

1 A bill to be entitled
2 An act relating to the Tampa-Hillsborough County
3 Expressway Authority; amending s. 348.50, F.S.;
4 renaming the Tampa-Hillsborough County Expressway
5 Authority as the "West Florida Expressway Authority";
6 amending s. 348.51, F.S.; revising and providing
7 definitions; amending s. 348.52, F.S.; providing for
8 the transfer of governance and control, property and
9 legal rights, powers, responsibilities, and
10 obligations of the Tampa-Hillsborough County
11 Expressway Authority to the West Florida Expressway
12 Authority; providing terms and conditions of the
13 transfer; revising composition of the governing body
14 of the authority; revising requirements for
15 membership, terms, and meetings; defining the term
16 "communications media technology"; providing for
17 expansion of the authority's jurisdictional
18 boundaries; amending s. 348.53, F.S.; revising
19 purposes of the authority; authorizing construction of
20 certain facilities within the expressway system;
21 amending s. 348.54, F.S.; limiting the use of certain
22 toll revenues; providing exceptions; deleting
23 provisions relating to interest on gasoline tax funds
24 repaid to Hillsborough County; revising powers of the
25 authority; amending ss. 348.545 and 348.56, F.S.;

26 conforming provisions to changes made by the act;
 27 amending s. 348.565, F.S.; revising projects approved
 28 for financing or refinancing through revenue bonds;
 29 amending ss. 348.57, 348.58, and 348.59, F.S.;
 30 conforming provisions to changes made by the act;
 31 amending s. 348.60, F.S.; revising provisions relating
 32 to the pledge of surplus gasoline tax funds under a
 33 lease-purchase agreement; amending s. 348.61, F.S.;
 34 updating terminology; amending s. 348.62, F.S.;
 35 specifying lands and property the authority may
 36 acquire; amending ss. 348.63, 348.64, 348.65, and
 37 348.67, F.S.; conforming provisions to changes made by
 38 the act; repealing ss. 348.68 and 348.681, F.S.,
 39 relating to consultation with the Hillsborough County
 40 City-County Planning Commission and design standards,
 41 respectively; renumbering and amending s. 348.70,
 42 F.S.; conforming provisions to changes made by the
 43 act; amending s. 343.975, F.S.; conforming provisions
 44 to changes made by the act; providing a directive to
 45 the Division of Law Revision; providing an effective
 46 date.

47

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

49

50 Section 1. Section 348.50, Florida Statutes, is amended to

51 read:

52 348.50 Title of law.—This part shall be known and may be
 53 cited as the "West Florida ~~Tampa-Hillsborough County~~ Expressway
 54 Authority Law."

55 Section 2. Section 348.51, Florida Statutes, is amended to
 56 read:

57 348.51 Definitions.—As ~~The following terms whenever used~~
 58 ~~or referred to~~ in this part shall have the following meanings,
 59 unless except in those instances where the context clearly
 60 indicates otherwise, the term:

61 (1) "Agency of the state" means ~~and includes~~ the state and
 62 any department of, or corporation, agency, or instrumentality
 63 ~~heretofore or hereafter~~ created, designated, or established by,
 64 the state.

65 (2) "Authority" means the body politic, corporate, and
 66 agency of the state created by this part.

67 (3) "Bonds" means ~~and includes~~ the notes, bonds, refunding
 68 bonds, or other evidences of indebtedness or obligations, in
 69 either temporary or definitive form, which the authority is
 70 authorized to issue pursuant to this part.

71 ~~(4) "City" means the City of Tampa.~~

72 ~~(4)~~~~(5)~~ (4) "County" means each county located within the
 73 jurisdictional limits of the authority, including the County of
 74 Hillsborough County and any expansion county, as applicable.

75 (5) "County gasoline tax funds" means all the 80-percent

76 surplus gasoline tax funds or 20-percent surplus gasoline tax
 77 funds accruing in each year to the Department of Transportation
 78 or a county, as the case may be, for use in a county under s. 9,
 79 Art. XII of the State Constitution, after deduction, if and only
 80 to the extent necessary, of any amounts of such gasoline tax
 81 funds pledged by the Department of Transportation or a county
 82 for outstanding obligations.

83 (6) "Department" means the Department of Transportation ~~of~~
 84 ~~Florida~~ and any successor thereto.

85 (7) "Expansion county" means a county in which the
 86 authority constructs or acquires a transportation facility,
 87 which may include Citrus, Hernando, Manatee, Pasco, Pinellas,
 88 and Polk Counties.

89 (8) "Expansion event" means the adoption of a resolution
 90 or other formal action by the governing board of the authority
 91 for the authority to construct, complete, or acquire a
 92 transportation facility located in an expansion county and to
 93 include the expansion county within its jurisdictional limits.

94 (9) ~~(7)~~ "Expressway system" or "system" means, generally, a
 95 modern highway system of roads, bridges, causeways, and tunnels
 96 ~~in the metropolitan area of the city, or within any area of the~~
 97 ~~county,~~ with ~~access~~ limited or unlimited access as the authority
 98 may determine, and such buildings, ~~and~~ structures, ~~and~~
 99 appurtenances, ~~and~~ facilities related thereto, including all
 100 approaches, streets, roads, bridges, and avenues of access for

101 such system. A transportation facility shall become part of the
102 expressway system of the authority upon the governing board of
103 the authority's designation of such transportation facility as
104 part of its expressway system.

105 (10)~~(8)~~ "Federal agency" means ~~and includes~~ the United
106 States, the President of the United States, and any department
107 of, or bureau, corporation, agency, or instrumentality
108 heretofore or hereafter created, designated, or established by,
109 the United States.

110 ~~(9) "Hillsborough County gasoline tax funds" means all the~~
111 ~~80-percent surplus gasoline tax funds or 20-percent surplus~~
112 ~~gasoline tax funds accruing in each year to the Department of~~
113 ~~Transportation or the county, as the case may be, for use in~~
114 ~~Hillsborough County under the provisions of s. 9, Art. XII of~~
115 ~~the State Constitution, after deduction, if and only to the~~
116 ~~extent necessary, of any amounts of said gasoline tax funds~~
117 ~~heretofore pledged by the Department of Transportation or the~~
118 ~~county for outstanding obligations.~~

119 (11)~~(10)~~ "Lease-purchase agreement" ~~or "lease-purchase~~
120 ~~agreements"~~ means a the lease-purchase agreement ~~or agreements~~
121 ~~which~~ the authority may execute ~~is authorized~~ pursuant to this
122 part ~~to execute~~.

123 (12)~~(11)~~ "Members" means the governing body of the
124 authority, and the term "member" means one of the individuals
125 constituting such governing body.

126 (13)~~(12)~~ "Revenues" means all tolls, revenues, rates,
 127 fees, charges, receipts, rentals, contributions, including, but
 128 not limited to, contributions of revenues from a county,
 129 municipality, or other local governmental entity, and other
 130 income derived from or in connection with the operation or
 131 ownership of the expressway system, including the proceeds of
 132 any use and occupancy insurance on any portion of the system ~~but~~
 133 ~~excluding any Hillsborough County gasoline tax funds.~~

134 (14) "Transportation facility" means the mobile and fixed
 135 assets, and the associated real or personal property or rights,
 136 used in the transportation of persons or property by any means
 137 of conveyance which the authority may acquire, construct, and
 138 equip pursuant to this part, and all appurtenances, including,
 139 but not limited to, highways; limited or controlled access
 140 lanes, avenues of access, and facilities; and administrative and
 141 other office space, for the exercise by the authority of the
 142 powers and obligations granted in this part.

