

1 A bill to be entitled

2 An act relating to expressway authorities; amending s.
3 348.0003, F.S.; revising provisions for membership of
4 an expressway authority in specified counties;
5 requiring members of each expressway authority,
6 transportation authority, bridge authority, or toll
7 authority to comply with specified financial
8 disclosure requirements; prohibiting certain
9 activities by authority board members and executive
10 directors during and after membership or employment;
11 providing for violations; providing for an ethics
12 officer; requiring disclosure of certain relationships
13 and interest; prohibiting employees and consultants
14 from membership on a board; providing for a code of
15 ethics policy; amending s. 348.0004, F.S.; requiring
16 approval by the governing board of the county for a
17 toll increase by an expressway authority in specified
18 counties; amending ss. 348.52, 348.753, and 348.9952,
19 F.S., relating to the Tampa-Hillsborough County
20 Expressway Authority, the Orlando-Orange County
21 Expressway Authority and the Osceola County Expressway
22 Authority, respectively; prohibiting certain
23 activities by authority board members and executive
24 directors during and after membership or employment;
25 providing for violations; providing for an ethics
26 officer; requiring disclosure of certain relationships

27 and interest; prohibiting employees and consultants
28 from membership on a board; providing for a code of
29 ethics policy; providing an effective date.
30

31 Be It Enacted by the Legislature of the State of Florida:
32

33 Section 1. Section 348.0003, Florida Statutes, is amended
34 to read:

35 348.0003 Expressway authority; formation; membership.—

36 (1) Any county, or two or more contiguous counties located
37 within a single district of the department, may, by resolution
38 adopted by the board of county commissioners, form an expressway
39 authority, which shall be an agency of the state, pursuant to
40 the Florida Expressway Authority Act.

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

49 (a) Two members of the authority shall be appointed for
50 terms of 4 years by the Governor, subject to confirmation by the
51 Senate. Such persons may not hold elective office during their
52 terms of office.

53 (b) For a single-county authority, the remaining members
54 shall be appointed by the board of county commissioners for
55 terms of 3 years.

56 (c) For a multicounty authority, the remaining members
57 shall be apportioned, based on the population of such counties,
58 among the counties within the authority. Each such member shall
59 be appointed by the applicable board of county commissioners for
60 a term of 3 years.

61 (d) Notwithstanding any provision of ~~to the contrary in~~
62 this subsection, in any county as defined in s. 125.011(1), the
63 governing body of an authority shall consist of nine ~~up to 13~~
64 members, and the ~~following~~ provisions of this paragraph shall
65 apply specifically to such authority. Except for the district
66 secretary of the department, the members must be residents of
67 the county. Four ~~Seven~~ voting members shall be appointed by the
68 governing body of the county. At the discretion of the governing
69 body of the county, up to two of the members appointed by the
70 governing body of the county may be elected officials residing
71 in the county. Four ~~Five~~ voting members of the authority shall
72 be appointed by the Governor. One member shall be the district
73 secretary of the department serving in the district that
74 contains such county. This member shall be an ex officio voting
75 member of the authority. If the governing board of an authority
76 includes any member originally appointed by the governing body
77 of the county as a nonvoting member, when the term of such
78 member expires, that member shall be replaced by a member

79 appointed by the Governor until the governing body of the
 80 authority is composed of four ~~seven~~ members appointed by the
 81 governing body of the county and four ~~five~~ members appointed by
 82 the Governor. The qualifications, terms of office, and
 83 obligations and rights of members of the authority shall be
 84 determined by resolution or ordinance of the governing body of
 85 the county in a manner that is consistent with this paragraph,
 86 paragraphs (e)-(i), and subsections (3)-(12) (3) and (4).

87 (e) A member of an authority appointed by the governing
 88 board of the county or appointed by the Governor may not serve
 89 as a member of any other transportation-related board,
 90 commission, or organization while serving as a member of the
 91 authority.

92 (f) A lobbyist, as defined in s. 112.3215, may not be
 93 appointed or serve as a member of an authority.

