

By the Committee on Governmental Oversight and Accountability;  
and Senator Garcia

585-02358-23

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1                   A bill to be entitled  
2           An act relating to fiscal accountability; amending s.  
3           215.985, F.S.; requiring state entities to post any  
4           documents submitted on the contract tracking system  
5           which indicate the use of state funds as remuneration  
6           under certain contracts, beginning on a specified  
7           date; deleting a provision requiring state entities to  
8           publish payments on the contract tracking system;  
9           amending s. 216.1366, F.S.; requiring that contracts  
10          for services executed, amended, or extended beginning  
11          on a specified date require contractors to provide  
12          specified documentation to be included in the contract  
13          tracking system and posted to the contractor's  
14          website, if applicable; defining terms; providing an  
15          effective date.

16  
17 Be It Enacted by the Legislature of the State of Florida:

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19           Section 1. Paragraph (c) of subsection (14) of section  
20           215.985, Florida Statutes, is amended to read:

21           215.985 Transparency in government spending.—

22           (14) The Chief Financial Officer shall establish and  
23           maintain a secure contract tracking system available for viewing  
24           and downloading by the public through a secure website. The  
25           Chief Financial Officer shall use appropriate Internet security  
26           measures to ensure that no person has the ability to alter or  
27           modify records available on the website.

28           (c) For each contract for which a state entity makes a  
29           payment pursuant to a contract executed, amended, or extended on

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30 or after July 1, 2023, the state entity shall post any documents  
31 submitted pursuant to s. 216.1366 which indicate the use of  
32 state funds as remuneration under the contract or a specified  
33 payment associated with the contract on the contract tracking  
34 system ~~By January 1, 2014, each state entity shall post to the~~  
35 ~~contract tracking system the information required in paragraph~~  
36 ~~(a) for each existing contract that was executed before July 1,~~  
37 ~~2013, with payment from state funds made after June 30, 2013.~~

38 Section 2. Subsection (3) is added to section 216.1366,  
39 Florida Statutes, to read:

40 216.1366 Contract terms.—

41 (3) (a) For any contract for services executed, amended, or  
42 extended on or after July 1, 2023, with a nonprofit organization  
43 as defined in s. 215.97(2) (m), the contract must require the  
44 contractor to provide documentation that indicates the amount of  
45 state funds:

46 1. Allocated to be used during the full term of the  
47 contract for remuneration to any member of the board of  
48 directors or an officer of the contractor.

49 2. Allocated under each payment by the public agency to be  
50 used for remuneration of any member of the board of directors or  
51 an officer of the contractor. The documentation must indicate  
52 the amounts and recipients of the remuneration.

53  
54 Such information must be included in the contract tracking  
55 system maintained pursuant to s. 215.985 and must be posted on  
56 the contractor's website, if the contractor maintains a website.

57 (b) As used in this subsection, the term:

58 1. "Officer" means a chief executive officer, chief

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59 financial officer, chief operating officer, or any other  
60 position performing an equivalent function.

61 2. "Remuneration" means all compensation earned by or  
62 awarded to personnel, whether paid or accrued, regardless of  
63 contingency, including bonuses, accrued paid time off, severance  
64 payments, incentive payments, contributions to a retirement  
65 plan, or in-kind payments, reimbursements, or allowances for  
66 moving expenses, vehicles and other transportation, telephone  
67 services, medical services, housing, and meals.

68 3. "State funds" means funds paid from the General Revenue  
69 Fund or any state trust fund, funds allocated by the Federal  
70 Government and distributed by the state, or funds appropriated  
71 by the state for distribution through any grant program. The  
72 term does not include funds used for the state Medicaid program.

73 Section 3. This act shall take effect July 1, 2023.