

1                                   A bill to be entitled  
 2           An act relating to public works projects; creating s.  
 3           255.0992, F.S.; providing definitions; prohibiting the  
 4           state and political subdivisions that contract for  
 5           public works projects from imposing restrictive  
 6           conditions on certain contractors, subcontractors, or  
 7           material suppliers or carriers; providing an  
 8           exception; prohibiting the state and political  
 9           subdivisions from restricting qualified bidders from  
 10          submitting bids or being awarded contracts; providing  
 11          an effective date.

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 13 Be It Enacted by the Legislature of the State of Florida:

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 15           Section 1. Section 255.0992, Florida Statutes, is created  
 16 to read:

17           255.0992 Public works projects; prohibited governmental  
 18 actions.—

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

20           (a) "Political subdivision" means a separate agency or  
 21 unit of local government created or established by law or  
 22 ordinance and the officers thereof. The term includes, but is  
 23 not limited to, a county; a city, town, or other municipality;  
 24 or a department, commission, authority, school district, taxing  
 25 district, water management district, board, public corporation,  
 26 institution of higher education, or other public agency or body

27 thereof authorized to expend public funds for construction,  
28 maintenance, repair, or improvement of public works.

29 (b) "Public works project" means an activity that is paid  
30 for in whole or in part with state funds and that consists of  
31 the construction, maintenance, repair, renovation, remodeling,  
32 or improvement of a building, road, street, sewer, storm drain,  
33 water system, site development, irrigation system, reclamation  
34 project, gas or electrical distribution system, gas or  
35 electrical substation, or other facility, project, or portion  
36 thereof that is owned in whole or in part by any political  
37 subdivision. The term does not include a contract executed under  
38 chapter 337.

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

43 1. Pay employees a predetermined amount of wages or  
44 prescribe any wage rate;

45 2. Provide employees a specified type, amount, or rate of  
46 employee benefits;

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

48 4. Recruit, train, or hire employees from a designated,  
49 restricted, or single source.

50 (b) The state or any political subdivision that contracts  
51 for a public works project may not prohibit any contractor,  
52 subcontractor, or material supplier or carrier able to perform

53 such work who is qualified, licensed, or certified as required  
54 by state law to perform such work from submitting a bid on the  
55 public works project or being awarded any contract, subcontract,  
56 material order, or carrying order.

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