

1 A bill to be entitled
2 An act relating to information technology;
3 creating s. 120.551, F.S.; directing the
4 Department of Environmental Protection and the
5 State Technology Office to establish a pilot
6 project to test the cost-effectiveness of
7 publication of notices on the Internet in lieu
8 of publication in the Florida Administrative
9 Weekly; directing the Department of State to
10 publish notice of the pilot project; requiring
11 the Department of Environmental Protection, the
12 State Technology Office, and the Department of
13 State to submit a joint report on the
14 cost-effectiveness of publication of such
15 notices on the Internet; defining the term
16 "information technology"; amending s. 287.012,
17 F.S.; defining "invitation to negotiate" and
18 "request for a quote"; amending s. 287.042,
19 F.S.; providing challenge procedure; adding
20 responses and quotes to category of items to
21 which procedures are developed; tasking
22 Department of Management Services with
23 developing procedures to be used by agencies
24 for issuing invitations and requests;
25 identifying methods for securing bids,
26 responses, quotes and proposals revising
27 language with respect to the Department of
28 Management Services; providing that the
29 department, in consultation with the State
30 Technology Office, shall prescribe procedures
31 for procuring information technology; directing

1 the office to assess the technological needs of
2 certain agencies; amending s. 287.057, F.S.;
3 providing for the role of the State Technology
4 Office in developing a program for on-line
5 procurement of commodities and contractual
6 services; authorizing the office to collect
7 certain fees; providing for the deposit of such
8 fees; directing the office to establish state
9 strategic information technology alliances for
10 the acquisition and use of information
11 technology; providing for the duties of such
12 alliances; providing for rules; providing for
13 agency use of invitations to negotiate;
14 amending s. 287.0731, F.S.; conforming
15 provisions to changes made by the act; amending
16 s. 288.109, F.S.; substituting State Technology
17 Office for Department of Management Services;
18 providing for establishment and maintenance of
19 a One-Stop Permitting System; amending ss.
20 288.1092 and 288.1093, F.S.; establishing the
21 One-Stop Permitting System Grant Program and
22 the Quick Permitting County Designation Program
23 within the State Technology Office; amending s.
24 455.213, F.S.; providing for the content of
25 licensure and renewal documents; providing for
26 the electronic submission of information to the
27 department; providing that all legal
28 obligations must be met before the issuance or
29 renewal of a license; amending ss. 61.1826,
30 287.022, 287.058, 394.457, 394.47865, 402.73,
31

1 445.024, and 455.2177, F.S.; correcting cross
2 references; providing an effective date.

3
4 Be It Enacted by the Legislature of the State of Florida:

5
6 Section 1. Section 120.551, Florida Statutes, is
7 created to read:

8 120.551 Internet publication pilot project.--

9 (1) On or before December 31, 2001, the Department of
10 Environmental Protection and the State Technology Office shall
11 establish and commence a pilot project to determine the
12 cost-effectiveness of publication of notices on the Internet
13 in lieu of complete publication in the Florida Administrative
14 Weekly. The pilot project shall end on July 1, 2003. Under
15 this pilot project, notwithstanding any other provision of
16 law, whenever the Department of Environmental Protection is
17 required to publish notices in the Florida Administrative
18 Weekly, the Department of Environmental Protection instead may
19 publish a summary of such notice in the Florida Administrative
20 Weekly along with the specific URL or Internet address where
21 the complete notice required by law shall be published. The
22 Department of Environmental Protection shall publish all other
23 notices in the manner prescribed by law. Notices published on
24 the Internet under this section shall clearly state the date
25 the notice was first posted on the Internet and shall be
26 initially posted only on the same days the Florida
27 Administrative Weekly is published. Notices related to
28 rulemaking published on the Internet under this provision
29 shall be maintained on the Internet for a period of at least
30 12 months after the effective date of the rule or at least 3
31 months after the publication of a notice of withdrawal of the

1 proposed rule. All other notices published on the Internet
2 under this provision shall be maintained on the Internet for a
3 period of at least 3 months after the date first posted. A
4 searchable database or other electronic system to be
5 permanently maintained on the Internet for the purpose of
6 archiving all notices published on the Internet and allowing
7 citizens permanent electronic access to such archived records
8 shall also be established by the pilot project. No notice
9 posted on the Internet shall be removed until the searchable
10 database is implemented.

