

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WITHDRAWN	_____	(Y/N)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: Government Operations
 2 Subcommittee

3 Representative DiCeglie offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (2) of section 255.0991, Florida
 8 Statutes, is amended to read:

9 255.0991 Contracts for construction services; prohibited
 10 local government preferences.—

11 (2) For any a competitive solicitation for construction
 12 services paid for with funding that is state-appropriated,
 13 locally appropriated, or any combination thereof ~~in which 50~~
 14 ~~percent or more of the cost will be paid from state-appropriated~~
 15 ~~funds which have been appropriated at the time of the~~
 16 ~~competitive solicitation,~~ a state college, county, municipality,

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17 school district, or other political subdivision of the state may
18 not use a local ordinance or regulation that provides a
19 preference based upon:

20 (a) The contractor's maintaining an office or place of
21 business within a particular local jurisdiction;

22 (b) The contractor's hiring employees or subcontractors
23 from within a particular local jurisdiction; or

24 (c) The contractor's prior payment of local taxes,
25 assessments, or duties within a particular local jurisdiction.

26 Section 2. Paragraph (b) of subsection (1) and subsection
27 (2) of section 255.0992, Florida Statutes, are amended to read:

28 255.0992 Public works projects; prohibited governmental
29 actions.-

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

31 (b) "Public works project" means an activity ~~of which 50~~
32 ~~percent or more of the cost will be paid for with from~~ state-
33 appropriated or locally appropriated funds, or any combination
34 thereof, that were appropriated at the time of the competitive
35 ~~solicitation~~ and which consists of the construction,
36 maintenance, repair, renovation, remodeling, or improvement of a
37 building, road, street, sewer, storm drain, water system, site
38 development, irrigation system, reclamation project, gas or
39 electrical distribution system, gas or electrical substation, or
40 other facility, project, or portion thereof that is owned in
41 whole or in part by any political subdivision.

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42 (2) ~~(a)~~ Except as required by federal or state law, the
43 state or any political subdivision that contracts for a public
44 works project may not take the following actions:

45 (a) Grant a preference or impose a penalty during the
46 bidding process based on the geographic location of the company
47 headquarters or offices of the contractor, subcontractor, or
48 material supplier or carrier submitting a bid on a public works
49 project or the residences of employees of such contractor,
50 subcontractor, or material supplier or carrier.

51 (b) Require that a contractor, subcontractor, or material
52 supplier or carrier engaged in a public works ~~such~~ project:

53 1. Pay employees a predetermined amount of wages or
54 prescribe any wage rate;

55 2. Provide employees a specified type, amount, or rate of
56 employee benefits;

57 3. Control, limit, or expand staffing; ~~or~~

58 4. Recruit, ~~train,~~ or hire employees from a designated,
59 restricted, or single source; or

60 5. Train employees in designated programs with a
61 restricted curriculum or from a single source.

62 ~~(c)(b) The state or any political subdivision that~~
63 ~~contracts for a public works project may not~~ Prohibit any
64 contractor, subcontractor, or material supplier or carrier able
65 to perform such work that ~~who~~ is qualified, licensed, or
66 certified as required by state or local law to perform such work

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67 | from receiving information about public works opportunities or
68 | from submitting a bid on the public works project. This
69 | paragraph does not apply to vendors listed under ss. 287.133 and
70 | 287.134.

71 | Section 3. This act shall take effect July 1, 2021.

72 |

73 | -----

74 | **T I T L E A M E N D M E N T**

75 | Remove everything before the enacting clause and insert:

76 | A bill to be entitled

77 | An act relating to public works projects; amending s.
78 | 255.0991, F.S.; revising a prohibition relating to any
79 | solicitation for construction services paid for with
80 | state or locally appropriated funds, or any
81 | combination thereof; amending s. 255.0992, F.S.;
82 | revising the definition of the term "public works
83 | project"; prohibiting the state or any political
84 | subdivision that contracts for a public works project
85 | from taking specified action against certain persons
86 | that are engaged in a public works project or have
87 | submitted a bid for such a project; providing an
88 | effective date.