

By Senator Sebesta

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A bill to be entitled
An act relating to the State Comptroller;
amending s. 215.42, F.S.; granting additional
authority to the Comptroller to review
contracts and purchase orders for public
purchases by all state agencies; providing for
a public contracting certification program;
providing an appropriation; providing an
effective date.

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

Section 1. Section 215.42, Florida Statutes, is amended to read:

215.42 Purchases from appropriations, proof of delivery; prior review of contracts and purchase orders.--

(1) The State Comptroller may require proof, as he or she deems necessary, of delivery and receipt of purchases before honoring any voucher for payment from appropriations made in the General Appropriations Act or otherwise provided by law.

(2) The Comptroller may require agencies to include terms and conditions in procurement contracts and purchase orders to ensure proper delivery and receipt of deliverables.

(3) The Comptroller by memorandum of agreement with agencies may designate certain procurement contracts and purchase orders that require his or her review. The Comptroller may review contracts to determine whether money is available in the Treasury, whether a proper appropriation is in place, and whether the proposed expenditure is allowed by law. The Comptroller may also review the contract for proper

1 form and compliance with legal requirements and may review its
2 specific terms governing delivery, receipt, and payment. The
3 review must be accomplished before signing or issuance by the
4 procuring agency. The Comptroller shall complete his or her
5 review of each contract or purchase order within 10 working
6 days after receipt from the agency.

7 (4) The Comptroller is authorized to comment on the
8 terms of any contract reviewed under this section but may not
9 disapprove any contract based on any agency's exercise of
10 discretion vested in it by law. The Comptroller shall inform
11 the Governor, the Cabinet, the President of the Senate, and
12 the Speaker of the House of Representatives, of any contracts
13 to which the Comptroller formally objects.

14 (5) The Comptroller, in conjunction with the Secretary
15 of Management Services, shall establish a public contracting
16 certification program for the state, counties, and
17 municipalities. Training for certification may be provided by
18 the state community college system.

19 Section 2. The sum of \$500,000 is appropriated from
20 the General Revenue Fund to the Department of Banking and
21 Finance for the purpose of paying salaries and other
22 administrative expenses necessary to carry out its
23 responsibilities under this act during the 2000-2001 fiscal
24 year.

25 Section 3. This act shall take effect upon becoming a
26 law.

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29 SENATE SUMMARY

30 Grants the Comptroller additional authority to oversee
31 contracts and purchase orders of state agencies. Provides
for a public contract certification program. Provides an
appropriation.