11 (2) The Department of State shall publish notice of
12 this pilot project in each weekly publication of the Florida
13 Administrative Weekly. The notice shall state: "Under a
14 temporary pilot project, in conjunction with the State
15 Technology Office, to determine the cost-effectiveness of
16 Internet publication of notices in lieu of complete
17 publication in the Florida Administrative Weekly, summaries of
18 notices of the Department of Environmental Protection are
19 being published in the Florida Administrative Weekly along
20 with a reference to the specific Internet URL or address where
21 the complete notice required by law shall be published."

22 (3) No later than January 31, 2003, the Department of
23 Environmental Protection, the State Technology Office, and the
24 Department of State shall submit a report to the Governor, the
25 President of the Senate, and the Speaker of the House of
26 Representatives containing findings on the cost-effectiveness
27 of publication of notices on the Internet in lieu of
28 publication in the Florida Administrative Weekly, and
29 recommendations, including legislative or rule changes, for
30 modifications to the process necessary to effectuate
31 publication of notices on the Internet.

1 Section 2. Subsections (20), (21) and (22) of section
2 287.012, Florida Statutes, are created to read:

3 287.012 Definitions.--The following definitions shall
4 apply in this part:

5 (20) "Invitation to negotiate" means a written
6 solicitation that calls for responses to select one or more
7 persons or business entities with which to commence
8 negotiations for the procurement of commodities or contractual
9 services.

10 (21) "Request for a quote" means a solicitation that
11 calls for pricing information for purposes of competitively
12 selecting and procuring commodities and contractual services
13 from qualified or registered vendors.

14 (22) "Information Technology" means equipment,
15 hardware, software, firmware, programs, systems, networks,
16 infrastructure, media, and related material used to
17 automatically, electronically, and wirelessly collect,
18 receive, access, transmit, display, store, record, retrieve,
19 analyze, evaluate, process, classify, manipulate, manage,
20 assimilate, control, communicate, exchange, convert, converge,
21 interface, switch, or disseminate information of any kind or
22 form.

23 Section 3. Paragraph (d) of subsection (2) is created;
24 paragraphs (b) and (c) of subsection (4), paragraphs (a) and
25 (b) of subsection (5), paragraph (a) of subsection (16) and
26 subsection (17) of section 287.042, Florida Statutes, are
27 amended, and a new paragraph (f) of subsection (4) is created
28 to read:

29 287.042 Powers, duties, and functions.--The department
30 shall have the following powers, duties, and functions:

31 (2)

1 (d) The terms, conditions, and specifications of a
2 request for proposal, request for quote, invitation to bid, or
3 invitation to negotiate, including any provisions governing
4 the methods for ranking proposals, awarding contracts,
5 reserving rights of further negotiation, or the modification
6 of amendment of any contract, are subject to challenge only by
7 filing a protest within 72 hours after the notice of the
8 terms, conditions, or specifications as provided in s.
9 120.57(3)(b).

10 (4)

11 (b) Development of procedures for the releasing of
12 requests for proposals, requests for quotes, invitations to
13 bid, invitations to negotiate, and other competitive
14 acquisitions which procedures shall include, but are not
15 limited to, notice by publication in the Florida
16 Administrative Weekly, on Government Services Direct, or by
17 mail at least 10 days before the date set for submittal of
18 proposals or bids. The Office of Supplier Diversity may
19 consult with agencies regarding the development of bid
20 distribution procedures to ensure that maximum distribution is
21 afforded to certified minority business enterprises as defined
22 in s. 288.703.

23 (c) Development of procedures for the receipt and
24 opening of bids, responses, quotes, or proposals by an agency.
25 Such procedures shall provide the Office of Supplier Diversity
26 an opportunity to monitor and ensure that the contract award
27 is consistent with the requirements of s. 287.09451 ~~original~~
28 ~~request for proposal or invitation to bid, in accordance with~~
29 ~~s. 287.0945(6), and subject to the review of bid responses~~
30 ~~within standard timelines.~~

31

1 (f) Development of procedures to be used by an agency
2 for issuing invitations to bid, invitations to negotiate,
3 requests for proposal, requests for quote, or other
4 competitive procurement processes.

5 (5)(a) To prescribe the methods of securing
6 competitive sealed bids, responses, quotes, and
7 proposals. Such methods may include, but are not limited to,
8 procedures for identifying vendors; setting qualifications;
9 evaluating responses, bids, and proposals; ranking respondents
10 and proposers; selecting invitees and proposers; and
11 conducting negotiations, or negotiating and awarding commodity
12 and contractual services contracts, unless otherwise provided
13 by law.

