

HB 153

2012

1 A bill to be entitled
 2 An act relating to preference to Florida businesses in
 3 procurement of personal property and services;
 4 providing a short title; amending s. 283.35, F.S.;
 5 requiring an agency, county, municipality, school
 6 district, or other political subdivision of the state
 7 to grant a specified preference to a vendor located
 8 within the state when awarding a contract for
 9 printing; specifying the percentage of preference to
 10 be granted; amending s. 287.084, F.S.; requiring,
 11 rather than authorizing, an agency, county,
 12 municipality, school district, or other political
 13 subdivision of the state in making purchases of
 14 personal property through competitive solicitation to
 15 award a preference to the lowest responsible and
 16 responsive vendor having a principal place of business
 17 within this state under specified circumstances;
 18 specifying the percentage of preference to be granted;
 19 providing nonapplicability; providing an effective
 20 date.

21
 22 Be It Enacted by the Legislature of the State of Florida:

23
 24 Section 1. This act may be cited as the "Buy Florida Act."

25 Section 2. Section 283.35, Florida Statutes, is amended to
 26 read:

27 283.35 Preference given printing within the state. ~~Every~~
 28 ~~agency shall give preference to vendors located within the state~~

29 | When awarding a contract ~~contracts~~ to have materials printed,
 30 | the agency, county, municipality, school district, or other
 31 | political subdivision of this state awarding the contract shall
 32 | grant a preference to the lowest responsible and responsive
 33 | vendor having a principal place of business within this state.
 34 | The preference shall be 5 percent if the lowest bid is submitted
 35 | by a vendor whose principal place of business is located outside
 36 | the state and if the ~~whenever such~~ printing can be performed in
 37 | this state ~~done at no greater expense than the expense of~~
 38 | ~~awarding a contract to a vendor located outside the state and~~
 39 | ~~can be done~~ at a level of quality comparable to that obtainable
 40 | from the a vendor submitting the lowest bid located outside the
 41 | state.

42 | Section 3. Section 287.084, Florida Statutes, is amended
 43 | to read:

44 | 287.084 Preference to Florida businesses.—

45 | (1) (a) When an agency, county, municipality, school
 46 | district, or other political subdivision of the state is
 47 | required to make purchases of personal property through
 48 | competitive solicitation and the lowest responsible and
 49 | responsive bid, proposal, or reply is by a vendor whose
 50 | principal place of business is in a state or political
 51 | subdivision thereof which grants a preference for the purchase
 52 | of such personal property to a person whose principal place of
 53 | business is in such state, then the agency, county,
 54 | municipality, school district, or other political subdivision of
 55 | this state shall ~~may~~ award a preference to the lowest
 56 | responsible and responsive vendor having a principal place of

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57 business within this state, which preference is equal to the
58 preference granted by the state or political subdivision thereof
59 in which the lowest responsible and responsive vendor has its
60 principal place of business. In a competitive solicitation in
61 which the lowest bid is submitted by a vendor whose principal
62 place of business is located outside the state and that state
63 does not grant a preference in competitive solicitation to
64 vendors having a principal place of business in that state, the
65 preference to the lowest responsible and responsive vendor
66 having a principal place of business in this state shall be 5
67 percent.

68 (b) Paragraph (a) However, this section does not apply to
69 transportation projects for which federal aid funds are
70 available.

71 ~~(2) If a solicitation provides for the granting of such~~
72 ~~preference as is provided in this section,~~ Any vendor whose
73 principal place of business is outside the State of Florida must
74 accompany any written bid, proposal, or reply documents with a
75 written opinion of an attorney at law licensed to practice law
76 in that foreign state, as to the preferences, if any or none,
77 granted by the law of that state to its own business entities
78 whose principal places of business are in that foreign state in
79 the letting of any or all public contracts.

80 Section 4. This act shall take effect July 1, 2012.