  
832 county without limit as to rate or amount for the payment of the  
833 principal of and interest on said bonds to the full extent that  
834 the revenues or other funds pledged for such principal and  
835 interest on said bonds by the authority are insufficient  
836 therefor. No pledge of the full faith and credit of said county  
837 for the payment of the principal of and interest on said bonds  
838 shall be made, however, until the same shall have been approved  
839 by the qualified electors who are freeholders residing in said  
840 county in the manner provided in the constitution and statutes  
841 of the State of Florida. The Port Authority may ~~additionally~~  
842 secure any such bonds by ~~a mortgage or~~ other encumbrance,  
843 subject to such terms and conditions as it shall provide, upon  
844 all or any part of any port facilities now or hereafter owned by  
845 the Port Authority, as such facilities may be extended,  
846 enlarged, or improved, or of any property of the Port Authority  
847 improved, created, extended, or enlarged or prepared for sale or

848 lease under the authority of this charter, and the Port  
849 Authority is hereby authorized to sell at public or private  
850 sale, or lease any such port facilities or property, subject to  
851 such terms and conditions and for such price, payable at one  
852 time or from time to time in installments as the Port Authority  
853 may provide, and to apply the proceeds of any such sale or  
854 lease, after paying all costs in connection therewith, to  
855 payment of the cost of any port facilities financed under the  
856 provisions of this law or to the payment of the principal or of  
857 the interest or redemption premiums on any bonds issued  
858 hereunder or to the payment of any other obligation or  
859 obligations herein authorized.

860       Section 15.14. Refunding bonds.—Pursuant to chapter 315,  
861 Florida Statutes, and this charter, the Port Authority is hereby  
862 authorized by resolution to provide for the issuance of  
863 refunding bonds of the Port Authority for the purpose of  
864 refunding any bonds then outstanding which shall have been  
865 issued under the provisions of this charter or which shall have  
866 been issued to provide funds for the payment of the cost of any  
867 port facilities under the provision of any other charter,  
868 including the payment of any redemption premium thereof and any  
869 interest accrued or to accrue to the date of redemption of such  
870 bonds, and, if deemed advisable by the Port Authority, for the  
871 additional purpose of acquiring or constructing additional port  
872 facilities. The issuance of such bonds, the maturities and other

873 details thereof, the rights of the holders thereof, and the  
874 rights, duties, and obligations of the Port Authority in respect  
875 of the same, shall be governed by the provisions of this charter  
876 insofar as the same may be applicable.

877 Section 16.15. Trust agreement or resolution.—In the  
878 discretion of the Port Authority, any bonds issued under the  
879 provisions of chapter 315, Florida Statutes, or this charter may  
880 be secured by a resolution or a trust agreement by and between  
881 the Port Authority and a corporate trustee, which may be any  
882 trust company or bank having the powers of a trust company  
883 within or without the state. Such trust agreement or the  
884 resolution providing for the issuance of such bonds may contain  
885 such provisions for protecting and enforcing the rights and  
886 remedies of the bondholders as may be reasonable and proper and  
887 not in violation of law, including covenants setting forth the  
888 use of bond proceeds and the duties of the Port Authority in  
889 relation to the acquisition of property and the acquisition,  
890 construction, improvement, maintenance, repair, lease,  
891 operating, and insurance of any port facilities in connection  
892 with which such bonds shall have been authorized, the custody,  
893 safeguarding, or application of all moneys, and conditions or  
894 limitations with respect to the issuance of additional bonds. It  
895 shall be lawful for any bank or trust company incorporated under  
896 the laws of Florida which may act as depositary of the proceeds  
897 of bonds or of revenue or other funds to furnish such

898 indemnifying bonds or to pledge such securities as may be  
899 required by the Port Authority. Any such trust agreement or  
900 resolution may set forth the rights and remedies of the  
901 bondholders and of the trustee under any such trust agreement or  
902 resolution, and may restrict the individual right of action by  
903 bondholders. In addition to the foregoing, any such trust  
904 agreement or resolution may contain such other provisions as the  
905 Port Authority may deem reasonable and proper for the security  
906 of the bondholders. All expenses incurred in carrying out the  
907 provisions of such trust agreement or resolution shall be  
908 treated as a part of the cost of the operation of the port  
909 facilities.

