

787-119AXA-02

Bill No. CS/HB 757

Amendment No. 2 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Paul offered the following:

**Amendment (with title amendment)**

On page 25, between lines 8 and 9,

insert:

Section 3. Section 73.0616, Florida Statutes, is created to read:

73.0616 Property Rights Accountability Act.--

(1) This section may be cited as the "Property Rights Accountability Act of 2002."

(2) It is the intent of the Legislature to promote effective and cost-efficient procedures for acquiring right-of-way lands necessary for public projects. Accordingly, the Legislature believes that this intent is best served when state condemning authorities analyze the provision of such services as legal counsel and right-of-way costs to determine the optimal balance between the costs associated with providing such services and the quality of the services provided. When this intent is best served by private-sector providers, state condemning authorities shall contract with

1 such providers for these services. It is the further intent of  
2 the Legislature that this be an ongoing, periodic activity of  
3 all state condemning authorities.

4 (3) The Department of Transportation shall conduct a  
5 written analysis of the cost of providing legal counsel and  
6 all other activities related to right-of-way acquisition. This  
7 analysis shall be the basis of comparison for a request for  
8 proposals or solicitation of bids to be issued by the  
9 Department of Management Services.

10 (4) Within 30 days after conclusion of the bid  
11 process, the Department of Transportation shall publish and  
12 discuss the responses to the request for proposals or  
13 solicitation of bids, including a written comparison to the  
14 analysis required in subsection (3) and a written report of  
15 the results of the bid process.

16 (5) Notwithstanding any other provision of law, any  
17 cost savings realized by a state agency through the provision  
18 of contracted legal services pursuant to this section shall be  
19 used for ongoing road construction projects.

20 (6) The Department of Management Services shall  
21 provide technical assistance to state agencies for the purpose  
22 of implementing this section.

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25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 On page 1, line 17, after "actions;"

28  
29 insert:

30 creating s. 73.0616, F.S.; providing for a  
31 request for proposals or solicitation of bids

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1           to contract for services with respect to the  
2           acquisition of right-of-way property; providing  
3           for disclosure and publication; providing for  
4           the use of cost savings;  
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