143 (15)~~(13)~~ Words importing singular number include the
 144 plural number in each case and vice versa, and words importing
 145 persons include firms and corporations.

146 Section 3. Section 348.52, Florida Statutes, is amended to
 147 read:

148 348.52 West Florida ~~Tampa-Hillsborough County~~ Expressway
 149 Authority.-

150 (1) There is ~~hereby~~ created and established a body politic

151 and corporate, an agency of the state, to be known as the "West
152 Florida Tampa-Hillsborough County Expressway Authority."

153 (2) (a) Immediately on July 1, 2021, the West Florida
154 Expressway Authority shall assume the governance and control of
155 the expressway system operated by the former Tampa-Hillsborough
156 County Expressway Authority, including its assets, personnel,
157 contracts, obligations, liabilities, facilities, and tangible
158 and intangible property. Any rights in such property and other
159 legal rights of the former Tampa-Hillsborough County Expressway
160 Authority are transferred to the West Florida Expressway
161 Authority. The West Florida Expressway Authority shall
162 immediately succeed to and assume the powers, responsibilities,
163 and obligations of the former Tampa-Hillsborough County
164 Expressway Authority.

165 (b) The transfer pursuant to this subsection is subject to
166 the terms and covenants provided for the protection of the
167 holders of the former Tampa-Hillsborough County Expressway
168 Authority bonds in the lease-purchase agreement and the
169 resolutions adopted in connection with the issuance of the bonds
170 and any and all bonds issued pursuant to a resolution or trust
171 indenture subsequent to the lease-purchase agreement. Further,
172 the transfer does not impair the terms of the contract between
173 the West Florida Expressway Authority and the bondholders, does
174 not act to the detriment of the bondholders, and does not
175 diminish the security for the bonds. After the transfer, the

176 West Florida Expressway Authority shall operate and maintain the
177 expressway system and any other facilities of the West Florida
178 Expressway Authority in accordance with the terms, conditions,
179 and covenants contained in the bond resolutions securing the
180 bonds of the authority. The West Florida Expressway Authority
181 shall collect toll revenues and apply them to the payment of
182 debt service as provided in the bond resolution securing all
183 bonds and shall expressly assume all obligations relating to all
184 bonds to ensure that the transfer has no adverse impact on the
185 security for all bonds. The transfer does not make the
186 obligation to pay the principal and interest on the bonds a
187 general liability of the West Florida Expressway Authority or
188 pledge additional expressway system revenues to payment of the
189 bonds. Expressway system revenues that are generated by the
190 expressway system and other facilities of the West Florida
191 Expressway Authority which were pledged by the former Tampa-
192 Hillsborough County Expressway Authority to payment of the bonds
193 will remain subject to the pledge for the benefit of the
194 bondholders.

195 (3)~~(2)~~ The governing body of the authority shall initially
196 consist of a board of seven members but shall be subject to
197 increase to no more than 13 members through the addition of a
198 new member for each expansion county upon the expansion of the
199 authority's jurisdiction to include such expansion county in
200 accordance with subsection (6).

201 (a) Four of the members shall be appointed by the
 202 Governor, one of whom must be a resident of Hillsborough County,
 203 and the remainder of whom may be residents of Hillsborough
 204 County or any expansion county upon the expansion of the
 205 authority's jurisdiction to include such expansion county,
 206 subject to confirmation by the Senate at the next regular
 207 session of the Legislature. Refusal or failure of the Senate to
 208 confirm an appointment shall create a vacancy. A board member
 209 currently serving an unexpired term on the former Tampa-
 210 Hillsborough County Expressway Authority as of the effective
 211 date of this act shall continue to serve the remainder of his or
 212 her unexpired term. Each member of the governing board,
 213 including each member representing an expansion county, shall be
 214 subject to the following:

215 1. Each ~~such~~ member's term of office shall be for 4 years
 216 or until his or her successor is ~~shall have been~~ appointed and
 217 qualified. However, the respective initial term of one or more
 218 members representing an expansion county may be for 2 years at
 219 the sole discretion of the governing board in order to achieve
 220 staggered terms of office for its governing board members.

221 2. A vacancy ~~Vacancies~~ occurring in the governing board
 222 ~~body~~ for any member before ~~such members prior to~~ the expiration
 223 of the affected term shall be filled for the unexpired term.

224 3. The Governor may ~~shall have the authority to~~ remove
 225 from office any ~~such~~ member of the governing board ~~body~~ in the

226 | manner and for cause defined by the laws of this state.

227 | 4. Each ~~such~~ member, before entering upon his or her
 228 | official duties, shall take and subscribe to an oath before an
 229 | ~~some~~ official authorized by law to administer oaths that he or
 230 | she will honestly, faithfully, and impartially perform the
 231 | duties devolving upon him or her in office as a member of the
 232 | governing board ~~body~~ of the authority and that he or she will
 233 | not neglect any duties imposed upon him or her by this part.

234 | (b) One member shall be the mayor, or the mayor's designee
 235 | ~~designate~~, who shall be the chair of the city council of the
 236 | city in Hillsborough County having the largest population,
 237 | according to the latest decennial census, who shall serve as a
 238 | member ex officio.

239 | (c) One member shall be a member of the Board of County
 240 | Commissioners of Hillsborough County, selected by such board,
 241 | who shall serve as a member ex officio.

242 | (d) One member shall be the district secretary of the
 243 | department ~~of Transportation~~ serving in the district that
 244 | contains Hillsborough County, who shall serve as a member ex
 245 | officio.

246 | (e) After the occurrence of an expansion event in a
 247 | particular expansion county, the governing board shall be
 248 | increased by one additional ex officio voting member for each
 249 | such expansion county, which member must be a member of the
 250 | Board of County Commissioners of such expansion county, selected

251 by such board of county commissioners. Such increase in board
252 membership shall become effective on the date that such
253 expansion county member takes the oath required under
254 subparagraph (a)4.

255 (4)~~(3)~~ The authority shall designate one of its members as
256 chair. The members of the authority are ~~shall~~ not be entitled to
257 compensation but are ~~shall be~~ entitled to receive their travel
258 and other necessary expenses as provided in s. 112.061. A
259 majority of the members of the authority shall constitute a
260 quorum, and resolutions enacted or adopted by a vote of a
261 majority of the members present and voting at any meeting shall
262 become effective without publication or posting or any further
263 action of the authority.

264 (5) Authority meetings and workshops may be conducted
265 using communications media technology. The notice for any such
266 public meeting or workshop shall state that the meeting or
267 workshop will be conducted through the use of communications
268 media technology, specify how persons interested in attending
269 may do so, and provide a location where communications media
270 technology facilities are available. The participation by a
271 member in an authority meeting or workshop conducted using
272 communications media technology constitutes that member's
273 presence at such meeting or workshop and shall count toward a
274 quorum. For purposes of this subsection, the term
275 "communications media technology" means conference telephone,

276 video conference, or other communications technology by which
277 all persons attending a public meeting or workshop may audibly
278 communicate.

279 (6) The authority's jurisdictional boundaries shall be
280 automatically expanded to include any one or more expansion
281 counties upon the occurrence of an expansion. However, an
282 expansion event must occur on or before:

283 (a) The date that the authority makes a final written
284 determination to undertake a transportation facility located in
285 the jurisdictional limits of an expansion county by adding
286 elements of the study, design, engineering, acquisition,
287 construction, or equipping of such transportation facility to
288 its work plan; or

289 (b) The effective date that the authority becomes the
290 owner of a transportation facility located in the jurisdictional
291 limits of an expansion county.

