

1 A bill to be entitled
2 An act relating to commercial service airports;
3 amending s. 11.45, F.S.; directing the Auditor General
4 to conduct specified audits of certain airports;
5 defining the term "large-hub commercial service
6 airport"; amending s. 112.3144, F.S.; requiring
7 members of the governing body of a large-hub
8 commercial service airport to comply with certain
9 financial disclosure requirements; defining the term
10 "large-hub commercial service airport"; creating s.
11 332.0075, F.S.; providing definitions; requiring the
12 governing body of a municipality, county, or special
13 district that operates a commercial service airport to
14 establish and maintain a website; requiring the
15 governing body to post certain information on the
16 website; requiring commercial service airports to
17 comply with certain contracting requirements;
18 providing approval requirements for certain contracts;
19 requiring governing body members and employees of a
20 commercial service airport to comply with certain
21 ethics requirements; requiring governing body members
22 to complete annual ethics training; requiring
23 commercial service airports to submit certain
24 information annually to the Department of
25 Transportation; requiring the department to review

26 such information and submit an annual report to the
 27 Governor and Legislature; prohibiting the expenditure
 28 of certain funds unless specified conditions are met;
 29 providing an effective date.

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

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33 Section 1. Paragraph (m) is added to subsection (2) of
 34 section 11.45, Florida Statutes, to read:

35 11.45 Definitions; duties; authorities; reports; rules.—

36 (2) DUTIES.—The Auditor General shall:

37 (m) At least once every 5 years, conduct an operational
 38 and financial audit of each large-hub commercial service
 39 airport. Each operational audit shall include, at a minimum, an
 40 assessment of compliance with s. 332.0075, including compliance
 41 with chapter 287, and compliance with the public records and
 42 public meetings laws of this state. For purposes of this
 43 paragraph, the term "large-hub commercial service airport" means
 44 a publicly owned airport that has at least 1 percent of the
 45 annual passenger boardings in the United States as reported by
 46 the Federal Aviation Administration.

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48 The Auditor General shall perform his or her duties
 49 independently but under the general policies established by the
 50 Legislative Auditing Committee. This subsection does not limit

51 the Auditor General's discretionary authority to conduct other
 52 audits or engagements of governmental entities as authorized in
 53 subsection (3).

54 Section 2. Paragraph (c) is added to subsection (1) of
 55 section 112.3144, Florida Statutes, to read:

56 112.3144 Full and public disclosure of financial
 57 interests.—

58 (1)

59 (c) Each member of the governing body of a large-hub
 60 commercial service airport shall comply with the applicable
 61 financial disclosure requirements of s. 8, Art. II of the State
 62 Constitution. For purposes of this paragraph, the term "large-
 63 hub commercial service airport" means a publicly owned airport
 64 that has at least 1 percent of the annual passenger boardings in
 65 the United States as reported by the Federal Aviation
 66 Administration.

67 Section 3. Section 332.0075, Florida Statutes, is created
 68 to read:

69 332.0075 Commercial service airports; transparency and
 70 accountability; penalty.—

71 (1) As used in this section, the term:

72 (a) "Commercial service airport" means a publicly owned
 73 airport that has at least 2,500 passenger boardings each
 74 calendar year and receives scheduled passenger service as
 75 reported by the Federal Aviation Administration.

76 (b) "Department" means the Department of Transportation.
 77 (c) "Governing body" means the governing body of the
 78 municipality, county, or special district that operates a
 79 commercial service airport.
 80 (2) Each governing body shall establish and maintain a
 81 website to post information relating to the operation of a
 82 commercial service airport, including:
 83 (a) All published notices of meetings and published
 84 meeting agendas of the governing body.
 85 (b) The official minutes of each meeting of the governing
 86 body, which shall be posted within 3 business days after the
 87 date of the meeting in which the minutes were approved.
 88 (c) The approved budget for the commercial service airport
 89 for the current fiscal year, which shall be posted within 7 days
 90 after the date of adoption. Budgets must remain on the website
 91 for 2 years after the conclusion of the fiscal year in which
 92 they were adopted.
 93 (d) All commercial service airport planning documents
 94 submitted to the Federal Aviation Administration, which shall be
 95 posted upon submission to the Federal Aviation Administration.
 96 (e) All financial and statistical reports required to be
 97 submitted to the Federal Aviation Administration, which shall be
 98 posted upon submission to the Federal Aviation Administration.
 99 (f) Any contract or contract amendment executed by or on
 100 behalf of the commercial service airport in excess of the

101 threshold amount provided for in s. 287.017 for CATEGORY TWO,
102 which shall be posted no later than 7 days before the governing
103 body votes to approve the contract or contract amendment.

104 (g) Position and rate information for each employee of the
105 commercial service airport, including, at a minimum, the
106 employee's position title, position description, and annual or
107 hourly salary.

108 (3) (a) Notwithstanding any other provision of law to the
109 contrary, commercial service airports are subject to the
110 requirements of chapter 287.

111 (b) A governing body must approve each contract executed
112 by or on behalf of a commercial service airport in excess of the
113 threshold amount provided for in s. 287.017 for CATEGORY THREE
114 as a separate line item on the agenda after providing a
115 reasonable opportunity for public comment. Such contracts may
116 not be approved as part of a consent agenda.

117 (4) (a) Members of a governing body and employees of a
118 commercial service airport are subject to part III of chapter
119 112.

120 (b) Beginning January 1, 2021, each member of a governing
121 body must complete 4 hours of ethics training each calendar year
122 which addresses, at a minimum, s. 8, Art. II of the State
123 Constitution, the Code of Ethics for Public Officers and
124 Employees, and the public records and public meetings laws of
125 this state. This requirement may be satisfied by completion of a

126 continuing legal education class or other continuing
127 professional education class, seminar, or presentation if the
128 required subject material is covered therein.

129 (5) (a) Beginning November 1, 2021, and each November 1
130 thereafter, each commercial service airport shall submit the
131 following information to the department:

132 1. Its approved budget for the current fiscal year.

133 2. Any financial reports submitted to the Federal Aviation
134 Administration during the previous calendar year.

135 3. A link to its website.

136 4. A statement, verified as provided in s. 92.525, that it
137 has complied with part III of chapter 112, chapter 287, and this
138 section.

139 (b) The department shall review the information submitted
140 by the commercial service airport and posted on the airport's
141 website to determine the accuracy of such information. Beginning
142 January 15, 2022, and each January 15 thereafter, the department
143 shall submit to the Governor, the President of the Senate, and
144 the Speaker of the House of Representatives a report summarizing
145 commercial service airport compliance with this section.

146 (6) The department may not expend any funds allocated to a
147 commercial service airport as contained in the adopted work
148 program, unless pledged for debt service, until the commercial
149 service airport demonstrates its compliance with this section.

150 Section 4. This act shall take effect October 1, 2020.