Florida Senate - 2011 Bill No. CS for CS for SB 1314



LEGISLATIVE ACTION

Senate		House
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05/06/2011 05:50 PM	•	

The Conference Committee on CS for CS for SB 1314 recommended the following:

Senate Conference Committee Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Present paragraph (vv) of subsection (1) of section 216.011, Florida Statutes, is redesignated as paragraph (ww), and a new paragraph (vv) is added to that subsection, to read:

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216.011 Definitions.-
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(1) For the purpose of fiscal affairs of the state,
 appropriations acts, legislative budgets, and approved budgets,

576-06084A-11

Florida Senate - 2011 CONFERENCE COMMITTEE AMENDMENT Bill No. CS for CS for SB 1314

	615258
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14(vv) "Lease or lease-purchase of equipment" means the15appropriations category used to fund the lease or lease-purch16of equipment, fixtures, and other tangible personal property.17Section 2. Present subsections (6) through (9) of sectio18216.023, Florida Statutes, are renumbered as subsections (7)19through (10), respectively, and a new subsection (6) is added20that section, to read:21216.023 Legislative budget requests to be furnished to22Legislature by agencies23(6) As part of the legislative budget request, each stat24agency must include the following information for each contra25in which the consideration to be paid to the agency is a26percentage of the vendor revenue and in excess of \$10 million27under the contract period:28(a) The name of the vendor.29(b) A brief description of the services provided by the30vendor.31(c) The term of the contract and the years remaining on32contract.33(d) The amount of revenue generated or expected to be34generated by the vendor under the contract for the prior fisc35year, the current fiscal year, and the next fiscal year.36(e) The amount of revenue remitted or expected to be37remitted to the state agency by the vendor for the prior fisc38year, the current fiscal year, and the next fiscal year.39(f) The value of capital improvements, if any, on state	13	each of the following terms has the meaning indicated:
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	39	(f) The value of capital improvements, if any, on state
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41 <u>the contract.</u>	41	the contract.

CONFERENCE COMMITTEE AMENDMENT

Florida Senate - 2011 Bill No. CS for CS for SB 1314

615258

42	(g) The remaining amount of capital improvements, if any,
43	on state property which have not been fully amortized by June 30
44	of the prior fiscal year.
45	(h) The amount, if any, of state appropriations made to the
46	state agency to pay for services provided by the vendor.
47	Section 3. Section 216.313, Florida Statutes, is created to
48	read:
49	216.313 Contract appropriation; requirementsAn executive
50	or judicial branch public officer or employee may not enter into
51	any contract or agreement on behalf of the state or judicial
52	branch which binds the state or its executive agencies or the
53	judicial branch for the purchase of services or tangible
54	personal property in excess of \$5 million unless the contract
55	identifies the specific appropriation of state funds from which
56	the state will make payment under the contract in the first year
57	of the contract, unless the Legislature expressly authorizes the
58	agency or the judicial branch to enter into such contract absent
59	a specific appropriation of funds.
60	Section 4. Subsections (2) and (3) of section 287.056,
61	Florida Statutes, are amended to read
62	287.056 Purchases from purchasing agreements and state term
63	contracts
64	(2) Agencies may have the option to purchase commodities or
65	contractual services from state term contracts procured,
66	pursuant to s. 287.057, by the department.
67	<u>(2)</u> Agencies and eligible users may use a request for
68	quote to obtain written pricing or services information from a
69	state term contract vendor for commodities or contractual
70	services available on state term contract from that vendor. The

576-06084A-11

Bill No. CS for CS for SB 1314 CONFERENCE COMMITTEE AMENDMENT

615258

71	purpose of a request for quote is to determine whether a price,
72	term, or condition more favorable to the agency or eligible user
73	than that provided in the state term contract is available. Use
74	of a request for quote does not constitute a decision or
75	intended decision that is subject to protest under s. 120.57(3).
76	Section 5. Section 45 of chapter 2010-151, Laws of Florida,
77	is amended to read:
78	Section 45. Contracts for academic program reviews,
79	auditing services, health services, or Medicaid services are
80	subject to the transaction or user fees imposed under ss.
81	287.042(1)(h) and 287.057(22), Florida Statutes, only to the
82	extent that such contracts were not subject to such transaction
83	or user fees before July 1, 2010.
84	Section 6. This act shall take effect July 1, 2011, and
85	applies to initial contracts and agreements, amendments to a
86	contract or agreement, and extensions or renewals of a contract
87	or agreement which are executed on or after that date.
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89	======================================
90	And the title is amended as follows:
91	Delete everything before the enacting clause
92	and insert:
93	A bill to be entitled
94	An act relating to state financial matters; amending
95	s. 216.011, F.S.; defining the term "lease or lease-
96	purchase of equipment"; amending s. 216.023, F.S.;
97	requiring that specified information relating to
98	certain contracts be included in an agency's
99	legislative budget request; creating s. 216.313, F.S.;

576-06084A-11

CONFERENCE COMMITTEE AMENDMENT

Florida Senate - 2011 Bill No. CS for CS for SB 1314



100 requiring certain state contracts to identify the 101 appropriation that funds a contract; amending s. 102 287.056, F.S.; deleting a provision relating to an option to purchase commodities or contractual services 103 104 from state term contracts; amending s. 45, chapter 105 2010-151, Laws of Florida; providing that certain 106 contracts are subject to transaction fees; providing 107 for application of the act to certain contracts and agreements; providing an effective date. 108

Page 5 of 5