14 (b) To prescribe, in consultation with the State
15 Technology Office by September 1, 1995, procedures for
16 procuring information technology and information technology
17 consultant services which provide for public announcement and
18 qualification, competitive selection, competitive negotiation,
19 contract award, and prohibition against contingent fees. Such
20 procedures shall be limited to information technology
21 consultant contracts for which the total project costs, or
22 planning or study activities, are estimated to exceed the
23 threshold amount provided for in s. 287.017, for CATEGORY TWO.

24 (16)(a) To enter into joint agreements with
25 governmental agencies, as defined in s. 163.3164(10), for the
26 purpose of pooling funds for the purchase of commodities or,
27 information technology resources, or services that can be used
28 by multiple agencies. However, the department shall consult
29 with the State Technology Office on joint agreements that
30 involve the purchase of information technology resources.
31 Agencies entering into joint purchasing agreements with the

1 department or the State Technology Office shall authorize the
2 department or the State Technology Office to contract for such
3 purchases on their behalf.

4 (17)(a) To evaluate contracts let by the Federal
5 Government, another state, or a political subdivision for the
6 provision of commodities and contract services, and, when it
7 is determined to be cost-effective and in the best interest of
8 the state, to enter into a written agreement authorizing a
9 state agency to make purchases under a contract approved by
10 the department and let by the Federal Government, another
11 state, or a political subdivision.

12 (b) For contracts pertaining to the provision of
13 information technology, the State Technology Office, in
14 consultation with the department, shall assess the
15 technological needs of a particular agency, evaluate the
16 contracts, and determine whether to enter into a written
17 agreement with the letting federal, state, or political
18 subdivision body to provide information technology for a
19 particular agency.

20 Section 4. A new subsection (3) is created and
21 subsequent subsections are renumbered, present subsections (3)
22 and (22) are amended and subsection (23) of section 287.057,
23 Florida Statutes, is created:

24 287.057 Procurement of commodities or contractual
25 services.--

26 (3) If an agency determines that the use of an
27 invitation to bid or a request for a proposal will not result
28 in the best value to the state, based on factors, including,
29 but not limited to, price, quality, design, and workmanship,
30 the agency may procure commodities and contractual services by
31 an invitation to negotiate. An agency may procure commodities

1 and contractual services by a request for a quote from vendors
2 under contract with the department.

3 (4)~~(3)~~ When the purchase price of commodities or
4 contractual services exceeds the threshold amount provided in
5 s. 287.017 for CATEGORY TWO, no purchase of commodities or
6 contractual services may be made without receiving competitive
7 sealed bids, or competitive sealed proposals, or responses to
8 an invitation to negotiate or a request for a quote unless:

9 (a) The agency head determines in writing that an
10 immediate danger to the public health, safety, or welfare or
11 other substantial loss to the state requires emergency action.
12 After the agency head makes such a written determination, the
13 agency may proceed with the procurement of commodities or
14 contractual services necessitated by the immediate danger,
15 without competition. However, such emergency procurement shall
16 be made with such competition as is practicable under the
17 circumstances. The agency shall furnish copies of the written
18 determination certified under oath and any other documents
19 relating to the emergency action to the department. A copy of
20 the statement shall be furnished to the Comptroller with the
21 voucher authorizing payment. The individual purchase of
22 personal clothing, shelter, or supplies which are needed on an
23 emergency basis to avoid institutionalization or placement in
24 a more restrictive setting is an emergency for the purposes of
25 this paragraph, and the filing with the department of such
26 statement is not required in such circumstances. In the case
27 of the emergency purchase of insurance, the period of coverage
28 of such insurance shall not exceed a period of 30 days, and
29 all such emergency purchases shall be reported to the
30 department.

31

1 (b) Purchasing agreements and contracts executed by
2 the department or by agencies under authority delegated by the
3 department in writing are excepted from bid requirements.

4 (c) Commodities or contractual services available only
5 from a single source may be excepted from the bid requirements
6 if it is determined that such commodities or services are
7 available only from a single source and such determination is
8 documented. However, if such contract is for an amount greater
9 than the threshold amount provided in s. 287.017 for CATEGORY
10 FOUR, the agency head shall file a certification of conditions
11 and circumstances with the department and shall obtain the
12 prior approval of the department. The failure of the
13 department to approve or disapprove the request of an agency
14 for prior approval within 21 days after receiving such request
15 or within 14 days after receiving from the agency additional
16 materials requested by the department shall constitute prior
17 approval of the department. To the greatest extent
18 practicable, but no later than 45 days after authorizing the
19 exception in writing, the department shall combine
20 single-source procurement authorizations for identical
21 information technology resources for which the purchase price
22 exceeds the threshold amount provided in s. 287.017 for
23 CATEGORY FOUR, and shall negotiate and execute volume
24 purchasing agreements for such procurements on behalf of the
25 agencies.