910 Section 17.16. Status as legal investments.—Bonds issued  
911 under the provisions of chapter 315, Florida Statutes, or this  
912 charter are hereby made securities in which all public officers  
913 and public bodies of the state and its political subdivisions,  
914 all insurance companies, trust companies, banking associations,  
915 investment companies, executors, administrators, trustees, and  
916 other fiduciaries may properly and legally invest funds,  
917 including capital in their control or belonging to them. Such  
918 bonds are hereby made securities which may properly and legally  
919 be deposited with and received by any state or county officer or  
920 any agency or political subdivision of the state for any purpose  
921 for which the deposit of bonds or obligations of the Port  
922 Authority ~~Manatee County~~ is now or may hereafter be authorized

HB 4073

2026

923 by law.

924       Section 18.17. Remedies of bondholders.—Any holder of  
925 bonds issued under the provisions of this charter ~~or any of the~~  
926 ~~coupons appertaining thereto~~, and the trustee under any trust  
927 agreement or resolution, except to the extent the rights herein  
928 given may be restricted by such trust agreement or the  
929 resolution authorizing the issuance of such bonds may, either at  
930 law or in equity, by suit, action, mandamus, or other  
931 proceedings, protect and enforce any and all rights under the  
932 laws of the state or granted hereunder or under such trust  
933 agreement or resolution, and may enforce and compel the  
934 performance of all duties required by this charter or by bank  
935 trust agreement or resolution to be performed by the Port  
936 Authority or by any officer thereof, including the fixing,  
937 charging, and collecting of rates, rentals, and other charges.

938       Section 19. Budget and finance.—The books, audits, and  
939 records of the Port Authority shall at all reasonable hours on  
940 regular business days be open to inspection as provided by law.  
941 All money of the Port Authority shall be kept fully and  
942 adequately secured at all times. The books and public records of  
943 the Port Authority shall be audited by an independent auditor  
944 annually. The fiscal year of the Port Authority shall begin  
945 October 1 of each year and end September 30 of each year, unless  
946 otherwise determined by the Port Authority.

947       Section 20. Rights of bondholders.—All bonds issued by the

948 former Port Authority, a dependent district, are the liability,  
949 responsibility, and obligation of the Port Authority, an  
950 independent special district, and continue to be secured as  
951 provided in such bonds. The rights of the holders of existing  
952 outstanding bonds shall be unimpaired. Rights, duties, and  
953 obligations of the Port Authority are ratified and remain  
954 unchanged.

955 Section 21. Transfer of assets and liabilities.—Effective  
956 October 1, 2026, the former Port Authority, a dependent  
957 district, shall become the Port Authority, an independent  
958 special district, with all contracts, assets, obligations, and  
959 liabilities of the former Port Authority becoming the contracts,  
960 assets, obligations, and liabilities of the Port Authority as an  
961 independent special district. The former Port Authority shall  
962 take all actions necessary to convey, assign or transfer, and  
963 setover:

964 (1) All of the rights, titles, and interests of the former  
965 Port Authority in and to its marine port facilities, including,  
966 without limitation, its real and personal property and any  
967 interests therein, books, records, contracts, leases, and all  
968 other property of any kind or nature related to the operation of  
969 the marine port, by operation of this act, and without further  
970 act, to the Port Authority.

971 (2) All contracts and leases relating to the former Port  
972 Authority's marine port operations shall, by this and without

973 further act, become contracts and leases of the Port Authority.  
974 All accounts receivable, accounts payable, and cash on hand  
975 relating to the former Port Authority's marine port operations  
976 shall, by operation of this act, and without further act, be  
977 transferred or delivered to the Port Authority.

978 (3) All operating expenses, including taxes of all kinds  
979 and all revenue and expense accruals of the former Port  
980 Authority's marine operations shall be transferred to the Port  
981 Authority, on the effective date at transfer.

982 (4) The conveyances specified in this section shall be  
983 effective as of October 1, 2026.

