

CHAPTER 2026-189

Committee Substitute for House Bill No. 4005

An act relating to the City of Naples Airport Authority, Collier County; amending chapter 69-1326, Laws of Florida, as amended, relating to the City of Naples Airport Authority; removing provisions relating to authority members' duties and responsibilities; removing provisions that prohibit officers and employees of the city from being authority members; removing provisions that prohibit authority members from receiving compensation; providing for authority memberships by election rather than by appointment; providing requirements for elections; providing authority membership terms and qualifications; providing interim services and vacancy fillings; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Section 3 of chapter 69-1326, Laws of Florida, as amended by chapters 79-516 and 90-468, Laws of Florida, is amended to read:

Section 3. There is hereby created a body politic and corporate to be known as the City of Naples Airport Authority for the purpose of operating and maintaining the airport facilities at the City of Naples Municipal Airport, located in Collier County, Florida, or any other airport in Collier County which the airport authority may contract to operate. The authority is hereby constituted a public instrumentality, and the exercise by the authority of the powers conferred by this act shall be deemed and held to be the performance of essential governmental functions.

~~Said authority shall not transact any business or exercise its powers hereunder until or unless the city council of the City of Naples by proper resolution shall declare that there is need for the authority to function. The determination as to whether there is such need for the authority to function may be made by the city council on its own motion. In any suit, action or proceeding involving the validity or enforcement of or relating to any contract of the authority, the authority shall be conclusively deemed to have become established and authorized to transact business and exercise its powers hereunder upon proof of the adoption of a resolution by the city council declaring the need for the authority. A copy of such resolution duly certified by the clerk shall be admissible in evidence in any suit, action or proceeding.~~

The city council by an affirmative vote of four (4) members of the council shall appoint five (5) persons as members ~~commissioners~~ of the authority created for the city. Three (3) of the members ~~commissioners~~ who are first appointed shall be designated to serve for terms of 1, 2, and 3 ~~one (1), two (2)~~

~~and three (3) years, respectively; and the remaining two (2) of such members commissioners shall be designated to serve for terms of 4 four (4) years each, from the date of their appointment. Thereafter, members commissioners shall be appointed as aforesaid for a term of office of 4 four (4) years, except that all vacancies shall be filled for the unexpired term. No commissioner of the authority may be an officer or employee of the city. A commissioner shall hold office until his successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk, and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner. A commissioner shall receive no compensation for his services, but he shall be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of his duties.~~

Beginning with the 2026 general election, the authority shall be composed of five members, with three members, designated as seats 1, 2, and 3, who are residents of the City of Naples, and two members, designated as seats 4 and 5, who are residents of Collier County outside of the municipal boundaries of the City of Naples. All members shall be elected by the qualified electors of Collier County. All members shall be elected at the 2026 general election, with the members elected from odd-numbered seats for a term of 4 years and even-numbered seats for a term of 2 years. Thereafter, elections shall be held to replace members upon expiration of their terms with terms of 4 years each.

Each member must have spent at least 5 years engaged in financial management, small business operations, or aerospace as defined in s. 331.303, Florida Statutes. At the time of qualifying, a candidate for the authority must submit an affirmation of meeting this requirement to the Supervisor of Elections. Qualification and election of members of the authority shall be as prescribed by the general election laws of Florida.

Members of the authority as of the effective date of this act shall serve until the certification of the November 2026 general election results. Each elected member of the authority shall hold office until a successor has been elected. A vacancy occurring during a term of a member shall be filled only for the balance of the unexpired term, such appointments to be made by the Governor.

All meetings of the authority shall be public meetings, and the powers of the authority shall be vested in the members ~~commissioners~~ thereof in office from time to time. Three members ~~(3) commissioners~~ shall constitute a quorum of the authority for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the authority upon a vote of a majority of the members ~~commissioners~~ present, unless in any case the bylaws of the authority shall require a larger number. The mayor with the concurrence of the city council shall designate which of

~~the commissioners appointed shall be the first chairman, but when the office of the chairman of the authority thereafter becomes vacant, the authority shall select a chairman from among its commissioners. The authority shall select from among its members commissioners a chair and a vice chair chairman, and it may employ a secretary (who shall be executive director), technical experts and such other officers, agents and employees, permanent and temporary, as it may require and shall determine their qualifications, duties and compensation. For such legal services as it may require, the authority may call upon the chief law officer of the city or may employ its own counsel and legal staff. The authority may delegate to one (1) or more of its agents or employees such powers or duties as it may deem proper.~~

~~For inefficiency or neglect of duty or misconduct in office, a commissioner of the authority may be removed by an affirmative vote of five (5) members of the city council, but a commissioner shall be removed only after he shall have been given a copy of the charges at least ten (10) days prior to the hearing thereon and had an opportunity to be heard in person or by counsel. In the event of the removal of any commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the clerk.~~

Section 2. This act shall take effect upon becoming a law.

Approved by the Governor April 6, 2026.

Filed in Office Secretary of State April 6, 2026.