26 (d) When it is in the best interest of the state, the
27 Secretary of Management Services or his or her designee may
28 authorize the Support Program to purchase insurance by
29 negotiation, but such purchase shall be made only under
30 conditions most favorable to the public interest.

31

1 (e) Prescriptive assistive devices for the purpose of
2 medical, developmental, or vocational rehabilitation of
3 clients are excepted from competitive sealed bid and
4 competitive sealed proposal requirements and shall be procured
5 pursuant to an established fee schedule or by any other method
6 which ensures the best price for the state, taking into
7 consideration the needs of the client. Prescriptive assistive
8 devices include, but are not limited to, prosthetics,
9 orthotics, and wheelchairs. For purchases made pursuant to
10 this paragraph, state agencies shall annually file with the
11 department a description of the purchases and methods of
12 procurement.

13 (f) The following contractual services and commodities
14 are not subject to the competitive sealed bid requirements of
15 this section:

- 16 1. Artistic services.
- 17 2. Academic program reviews.
- 18 3. Lectures by individuals.
- 19 4. Auditing services.
- 20 5. Legal services, including attorney, paralegal,
21 expert witness, appraisal, or mediator services.
- 22 6. Health services involving examination, diagnosis,
23 treatment, prevention, medical consultation, or
24 administration.
- 25 7. Services provided to persons with mental or
26 physical disabilities by not-for-profit corporations which
27 have obtained exemptions under the provisions of s. 501(c)(3)
28 of the United States Internal Revenue Code or when such
29 services are governed by the provisions of Office of
30 Management and Budget Circular A-122. However, in acquiring
31 such services, the agency shall consider the ability of the

1 contractor, past performance, willingness to meet time
2 requirements, and price.

3 8. Medicaid services delivered to an eligible Medicaid
4 recipient by a health care provider who has not previously
5 applied for and received a Medicaid provider number from the
6 Agency for Health Care Administration. However, this exception
7 shall be valid for a period not to exceed 90 days after the
8 date of delivery to the Medicaid recipient and shall not be
9 renewed by the agency.

10 9. Family placement services.

11 10. Prevention services related to mental health,
12 including drug abuse prevention programs, child abuse
13 prevention programs, and shelters for runaways, operated by
14 not-for-profit corporations. However, in acquiring such
15 services, the agency shall consider the ability of the
16 contractor, past performance, willingness to meet time
17 requirements, and price.

18 11. Training and education services provided to
19 injured employees pursuant to s. 440.49(1).

20 12. Contracts entered into pursuant to s. 337.11.

21 13. Services or commodities provided by governmental
22 agencies.

23 (g) Continuing education events or programs that are
24 offered to the general public and for which fees have been
25 collected that pay all expenses associated with the event or
26 program are exempt from competitive sealed bidding.

27 (22)(a) The State Technology Office ~~of the department~~
28 shall develop a program for on-line procurement of commodities
29 and contractual services. To enable the state to promote open
30 competition and to leverage its buying power, executive state
31 agencies shall participate in the on-line procurement program,

1 and other agencies may participate in the program.Only
2 bidders prequalified as meeting mandatory requirements and
3 qualifications criteria shall be permitted to participate in
4 on-line procurement. The State Technology Office may contract
5 for equipment and services necessary to develop and implement
6 on-line procurement.

7 (b) The State Technology Office, in consultation with
8 the department, shall ~~may~~ adopt rules, pursuant to ss.
9 120.536(1) and 120.54, to implement the program for on-line
10 procurement. The rules shall include, but not be limited to:

11 1. Determining the requirements and qualification
12 criteria for prequalifying bidders.

13 2. Establishing the procedures for conducting on-line
14 procurement.

15 3. Establishing the criteria for eligible commodities
16 and contractual services.

17 4. Establishing the procedures for providing access to
18 on-line procurement.

19 5. Determining the criteria warranting any exceptions
20 to participation in the on-line procurement program.