292
293 A delay in the designation of an expansion county board member
294 shall not affect the expansion of the authority's jurisdiction
295 under this part.

296 (7)-(4) The authority may employ a secretary and executive
297 director, its own counsel and legal staff, and such legal,
298 financial, and other professional consultants, technical
299 experts, engineers, and employees, permanent or temporary, as it
300 may require and may determine the qualifications and fix the

301 compensation of such persons, firms, or corporations. The
 302 authority may contract with the Division of Bond Finance of the
 303 State Board of Administration for any financial services
 304 authorized herein.

305 (8)~~(5)~~ The authority may delegate to one or more of its
 306 officers or employees such of its powers as it deems ~~shall deem~~
 307 necessary to carry out the purposes of this part, subject always
 308 to the supervision and control of the authority. A member
 309 ~~Members~~ of the governing board ~~authority~~ may be removed from
 310 ~~their~~ office by the Governor for misconduct, malfeasance,
 311 misfeasance, or ~~and~~ nonfeasance in office.

312 Section 4. Section 348.53, Florida Statutes, is amended to
 313 read:

314 348.53 Purposes of the authority.—

315 (1) The purposes of the authority are, and the authority
 316 has the ~~is created for the purposes and shall have power,~~ to
 317 construct, reconstruct, improve, extend, repair, maintain, and
 318 operate the expressway system. It is ~~hereby~~ found and declared
 319 that such purposes are in all respects for the benefit of the
 320 people of the State of Florida, ~~the City of Tampa,~~ and the West
 321 Florida region ~~County of Hillsborough~~ for the increase of their
 322 pleasure, convenience, and welfare; for the improvement of their
 323 health; and to facilitate transportation, including managed
 324 lanes and other transit supporting facilities, for their
 325 recreation and commerce and for the common defense. The

326 authority is performing a public purpose and a governmental
 327 function in carrying out its corporate purpose and in exercising
 328 the powers granted in this section herein.

329 (2) In the construction of the expressway system, the
 330 authority may construct any extensions, additions, or
 331 improvements to the system or appurtenant facilities, including
 332 all necessary approaches, roads, bridges, avenues of access, and
 333 boulevards, with any changes, modifications, or revisions of any
 334 project which are deemed desirable and proper.

335 Section 5. Section 348.54, Florida Statutes, is amended to
 336 read:

337 348.54 Powers of the authority.—Except as otherwise
 338 limited herein, the authority shall have the power:

339 (1) To sue and be sued, implead and be impleaded, and
 340 complain and defend in all courts.

341 (2) To adopt, use, and alter at will, ~~a~~ seal.

342 (3) To acquire, purchase, hold, lease as lessee, and use
 343 any franchise, property, real, personal or mixed, tangible or
 344 intangible, or any interest therein, necessary or desirable for
 345 carrying out the purposes of the authority, and to sell, lease
 346 as lessor, transfer, and dispose of any property or interest
 347 therein at any time acquired by it.

348 (4) To construct, reconstruct, or improve on or along the
 349 expressway system suitable facilities for gas stations,
 350 restaurants, and other facilities for the public. ~~Such~~

351 facilities may be publicly offered for leasing for operation
352 under rules and regulations to be established by the authority.

353 (5) To enter into and make lease-purchase agreements as
354 provided in s. 348.60 for terms not exceeding 40 years, or until
355 all bonds secured by a pledge thereunder, and all refundings
356 thereof, are fully paid as to both principal and interest,
357 whichever is longer.

358 (6) To fix, alter, charge, establish, and collect tolls,
359 rates, fees, rentals, and other charges for the services and
360 facilities of the expressway system, which tolls, rates, fees,
361 rentals, and other charges shall always be sufficient to comply
362 with any covenants made with the holders of any bonds. ~~+~~
363 ~~provided,~~ However, ~~that~~ such right and power, or any part
364 thereof, may be assigned or delegated, by the authority, to the
365 lessee under a lease-purchase agreement. Toll revenues
366 attributable to a toll rate increase for the use of a portion of
367 the expressway system that become effective on or after the date
368 that the jurisdiction of the authority is first expanded to
369 include any one or more expansion counties may not be used to
370 construct or expand a different portion of the system unless a
371 two-thirds majority of the members of the authority governing
372 board, determined as of the time of such vote, votes to approve
373 such use. This requirement does not apply if and to the extent
374 that application of the requirement would:

375 (a) Violate any covenant established in a resolution or

376 trust indenture under which bonds were issued by the authority
 377 on or before the first date that the authority's jurisdiction is
 378 expanded to include one or more expansion counties; or

379 (b) Cause the authority to be unable to meet its
 380 obligations under the terms of the October 2012 memorandum of
 381 agreement between the authority and the department.

382 (7) To borrow money and to make and issue negotiable
 383 bonds, notes, refunding bonds, and other evidences of
 384 indebtedness or obligations, either in temporary or definitive
 385 form, referred to hereinafter in this chapter ~~referred to~~ as
 386 "bonds of the authority," for the purpose of financing all or
 387 part of the improvement or extension of the expressway system
 388 and appurtenant facilities, including all approaches, streets,
 389 roads, bridges, and avenues of access for the ~~expressway~~ system,
 390 and for any other purpose authorized by this part, and to
 391 provide for the rights of the holders thereof.

392 (8) To secure the payment of bonds by a pledge of all or
 393 any portion of the expressway system revenues or such other
 394 moneys legally available therefor and of all or any portion of a
 395 county's ~~the Hillsborough County~~ gasoline tax funds in the
 396 manner provided by this part; and in general to provide for the
 397 security of the bonds and the rights and remedies of the holders
 398 thereof. ~~Interest upon the amount of gasoline tax funds to be~~
 399 ~~repaid to the county pursuant to s. 348.60 shall be payable, at~~
 400 ~~the highest rate applicable to any outstanding bonds of the~~

401 ~~authority, out of revenues and other available moneys not~~
402 ~~required to meet the authority's obligations to its bondholders.~~
403 The authority may not, ~~shall have no power~~ at any time or in any
404 manner, ~~to~~ pledge the credit or taxing power of the state or any
405 political subdivision or agency thereof, including a ~~the~~ city
406 and a ~~the~~ county, nor shall any of the authority's obligations
407 be deemed to be obligations of the state or of any political
408 subdivision or agency thereof, nor shall the state or any
409 political subdivision or agency thereof, except the authority,
410 be liable for the payment of the principal of or interest on
411 such obligations.

412 (9) To make contracts of every name and nature and to
413 execute all instruments necessary or convenient for the carrying
414 on of its business.

415 (10) Without limitation of the foregoing, to borrow money
416 and accept gifts or grants from, and to enter into contracts,
417 leases, or other transactions with, any federal agency, the
418 state, any agency of the state, a ~~the~~ county, a ~~the~~ city, or
419 ~~with~~ any other public body of the state or any other person and
420 to comply with the terms and conditions thereof.

421 (11) ~~To have the power~~ Of eminent domain.

