



846642

LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
01/26/2016	.	
	.	
	.	
	.	

The Committee on Governmental Oversight and Accountability
(Hays) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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

255.0992 Public works projects; prohibited governmental
actions.—

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

(a) "Political subdivision" means a separate agency or unit



846642

11 of local government created or established by law or ordinance
12 and the officers thereof. The term includes, but is not limited
13 to, a county; a city, town, or other municipality; or a
14 department, commission, authority, school district, taxing
15 district, water management district, board, public corporation,
16 institution of higher education, or other public agency or body
17 thereof authorized to expend public funds for construction,
18 maintenance, repair, or improvement of public works.

19 (b) "Public works project" means an activity that is paid
20 for in whole or in part with state funds and that consists of
21 the construction, maintenance, repair, renovation, remodeling,
22 or improvement of a building, road, street, sewer, storm drain,
23 water system, site development, irrigation system, reclamation
24 project, gas or electrical distribution system, gas or
25 electrical substation, or other facility, project, or portion
26 thereof that is owned in whole or in part by any political
27 subdivision.

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

32 1. Pay employees a predetermined amount of wages or
33 prescribe any wage rate;

34 2. Provide employees a specified type, amount, or rate of
35 employee benefits;

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

37 4. Recruit, train, or hire employees from a designated,
38 restricted, or single source.

39 (b) The state or any political subdivision that contracts



846642

40 for a public works project may not prohibit any contractor,
41 subcontractor, or material supplier or carrier able to perform
42 such work who is qualified, licensed, or certified as required
43 by state law to perform such work from submitting a bid on the
44 public works project or being awarded any contract, subcontract,
45 material order, or carrying order.

46 (3) This section does not apply to contracts executed under
47 chapter 337.

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

49
50 ===== T I T L E A M E N D M E N T =====

51 And the title is amended as follows:

52 Delete everything before the enacting clause
53 and insert:

54 A bill to be entitled
55 An act relating to public works projects; creating s.
56 255.0992, F.S.; providing definitions; prohibiting the
57 state and political subdivisions that contract for
58 public works projects from imposing restrictive
59 conditions on certain contractors, subcontractors, or
60 material suppliers or carriers; prohibiting the state
61 and political subdivisions from restricting qualified
62 bidders from submitting bids or being awarded
63 contracts; providing applicability; providing an
64 effective date.