21 (c) The Department of Management Services and the
22 State Technology Office may collect fees for the use of the
23 on-line procurement systems. The fees may be imposed on an
24 individual transaction basis or as a fixed percentage of the
25 cost savings generated. At a minimum, the fees must be set in
26 an amount sufficient to cover the projected costs of such
27 services, including administrative and project service costs
28 in accordance with the policies of the Department of
29 Management Services and the State Technology Office. For the
30 purposes of compensating the provider, the department may
31 authorize the provider to collect and retain a portion of the

1 fees. The providers may withhold the portion retained from
2 the amount of fees to be remitted to the department. The
3 department may negotiate the retainage as a percentage of such
4 fees charged to users, as a flat amount, or as any other
5 method the department deems feasible. All fees and surcharges
6 collected under this paragraph shall be deposited in the
7 Grants and Donation Trust Fund as provided by law.

8 (23)(a) The State Technology Office shall establish,
9 in consultation with the department, state strategic
10 information technology alliances for the acquisition and use
11 of information technology and related material with
12 prequalified contractors or partners to provide the state with
13 efficient, cost-effective, and advanced information
14 technology.

15 (b) In consultation with and under contract to the
16 State Technology Office, the state strategic information
17 technology alliances shall design, develop, and deploy
18 projects providing the information technology needed to
19 collect, store, and process the state's data and information,
20 provide connectivity, and integrate and standardize computer
21 networks and information systems of the state.

22 (c) The partners in the state strategic information
23 technology alliances shall be industry leaders with
24 demonstrated experience in the public and private sectors.

25 (d) The State Technology Office, in consultation with
26 the Department of Management Services, shall adopt rules,
27 pursuant to ss. 120.536(1) and 120.54, to implement the state
28 strategic information technology alliances.

29 Section 5. Section 287.0731, Florida Statutes, is
30 amended to read:

31

1 287.0731 Team for contract negotiations.--Contingent
2 upon funding in the General Appropriations Act, the Department
3 of Management Services, in consultation with the State
4 Technology Office, shall establish a permanent team for
5 contract negotiations including a chief negotiator, to
6 specialize in the procurement of information technology
7 resources.

8 Section 6. Subsections (1), (2), (6), and (8) of
9 section 288.109, Florida Statutes, are amended, subsection
10 (10) is deleted and subsequent subsections are renumbered to
11 read:

12 288.109 One-Stop Permitting System.--

13 (1) By January 1, 2001 ~~2000~~, the State Technology
14 Office ~~Department of Management Services~~ must establish and
15 implement an Internet site for the One-Stop Permitting System.
16 The One-Stop Permitting System Internet site shall provide
17 individuals and businesses with information concerning
18 development permits; guidance on what development permits are
19 needed for particular projects; permit requirements; and who
20 may be contacted for more information concerning a particular
21 development permit for a specific location. The office
22 ~~department~~ shall design and construct the Internet site and
23 may competitively procure and contract for services to develop
24 the site. In designing and constructing the Internet site, the
25 office ~~department~~ must solicit input from potential users of
26 the site.

27 (2) The office ~~department~~ shall develop the One-Stop
28 Permitting System Internet site to allow an applicant to
29 complete and submit application forms for development permits
30 to agencies and counties. The Internet site must be capable of
31 allowing an applicant to submit payment for permit fees and

1 must provide payment options. After initially establishing the
2 Internet site, the office department shall implement, in the
3 most timely manner possible, the capabilities described in
4 this subsection. The office department shall also develop a
5 protocol for adding to the One-Stop Permitting System
6 additional state agencies and counties that agree to
7 participate. The office department may competitively procure
8 and contract for services to develop such capabilities.

9 (6) The office department may add counties and
10 municipalities to the One-Stop Permitting System as such local
11 governments agree to participate and develop the technical
12 capability of joining the system.

13 (8) Section 120.60(1) shall apply to any development
14 permit or license filed under the One-Stop Permitting System,
15 except the 90-day time period for approving or denying a
16 completed application shall be 60 days. In the case of permits
17 issued by the water management districts, each completed
18 application that does not require governing board approval
19 must be approved or denied within 60 days after receipt.
20 However, completed permit applications which must be
21 considered by a water management district governing board
22 shall be approved or denied at the next regularly scheduled
23 meeting after the 60-day period has expired. The 60-day
24 period for approving or denying a complete application does
25 not apply in the case of a development permit application
26 evaluated under a federally delegated or approved permitting
27 program. However, the reviewing agency shall make a
28 good-faith effort to act on such permit applications within 60
29 days.

