HB 181

1 A bill to be entitled 2 An act relating to public works projects; providing 3 definitions; prohibiting state and political 4 subdivisions that contract for the construction, 5 maintenance, repair, or improvement of public works 6 from imposing restrictive conditions on certain 7 contractors, subcontractors, or material suppliers or carriers; providing an exception; prohibiting the 8 9 state and political subdivisions from restricting 10 qualified bidders from submitting bids; providing an effective date. 11 12 13 Be It Enacted by the Legislature of the State of Florida: 14 15 (1) As used in this section, the term: Section 1. 16 (a) "Political subdivision" means a separate agency or 17 unit of local government created or established by law or ordinance and the officers thereof. The term includes, but is 18 19 not limited to, a county; a city, town, or other municipality; or a department, commission, authority, school district, taxing 20 21 district, water management district, board, public corporation, 22 institution of higher education, or other public agency or body 23 authorized to expend public funds for construction, maintenance, 24 repair, or improvement of public works. 25 "Public works" or "public works project" means a (b) 26 building, road, street, sewer, storm drain, water system, site

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27 development, irrigation system, reclamation project, gas or electrical distribution system, gas or electrical substation, or 28 29 other facility, project, or portion thereof, including repair, 30 renovation, or remodeling, owned in whole or in part by any 31 political subdivision for which a project for construction, 32 maintenance, repair, or improvement of public works is to be 33 paid for in whole or in part with state funds. 34 (2) (a) Except as required by federal or state law, the 35 state or any political subdivision that contracts for the 36 construction, maintenance, repair, or improvement of public 37 works may not require that a contractor, subcontractor, or 38 material supplier or carrier engaged in the construction, 39 maintenance, repair, or improvement of public works: 1. Pay employees a predetermined amount of wages or 40 41 prescribe any wage rate; 42 2. Provide employees a specified type, amount, or rate of 43 employee benefits; 44 3. Control, limit, or expand staffing; or 45 4. Recruit, train, or hire employees from a designated, 46 restricted, or single source. 47 (b) The state or any political subdivision that contracts for any construction, maintenance, repair, or improvement of a 48 49 public works project may not prohibit any contractor, 50 subcontractor, or material supplier or carrier able to perform 51 the construction, maintenance, repair, or improvement of public 52 works who is qualified, licensed, or certified as required by

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HB 181

| 53 | state law to | perform s | uch wor | ck from | submitti | ing a b | id on any | |
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| 54 | public works | project. | | | | | | |
| 55 | Section | 2. This | act sha | all take | effect | July 1 | , 2016. | |
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