

1 A bill to be entitled
2 An act relating to the use of state funds; amending s.
3 112.061, F.S.; providing a limitation on actual
4 expenses of certain lodging that may be reimbursed for
5 a state agency or judicial branch employee;
6 authorizing an employee to expend his or her own funds
7 on lodging expenses that exceed a specified amount;
8 creating s. 216.0161, F.S.; providing definitions;
9 establishing maximum cost per square foot guidelines
10 for new state funded construction; requiring the
11 Department of Management Services to annually review
12 the maximum cost per square foot guidelines and
13 recommend adjustments based on a specified federal
14 index; specifying the formula to be used in deriving
15 the cost per square foot of a proposed new building;
16 prohibiting the cost per square foot from exceeding
17 the maximum cost per square foot; requiring the
18 department to review certain plans, calculate and
19 certify certain costs, and provide specified
20 information concerning construction of a new building
21 at the request of a state entity; prohibiting a state
22 entity from requesting state funds for new building
23 construction that exceed specified amounts without the
24 department's certification; requiring a state entity
25 head to certify that each legislative budget request

26 | complies with the requirements of this law;
 27 | prohibiting a state entity from spending or
 28 | contracting to spend state funds for new building
 29 | construction if certain costs exceed specified maximum
 30 | authorized cost per square foot amounts; providing
 31 | penalties; amending s. 216.023, F.S.; requiring
 32 | legislative budget requests for fixed capital outlay
 33 | for new building construction to comply with certain
 34 | requirements; amending s. 286.27, F.S.; prohibiting
 35 | the use of state funds to purchase alcoholic beverages
 36 | and food or beverages for certain state agency
 37 | appreciation or recognition events; providing an
 38 | effective date.

39 |
 40 | Be It Enacted by the Legislature of the State of Florida:

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 42 | Section 1. Paragraph (c) of subsection (6) of section
 43 | 112.061, Florida Statutes, is redesignated as paragraph (d),
 44 | paragraph (a) of subsection (6) is amended, and a new paragraph
 45 | (c) is added to that subsection, to read:

46 | 112.061 Per diem and travel expenses of public officers,
 47 | employees, and authorized persons.—

48 | (6) RATES OF PER DIEM AND SUBSISTENCE ALLOWANCE.—For
 49 | purposes of reimbursement rates and methods of calculation, per
 50 | diem and subsistence allowances are provided as follows:

51 (a) All travelers shall be allowed for subsistence when
52 traveling to a convention or conference or when traveling within
53 or outside the state in order to conduct bona fide state
54 business, which convention, conference, or business serves a
55 direct and lawful public purpose with relation to the public
56 agency served by the person attending such meeting or conducting
57 such business, either of the following for each day of such
58 travel at the option of the traveler:

- 59 1. Eighty dollars per diem; or
- 60 2. If actual expenses exceed \$80, the amounts permitted in
61 paragraph (b) for subsistence, plus actual expenses for lodging
62 at a single-occupancy rate, except as provided in paragraph (c),
63 to be substantiated by paid bills therefor.

64
65 When lodging or meals are provided at a state institution, the
66 traveler shall be reimbursed only for the actual expenses of
67 such lodging or meals, not to exceed the maximums ~~maximum~~
68 provided for in this subsection.

69 (c) Actual expenses for lodging associated with the
70 attendance of an employee of a state agency or the judicial
71 branch at a meeting, conference, or convention organized or
72 sponsored in whole or in part by a state agency or the judicial
73 branch may not exceed \$150 per day. However, an employee may
74 expend his or her own funds for any lodging expenses that exceed
75 \$150 per day.

76 Section 2. Section 216.0161, Florida Statutes, is created
 77 to read:

78 216.0161 Maximum cost per square foot for new state-funded
 79 building construction.-

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

81 (a) "Art" means the artwork for a new state-funded
 82 building as set forth in s. 255.043.

83 (b) "Building" means an office building, a courthouse, an
 84 administrative building, or a university or college classroom
 85 building or auditorium building. The term does not include a
 86 nursing, medical, laboratory, science, technology, correctional,
 87 residential, or food service facility or a facility with fewer
 88 than 10,000 total square feet.

89 (c) "Core costs" means the costs associated with providing
 90 infrastructure for the core areas of each floor of a building
 91 including potable domestic water risers, separate sanitary and
 92 storm drain systems, sanitary vents, electrical power
 93 distribution panels, circuit breakers, electrical closets, a
 94 designated connection point to the central fire alarm system,
 95 distribution backboards within wire closets, and connections to
 96 horizontal extensions within a tenant's usable area.

97 (d) "Department" means the Department of Management
 98 Services.

99 (e) "DRI" means large projects that require a development-
 100 of-regional-impact review and permit as set forth in s. 380.06.

101 (f) "Furniture, fixtures, and equipment" means the movable
102 furniture, fixtures, and other equipment that have no permanent
103 connection to the structure of a building.

104 (g) "Maximum cost per square foot" means the maximum cost
105 per square foot as determined in subsection (3) or in the
106 legislative budget instructions for the construction of a new
107 building.

108 (h) "Permitting costs" means the costs or fees required to
109 obtain relevant permission to undertake a new building
110 construction project, including, but not limited to,
111 environmental permits, building permits, State Fire Marshal
112 reviews, utility connection fees, impact fees, and the
113 department's project management fees.

114 (i) "Professional service fees" means the fees charged by
115 construction design professionals, including engineers, who are
116 utilized in planning and designing an energy-efficient and
117 sustainable building that meets the goals identified in s.
118 255.252.