984 Section 22. Rights of employees.—Effective October 1,  
985 2026, in order to preserve the rights of employees of the former  
986 Port Authority to continue participation in the Florida  
987 Retirement System pursuant to chapter 121, Florida Statutes, the  
988 Port Authority created by this act shall be a county agency and  
989 employees of the Port Authority who are currently participating  
990 the Florida Retirement System and all employees after October 1,  
991 2026, shall participate in the Florida Retirement System,  
992 notwithstanding any law to the contrary. It is expressly  
993 provided that none of the employees of the former Port Authority  
994 shall lose any rights or benefits of whatsoever kind or nature  
995 afforded to them by any law or existing policy, or plan,  
996 including, but not limited to, pension benefits by virtue of the  
997 change in corporate structure. All employment rights and

998 employee benefits that existed on with the former Port Authority  
999 on September 30, 2026, are hereby confirmed, ratified, and  
1000 continued, effective October 1, 2026, with the Port Authority as  
1001 an independent special district.

1002 Section 23. Direct-support organization.—The Port  
1003 Authority shall have the power and authority to establish a  
1004 direct-support organization to receive, hold, invest, and  
1005 administer property; to make expenditures to or for the benefit  
1006 of the Port Authority; and to promote the development and  
1007 expansion of the economic, historical, and cultural  
1008 contributions of the maritime industry of the Port Authority. A  
1009 direct-support organization established pursuant to this section  
1010 shall be approved by the Port Authority and be a corporation not  
1011 for profit, incorporated under chapter 617, Florida Statutes,  
1012 and approved by the Department of State. The direct-support  
1013 organization shall be organized and operated exclusively to  
1014 carry out the purposes set forth in this charter.

1015 (1) The direct-support organization is authorized and  
1016 permitted to use property, facilities, and employee services of  
1017 the Port Authority subject to the conditions prescribed by the  
1018 Port Authority. The conditions shall provide for budget and  
1019 audit review and oversight by the Port Authority.

1020 (2) The direct-support organization shall provide equal  
1021 employment opportunities to all persons, regardless of race,  
1022 color, religion, sex, age, or national origin.

1023        (3) The board of directors of the direct-support  
1024 organization shall be appointed by the Port Authority and shall  
1025 include the chair of the Port Authority, or his or her designee,  
1026 and the chief executive officer as members. The Port Authority  
1027 shall approve the articles of incorporation and bylaws of the  
1028 direct-support organization and any amendments thereto.

1029        (4) The annual budget of the direct-support organization  
1030 shall be presented to and approved by the Port Authority on or  
1031 before the beginning of the fiscal year adopted by the direct-  
1032 support organization. In any fiscal year in which the direct-  
1033 support organization has more than \$100,000 in expenditures or  
1034 expenses, the direct-support organization shall provide an  
1035 annual financial audit of its accounts and records, to be  
1036 conducted by an independent certified public accountant in  
1037 accordance with the rules adopted by the Auditor General  
1038 pursuant to s. 11.45(8), Florida Statutes. The annual audit  
1039 report shall be submitted within 9 months after the end of the  
1040 fiscal year to the Port Authority. The Auditor General and  
1041 Office of Program Policy Analysis and Government Accountability  
1042 have the authority to require and receive from the direct-  
1043 support organization any records relative to the operation of  
1044 the organization.

1045        Section 24. Control or jurisdiction over authority.—The  
1046 rates, rentals, tolls, and other revenues and income of the Port  
1047 Authority and its contracts, agreements, and acts shall not be

HB 4073

2026

1048     subject to the regulation by the state or any board, lobby,  
1049     body, agency, or political subdivision thereof, except as  
1050     otherwise set forth in the charter or as required by applicable  
1051     law.

1052     **Section 2.**     This act shall be construed as remedial and  
1053     shall be liberally construed to promote the purpose for which it  
1054     is intended.

1055     **Section 3.**     In the event that any part of this act should  
1056     be held void for any reason, such holding shall not affect any  
1057     other part thereof.

1058     **Section 4.**     This act shall take effect upon becoming a law.