422 (12) To construct and maintain over, under, along, or
423 across the expressway system, ~~telephone, telegraph, television,~~
424 electric power, and other wires or cables, pipelines, water
425 mains, and other conduits and mechanical equipment, ~~not~~

426 inconsistent with the appropriate use of the system, or to
427 contract for such construction, ~~and,~~ and, upon such terms and
428 conditions as the authority determines ~~shall determine,~~ to lease
429 all or any part of such property and facilities or the right to
430 use such property and facilities ~~the same~~ whether such
431 facilities are constructed by the authority or under a contract
432 for such construction, ~~for a period of not more than 20 years~~
433 ~~from the date when such lease is made.~~

434 (13) To do all acts and things necessary or convenient for
435 the conduct of its business and the general welfare of the
436 authority, ~~in order to carry out the powers granted to it by~~
437 this part or any other law.

438 (14) To enter into partnerships, contracts, and
439 agreements, including, but not limited to, interlocal
440 agreements, with any federal, state, or local governmental
441 entity with respect to the purposes of this part.

442
443 Before entering into any sale, lease, transfer, or disposition
444 of its real properties under subsection (3), leasing any of its
445 facilities under subsection (4), or taking final action under
446 subsection (7), the authority shall give notice thereof by
447 publication on at least 5 separate days in a newspaper of
448 general circulation in the affected county. Such notice shall
449 state the place and time, not less than 14 days after the first
450 such publication, when objections may be filed with and heard by

451 the authority.

452 ~~(14) Prior to entering into any sale, lease, transfer or~~
453 ~~disposition of its real properties pursuant to subsection (3),~~
454 ~~leasing any of its facilities pursuant to subsection (4), or~~
455 ~~taking final action under subsection (7), the authority shall~~
456 ~~give notice thereof by publication on at least 5 separate days,~~
457 ~~in a newspaper of general circulation in the county. Such notice~~
458 ~~shall state the place and time, not less than 14 days following~~
459 ~~the first such publication, when objections may be filed with~~
460 ~~and heard by the authority.~~

461 ~~(15) With the consent of the county within whose~~
462 ~~jurisdiction the activities occur, to construct, operate, and~~
463 ~~maintain roads, bridges, avenues of access, thoroughfares, and~~
464 ~~boulevards and managed lanes and other transit supporting~~
465 ~~facilities outside of the jurisdictional boundaries of~~
466 ~~Hillsborough County and within the jurisdictional boundaries of~~
467 ~~counties contiguous to Hillsborough County, together with the~~
468 ~~right to construct, repair, replace, operate, install, and~~
469 ~~maintain such facilities and electronic toll payment systems~~
470 ~~thereon or incidental thereto, with all necessary and incidental~~
471 ~~powers to accomplish the foregoing.~~

472 Section 6. Section 348.545, Florida Statutes, is amended
473 to read:

474 348.545 Facility improvement; bond financing authority.—
475 Pursuant to s. 11(f), Art. VII of the State Constitution, the

476 Legislature ~~hereby~~ approves for bond financing by the West
 477 Florida Tampa Hillsborough County Expressway Authority
 478 improvements to toll collection facilities, interchanges to the
 479 ~~legislatively approved~~ expressway system, and any other facility
 480 appurtenant, necessary, or incidental to the approved system.
 481 Subject to terms and conditions of applicable revenue bond
 482 resolutions and covenants, such costs may be financed in whole
 483 or in part by revenue bonds issued pursuant to s. 348.56(1) (a)
 484 or (b), whether currently issued or issued in the future, or by
 485 a combination of such bonds.

486 Section 7. Section 348.56, Florida Statutes, is amended to
 487 read:

488 348.56 Bonds of the authority.—

489 (1) (a) Bonds may be issued on behalf of the authority
 490 pursuant to the State Bond Act.

491 (b) Alternatively, the authority may ~~shall have the power~~
 492 ~~and is hereby authorized~~ from time to time ~~to~~ issue bonds in
 493 such principal amount as, in the opinion of the authority, shall
 494 be necessary to provide sufficient moneys for achieving its
 495 corporate purposes, including construction, reconstruction,
 496 improvement, extension, repair, maintenance, and operation of
 497 the expressway system, the cost of acquisition of all real
 498 property, interest on bonds during construction and for a
 499 reasonable period thereafter, establishment of reserves to
 500 secure bonds, and all other expenditures of the authority

501 incident to and necessary or convenient to carry out its
502 corporate purposes and powers.

503 (2) (a) Bonds issued by the authority pursuant to paragraph
504 (1) (a) or paragraph (1) (b) shall be authorized by resolution of
505 the members of the authority and shall bear such date or dates,
506 mature at such time or times, not exceeding 40 years from their
507 respective dates, bear interest at such rate or rates, not
508 exceeding the maximum rate fixed by general law for authorities,
509 be in such denominations, be in such form, either coupon or
510 fully registered, carry such registration, exchangeability, and
511 interchangeability privileges, be payable in such medium of
512 payment and at such place or places, be subject to such terms of
513 redemption, and be entitled to such priorities of lien on the
514 revenues, other available moneys, and any ~~the Hillsborough~~
515 county gasoline tax funds as such resolution or any resolution
516 subsequent thereto may provide. The bonds shall be executed
517 ~~either~~ by manual or facsimile signature by such officers as the
518 authority determines ~~shall determine~~, provided that such bonds
519 shall bear at least one signature that ~~which~~ is manually
520 executed thereon. The coupons attached to such bonds shall bear
521 the facsimile signature or signatures of such officer or
522 officers as shall be designated by the authority. Such bonds
523 shall have the seal of the authority affixed, imprinted,
524 reproduced, or lithographed thereon.

525 (b) The bonds issued pursuant to paragraph (1) (a) or

526 paragraph (1) (b) shall be sold at public sale in the same manner
527 provided in the State Bond Act. However, if the authority
528 determines, by official action at a public meeting, that a
529 negotiated sale of such bonds is in the best interest of the
530 authority, the authority may negotiate the sale of such bonds
531 with the underwriter or underwriters designated by the authority
532 and the Division of Bond Finance within the State Board of
533 Administration with respect to bonds issued pursuant to
534 paragraph (1) (a) or solely by the authority with respect to
535 bonds issued pursuant to paragraph (1) (b). The authority's
536 determination to negotiate the sale of such bonds may be based,
537 in part, upon the written advice of the authority's financial
538 adviser. Pending the preparation of definitive bonds, temporary
539 bonds or interim certificates may be issued to the purchaser or
540 purchasers of such bonds and may contain such terms and
541 conditions as the authority determines ~~may determine~~.

542 (3) Any such resolution or resolutions authorizing any
543 bonds may contain provisions that ~~which~~ shall be part of the
544 contract with the holders of such bonds, as to:

545 (a) The pledging of all or any part of the expressway
546 system revenues, the ~~Hillsborough~~ county gasoline tax funds, or
547 other moneys lawfully available therefor.

548 (b) The construction, reconstruction, improvement,
549 extension, repair, maintenance, operation, lease, or lease-
550 purchase of the expressway system, or any part or parts thereof,

551 and the duties and obligations of the authority and others,
 552 including the department, with reference thereto.

553 (c) Limitations on the purposes to which the proceeds of
 554 the bonds, then or thereafter to be issued, or of any loan or
 555 grant by any federal agency or the state or any political
 556 subdivision thereof may be applied.

557 (d) The fixing, charging, establishing, revising,
 558 increasing, reducing, and collecting of tolls, rates, fees,
 559 rentals, or other charges for use of the services and facilities
 560 of the expressway system or any part thereof.

