

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Local Government Affairs
2 Subcommittee

3 Representative Van Zant offered the following:

4
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 255.0992, Florida Statutes, is created
8 to read:

9 255.0992 .- Public works projects; prohibited governmental
10 actions.

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

12 (a) "Political subdivision" means a separate agency or unit
13 of local government created or established by law or ordinance
14 and the officers thereof. The term includes, but is not limited
15 to, a county; a city, town or other municipality; or a
16 department, commission, authority, school district, taxing
17 district, water management district, board, public corporation,

Amendment No. 1

18 institution of higher education, or other public agency or body
19 thereof authorized to expend public funds for construction,
20 maintenance, repair or improvement of public works.

21 (b) "Public works project" means an activity that is paid
22 for in whole or in part with state funds and that consists of
23 the construction, maintenance, repair, renovation, remodeling,
24 or improvement of a building, road, street, sewer, storm drain,
25 water system, site development, irrigation system, reclamation
26 project, gas or electrical distribution system, gas or
27 electrical substation, or other facility, project, or portion
28 thereof that is owned in whole or in part by any political
29 subdivision. This section does not apply to contracts executed
30 under chapter 337.

31 (2) (a) Except as required by federal or state law, the
32 state or any political subdivision that contracts for a public
33 works project may not require that a contractor, subcontractor,
34 or material supplier or carrier engaged in such project:

35 1. Pay employees a predetermined amount of wages or
36 prescribe any wage rate;

37 2. Provide employees a specified type, amount, or rate of
38 employee benefits;

39 3. Control, limit, or expand staffing; or

40 4. Recruit train, or hire employees from a designated,
41 restricted, or single source.

42 (b) The state or any political subdivision that contracts
43 for a public works project may not prohibit any contractor,

Amendment No. 1

44 subcontractor, or material supplier or carrier able to perform
45 such work who is qualified, licensed, or certified as required
46 by state law to perform such work from submitting a bid on the
47 public works project or being awarded any contract, subcontract,
48 material order, or carrying order thereunto appertaining.

49 Section 2. This act shall take effect July 1, 2016.

50

51

52

T I T L E A M E N D M E N T

53

Remove everything before the enacting clause and insert:

54

An act relating to public works projects; creating s. 255.0992,

55

F.S.; providing definitions; prohibiting state and political

56

subdivisions that contract for public works projects from

57

imposing restrictive conditions on certain contractors,

58

subcontractors, or material suppliers or carriers; providing an

59

exception; prohibiting the state and political subdivisions from

60

restricting qualified bidders from submitting bids; providing an

61

effective date.