

By Senator Sebesta

20-890-02

1 A bill to be entitled
2 An act relating to public property; amending s.
3 255.25, F.S.; exempting certain leases entered
4 into by the Department of Management Services
5 from leasing requirements under specified
6 circumstances; providing an effective date.

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

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10 Section 1. Paragraph (b) of subsection (3) of section
11 255.25, Florida Statutes, is amended to read:

12 255.25 Approval required prior to construction or
13 lease of buildings.--

14 (3)

15 (b) The Department of Management Services may approve
16 extensions of an existing lease of 5,000 square feet or more
17 of space if such extensions are determined to be in the best
18 interests of the state, but in no case shall the total of such
19 extensions exceed 11 months. If at the end of the 11th month
20 an agency still needs that space, it shall be procured by
21 competitive bid in accordance with s. 255.249(4)(b). However,
22 an agency that determines that it is in its best interest to
23 remain in the space it currently occupies may negotiate a
24 replacement lease with the lessor if an independent
25 comparative market analysis demonstrates that the rates
26 offered are within market rates for the space and the cost of
27 the new lease does not exceed the cost of a comparable lease
28 plus documented moving costs. A present-value analysis and the
29 consumer price index shall be used in the calculation of lease
30 costs. Notwithstanding paragraph (2)(c), the Department of
31 Management Services may exempt the replacement lease from Rule

1 60H-1.007, Florida Administrative Code, if, upon complying
2 with this paragraph, the cumulative cost of the new lease is
3 at least 10 percent less than the cost of a comparable lease
4 plus documented moving costs.The term of the replacement
5 lease may not exceed the base term of the expiring lease.

6 Section 2. This act shall take effect July 1, 2002.

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9 SENATE SUMMARY

10 Exempts certain leases by the Department of Management
11 Services from specified administrative rules.

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