30 ~~(10) Notwithstanding any other provision of law or~~
31 ~~administrative rule to the contrary, the fee imposed by a~~

1 ~~state agency or water management district for issuing a~~
2 ~~development permit shall be waived for a 6-month period~~
3 ~~beginning on the date the state agency or water management~~
4 ~~district begins accepting development permit applications over~~
5 ~~the Internet and the applicant submits the development permit~~
6 ~~to the agency or district using the One-Stop Permitting~~
7 ~~System. The 6-month fee waiver shall not apply to development~~
8 ~~permit fees assessed by the Electrical Power Plant Siting Act,~~
9 ~~ss. 403.501-403.519; the Transmission Line Siting Act, ss.~~
10 ~~403.52-403.5365; the statewide Multi-purpose Hazardous Waste~~
11 ~~Facility Siting Act, ss. 403.78-403.7893; the Natural Gas~~
12 ~~Pipeline Siting Act, ss. 403.9401-403.9425; and the High Speed~~
13 ~~Rail Transportation Siting Act, ss. 341.3201-341.386.~~

14 Section 7. Section 288.1092, Florida Statutes, is
15 amended to read:

16 288.1092 One-Stop Permitting System Grant
17 Program.--There is created within the State Technology Office
18 ~~Department of Management Services~~ the One-Stop Permitting
19 System Grant Program. The purpose of the grant program is to
20 encourage counties to coordinate and integrate the development
21 of the county's permitting process with the One-Stop
22 Permitting System. The office department shall review grant
23 applications and, subject to available funds, if a county is
24 certified as a Quick Permitting County under s. 288.1093,
25 shall award a grant of up to \$50,000 to provide for such
26 integration. The office department must review a grant
27 application for consistency with the purpose of the One-Stop
28 Permitting System to provide access to development permit
29 information and application forms. Grants shall be issued on a
30 first-come, first-served basis to qualified Quick Permitting
31 Counties. The grant moneys may be used to purchase software,

1 hardware, or consulting services necessary for the county to
2 create an interface with the One-Stop Permitting System. Grant
3 moneys may not be used to pay administrative costs. The grant
4 application must specify what items or services the county
5 intends to purchase using the grant moneys, the amount of each
6 of the items or services to be purchased, and how the items or
7 services are necessary for the county to create an interface
8 with the One-Stop Permitting System.

9 Section 8. Section 288.1093, Florida Statutes, is
10 amended to read:

11 288.1093 Quick Permitting County Designation
12 Program.--

13 (1) There is established within the State Technology
14 Office ~~Department of Management Services~~ the Quick Permitting
15 County Designation Program. To be designated as a Quick
16 Permitting County, the chair of the board of county
17 commissioners of the applying county must certify to the
18 office ~~Department of Management Services~~ that the county meets
19 the criteria specified in subsection (3).

20 (2) As used in this section, the term "development
21 permitting" includes permits and approvals necessary for the
22 physical location of a business, including, but not limited
23 to:

- 24 (a) Wetland or environmental resource permits.
- 25 (b) Surface water management permits.
- 26 (c) Stormwater permits.
- 27 (d) Site plan approvals.
- 28 (e) Zoning and comprehensive plan amendments.
- 29 (f) Building permits.
- 30 (g) Transportation concurrency approvals.
- 31 (h) Wastewater permits.

1 (3) In order to qualify for a Quick Permitting County
2 designation, a county must certify to the office ~~department~~
3 that the county has implemented the following best-management
4 practices:

5 (a) The establishment of a single point of contact for
6 a business seeking assistance in obtaining a permit;

7 (b) The selection of high-priority projects for
8 accelerated permit review;

9 (c) The use of documented preapplication meetings
10 following standard procedures;

11 (d) The maintenance of an inventory of sites suitable
12 for high-priority projects;

13 (e) The development of a list of consultants who
14 conduct business in the county;

15 (f) The evaluation and elimination of duplicative
16 approval and permitting requirements within the county;

17 (g) The commitment to participate, through the entry
18 of an interlocal agreement for individual projects, in the
19 expedited permit process set forth in s. 403.973;

20 (h) The development of a timetable for processing
21 development permits and approvals; and

22 (i) The use of interagency coordination to facilitate
23 permit processing.