94 (g) A member of an authority may be removed from office by
 95 the Governor for misconduct, malfeasance, misfeasance, or
 96 nonfeasance in office.

97 (h) Members of an authority may receive reimbursement from
 98 the authority for travel and other necessary expenses incurred
 99 in connection with the business of the authority as provided in
 100 s. 112.061, but may not draw salaries or other compensation.

101 (i) Members of each expressway authority, transportation
 102 authority, bridge authority, or toll authority created pursuant
 103 to this chapter, chapter 343, or any other general law shall
 104 comply with the applicable financial disclosure requirements of

105 s. 8, Art. II of the State Constitution. This paragraph does not
106 subject any statutorily created authority, other than an
107 expressway authority created under this part, to any requirement
108 of this part except this paragraph.

109 (3) (a) The governing body of each authority shall elect
110 one of its members as its chair and shall elect a secretary and
111 a treasurer who need not be members of the authority. The chair,
112 secretary, and treasurer shall hold their offices at the will of
113 the authority. A simple majority of the governing body of the
114 authority constitutes a quorum, and the vote of a majority of
115 those members present is necessary for the governing body to
116 take any action. A vacancy on an authority shall not impair the
117 right of a quorum of the authority to exercise all of the rights
118 and perform all of the duties of the authority.

119 (b) Upon the effective date of his or her appointment, or
120 as soon thereafter as practicable, each appointed member of an
121 authority shall enter upon his or her duties.

122 (4) ~~(a)~~ An authority may employ an executive secretary, an
123 executive director, its own counsel and legal staff, technical
124 experts, and such engineers and employees, permanent or
125 temporary, as it may require and shall determine the
126 qualifications and fix the compensation of such persons, firms,
127 or corporations. An authority may employ a fiscal agent or
128 agents; however, the authority must solicit sealed proposals
129 from at least three persons, firms, or corporations for the
130 performance of any services as fiscal agents. An authority may

131 delegate to one or more of its agents or employees such of its
132 power as it deems necessary to carry out the purposes of the
133 Florida Expressway Authority Act, subject always to the
134 supervision and control of the authority. ~~Members of an~~
135 ~~authority may be removed from office by the Governor for~~
136 ~~misconduct, malfeasance, misfeasance, or nonfeasance in office.~~

137 ~~(b) Members of an authority are entitled to receive from~~
138 ~~the authority their travel and other necessary expenses incurred~~
139 ~~in connection with the business of the authority as provided in~~
140 ~~s. 112.061, but they may not draw salaries or other~~
141 ~~compensation.~~

142 ~~(c) Members of each expressway authority, transportation~~
143 ~~authority, bridge authority, or toll authority, created pursuant~~
144 ~~to this chapter, chapter 343, or any other general law, shall~~
145 ~~comply with the applicable financial disclosure requirements of~~
146 ~~s. 8, Art. II of the State Constitution. This paragraph does not~~
147 ~~subject any statutorily created authority, other than an~~
148 ~~expressway authority created under this part, to any other~~
149 ~~requirement of this part except the requirement of this~~
150 ~~paragraph.~~

151 (5) (a) A member or the executive director of an authority
152 may not:

153 1. Within 2 years after vacating his or her position as a
154 board member or the executive director, personally represent
155 another person or entity for compensation before the authority;

156 2. Within 2 years after vacating his or her position as a
 157 board member or the executive director, have an employment or
 158 contractual relationship with a business entity other than an
 159 agency, as defined in s. 112.312, that was doing business with
 160 the authority at any time during the person's membership on or
 161 employment by the authority; or

162 3. After vacating his or her position as a board member or
 163 the executive director, have an employment or contractual
 164 relationship with a business entity other than an agency, as
 165 defined in s. 112.312, in connection with a contract in which
 166 the member or executive director personally and substantially
 167 participated through decision, approval, disapproval,
 168 recommendation, rendering of advice, or investigation while he
 169 or she was a member or employee of the authority.

170 (b) A violation of this subsection is punishable in
 171 accordance with s. 112.317.

