Bill No. SB 4-E

Amendment No. ____ Barcode 213582

CHAMBER ACTION

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11	Senators Sebesta and Klein moved the following amendment:
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13	Senate Amendment (with title amendment)
14	On page 50, between lines 28 and 29,
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16	insert:
17	Section 50. In order to implement Specific
18	Appropriation 2746 of the 2002-2003 General Appropriations
19	Act, paragraph (b) of subsection (3) of section 255.25,
20	Florida Statutes, is amended to read:
21	255.25 Approval required prior to construction or
22	lease of buildings
23	(3)
24	(b) The Department of Management Services may approve
25	extensions of an existing lease of 5,000 square feet or more
26	of space if such extensions are determined to be in the best
27	interests of the state, but in no case shall the total of such
28	extensions exceed 11 months. If at the end of the 11th month
29	an agency still needs that space, it shall be procured by
30	competitive bid in accordance with s. 255.249(4)(b). However,
31	an agency that determines that it is in its best interest to

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remain in the space it currently occupies may negotiate a 2 replacement lease with the lessor if an independent 3 comparative market analysis demonstrates that the rates 4 offered are within market rates for the space and the cost of the new lease does not exceed the cost of a comparable lease 5 plus documented moving costs. A present-value analysis and the 6 7 consumer price index shall be used in the calculation of lease costs. Any replacement lease negotiated pursuant to this 8 paragraph, which is for a term exceeding 1 year, must permit 9 10 the agency to terminate the lease without penalty if a state-owned building becomes available by providing 6 months 11 12 advance written notice to the lessor, unless the Department of 13 Management Services approves a request from the agency to be 14 exempted from this requirement and the agency demonstrates in 15 writing that the cost of the replacement lease is at least 10 percent less than the market rate plus documented moving 16 17 expenses. The term of the replacement lease may not exceed the 18 base term of the expiring lease. 19 Section 51. The amendment of paragraph (b) of 20 subsection (3) of section 255.25, Florida Statutes, by this 21 act shall expire on July 1, 2003, and the text of that paragraph shall revert to that in existence on June 30, 2002, 22 except that any amendments to such text enacted other than by 23 24 this act shall be preserved and continue to operate to the 25 extent that such amendments are not dependent upon the 26 portions of such text which expire pursuant to the provisions 27 of this act. 28 29 (Redesignate subsequent sections.) 30

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======== T I T L E A M E N D M E N T ========= And the title is amended as follows: On page 4, line 16, after the semicolon, insert: amending s. 255.25, F.S.; requiring certain replacement leases to contain a right-to-terminate clause except under specified circumstances;