

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Infrastructure and Security

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BILL: SB 368

INTRODUCER: Senator Rouson

SUBJECT: Tampa Bay Area Regional Transit Authority

DATE: January 24, 2020

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Miller	IS	<b>Pre-meeting</b>
2.			CA	
3.			RC	

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**I. Summary:**

SB 368 provides that if a mayor is unable to attend a Tampa Bay Area Regional Transit Authority (TBARTA) meeting, the mayor may appoint a designee to attend the meeting to act in his or her place with full voting rights on all issues. The designee must be an elected official of the governing body of the mayor's municipality.

The bill further provides for attendance of a TBARTA meeting physically, telephonically, or electronically to establish a quorum, and to vote.

The bill has an effective date of July 1, 2020.

**II. Present Situation:**

**Tampa Bay Area Regional Transit Authority**

Part V of ch. 343, F.S., creates the TBARTA. TBARTA covers Hernando, Hillsborough, Manatee, Pasco, and Pinellas Counties and any other contiguous county that is party to an agreement of participation.<sup>1</sup> TBARTA's express purposes are to:

- Plan, implement, and operate mobility improvements and expansions of multimodal transportation options for passengers and freight throughout the designated region;
- Produce a regional transit development plan, integrating the transit development plans of participant counties, to include a prioritization of regionally significant transit projects and facilities; and

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<sup>1</sup> Section 343.91(1)(a), F.S.

- Serve, with the consent of the Governor or designee, as the recipient of federal funds supporting an intercountry project or an intracounty capital project that represents a phase of an intercountry project that exists in a single county within the designated region.<sup>2</sup>

The Membership of the TBARTA's 13-Member Governing Board (the Board) consists of:

- One county commissioner from each of the boards of county commissioners of Hernando, Hillsborough, Manatee, Pasco, and Pinellas counties. Members appointed serve 2-year terms with not more than three consecutive terms being served by any person; and
- The Mayors of the two largest municipalities within the service area of each of the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority, or their legislatively created successor agencies; and
- Four members of the regional business community appointed by the Governor, each of whom must reside in one of the counties governed by the authority, and none of whom may be an elected official. They serve a 2-year term with not more than three consecutive terms being served by any person; and
- Two members appointed from the governing boards of the Pinellas Suncoast Transit Authority and the Hillsborough Area Regional Transit Authority, or their legislatively created successor agencies. Each member appointed will serve a 2-year term with not more than three consecutive terms being served by any person.<sup>3</sup>

Seven members of the Board are required to constitute a quorum, and the vote of seven members is necessary for any action to be taken by the TBARTA. The TBARTA may meet upon the constitution of a quorum and a vacancy does not impair the right of a quorum of the Board to exercise all rights and the ability to perform all duties of the TBARTA.<sup>4</sup>

### **III. Effect of Proposed Changes:**

The bill amends s. 343.92(2)(b), F.S., to provide that if a mayor is unable to attend a TBARTA meeting, the mayor may appoint a designee to attend the meeting to act in his or her place with full voting rights on all issues. The designee must be an elected official of the governing body of the mayor's municipality.

The bill further amends s. 343.92(8), F.S. to allow for attendance of a TBARTA meeting physically, telephonically, or electronically to establish a quorum, and to vote.

The bill has an effective date of July 1, 2020.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

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<sup>2</sup> 343.922(1), F.S.

<sup>3</sup> Section 343.92(2)(b), F.S.

<sup>4</sup> Section 343.92(8), F.S.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

TBARTA may realize a cost savings and improvement in efficiency from not having to cancel a noticed meeting due to a lack of quorum.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 343.92

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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