561 (e) The setting aside of reserves or of sinking funds and
 562 the regulation and disposition thereof.

563 (f) Limitations on the issuance of additional bonds.

564 (g) The terms and provisions of any lease-purchase
 565 agreement, deed of trust, or indenture securing the bonds, ~~or~~
 566 under which such bonds ~~same~~ may be issued.

567 (h) Any other or additional matters, ~~of~~ like or different
 568 character, ~~which~~ in any way affect the security or protection of
 569 the bonds.

570 (4) The authority may enter into any deeds of trust,
 571 indentures, or other agreements with any bank or trust company
 572 within or without the state, as security for such bonds, and
 573 may, under such agreements, assign and pledge all or any of the
 574 expressway system revenues and other available moneys, including
 575 all or any portion of any ~~the Hillsborough~~ county gasoline tax

576 funds, pursuant to the terms of this part. Such deed of trust,
 577 indenture, or other agreement, may contain such provisions as
 578 are customary in such instruments or as the authority may
 579 authorize, including, but not limited to ~~without limitation~~,
 580 provisions as to:

581 (a) The pledging of all or any part of the expressway
 582 system revenues, any ~~the Hillsborough~~ county gasoline tax funds,
 583 or other moneys lawfully available therefor.

584 (b) The application of funds and the safeguarding of funds
 585 on hand or on deposit.

586 (c) The rights and remedies of the trustee and the holders
 587 of the bonds.

588 (d) The terms and provisions of the bonds or the
 589 resolutions authorizing the issuance of such bonds ~~the same~~.

590 (e) Any other or additional matters, of like or different
 591 character, which in any way affect the security or protection of
 592 the bonds.

593 (5) ~~Any of~~ The bonds issued pursuant to this part are, ~~and~~
 594 ~~are hereby declared to be~~, negotiable instruments, and shall
 595 have all the qualities and incidents of negotiable instruments
 596 under the law merchant and the negotiable instruments law of the
 597 state.

598 (6) It is the intention hereof that any pledge made by the
 599 authority shall be valid and binding from the time when the
 600 pledge is made; that the moneys so pledged and thereafter

601 received by the authority shall immediately be subject to the
 602 lien of such pledge without any physical delivery thereof or
 603 further act, and that the lien of any such pledge shall be valid
 604 and binding as against all parties having claims of any kind in
 605 tort, contract, or otherwise against the authority, irrespective
 606 of whether such parties have notice thereof. A ~~Neither the~~
 607 resolution or ~~nor any~~ other instrument by which a pledge is
 608 created is not required to ~~need~~ be recorded.

609 (7) A member or other ~~Neither the members nor any person~~
 610 executing the bonds is not ~~shall be~~ liable personally on the
 611 bonds or ~~be~~ subject to any personal liability or accountability
 612 by reason of the issuance thereof.

613 (8) The authority may, ~~shall have power~~ out of any funds
 614 available therefor, ~~to~~ purchase bonds, which shall thereupon be
 615 canceled, at a price not exceeding, if the bonds are then
 616 redeemable, the redemption price then applicable plus accrued
 617 interest to the next date of redemption thereof, or if the bonds
 618 are not then redeemable, the redemption price applicable on the
 619 first date after such purchase upon which the bonds become
 620 subject to redemption plus accrued interest to such ~~said~~ date.

621 Section 8. Section 348.565, Florida Statutes, is amended
 622 to read:

623 348.565 Revenue bonds for specified projects.—The existing
 624 facilities that constitute the ~~Tampa-Hillsborough County~~
 625 expressway system are ~~hereby~~ approved to be refinanced by

626 revenue bonds issued by the Division of Bond Finance of the
627 State Board of Administration pursuant to s. 11(f), Art. VII of
628 the State Constitution and the State Bond Act or by revenue
629 bonds issued by the authority pursuant to s. 348.56(1)(b). In
630 addition, the capital projects that the authority is authorized
631 to acquire, construct, reconstruct, equip, operate, and maintain
632 under this part following projects of the Tampa Hillsborough
633 County Expressway Authority are approved to be financed or
634 refinanced by the issuance of revenue bonds in accordance with
635 this part and s. 11(f), Art. VII of the State Constitution:

636 ~~(1) Brandon area feeder roads.~~

637 ~~(2) Capital improvements to the expressway system,~~
638 ~~including safety and operational improvements and toll~~
639 ~~collection equipment.~~

640 ~~(3) Lee Roy Selmon Crosstown Expressway System widening,~~
641 ~~and any extensions thereof.~~

642 ~~(4) The connector highway linking the Lee Roy Selmon~~
643 ~~Crosstown Expressway to Interstate 4.~~

644 ~~(5) Capital projects that the authority is authorized to~~
645 ~~acquire, construct, reconstruct, equip, operate, and maintain~~
646 ~~pursuant to this part, including, without limitation, s.~~
647 ~~348.54(15), provided that any financing of such projects does~~
648 ~~not pledge the full faith and credit of the state.~~

649 Section 9. Section 348.57, Florida Statutes, is amended to
650 read:

651 348.57 Refunding bonds.—

652 (1) Subject to public notice as provided in s. 348.54, the
 653 authority may ~~is authorized to~~ provide by resolution for the
 654 issuance from time to time of bonds pursuant to s. 348.56(1)(b)
 655 for the purpose of refunding any bonds then outstanding
 656 regardless of whether the bonds being refunded were issued by
 657 the authority pursuant to this chapter or on behalf of the
 658 authority pursuant to the State Bond Act. The authority is
 659 further authorized to provide by resolution for the issuance of
 660 bonds for the combined purpose of:

661 (a) Paying the cost of constructing, reconstructing,
 662 improving, extending, repairing, maintaining, and operating the
 663 expressway system.

664 (b) Refunding bonds then outstanding. The authorization,
 665 sale, and issuance of such obligations, the maturities and other
 666 details thereof, the rights and remedies of the holders thereof,
 667 and the rights, powers, privileges, duties, and obligations of
 668 the authority with respect to such bonds ~~the same~~ shall be
 669 governed by ~~the foregoing provisions of~~ this part insofar as ~~the~~
 670 ~~same~~ may be applicable.

671 (2) In the event that the authority determines ~~shall~~
 672 ~~determine~~ to issue bonds for the purpose of refunding any
 673 outstanding bonds before ~~prior to~~ the maturity thereof, the
 674 proceeds of such refunding bonds may, pending the redemption of
 675 the bonds to be refunded, be invested in direct obligations of

676 the United States. It is the express intention of this part that
677 outstanding bonds may be refunded and retired by and upon the
678 issuance of bonds notwithstanding that all or a portion of such
679 outstanding bonds will not mature or become redeemable until
680 after the date of issuance of such refunding bonds.

