

CHAPTER 2016-122

Committee Substitute for House Bill No. 299

An act relating to expressway authorities; amending s. 348.0003, F.S.; revising membership of the governing body of certain expressway authorities; providing procedures when there is a vacancy or conclusion of a term; revising qualifications for membership on the governing body of certain expressway authorities; providing for termination from an authority's governing body upon a finding of a violation of specified ethical conduct provisions or failure to comply with a notice of failure to comply with financial disclosure requirements; providing an effective date.

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

Section 1. Paragraph (d) of subsection (2) and paragraph (a) of subsection (5) of section 348.0003, Florida Statutes, are amended, and paragraph (l) is added to subsection (5) of that section, to read:

348.0003 Expressway authority; formation; membership.—

(2) The governing body of an authority shall consist of not fewer than five nor more than nine voting members. The district secretary of the affected department district shall serve as a nonvoting member of the governing body of each authority located within the district. Each member of the governing body must at all times during his or her term of office be a permanent resident of the county which he or she is appointed to represent.

(d) Notwithstanding any provision to the contrary in this subsection, in any county as defined in s. 125.011(1), the governing body of an authority shall consist of up to nine ~~13~~ members, and the following provisions of this paragraph shall apply specifically to such authority. Except for the district secretary of the department, the members must be residents of the county. Five ~~Seven~~ voting members shall be appointed by the governing body of the county. At the discretion of the governing body of the county, up to two of the members appointed by the governing body of the county may be elected officials residing in the county. Three ~~Five~~ voting members of the authority shall be appointed by the Governor. One member shall be the district secretary of the department serving in the district that contains such county. This member shall be an ex officio voting member of the authority. If the governing ~~body board~~ of an authority includes any member originally appointed by the governing body of the county as a nonvoting member, when the term of such member expires, that member shall be replaced by a member appointed by the Governor until the governing body of the authority is composed of five ~~seven~~ members appointed by the governing body of the county and three ~~five~~ members appointed by the Governor. A member of the authority serving as of July 1, 2016, may serve the remainder of his or her term. However, upon the conclusion of the term or upon vacancy, such

expired term or vacancy may not be filled except if such appointment meets the requirements of this section. When the term of a member expires or a vacancy occurs, the member shall not be replaced by the appointing entity until the governing body of the authority is composed of five voting members appointed by the governing body of the county and three voting members appointed by the Governor, which three members shall not include the district secretary serving as an ex officio member. Except as provided in subsection (5), the qualifications, terms of office, and obligations and rights of members of the authority shall be determined by resolution or ordinance of the governing body of the county in a manner that is consistent with subsections (3) and (4).

(5) In a county as defined in s. 125.011(1):

(a)1. A lobbyist, as defined in s. 112.3215, may not be appointed or serve as a member of the governing body of an authority.

2. A person may not be appointed to or serve as a member of the governing body of an authority if that person currently represents or has in the previous 4 years represented any client for compensation before the authority.

3. A person may not be appointed to or serve as a member of the governing body of an authority if that person currently represents or has in the previous 4 years represented any person or entity that is doing business, or in the previous 4 years has done business, with the authority.

(1) A finding of a violation of this subsection or chapter 112, or failure to comply within 90 days after receiving a notice of failure to comply with financial disclosure requirements, results in immediate termination from the governing body of the authority.

Section 2. This act shall take effect July 1, 2016.

Approved by the Governor March 25, 2016.

Filed in Office Secretary of State March 25, 2016.