24 Section 9. Effective July 1, 2001, subsection (1) of
25 section 455.213, Florida Statutes, is amended, and subsection
26 (11) is added to that section, to read:

27 455.213 General licensing provisions.--

28 (1) Any person desiring to be licensed shall apply to
29 the department in writing. The application for licensure shall
30 be made on a form prepared and furnished by the department and
31 include the applicant's social security number.

1 Notwithstanding any other provision of law, the department is
2 the sole authority for determining the contents of any
3 documents to be submitted for initial licensure and licensure
4 renewal. Such documents may contain information including, as
5 appropriate: demographics, education, work history, personal
6 background, criminal history, finances, business information,
7 complaints, inspections, investigations, discipline, bonding,
8 signature notarization, photographs, performance periods,
9 reciprocity, local government approvals, supporting
10 documentation, periodic reporting requirements, fingerprint
11 requirements, continuing education requirements, and ongoing
12 education monitoring.The application shall be supplemented as
13 needed to reflect any material change in any circumstance or
14 condition stated in the application which takes place between
15 the initial filing of the application and the final grant or
16 denial of the license and which might affect the decision of
17 the department. In order to further the economic development
18 goals of the state, and notwithstanding any law to the
19 contrary, the department may enter into an agreement with the
20 county tax collector for the purpose of appointing the county
21 tax collector as the department's agent to accept applications
22 for licenses and applications for renewals of licenses. The
23 agreement must specify the time within which the tax collector
24 must forward any applications and accompanying application
25 fees to the department. In cases where a person applies or
26 schedules directly with a national examination organization or
27 examination vendor to take an examination required for
28 licensure, any organization- or vendor-related fees associated
29 with the examination may be paid directly to the organization
30 or vendor.
31

1 (11) Any submission required to be in writing may be
2 made by electronic means.

3 Section 10. Paragraph (e) of subsection (1) of section
4 61.1826, Florida Statutes, is amended to read:

5 61.1826 Procurement of services for State Disbursement
6 Unit and the non-Title IV-D component of the State Case
7 Registry; contracts and cooperative agreements; penalties;
8 withholding payment.--

9 (1) LEGISLATIVE FINDINGS.--The Legislature finds that
10 the clerks of court play a vital role, as essential
11 participants in the establishment, modification, collection,
12 and enforcement of child support, in securing the health,
13 safety, and welfare of the children of this state. The
14 Legislature further finds and declares that:

15 (e) The potential loss of substantial federal funds
16 poses a direct and immediate threat to the health, safety, and
17 welfare of the children and citizens of the state and
18 constitutes an emergency for purposes of s. 287.057(4)~~(3)~~(a).

19
20 For these reasons, the Legislature hereby directs the
21 Department of Revenue, subject to the provisions of subsection
22 (6), to contract with the Florida Association of Court Clerks
23 and each depository to perform duties with respect to the
24 operation and maintenance of a State Disbursement Unit and the
25 non-Title IV-D component of the State Case Registry as further
26 provided by this section.

27 Section 11. Subsection (1) of section 287.022, Florida
28 Statutes, is amended to read:

29 287.022 Purchase of insurance.--

30 (1) Insurance, while not a commodity, nevertheless
31 shall be purchased for all agencies by the department, except

1 that agencies may purchase title insurance for land
2 acquisition and may make emergency purchases of insurance
3 pursuant to s. 287.057(4)(~~3~~)(a). The procedures for purchasing
4 insurance, whether the purchase is made by the department or
5 by the agencies, shall be the same as those set forth herein
6 for the purchase of commodities.

7 Section 12. Subsection (5) of section 287.058, Florida
8 Statutes, is amended to read:

9 287.058 Contract document.--

10 (5) Unless otherwise provided in the General
11 Appropriations Act or the substantive bill implementing the
12 General Appropriations Act, the Comptroller may waive the
13 requirements of this section for services which are included
14 in s. 287.057(4)(~~3~~)(f).

