

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| WITHDRAWN | _____ | (Y/N) |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: Public Integrity &
 2 Elections Committee
 3 Representative DiCeglie offered the following:

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 any funding that is state-appropriated in
 13 ~~which 50 percent or more of the cost will be paid from state-~~
 14 ~~appropriated funds which have been appropriated at the time of~~
 15 ~~the competitive solicitation,~~ a state college, county,
 16 municipality, school district, or other political subdivision of

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17 | the state may not use a local ordinance or regulation that
18 | imposes a penalty ~~provides a preference~~ based upon:

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

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

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

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

27 | 255.0992 Public works projects; prohibited governmental
28 | actions.—

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

30 | (b) "Public works project" means an activity exceeding
31 | \$300,000 in value and that is ~~of which 50 percent or more of the~~
32 | ~~cost will be paid for with any from~~ state-appropriated funds,
33 | ~~that were appropriated at the time of the competitive~~
34 | ~~solicitation~~ and which consists of the construction,
35 | maintenance, repair, renovation, remodeling, or improvement of a
36 | building, road, street, sewer, storm drain, water system, site
37 | development, irrigation system, reclamation project, gas or
38 | electrical distribution system, gas or electrical substation, or
39 | other facility, project, or portion thereof that is owned in
40 | whole or in part by any political subdivision.

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

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

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

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

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

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

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

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

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

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

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

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T I T L E A M E N D M E N T

74 Remove everything before the enacting clause and insert:

75 A bill to be entitled

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