

ENROLLED

CS/CS/HB 1123

2023 Legislature

1
 2 An act relating to commercial service airport
 3 transparency and accountability; amending s. 332.0075,
 4 F.S.; defining the term "consent agenda"; revising
 5 information required to be posted on the website of a
 6 governing body; requiring a commercial service airport
 7 to use specified competitive solicitation processes
 8 for certain purchases of commodities or contractual
 9 services; revising the type of contract that a
 10 governing body must approve, award, or ratify as a
 11 separate line item on an agenda; requiring a governing
 12 body to provide opportunity for public comment on
 13 certain contracts; prohibiting certain contracts from
 14 being approved, awarded, or ratified as part of a
 15 consent agenda; providing an effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

18
 19 Section 1. Paragraphs (b) and (c) of subsection (1) of
 20 section 332.0075, Florida Statutes, are redesignated as
 21 paragraphs (c) and (d), respectively, a new paragraph (b) is
 22 added to that subsection, and paragraphs (d) and (f) of
 23 subsection (2) and subsection (3) of that section are amended,
 24 to read:

25 332.0075 Commercial service airports; transparency and

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26 | accountability; penalty.—

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

28 | (b) "Consent agenda" means an agenda which consists of
 29 | items voted on as a group and which does not provide the
 30 | opportunity for public comment on each such item before approval
 31 | or disapproval by the governing body.

32 | (2) Each governing body shall establish and maintain a
 33 | website to post information relating to the operation of a
 34 | commercial service airport, including:

35 | (d) A link to the Airport Master Plan for the commercial
 36 | service airport on the commercial service airport's ~~Federal~~
 37 | ~~Aviation Administration's~~ website.

38 | (f) Any contract or contract amendment for the purchase of
 39 | commodities or contractual services executed by or on behalf of
 40 | the commercial service airport in excess of the threshold amount
 41 | provided in s. 287.017 for CATEGORY FIVE ~~THREE~~, which shall be
 42 | posted no later than 7 business days after the commercial
 43 | service airport executes the contract or contract amendment.
 44 | However, a contract or contract amendment may not reveal
 45 | information made confidential or exempt by law. Each commercial
 46 | service airport must redact confidential or exempt information
 47 | from each contract or contract amendment before posting a copy
 48 | on its website.

49 | (3) (a) Notwithstanding any other provision of law to the
 50 | contrary, commercial service airports shall use competitive

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51 solicitation processes consistent with ~~are subject to~~ the
 52 requirements of s. 287.057 ~~chapter 287~~ for purchases of
 53 commodities or contractual services which exceed the threshold
 54 amount provided in s. 287.017 for CATEGORY FIVE ~~THREE~~. If the
 55 purchase of commodities or contractual services exceeds the
 56 threshold amount provided in s. 287.017 for CATEGORY FIVE ~~THREE~~,
 57 the purchase of commodities or contractual services may not be
 58 made without receiving competitive sealed bids, competitive
 59 sealed proposals, or competitive sealed replies unless an
 60 exception consistent with an exception ~~applies as~~ provided in s.
 61 287.057(3) applies or an immediate danger to the public health,
 62 safety, or welfare or other substantial loss to the commercial
 63 service airport requires emergency action.

64 (b)1. A governing body must approve, award, or ratify any
 65 contract for commodities or contractual services ~~all contracts~~
 66 executed by or on behalf of a commercial service airport ~~in~~
 67 ~~excess of the threshold amount provided in s. 287.017 for~~
 68 ~~CATEGORY FIVE~~ as a separate line item on the agenda and must
 69 provide a reasonable opportunity for public comment if such
 70 contract is executed by or on behalf of a commercial service
 71 airport that is classified by the Federal Aviation
 72 Administration as a:

73 a. Small hub airport and the contract amount exceeds
 74 \$500,000.

75 b. Medium hub airport and the contract amount exceeds \$1

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76 million.

77 c. Large hub airport and the contract amount exceeds \$1.5

78 million.

79 2. A contract that exceeds the amounts specified in
80 subparagraph 1. ~~Such contracts~~ may not be approved, awarded, or
81 ratified as part of a consent agenda.

82 Section 2. This act shall take effect July 1, 2023.