681 Section 10. Section 348.58, Florida Statutes, is amended
682 to read:

683 348.58 Remedies.—

684 (1) The rights and ~~the remedies herein~~ conferred upon or
685 granted to the bondholders shall be in addition to and not in
686 limitation of any rights and remedies lawfully granted to such
687 bondholders by the resolution or resolutions or indenture
688 providing for the issuance of bonds, or by any lease-purchase
689 agreement, deed of trust, indenture, or other agreement under
690 which the bonds may be issued or secured. In the event that the
691 authority defaults ~~shall default~~ in the payment of the principal
692 of or interest on any of the bonds issued pursuant to ~~the~~
693 ~~provisions of~~ this part after such principal of or interest on
694 the bonds has ~~shall have~~ become due, whether at maturity or upon
695 call for redemption, as provided in said resolution or
696 indenture, or in the event that the lessee defaults ~~shall~~
697 ~~default~~ in any payments under, or covenants made in, any lease-
698 purchase agreement and such default continues ~~shall continue~~ for
699 ~~a period of~~ 30 days, or in the event that the authority or the
700 lessee fails ~~shall fail~~ or refuses ~~refuse~~ to comply with ~~the~~

701 ~~provisions of this part or any agreement made with, or for the~~
 702 ~~benefit of, the holders of the bonds, the holders of 25 percent~~
 703 ~~in aggregate principal amount of the bonds then outstanding~~
 704 ~~shall be entitled as of right to the appointment of a trustee to~~
 705 ~~represent such bondholders for the purposes hereof.~~ ; ~~provided,~~
 706 ~~However, that~~ such holders of 25 percent in aggregate principal
 707 amount of the bonds then outstanding must ~~shall have first give~~
 708 ~~given written notice of their intention to appoint a trustee, to~~
 709 the authority and to such lessee written notice of their
 710 intention to appoint a trustee.

711 (2) Such trustee, and any trustee under any deed of trust,
 712 indenture, or other agreement, may, and upon written request of
 713 the holders of 25 percent, or such other percentages as may be
 714 specified in any deed of trust, indenture, or other agreement
 715 ~~aforsaid,~~ in principal amount of the bonds then outstanding,
 716 shall, in any court of competent jurisdiction, in his, her, or
 717 its own name:

718 (a) By mandamus or other suit, action, or proceeding at
 719 law, or in equity, enforce all rights of the bondholders,
 720 including the right to require the authority to fix, establish,
 721 maintain, collect, and charge rates, fees, rentals, and other
 722 charges, ~~adequate to carry out any agreement as to, or pledge~~
 723 of, the expressway system revenues, and to require the authority
 724 to carry out any other covenants and agreements with or for the
 725 benefit of the bondholders, and to perform its and their duties

726 | under this part.

727 | (b) By mandamus or other suit, action, or proceeding at
728 | law, or in equity, enforce all rights of the bondholders under
729 | or pursuant to any lease-purchase agreement, including the right
730 | to require the lessee to make all rental payments required to be
731 | made by it under ~~the provisions of~~ any such lease-purchase
732 | agreement, whether from the ~~Hillsborough~~ county gasoline tax
733 | funds or other funds so agreed to be paid and to require the
734 | lessee to carry out any other covenants and agreements with or
735 | for the benefit of the bondholders and to perform its and their
736 | duties under this part.

737 | (c) Bring suit upon the bonds.

738 | (d) By action or suit in equity require the authority or
739 | any lessee under any lease-purchase agreement to account as if
740 | it were the trustee of an express trust for the bondholders.

741 | (e) By action or suit in equity, enjoin any acts or things
742 | that ~~which~~ may be unlawful or in violation of the rights of the
743 | bondholders.

744 | (3) Any trustee when appointed ~~as aforesaid~~, or acting
745 | under a deed of trust, indenture, or other agreement, and
746 | regardless of whether ~~or not~~ all bonds have been declared due
747 | and payable, shall be entitled as of right to the appointment of
748 | a receiver, who may enter upon and take possession of the
749 | expressway system or the facilities or any part or parts
750 | thereof, the expressway system revenues, and other pledged

751 moneys and, subject to and in compliance with ~~the provisions of~~
752 any lease-purchase agreement, operate and maintain the same, for
753 and on behalf of and in the name of, the authority, the lessee,
754 and the bondholders, and collect and receive all expressway
755 system revenues and other pledged moneys in the same manner as
756 the authority or the lessee might do, and shall deposit all such
757 revenues and moneys in a separate account and apply the same in
758 such manner as the court directs ~~shall direct~~. In any suit,
759 action, or proceeding by the trustee, the fees, counsel fees,
760 and expenses of the trustee, and such ~~said~~ receiver, if any, and
761 all costs and disbursements allowed by the court shall be a
762 first charge on any expressway system revenues. Such trustee
763 shall, in addition to the foregoing, have and possess all of the
764 powers necessary or appropriate for the exercise of any
765 functions specifically set forth herein or incident to the
766 representation of the bondholders in the enforcement and
767 protection of their rights.

768 (4) ~~Nothing in~~ This section or any other section of this
769 part does not ~~shall~~ authorize any receiver appointed pursuant
770 hereto for the purpose, subject to and in compliance with ~~the~~
771 ~~provisions of~~ any lease-purchase agreement, of operating and
772 maintaining the expressway system or any facilities or part or
773 parts thereof, to sell, assign, mortgage, or otherwise dispose
774 of any of the assets of whatever kind and character belonging to
775 the authority. It is the intention of this part to limit the

776 powers of such receiver, subject to and in compliance with ~~the~~
 777 ~~provisions of~~ any lease-purchase agreement, to the operation and
 778 maintenance of the system, or any facility or part or parts
 779 thereof, as the court directs ~~may direct~~, in the name and for
 780 and on behalf of the authority, the lessee, and the bondholders,
 781 and a ~~no~~ holder of bonds or a ~~nor any~~ trustee does not, ~~shall~~
 782 ~~ever~~ have the right in any suit, action, or proceeding at law,
 783 or in equity, to compel a receiver, nor shall any receiver be
 784 authorized, or any court be empowered to direct the receiver, to
 785 sell, assign, mortgage, or otherwise dispose of any assets of
 786 whatever kind or character belonging to the authority.

787 Section 11. Section 348.59, Florida Statutes, is amended
 788 to read:

789 348.59 Traffic control.—

790 (1) In addition to the powers conferred by the statutes of
 791 the state and by city ~~the ordinances of the city~~, the authority
 792 may adopt ~~is hereby authorized to promulgate~~ such rules and
 793 regulations for the use and occupancy of the expressway system
 794 as may be necessary and proper for the public safety and
 795 convenience, for the preservation of its property, and for the
 796 collection of tolls.

797 (2) The enforcement of the rules and regulations of the
 798 authority and of those provisions of the statutes and ordinances
 799 applicable to the expressway system may be by a ~~the~~ city police
 800 department or ~~and~~ sheriff of a Hillsborough county within the

801 jurisdiction of which a transportation facility is located.~~†~~
 802 ~~provided,~~ However, ~~that~~ at the request of the authority, such
 803 enforcement shall also be the duty of the Florida Highway
 804 Patrol. Violators shall be apprehended and prosecuted in the
 805 same manner as provided for the apprehension and prosecution of
 806 violators of such statutes and ordinances who commit violations
 807 thereof upon streets, roads, and thoroughfares in the state.

808 Section 12. Section 348.60, Florida Statutes, is amended
 809 to read:

810 348.60 Lease-purchase agreements.—

811 (1) In order to effectuate the purposes of this part, the
 812 authority may enter into lease-purchase agreements with a ~~the~~
 813 city, a ~~the~~ county, or the state or any agency thereof,
 814 including the department, and any federal agency relating to and
 815 covering the expressway system or any portion thereof.

816 (2) Such lease-purchase agreements may provide for the
 817 leasing of the expressway system or any portion thereof by the
 818 authority as lessor to any one or more of the aforementioned
 819 governmental entities or agencies as lessee, shall prescribe the
 820 term of such lease and the rentals to be paid thereunder, and
 821 may provide that upon the completion of the faithful performance
 822 thereunder and the termination of such lease-purchase
 823 agreements, title in fee simple absolute to the expressway
 824 system, as then constituted, shall be transferred in accordance
 825 with law by the authority to such lessee or otherwise as

826 | provided in such agreements. In the event of such transfer to
 827 | the lessee, the authority shall deliver to such lessee such
 828 | deeds and conveyances as shall be necessary or convenient to
 829 | vest title in fee simple absolute in such lessee.

