

By Representatives Kallinger, Bense and Melvin

1 A bill to be entitled
2 An act relating to payment or performance
3 bonds; amending s. 255.05, F.S.; prohibiting
4 requiring specific insurance or surety
5 companies, agents, or brokers for payment or
6 performance bonds for certain projects;
7 providing a felony penalty; providing an
8 effective date.

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

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12 Section 1. Subsection (10) is added to section 255.05,
13 Florida Statutes, to read:

14 255.05 Bond of contractor constructing public
15 buildings; form; action by materialmen.--

16 (10) No contractor shall be required by any person or
17 entity to make application or furnish financial data to, or
18 obtain or procure any payment or performance bond from, any
19 specific insurance or surety company, agent, or broker for any
20 project relating to any contract under this section. Any
21 person or who violates the provisions of this subsection
22 commits a felony of the third degree, punishable as provided
23 in s. 775.082, s. 775.083, or s. 775.084.

24 Section 2. This act shall take effect October 1, 2001.
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27 HOUSE SUMMARY

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29 Prohibits requiring contractors to apply or furnish
30 financial data to, or obtain or procure any payment or
31 performance bond from, specific insurance or surety
 companies, agents, or brokers for public construction
 projects. Provides a third degree felony penalty. See
 bill for details.