172 (6) An authority's general counsel shall serve as the
 173 authority's ethics officer.

174 (7) An authority board member, employee, or consultant who
 175 holds a position that may influence authority decisions may not
 176 engage in any relationship that may adversely affect his or her
 177 judgment in carrying out authority business. The following
 178 disclosures must be made annually on a disclosure form to
 179 prevent such conflicts of interest and preserve the integrity
 180 and transparency of the authority to the public:

181 (a) Any relationship that a board member, employee, or
182 consultant has which affords a current or future financial
183 benefit to such board member, employee, or consultant, or to a
184 relative or business associate of such board member, employee,
185 or consultant, and which a reasonable person would conclude has
186 the potential to create a prohibited conflict of interest.

187 (b) Whether a relative of such board member, employee, or
188 consultant is a registered lobbyist and, if so, the names of
189 such lobbyist's clients. Such names shall be provided in writing
190 to the ethics officer.

191 (c) All interests in real property that such board member,
192 employee, or consultant has, or that a relative, principal,
193 client, or business associate of such board member, employee, or
194 consultant has whenever such real property is located within, or
195 within a 1/2-mile radius of, any actual or prospective authority
196 roadway project. The executive director shall provide a corridor
197 map and a property ownership list reflecting the ownership of
198 all real property within the disclosure area, or an alignment
199 map with a list of associated owners, to all board members,
200 employees, and consultants.

201 (8) The disclosure forms filed as required under
202 subsection (7) must be reviewed by the ethics officer or, if a
203 form is filed by the general counsel, by the executive director.

204 (9) The conflict of interest process shall be outlined in
205 the authority's code of ethics.

206 (10) Authority employees and consultants may not serve on
207 the governing body of the authority while employed by or under
208 contract with the authority.

209 (11) The code of ethics policy shall be reviewed and
210 updated by the ethics officer and presented for board approval
211 at least once every 2 years.

212 (12) Employees shall be adequately informed and trained on
213 the code of ethics and shall continually participate in ongoing
214 ethics education.

215 Section 2. Paragraph (e) of subsection (2) of section
216 348.0004, Florida Statutes, is amended to read:

217 348.0004 Purposes and powers.—

218 (2) Each authority may exercise all powers necessary,
219 appurtenant, convenient, or incidental to the carrying out of
220 its purposes, including, but not limited to, the following
221 rights and powers:

222 (e) To fix, alter, charge, establish, and collect tolls,
223 rates, fees, rentals, and other charges for the services and
224 facilities system, which tolls, rates, fees, rentals, and other
225 charges must always be sufficient to comply with any covenants
226 made with the holders of any bonds issued pursuant to the
227 Florida Expressway Authority Act. However, such right and power
228 may be assigned or delegated by the authority to the department.
229 Notwithstanding any other provision of law, but subject to any
230 contractual requirements contained in documents securing any
231 indebtedness outstanding on July 1, 2014, that is payable from

232 tolls, in any county as defined in s. 125.011(1), any authority
 233 toll increase must first be approved by resolution adopted by a
 234 supermajority vote, consisting of one vote greater than a
 235 majority, of the governing board of the county. Notwithstanding
 236 s. 338.165 or any other provision of law to the contrary, in any
 237 county as defined in s. 125.011(1), to the extent surplus
 238 revenues exist, they may be used for purposes enumerated in
 239 subsection (7), provided the expenditures are consistent with
 240 the metropolitan planning organization's adopted long-range
 241 plan. Notwithstanding any other provision of law to the
 242 contrary, but subject to any contractual requirements contained
 243 in documents securing any outstanding indebtedness payable from
 244 tolls, in any county as defined in s. 125.011(1), the board of
 245 county commissioners may, by ordinance adopted on or before
 246 September 30, 1999, alter or abolish existing tolls and
 247 currently approved increases thereto if the board provides a
 248 local source of funding to the county expressway system for
 249 transportation in an amount sufficient to replace revenues
 250 necessary to meet bond obligations secured by such tolls and
 251 increases.