119 (j) "Raw building construction costs" means the costs
120 associated with the building construction contract, including
121 the cost of materials and the cost of labor and equipment
122 necessary to install materials. The term includes shell costs,
123 core costs, and tenant costs.

124 (k) "Shell costs" means the costs associated with the
125 building structure, exterior envelope physical characteristics,

126 vertical circulation, public spaces, and physical plant support
127 spaces of a building.

128 (l) "State entity" means a state agency or department, the
129 judicial branch, a state university, or a state college.

130 (m) "Tenant costs" means the costs associated with the
131 design and construction for the installation of materials; HVAC,
132 electrical, and plumbing systems; and life safety items to meet
133 the tenant office layout needs that are within the shell and
134 core of a building. The term does not include the cost of
135 furniture, fixtures, and equipment.

136 (n) "Total construction cost" means the total of the raw
137 building construction costs; permitting costs; cost to install
138 utility services; professional service fees; and art, furniture,
139 fixtures, and equipment costs. The term does not include the
140 cost for the physical property, parking areas, and parking
141 structures.

142 (2) A state entity that requests state funds to construct
143 or contract for the construction of a new building must comply
144 with the maximum cost per square foot requirements provided in
145 this section. The state entity shall apply the maximum cost per
146 square foot amount using the region that is in closest proximity
147 to the region in which the new building will be constructed,
148 taking into consideration whether the building is part of a DRI.

149 (3) (a) For fiscal year 2017-2018, the maximum cost per
150 square foot shall be:

151	Region	Cost per sq. ft. w/o DRI	Cost per sq. ft. w/ DRI
152	Fort Myers	\$365.98	\$491.37
153	Jacksonville	\$397.16	\$494.84
154	Miami	\$564.55	\$794.82
155	Tallahassee	\$395.13	\$493.06
156	Tampa	\$411.59	\$584.25

157 (b) Beginning July 1, 2018, and annually thereafter, the
 158 department shall review the maximum cost per square foot and
 159 recommend adjustments, based on the percentage change in the
 160 average of the Producer Price Index Data for New Office Building
 161 Construction published by the United States Department of Labor,
 162 to the Executive Office of the Governor and the appropriations
 163 committees of the Legislature for review and consideration for
 164 inclusion in the legislative budget instructions pursuant to s.
 165 216.023(3).

166 (4) To determine the cost per square foot of a proposed
 167 new building, the estimated total construction cost plus 10
 168 percent must be divided by the total square footage of the
 169 proposed new building. For purposes of this subsection, the
 170 total square footage of the proposed new building does not
 171 include the physical property, parking areas, and parking
 172 structures. The value derived from this calculation may not
 173 exceed the maximum cost per square foot provided in subsection
 174 (3) or as modified in the most recent legislative budget
 175 instructions.

176 (5) At the request of a state entity that may seek state
177 funds to construct or contract for the construction of a new
178 building, the department shall:

179 (a) Review the building construction plans and calculate
180 the estimated cost per square foot.

181 (b) After completing its review, certify the estimated
182 cost per square foot and specify whether the cost per square
183 foot is equal to or less than the maximum cost per square foot
184 provided in subsection (3) or as modified in the most recent
185 legislative budget instructions.

186 (c) Provide recommendations for reducing the estimated
187 cost per square foot if such cost exceeds the maximum cost per
188 square foot provided in subsection (3).

189 (6) A state entity may not request state funds for new
190 building construction if the estimated cost per square foot
191 exceeds the maximum cost per square foot provided in subsection
192 (3) or in the legislative budget instructions, unless the
193 department has certified that the total estimated cost per
194 square foot will exceed the maximum cost per square foot by no
195 more than 10 percent and the additional cost is attributable to:

196 (a) Necessary security-related costs;

197 (b) Building material costs needed due to site limitations
198 for construction on a specific site; or

199 (c) Extraordinary permitting costs.

200 (7) A state entity head shall certify that each

201 legislative budget request submitted under s. 216.023 for new
202 building construction complies with this section. If the cost
203 per square foot of a new building exceeds the maximum cost per
204 square foot, the state entity head shall identify in writing the
205 specific additional costs that exceed the maximum cost per
206 square foot as provided in subsection (6).

207 (8) A state entity may not spend or enter into a contract
208 to spend state funds for new building construction if the cost
209 per square foot of a new building exceeds the maximum cost per
210 square foot authorized pursuant to subsection (3) or subsection
211 (6), unless specifically authorized by law. A contract in
212 violation of this section is void. A person who willfully
213 spends, or enters into a contract to spend, state funds that
214 exceed the maximum cost per square foot, except as provided in
215 subsection (7) or unless specifically authorized by law, is
216 guilty of a misdemeanor of the second degree, punishable as
217 provided in s. 775.082 or s. 775.083.

218 Section 3. Subsection (11) is added to section 216.023,
219 Florida Statutes, to read:

220 216.023 Legislative budget requests to be furnished to
221 Legislature by agencies.—

222 (11) A legislative budget request for fixed capital outlay
223 for new building construction shall adhere to the maximum cost
224 per square foot requirements set forth in s. 216.0161.

225 Section 4. Section 286.27, Florida Statutes, is amended to

226 read:

227 286.27 Prohibited uses ~~Use~~ of state funds ~~for greeting~~
 228 ~~cards prohibited.~~ ~~No~~ State funds may not shall be expended for:

229 (1) The purchase, preparation, printing, or mailing of any
 230 card the sole purpose of which is to convey holiday greetings.

231 (2) The purchase of alcoholic beverages.

232 (3) The purchase of food or beverages for events related
 233 to state agency employee, board member, or vendor appreciation
 234 or recognition.

235 Section 5. This act shall take effect July 1, 2017.