830 | (3) The lease-purchase agreements may include such other
 831 | provisions, agreements, and covenants as the authority and the
 832 | lessee deem advisable or necessary, including, but not limited
 833 | to, provisions with respect to bonds; the construction,
 834 | reconstruction, extension, improvements, operation, repair, and
 835 | maintenance of the expressway system; the expenses and costs of
 836 | operation of the system and of the authority; the charging and
 837 | collecting of tolls, rates, fees, and other charges for the use
 838 | of the services and facilities thereof; the application of
 839 | federal, state, or other grants or aid that ~~which~~ may be made or
 840 | given to assist the authority; the enforcement of payment and
 841 | collection of rentals; and any other terms, provisions, or
 842 | covenants necessary, incidental, or convenient to the making of
 843 | and full performance under such lease-purchase agreements.

844 | (a) In the event the department is a lessee under any such
 845 | lease-purchase agreement, the department may ~~it is authorized to~~
 846 | pay as rentals thereunder in addition to the expressway system
 847 | revenues accruing thereto from the operation of the expressway
 848 | system, all or any portion of ~~the Hillsborough~~ county gasoline
 849 | tax funds and may also pay as rentals any appropriations
 850 | received by the department pursuant to any act of the

851 Legislature. ~~heretofore or hereafter enacted; provided,~~ However,
852 ~~that~~ nothing herein or ~~nor~~ in such lease-purchase agreement
853 requires ~~shall be construed to require~~ the Legislature to make
854 or continue such appropriations, and a ~~nor shall any~~ holder of
855 bonds does not ~~ever~~ have any right to require the Legislature to
856 make or continue such appropriations.

857 (b) In the event a ~~the~~ county is a lessee under any such
858 lease-purchase agreement, the county may ~~it shall be authorized~~
859 ~~to~~ pay as rentals thereunder in addition to the expressway
860 revenues accruing to the county from the operation of the
861 expressway system all or any part of the 20-percent surplus
862 gasoline tax funds accruing to the ~~Hillsborough~~ county.

863 (4) A ~~No~~ pledge of ~~either the 80-percent surplus gasoline~~
864 ~~tax funds or the 20-percent~~ surplus gasoline tax funds under any
865 such lease-purchase agreement may not ~~shall~~ be made without the
866 consent of the county evidenced by a resolution duly adopted by
867 its board of county commissioners, which resolution may
868 authorize the execution and delivery of an interlocal agreement
869 between the authority and the county setting forth the terms and
870 provisions for the use by the authority of any such gasoline tax
871 funds ~~nor unless the revenues pledged under any such lease-~~
872 ~~purchase agreements are estimated by the authority to aggregate~~
873 ~~during the term of such lease-purchase agreements not less than~~
874 ~~the principal amount of the bonds secured thereunder plus~~
875 ~~interest thereon. Such resolution, among other things shall~~

876 ~~provide that any excess of such pledge of the Hillsborough~~
877 ~~County gasoline tax funds which is not required for debt service~~
878 ~~or reserves for such debt service for any bonds shall be~~
879 ~~returned annually to the appropriate board or agency for~~
880 ~~distribution to the county as provided by law; and shall~~
881 ~~provide, further, that any Hillsborough County gasoline tax~~
882 ~~funds actually expended for such debt service, shall be repaid~~
883 ~~with interest out of revenues and other available moneys not~~
884 ~~required to meet the authority's obligations to its bondholders,~~
885 ~~as determined by the authority.~~

886 (5) A ~~Any~~ lessee under any such lease-purchase agreement
887 may ~~agreements~~ shall have power to covenant therein that it will
888 pay all or any part of the cost of the operation, maintenance,
889 repair, renewal, and replacement of the expressway system, and
890 any part of the cost of completing such system, to the extent
891 that the proceeds of bonds issued therefor are insufficient,
892 from sources other than expressway system revenues and
893 ~~Hillsborough~~ county gasoline tax funds. ~~Any~~ Such lessee may also
894 agree to make such other payments from moneys available to a ~~the~~
895 county, a ~~the~~ city, the authority, or the department in
896 connection with the construction or completion of the expressway
897 ~~such~~ system as ~~shall be~~ deemed by such lessee to be fair and
898 proper under any such covenants ~~heretofore or hereafter~~ entered
899 into.

900 (6) The expressway system shall be a part of the state

901 road system. The department may ~~is hereby authorized~~, upon
 902 request of the authority, ~~to~~ expend out of any funds available
 903 for the purpose, ~~such moneys~~, and to use such of its engineering
 904 or other forces, as may be necessary and desirable in the
 905 judgment of the department, ~~for the operation of the authority~~
 906 and for traffic surveys, borings, surveys, preparation of plans
 907 and specifications, estimates of costs, preliminary engineering,
 908 and other studies.

909 Section 13. Section 348.61, Florida Statutes, is amended
 910 to read:

911 348.61 Department may be appointed agent of authority for
 912 construction.—The department may be appointed by the authority
 913 as its agent for the purpose of constructing, reconstructing,
 914 improving, extending, or repairing the expressway system. In
 915 such event, the authority shall provide the department with
 916 complete copies of all documents, agreements, resolutions,
 917 contracts, and instruments relating thereto and shall request
 918 the department to do such construction work, including the
 919 planning, surveying, and actual construction involved, and shall
 920 transfer to the credit of an account of the department in the
 921 Treasury of the state the necessary funds therefor. The
 922 department shall then ~~thereupon~~ be authorized, empowered, and
 923 directed to proceed with such construction work and to use such
 924 ~~the said~~ funds for such purpose and in the same manner that it
 925 is now authorized to use the funds otherwise authorized by law

926 | for its use in construction of roads and bridges.

927 | Section 14. Section 348.62, Florida Statutes, is amended
 928 | to read:

929 | 348.62 Acquisition of lands and property.—

930 | (1) ~~For the purpose of this part,~~ The authority may
 931 | acquire private or public property and property rights,
 932 | including rights of access, air, view, and light, by gift,
 933 | devise, purchase, or condemnation by eminent domain proceedings,
 934 | as the authority deems ~~may deem~~ necessary for ~~any of the~~
 935 | purposes of this part, including, but not limited to, any lands
 936 | reasonably necessary for securing applicable permits, areas
 937 | necessary for management of access, borrow pits, drainage
 938 | ditches, water retention areas, rest areas, and replacement
 939 | access for landowners whose access is impaired due to the
 940 | construction of a transportation facility. The right of eminent
 941 | domain ~~herein~~ conferred in this subsection shall be exercised by
 942 | the authority in the manner provided by law, in particular
 943 | chapter 74.

944 | (2) The authority may acquire such rights, title,
 945 | interest, or easements in such lands and property as it deems
 946 | ~~may deem~~ necessary for ~~any of the~~ purposes of this part.

947 | (3) In connection with the acquisition of property or
 948 | property rights as ~~herein~~ provided in this section, the
 949 | authority may, in its discretion, acquire an entire lot, block,
 950 | parcel, or tract of land, if by so doing the interest of the

951 public will be best served, even though such entire lot, block,
 952 parcel, or tract is not immediately needed for the right-of-way
 953 proper.