252 Section 3. Section 348.52, Florida Statutes, is amended to
 253 read:

254 348.52 Tampa-Hillsborough County Expressway Authority.—

255 (1) There is hereby created and established a body politic
 256 and corporate, an agency of the state, to be known as the
 257 "Tampa-Hillsborough County Expressway Authority."

258 (2) The governing body of the authority shall consist of a
259 board of seven members.

260 (a) Four of the members shall be appointed by the Governor
261 subject to confirmation by the Senate at the next regular
262 session of the Legislature. Refusal or failure of the Senate to
263 confirm an appointment shall create a vacancy.

264 1. Each such member's term of office shall be for 4 years
265 or until his or her successor shall have been appointed and
266 qualified.

267 2. Vacancies occurring in the governing body for any such
268 members prior to the expiration of the affected term shall be
269 filled for the unexpired term.

270 ~~3. The Governor shall have the authority to remove from~~
271 ~~office any such member of the governing body in the manner and~~
272 ~~for cause defined by the laws of this state.~~

273 3.4. Each such member, before entering upon his or her
274 official duties, shall take and subscribe to an oath before some
275 official authorized by law to administer oaths that he or she
276 will honestly, faithfully, and impartially perform the duties
277 devolving upon him or her in office as a member of the governing
278 body of the authority and that he or she will not neglect any
279 duties imposed upon him or her by this part.

280 (b) One member shall be the mayor, or the mayor's
281 designate, who shall be the chair of the city council of the
282 city in Hillsborough County having the largest population,
283 according to the latest decennial census, who shall serve as a

284 member ex officio.

285 (c) One member shall be a member of the Board of County
286 Commissioners of Hillsborough County, selected by such board,
287 who shall serve as a member ex officio.

288 (d) One member shall be the district secretary of the
289 Department of Transportation serving in the district that
290 contains Hillsborough County, who shall serve ex officio.

291 (e) A member of the authority appointed by the governing
292 board of the county or appointed by the Governor may not serve
293 as a member of any other transportation-related board,
294 commission, or organization while serving as a member of the
295 authority.

296 (f) A lobbyist, as defined in s. 112.3215, may not be
297 appointed or serve as a member of the authority.

298 (g) A member of the authority may be removed from office
299 by the Governor for misconduct, malfeasance, misfeasance, or
300 nonfeasance in office.

301 (h) Members of the authority may receive reimbursement
302 from the authority for travel and other necessary expenses
303 incurred in connection with the business of the authority as
304 provided in s. 112.061, but may not draw salaries or other
305 compensation.

306 (3) The authority shall designate one of its members as
307 chair. ~~The members of the authority shall not be entitled to~~
308 ~~compensation but shall be entitled to receive their travel and~~
309 ~~other necessary expenses as provided in s. 112.061.~~ A majority

310 of the members of the authority shall constitute a quorum, and
 311 resolutions enacted or adopted by a vote of a majority of the
 312 members present and voting at any meeting shall become effective
 313 without publication or posting or any further action of the
 314 authority.

315 (4) The authority may employ a secretary and executive
 316 director, its own counsel and legal staff, and such legal,
 317 financial, and other professional consultants, technical
 318 experts, engineers, and employees, permanent or temporary, as it
 319 may require and may determine the qualifications and fix the
 320 compensation of such persons, firms, or corporations. The
 321 authority may contract with the Division of Bond Finance of the
 322 State Board of Administration for any financial services
 323 authorized herein.

