Bill No. CS/HB 7123

	Amendment No. CHAMBER ACTION
	Senate House
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1	Representative Grant offered the following:
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3	Substitute Amendment for Amendment (420845) (with title
4	amendment)
5	Remove lines 811-812 and insert:
6	Section 11. State government transparency; contracts
7	(1) As used in this section, the term:
8	(a) "Contract" means any legally binding agreement
9	executed by a reporting entity and a corporation or an
10	individual for the purchase of commodities or contractual
11	services which requires the expenditure of \$25,000 or more. The
12	term excludes the contractual rights of state employees and
13	retirees who are members of the Florida Retirement System.
14	(b) "Corporation" means all corporations registered to do
15	business in this state, whether for profit or not for profit;
16	foreign corporations qualified to do business in this state or
	450695 4/27/2008 3:33 PM

HOUSE AMENDMENT

Bill No. CS/HB 7123

Amendment No

17	actually doing business in this state, whether for profit or not
18	for profit; limited liability companies under chapter 608,
19	Florida Statutes; partnerships under chapter 620, Florida
20	Statutes; a sole proprietorship as defined in s. 440.02, Florida
21	Statutes; or any other legal business entity, whether for profit
22	or not for profit.
23	(c) "Expenditure" means a payment that a reporting entity
24	makes to a corporation or an individual under a contract.
25	(d) "Individual" means a person, but excludes an employee
26	of a reporting entity or an employee of the Federal Government
27	while acting in the capacity as employee.
28	(e) "Reporting entity" means any state officer,
29	department, board, commission, division, bureau, or council and
30	any other unit of organization, however designated, of the
31	executive branch of state government, and any water management
31 32	executive branch of state government, and any water management district, university or college board of trustees, and any state
32	district, university or college board of trustees, and any state
32 33	district, university or college board of trustees, and any state university or college.
32 33 34	district, university or college board of trustees, and any state university or college. (2) The Executive Office of the Governor is directed to
32 33 34 35	district, university or college board of trustees, and any state university or college. (2) The Executive Office of the Governor is directed to develop and maintain a portal linking to the reporting entity
32 33 34 35 36	district, university or college board of trustees, and any state university or college. (2) The Executive Office of the Governor is directed to develop and maintain a portal linking to the reporting entity contract expenditures report maintained by the Department of
32 33 34 35 36 37	district, university or college board of trustees, and any state university or college. (2) The Executive Office of the Governor is directed to develop and maintain a portal linking to the reporting entity contract expenditures report maintained by the Department of Financial Services and required under this section.
32 33 34 35 36 37 38	district, university or college board of trustees, and any state university or college. (2) The Executive Office of the Governor is directed to develop and maintain a portal linking to the reporting entity contract expenditures report maintained by the Department of Financial Services and required under this section. (3) (a) The Department of Financial Services is directed to
32 33 34 35 36 37 38 39	district, university or college board of trustees, and any state university or college. (2) The Executive Office of the Governor is directed to develop and maintain a portal linking to the reporting entity contract expenditures report maintained by the Department of Financial Services and required under this section. (3) (a) The Department of Financial Services is directed to develop and maintain a contract expenditures report that
32 33 34 35 36 37 38 39 40	district, university or college board of trustees, and any state university or college. (2) The Executive Office of the Governor is directed to develop and maintain a portal linking to the reporting entity contract expenditures report maintained by the Department of Financial Services and required under this section. (3) (a) The Department of Financial Services is directed to develop and maintain a contract expenditures report that provides the following information:
32 33 34 35 36 37 38 39 40 41	district, university or college board of trustees, and any state university or college. (2) The Executive Office of the Governor is directed to develop and maintain a portal linking to the reporting entity contract expenditures report maintained by the Department of Financial Services and required under this section. (3) (a) The Department of Financial Services is directed to develop and maintain a contract expenditures report that provides the following information: 1. The name of the reporting entity that is a party to a

HOUSE AMENDMENT

Bill No. CS/HB 7123

	Amendment No.
43	2. The name of each corporation or individual who is a
44	party to a contract and whether the corporation is a minority
45	business enterprise as defined in s. 288.703, Florida Statutes;
46	3. The date, amount, and purpose of the contract; and
47	4. Each expenditure made under the contract.
48	(b) The contract expenditures report must be maintained by
49	the department in a searchable website containing a navigation
50	bar that allows an individual having Internet access to search
51	for expenditure reports by governmental function, reporting
52	entity, or appropriation category.
53	(4)(a) Each reporting entity, excluding water management
54	districts, university and college boards of trustees, and the
55	state universities and colleges, shall record each contract
56	executed between the reporting entity and a corporation or an
57	individual and each payment made under the contract along with
58	the contract number in the department's Florida Accounting and
59	Information Resources contract subsystem as provided in s.
60	215.94(2), Florida Statutes.
61	(b) To the extent possible, each reporting entity shall
62	provide a link to an electronic copy of the contract. The
63	portion of a public record which is confidential or exempt from
64	inspection and copying shall be redacted prior to posting.
65	Section 12. This act shall take effect upon becoming a law
66	and shall apply to the 2008-2009 fiscal year and each fiscal
67	year thereafter.
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70	TITLE AMENDMENT
	450695
	4/27/2008 3:33 PM Page 3 of 4

Bill No. CS/HB 7123

Amendment No.

71 Between lines 43 and 44, insert: 72 defining the terms "contract," "corporation," "expenditure," 73 "individual," and "reporting entity" for purposes of state 74 government contract reporting; providing that contractual rights of state employees and retirees who are members of the Florida 75 76 Retirement System are not considered contracts; directing the Executive Office of the Governor to develop and maintain a port 77 linking to the reporting entity contract expenditures report 78 maintained by the Department of Financial Services; directing 79 the department to develop and maintain a contract information 80 report containing specified information; directing that the 81 report be maintained by the department in a searchable website; 82 83 directing that access to the website be provided at no charge to a user who has Internet access; directing each reporting entity 84 to record information relating to contracts between the 85 reporting entity and a corporation or an individual; providing 86 87 exceptions; directing each reporting entity to record payment information on specified contracts in the Florida Accounting and 88 Information Resources contract subsystem; requiring that 89 90 electronic copies of contracts be provided in certain circumstances; providing that portions of public records that 91 92 are confidential and exempt from inspection and copying shall be redacted prior to posting; 93

450695 4/27/2008 3:33 PM