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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/22/2017	.	
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The Committee on Governmental Oversight and Accountability
(Brandes) recommended the following:

Senate Amendment (with title amendment)

Before line 17

insert:

Section 1. Paragraph (e) of subsection (9) of section
255.249, Florida Statutes, is amended to read:

255.249 Department of Management Services; responsibility;
department rules.—

(9) The department shall adopt rules providing:

(e) Acceptable terms and conditions for inclusion in lease



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11 agreements. At a minimum, the such terms and conditions must
12 include the statement required by s. 255.2502 and the following
13 clause clauses, which may not be amended, supplemented, or
14 waived unless otherwise provided within this paragraph:

15 ~~1. As provided in s. 255.2502, "The State of Florida's~~
16 ~~performance and obligation to pay under this contract is~~
17 ~~contingent upon an annual appropriation by the Legislature."~~

18 2. "The lessee has the right to terminate this lease,
19 without penalty, if a state-owned building becomes available to
20 the lessee for occupancy and the lessee has given 6 months'
21 advance written notice to the lessor by certified mail, return
22 receipt requested." The department may waive the inclusion of
23 the clause required pursuant to this paragraph for a lease
24 agreement for real property that exceeds 50,000 square feet and
25 is located within 30 miles of the State Capitol for a lease
26 period of up to 7 years. The waiver of the clause does not
27 restrict the department from entering into lease agreements for
28 the lease of real property for a period exceeding 7 years.

29 Section 2. The amendment to s. 255.249, Florida Statutes,
30 made by this act does not impair or restrict the terms and
31 conditions of a lease agreement entered into by a state agency
32 in accordance with the requirements of s. 255.249, Florida
33 Statutes, before July 1, 2017.

34
35 ===== T I T L E A M E N D M E N T =====

36 And the title is amended as follows:

37 Delete line 3

38 and insert:

39 Services; amending s. 255.249, F.S.; revising



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40 requirements for department rules regarding terms and
41 conditions in lease agreements in which the state is
42 the lessee; authorizing the department to waive
43 inclusion of a clause in a lease agreement if certain
44 conditions are met; providing for construction;
45 amending s. 287.057, F.S.; creating the