324 (5) The authority may delegate to one or more of its
 325 officers or employees such of its powers as it shall deem
 326 necessary to carry out the purposes of this part, subject always
 327 to the supervision and control of the authority. ~~Members of the~~
 328 ~~authority may be removed from their office by the Governor for~~
 329 ~~misconduct, malfeasance, misfeasance, and nonfeasance in office.~~

330 (6) (a) A member or the executive director of the authority
 331 may not:

332 1. Within 2 years after vacating his or her position as a
 333 board member or the executive director, personally represent
 334 another person or entity for compensation before the authority;

335 2. Within 2 years after vacating his or her position as a
336 board member or the executive director, have an employment or
337 contractual relationship with a business entity other than an
338 agency, as defined in s. 112.312, that was doing business with
339 the authority at any time during the person's membership on or
340 employment by the authority; or

341 3. After vacating his or her position as a board member or
342 the executive director, have an employment or contractual
343 relationship with a business entity other than an agency, as
344 defined in s. 112.312, in connection with a contract in which
345 the member or executive director personally and substantially
346 participated through decision, approval, disapproval,
347 recommendation, rendering of advice, or investigation while he
348 or she was a member or employee of the authority.

349 (b) A violation of this subsection is punishable in
350 accordance with s. 112.317.

351 (7) The authority's general counsel shall serve as the
352 authority's ethics officer.

353 (8) An authority board member, employee, or consultant who
354 holds a position that may influence authority decisions may not
355 engage in any relationship that may adversely affect his or her
356 judgment in carrying out authority business. The following
357 disclosures must be made annually on a disclosure form to
358 prevent such conflicts of interest and preserve the integrity
359 and transparency of the authority to the public:

360 (a) Any relationship a board member, employee, or
361 consultant has which affords a current or future financial
362 benefit to such board member, employee, or consultant, or to a
363 relative or business associate of such board member, employee,
364 or consultant, and which a reasonable person would conclude has
365 the potential to create a prohibited conflict of interest.

366 (b) Whether a relative of such board member, employee, or
367 consultant is a registered lobbyist and, if so, the names of
368 such lobbyist's clients. Such names shall be provided in writing
369 to the ethics officer.

370 (c) All interests in real property that such board member,
371 employee, or consultant has, or that a relative, principal,
372 client, or business associate of such board member, employee, or
373 consultant has whenever such real property is located within, or
374 within a 1/2-mile radius of, any actual or prospective authority
375 roadway project. The executive director shall provide a corridor
376 map and a property ownership list reflecting the ownership of
377 all real property within the disclosure area, or an alignment
378 map with a list of associated owners, to all board members,
379 employees, and consultants.

380 (9) The disclosure forms filed as required under
381 subsection (8) must be reviewed by the ethics officer or, if a
382 form is filed by the general counsel, by the executive director.

383 (10) The conflict of interest process shall be outlined in
384 the authority's code of ethics.

385 (11) Authority employees and consultants may not serve on
 386 the governing body of the authority while employed by or under
 387 contract with the authority.

388 (12) The code of ethics policy shall be reviewed and
 389 updated by the ethics officer and presented for board approval
 390 at least once every 2 years.

391 (13) Employees shall be adequately informed and trained on
 392 the code of ethics and shall continually participate in ongoing
 393 ethics education.

394 Section 4. Section 348.753, Florida Statutes, is amended
 395 to read:

396 348.753 Orlando-Orange County Expressway Authority.-

397 (1) There is hereby created and established a body politic
 398 and corporate, an agency of the state, to be known as the
 399 Orlando-Orange County Expressway Authority, hereinafter referred
 400 to as "authority."

401 (2) (a) The governing body of the authority shall consist
 402 of five members. Three members shall be citizens of Orange
 403 County, who shall be appointed by the Governor. The fourth
 404 member shall be, ex officio, the chair of the County
 405 Commissioners of Orange County, and the fifth member shall be,
 406 ex officio, the district secretary of the Department of
 407 Transportation serving in the district that contains Orange
 408 County. The term of each appointed member shall be for 4 years.
 409 Each appointed member shall hold office until his or her
 410 successor has been appointed and has qualified. A vacancy

411 occurring during a term shall be filled only for the balance of
412 the unexpired term. Each appointed member of the authority shall
413 be a person of outstanding reputation for integrity,
414 responsibility, and business ability, but no person who is an
415 officer or employee of any city or of Orange County in any other
416 capacity shall be an appointed member of the authority. Any
417 member of the authority shall be eligible for reappointment.