15 Section 13. Subsection (3) of section 394.457, Florida
16 Statutes, is amended to read:

17 394.457 Operation and administration.--

18 (3) POWER TO CONTRACT.--The department may contract to
19 provide, and be provided with, services and facilities in
20 order to carry out its responsibilities under this part with
21 the following agencies: public and private hospitals;
22 receiving and treatment facilities; clinics; laboratories;
23 departments, divisions, and other units of state government;
24 the state colleges and universities; the community colleges;
25 private colleges and universities; counties, municipalities,
26 and any other governmental unit, including facilities of the
27 United States Government; and any other public or private
28 entity which provides or needs facilities or services. Baker
29 Act funds for community inpatient, crisis stabilization,
30 short-term residential treatment, and screening services must
31 be allocated to each county pursuant to the department's

1 funding allocation methodology. Notwithstanding the provisions
2 of s. 287.057(4)~~(3)~~(f), contracts for community-based Baker
3 Act services for inpatient, crisis stabilization, short-term
4 residential treatment, and screening provided under this part,
5 other than those with other units of government, to be
6 provided for the department must be awarded using competitive
7 sealed bids when the county commission of the county receiving
8 the services makes a request to the department's district
9 office by January 15 of the contracting year. The district
10 shall not enter into a competitively bid contract under this
11 provision if such action will result in increases of state or
12 local expenditures for Baker Act services within the district.
13 Contracts for these Baker Act services using competitive
14 sealed bids will be effective for 3 years. Services contracted
15 for by the department may be reimbursed by the state at a rate
16 up to 100 percent. The department shall adopt rules
17 establishing minimum standards for such contracted services
18 and facilities and shall make periodic audits and inspections
19 to assure that the contracted services are provided and meet
20 the standards of the department.

21 Section 14. Paragraph (a) of subsection (1) of section
22 394.47865, Florida Statutes, is amended to read:

23 394.47865 South Florida State Hospital;
24 privatization.--

25 (1) The Department of Children and Family Services
26 shall, through a request for proposals, privatize South
27 Florida State Hospital. The department shall plan to begin
28 implementation of this privatization initiative by July 1,
29 1998.

30 (a) Notwithstanding s. 287.057(13)~~(12)~~, the department
31 may enter into agreements, not to exceed 20 years, with a

1 private provider, a coalition of providers, or another agency
2 to finance, design, and construct a treatment facility having
3 up to 350 beds and to operate all aspects of daily operations
4 within the facility. The department may subcontract any or all
5 components of this procurement to a statutorily established
6 state governmental entity that has successfully contracted
7 with private companies for designing, financing, acquiring,
8 leasing, constructing, and operating major privatized state
9 facilities.

10 Section 15. Subsections (1) and (5) of section 402.73,
11 Florida Statutes, are amended to read:

12 402.73 Contracting and performance standards.--

13 (1) The Department of Children and Family Services
14 shall establish performance standards for all contracted
15 client services. Notwithstanding s. 287.057(4)~~(3)~~(f), the
16 department must competitively procure any contract for client
17 services when any of the following occurs:

18 (a) The provider fails to meet appropriate performance
19 standards established by the department after the provider has
20 been given a reasonable opportunity to achieve the established
21 standards.

22 (b) A new program or service has been authorized and
23 funded by the Legislature and the annual value of the contract
24 for such program or service is \$300,000 or more.

25 (c) The department has concluded, after reviewing
26 market prices and available treatment options, that there is
27 evidence that the department can improve the performance
28 outcomes produced by its contract resources. At a minimum, the
29 department shall review market prices and available treatment
30 options biennially. The department shall compile the results
31 of the biennial review and include the results in its annual

1 performance report to the Legislature pursuant to chapter
2 94-249, Laws of Florida. The department shall provide notice
3 and an opportunity for public comment on its review of market
4 prices and available treatment options.

5 Section 16. Paragraph (c) of subsection (5) of section
6 445.024, Florida Statutes, is amended to read:

7 445.024 Work requirements.--

8 (5) USE OF CONTRACTS.--Regional workforce boards shall
9 provide work activities, training, and other services, as
10 appropriate, through contracts. In contracting for work
11 activities, training, or services, the following applies:

12 (c) Notwithstanding the exemption from the competitive
13 sealed bid requirements provided in s. 287.057(4)(~~3~~)(f) for
14 certain contractual services, each contract awarded under this
15 chapter must be awarded on the basis of a competitive sealed
16 bid, except for a contract with a governmental entity as
17 determined by the regional workforce board.

18 Section 17. Paragraph (d) of subsection (2) of section
19 455.2177, Florida Statutes, is amended to read:

20 455.2177 Monitoring of compliance with continuing
21 education requirements.--

22 (2) If the compliance monitoring system required under
23 this section is privatized, the following provisions apply:

24 (d) Upon the failure of a vendor to meet its
25 obligations under a contract as provided in paragraph (a), the
26 department may suspend the contract and enter into an
27 emergency contract under s. 287.057(4)(~~3~~).

28 Section 18. This act shall take effect upon becoming a
29 law.

30
31