954 Section 15. Section 348.63, Florida Statutes, is amended
 955 to read:

956 348.63 Cooperation with other units, boards, agencies, and
 957 individuals.—Express authority and power is ~~hereby given and~~
 958 granted to any county, municipality, drainage district, road and
 959 bridge district, school district, or any other political
 960 subdivision, board, authority, corporation, or individual in or
 961 of the state to make and enter into with the authority, ~~7~~
 962 contracts, leases, conveyances, or other agreements within the
 963 provisions and purposes of this part. The authority may ~~is~~
 964 ~~hereby expressly authorized to~~ make and enter into contracts,
 965 leases, conveyances, and other agreements with any political
 966 subdivision, agency, or instrumentality of the state and any and
 967 all federal agencies, corporations, and individuals for the
 968 purpose of carrying out the provisions of this part.

969 Section 16. Section 348.64, Florida Statutes, is amended
 970 to read:

971 348.64 Covenant of the state.—The state pledges ~~does~~
 972 ~~hereby pledge to~~ and agrees ~~agree~~ with the holders ~~from time to~~
 973 ~~time~~ of the bonds that the state will not limit or alter the
 974 rights ~~hereby~~ vested in the authority, the department, a ~~the~~
 975 county, and a ~~the~~ city to collect expressway system revenues,

976 ~~and Hillsborough~~ county gasoline tax funds, and any other moneys
 977 and to fulfill the terms of any agreements made with the holders
 978 of bonds or to in any way impair the rights and remedies of such
 979 holders until such bonds and the interest due thereon have been
 980 paid. The state ~~does~~ further pledges ~~pledge~~ to and agrees ~~agree~~
 981 with the United States and any federal agency that, in the event
 982 any federal agency constructs ~~shall construct~~ or contributes
 983 ~~contribute~~ funds for the construction, reconstruction,
 984 extension, or improvement of the expressway system or any part
 985 thereof, the state will not alter or limit the rights of the
 986 authority, the department, a the county, or a the city in any
 987 manner ~~which would be~~ inconsistent with the continued
 988 maintenance or operation of the system or the construction,
 989 reconstruction, extension, or improvement thereof and which
 990 ~~would be~~ inconsistent with the due performance of any agreements
 991 between the authority and any such federal agency. The
 992 authority, the department, a the county, and a the city shall
 993 continue to have and may exercise all powers herein granted so
 994 long as such powers are ~~the same shall be~~ necessary or desirable
 995 for the carrying out of the purposes of this part.

996 Section 17. Section 348.65, Florida Statutes, is amended
 997 to read:

998 348.65 Exemption from taxation.—The effectuation of the
 999 authorized purposes of the authority created under this part is,
 1000 ~~shall and will be~~ in all respects for the benefit of the people

1001 of the state for the increase of their commerce and, prosperity
 1002 and for the improvement of their health and living conditions.
 1003 Since the authority will perform essential governmental
 1004 functions in effectuating such purpose, the authority is ~~shall~~
 1005 not ~~be~~ required to pay any taxes or assessments of any kind ~~or~~
 1006 ~~nature whatsoever~~ upon any property acquired or used by it for
 1007 such purposes or upon any expressway system revenues at any time
 1008 received by it. The bonds, their transfer, and the income
 1009 therefrom, including any profits made on the sale thereof, are
 1010 ~~shall at all times be~~ free from taxation of any kind by the
 1011 state or by any political subdivision or other taxing agency or
 1012 instrumentality thereof. The exemption granted by this section
 1013 does not apply ~~shall not be applicable~~ to any tax imposed by
 1014 chapter 220 on interest, income, or profits on debt obligations
 1015 owned by corporations.

1016 Section 18. Section 348.67, Florida Statutes, is amended
 1017 to read:

1018 348.67 Pledges enforceable for bondholders.—It is the
 1019 intent ~~express intention~~ of this part that any pledge of
 1020 expressway system revenues, ~~Hillsborough~~ county gasoline tax
 1021 funds, or other funds either as rentals to the authority or for
 1022 the payment of the principal of and interest on bonds, or any
 1023 covenant or agreement relative thereto, may be enforceable in
 1024 any court of competent jurisdiction against the authority or
 1025 directly against the department, a ~~the~~ county, or a ~~the~~ city, as

1026 | may be appropriate.

1027 | Section 19. Sections 348.68 and 348.681, Florida Statutes,
 1028 | are repealed.

1029 | Section 20. Section 348.70, Florida Statutes, is
 1030 | renumbered as section 348.682, Florida Statutes, and amended to
 1031 | read:

1032 | 348.682 ~~348.70~~ This part complete and additional
 1033 | authority.—

1034 | (1) The powers conferred by this part are ~~shall be~~ in
 1035 | addition and supplemental to the existing respective powers of
 1036 | the authority, the department, a ~~the~~ county, and a ~~the~~ city, if
 1037 | any, and this part does ~~shall~~ not repeal ~~be construed as~~
 1038 | ~~repealing~~ any ~~of the~~ provisions of any other law, general,
 1039 | special, or local, but supersedes ~~shall be deemed to supersede~~
 1040 | such other law or laws in the exercise of the powers provided in
 1041 | this part insofar as such other law or laws are inconsistent
 1042 | with ~~the provisions of~~ this part and to provide a complete
 1043 | method for the exercise of the powers granted in this part
 1044 | ~~herein~~. The construction, reconstruction, improvement,
 1045 | extension, repair, maintenance, and operation of the expressway
 1046 | system, and the issuance of bonds under this part ~~hereunder~~ to
 1047 | finance all or part of the cost thereof, may be accomplished
 1048 | upon compliance with ~~the provisions of~~ this part without regard
 1049 | to or necessity for compliance with the provisions, limitations,
 1050 | or restrictions contained in any other general, special, or

1051 local law, including, but not limited to, s. 215.821, and ~~ne~~
 1052 approval of any bonds issued under this part by the qualified
 1053 electors or qualified electors who are freeholders in the state
 1054 or in a ~~the~~ county or ~~in the~~ city or in any other political
 1055 subdivision of the state is not ~~shall be~~ required for the
 1056 issuance of such bonds.

1057 (2) This part does not repeal, rescind, or modify any
 1058 other law or laws relating to the State Board of Administration,
 1059 the Department of Transportation, or the Division of Bond
 1060 Finance of the State Board of Administration, but supersedes
 1061 ~~shall supersede~~ such other law or laws as are inconsistent with
 1062 ~~the provisions of this part,~~ including, but not limited to, s.
 1063 215.821.

1064 Section 21. Subsection (2) of section 343.975, Florida
 1065 Statutes, is amended to read:

1066 343.975 Complete and additional statutory authority.—

1067 (2) This part does not repeal, rescind, or modify any
 1068 other law relating to the State Board of Administration, the
 1069 Department of Transportation, the West Florida Tampa-
 1070 ~~Hillsborough County~~ Expressway Authority, or the Division of
 1071 Bond Finance within the State Board of Administration; however,
 1072 this part supersedes such other laws as are inconsistent with
 1073 its provisions, including, but not limited to, s. 215.821.

1074 Section 22. The Division of Law Revision is directed to
 1075 replace the phrase "the effective date of this act" wherever it

HB 1283

2021

1076 | occurs in this act with the date the act becomes a law.
1077 | Section 23. This act shall take effect upon becoming a
1078 | law.