418 (b) A member of the authority appointed by the Governor
419 may not serve as a member of any other transportation-related
420 board, commission, or organization while serving as a member of
421 the authority.

422 (c) A lobbyist, as defined in s. 112.3215, may not be
423 appointed or serve as a member of the authority.

424 (d) A member of the authority may be removed from office
425 by the Governor for misconduct, malfeasance, misfeasance, or
426 nonfeasance in office.

427 (e) Members of the authority may receive reimbursement
428 from the authority for travel and other necessary expenses
429 incurred in connection with the business of the authority as
430 provided in s. 112.061, but may not draw salaries or other
431 compensation.

432 (3) (a) The authority shall elect one of its members as
433 chair of the authority. The authority shall also elect a
434 secretary and a treasurer who may or may not be members of the
435 authority. The chair, secretary, and treasurer shall hold such
436 offices at the will of the authority. Three members of the

437 authority shall constitute a quorum, and the vote of three
438 members shall be necessary for any action taken by the
439 authority. No vacancy in the authority shall impair the right of
440 a quorum of the authority to exercise all of the rights and
441 perform all of the duties of the authority.

442 (b) Upon the effective date of his or her appointment, or
443 as soon thereafter as practicable, each appointed member of the
444 authority shall enter upon his or her duties.

445 (4)~~(a)~~ The authority may employ an executive secretary, an
446 executive director, its own counsel and legal staff, technical
447 experts, such engineers, and such employees, permanent or
448 temporary, as it may require and may determine the
449 qualifications and fix the compensation of such persons, firms,
450 or corporations and may employ a fiscal agent or agents,
451 provided, however, that the authority shall solicit sealed
452 proposals from at least three persons, firms, or corporations
453 for the performance of any services as fiscal agents. The
454 authority may delegate to one or more of its agents or employees
455 such of its power as it shall deem necessary to carry out the
456 purposes of this part, subject always to the supervision and
457 control of the authority. ~~Members of the authority may be
458 removed from their office by the Governor for misconduct,
459 malfeasance, misfeasance, or nonfeasance in office.~~

460 ~~(b) Members of the authority shall be entitled to receive
461 from the authority their travel and other necessary expenses
462 incurred in connection with the business of the authority as~~

463 ~~provided in s. 112.061, but they shall draw no salaries or other~~
464 ~~compensation.~~

465 (5) (a) A member or the executive director of the authority
466 may not:

467 1. Within 2 years after vacating his or her position as a
468 board member or the executive director, personally represent
469 another person or entity for compensation before the authority;

470 2. Within 2 years after vacating his or her position as a
471 board member or the executive director, have an employment or
472 contractual relationship with a business entity other than an
473 agency, as defined in s. 112.312, that was doing business with
474 the authority at any time during the person's membership on or
475 employment by the authority; or

476 3. After vacating his or her position as a board member or
477 the executive director, have an employment or contractual
478 relationship with a business entity other than an agency, as
479 defined in s. 112.312, in connection with a contract in which
480 the member or executive director personally and substantially
481 participated through decision, approval, disapproval,
482 recommendation, rendering of advice, or investigation while he
483 or she was a member or employee of the authority.

484 (b) A violation of this subsection is punishable in
485 accordance with s. 112.317.

486 (6) The authority's general counsel shall serve as the
487 authority's ethics officer.

488 (7) An authority board member, employee, or consultant who
489 holds a position that may influence authority decisions may not
490 engage in any relationship that may adversely affect his or her
491 judgment in carrying out authority business. The following
492 disclosures must be made annually on a disclosure form to
493 prevent such conflicts of interest and preserve the integrity
494 and transparency of the authority to the public:

495 (a) Any relationship a board member, employee, or
496 consultant has which affords a current or future financial
497 benefit to such board member, employee, or consultant, or to a
498 relative or business associate of such board member, employee,
499 or consultant, and which a reasonable person would conclude has
500 the potential to create a prohibited conflict of interest.

501 (b) Whether a relative of such board member, employee, or
502 consultant is a registered lobbyist and, if so, the names of
503 such lobbyist's clients. Such names shall be provided in writing
504 to the ethics officer.

505 (c) All interests in real property that such board member,
506 employee, or consultant has, or that a relative, principal,
507 client, or business associate of such board member, employee, or
508 consultant has whenever such real property is located within, or
509 within a 1/2-mile radius of, any actual or prospective authority
510 roadway project. The executive director shall provide a corridor
511 map and a property ownership list reflecting the ownership of
512 all real property within the disclosure area, or an alignment

513 map with a list of associated owners, to all board member,
514 employees, and consultants.

515 (8) The disclosure forms filed as required under
516 subsection (7) must be reviewed by the ethics officer or, if a
517 form is filed by the general counsel, by the executive director.

518 (9) The conflict of interest process shall be outlined in
519 the authority's code of ethics.

520 (10) Authority employees and consultants may not serve on
521 the governing body of the authority while employed by or under
522 contract with the authority.

523 (11) The code of ethics policy shall be reviewed and
524 updated by the ethics officer and presented for board approval
525 at least once every 2 years.

526 (12) Employees shall be adequately informed and trained on
527 the code of ethics and shall continually participate in ongoing
528 ethics education.

529 Section 5. Section 348.9952, Florida Statutes, is amended
530 to read:

531 348.9952 Osceola County Expressway Authority.—

532 (1) There is created a body politic and corporate, an
533 agency of the state, to be known as the Osceola County
534 Expressway Authority.

535 (2) (a) The governing body of the authority shall consist
536 of six members. Five members, at least one of whom must be a
537 member of a racial or ethnic minority group, must be residents
538 of Osceola County, three of whom shall be appointed by the

539 governing body of the county and two of whom shall be appointed
540 by the Governor. The sixth member shall be the district
541 secretary of the department serving in the district that
542 includes Osceola County, who shall serve as an ex officio,
543 nonvoting member. The term of each appointed member shall be for
544 4 years, except that the first term of the initial members
545 appointed by the Governor shall be 2 years each. Each appointed
546 member shall hold office until his or her successor has been
547 appointed and has qualified. A vacancy occurring during a term
548 shall be filled only for the balance of the unexpired term. Each
549 appointed member of the authority shall be a person of
550 outstanding reputation for integrity, responsibility, and
551 business ability, but a person who is an officer or employee of
552 any municipality or of Osceola County in any other capacity may
553 not be an appointed member of the authority. A member of the
554 authority is eligible for reappointment.

555 (b) A member of the authority appointed by the governing
556 board of the county or appointed by the Governor may not serve
557 as a member of any other transportation-related board,
558 commission, or organization while serving as a member of the
559 authority.

560 (c) A lobbyist, as defined in s. 112.3215, may not be
561 appointed or serve as a member of the authority.

562 (d) ~~(b)~~ Members of the authority may be removed from office
563 by the Governor for misconduct, malfeasance, misfeasance, or
564 nonfeasance in office.

565 (e) Members of the authority may receive reimbursement
566 from the authority for travel and other necessary expenses
567 incurred in connection with the business of the authority as
568 provided in s. 112.061, but may not draw salaries or other
569 compensation.

570 (3) (a) The authority shall elect one of its members as
571 chair. The authority shall also elect a secretary and a
572 treasurer, who may be members of the authority. The chair,
573 secretary, and treasurer shall hold such offices at the will of
574 the authority.

575 (b) Three members of the authority constitute a quorum,
576 and the vote of three members is necessary for any action taken
577 by the authority. A vacancy in the authority does not impair the
578 right of a quorum of the authority to exercise all of the rights
579 and perform all of the duties of the authority.

580 (4) (a) The authority may employ an executive secretary, an
581 executive director, its own counsel and legal staff, technical
582 experts, engineers, and other employees, permanent or temporary,
583 as it may require, and may determine the qualifications and fix
584 the compensation of such persons, firms, or corporations.
585 Additionally, the authority may employ a fiscal agent or agents.
586 However, the authority shall solicit sealed proposals from at
587 least three persons, firms, or corporations for the performance
588 of any services as fiscal agents. The authority may delegate to
589 one or more of its agents or employees such of its power as it
590 deems necessary to carry out the purposes of this part, subject

591 always to the supervision and control of the authority.

592 ~~(b) Members of the authority are entitled to receive from~~
 593 ~~the authority their travel and other necessary expenses incurred~~
 594 ~~in connection with the business of the authority as provided in~~
 595 ~~s. 112.061, but members shall not draw salaries or other~~
 596 ~~compensation.~~

597 (b)~~(e)~~ The department is not required to grant funds for
 598 startup costs to the authority. However, the governing body of
 599 the county may provide funds for such startup costs.

600 (c)~~(d)~~ The authority shall cooperate with and participate
 601 in any efforts to establish a regional expressway authority.

602 (d)~~(e)~~ Notwithstanding any other provision of law,
 603 including s. 339.175(3), the authority is not entitled to voting
 604 membership in a metropolitan planning organization in which
 605 Osceola County, or any of the municipalities therein, are also
 606 voting members.

607 (5) (a) A member or the executive director of the authority
 608 may not:

609 1. Within 2 years after vacating his or her position as a
 610 board member or the executive director, personally represent
 611 another person or entity for compensation before the authority;

612 2. Within 2 years after vacating his or her position as a
 613 board member or the executive director, have an employment or
 614 contractual relationship with a business entity other than an
 615 agency, as defined in s. 112.312, that was doing business with

616 the authority at any time during the person's membership on or
617 employment by the authority; or

618 3. After vacating his or her position as a board member or
619 the executive director, have an employment or contractual
620 relationship with a business entity other than an agency, as
621 defined in s. 112.312, in connection with a contract in which
622 the member or executive director personally and substantially
623 participated through decision, approval, disapproval,
624 recommendation, rendering of advice, or investigation while he
625 or she was a member or employee of the authority.

626 (b) A violation of this subsection is punishable in
627 accordance with s. 112.317.

628 (6) The authority's general counsel shall serve as the
629 authority's ethics officer.

630 (7) An authority board member, employee, or consultant who
631 holds a position that may influence authority decisions may not
632 engage in any relationship that may adversely affect his or her
633 judgment in carrying out authority business. The following
634 disclosures must be made annually on a disclosure form to
635 prevent such conflicts of interest and preserve the integrity
636 and transparency of the authority to the public:

637 (a) Any relationship a board member, employee, or
638 consultant has which affords a current or future financial
639 benefit to such board member, employee, or consultant, or to a
640 relative or business associate of such board member, employee,

641 or consultant, and which a reasonable person would conclude has
642 the potential to create a prohibited conflict of interest.

643 (b) Whether a relative of such board member, employee, or
644 consultant is a registered lobbyist and, if so, the names of
645 such lobbyist's clients. Such names shall be provided in writing
646 to the ethics officer.

647 (c) Any and all interests in real property that such board
648 member, employee, or consultant has, or that a relative,
649 principal, client, or business associate of such board member,
650 employee, or consultant has whenever such real property is
651 located within, or within a 1/2-mile radius of, any actual or
652 prospective authority roadway project. The executive director
653 shall provide a corridor map and a property ownership list
654 reflecting the ownership of all real property within the
655 disclosure area, or an alignment map with a list of associated
656 owners, to all board member, employees, and consultants.

657 (8) The disclosure forms filed as required under
658 subsection (7) must be reviewed by the ethics officer or, if a
659 form is filed by the general counsel, by the executive director.

660 (9) The conflict of interest process shall be outlined in
661 the authority's code of ethics.

662 (10) Authority employees and consultants may not serve on
663 the governing body of the authority while employed by or under
664 contract with the authority.

665 (11) The code of ethics policy shall be reviewed and
666 updated by the ethics officer and presented for board approval
667 at least once every 2 years.

668 (12) Employees shall be adequately informed and trained on
669 the code of ethics and shall continually participate in ongoing
670 ethics education.

671 Section 6. This act shall take effect July 1, 2014.