

Bill No. SB 2316

Barcode 254220

CHAMBER ACTION

Senate

House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Comm: RCS
04/04/2006 07:58 PM

.
. .
. .
. .
. .
. .

The Committee on Governmental Oversight and Productivity
(Sebesta) recommended the following **amendment to amendment**
(301390):

Senate Amendment

On page 2, line 13, through page 3, line 24, delete
those lines

and insert:

2.a. A competitive sealed reply in response to an
invitation to negotiate, as defined in s. 287.012, is exempt
from s. 119.07(1) and s. 24(a), Art. I of the State
Constitution until such time as the agency provides notice of
a decision or intended decision pursuant to s. 120.57(3)(a) or
until 20 days after the final competitive sealed replies are
all opened, whichever is earlier.

b. If an agency rejects all competitive sealed replies
in response to an invitation to negotiate and the agency
concurrently provides notice of its intent to reissue the
invitation to negotiate, and the agency reissues the
invitation to negotiate within 90 days of such notice to

Bill No. SB 2316

Barcode 254220

1 reissue, the rejected replies remain exempt from s. 119.07(1)
 2 and s. 24(a), Art. I of the State Constitution until such time
 3 as the agency provides notice of a decision or intended
 4 decision pursuant to s. 120.57(3)(a) concerning the reissued
 5 invitation to negotiate or until the agency withdraws the
 6 reissued invitation to negotiate. In no event shall a
 7 competitive sealed reply be exempt for more than twelve months
 8 after the initial agency notice rejecting all replies.

9 3. This subparagraph is subject to the Open Government
 10 Sunset Review Act in accordance with s. 119.15, and shall
 11 stand repealed on october 2, 2011, unless reviewed and saved
 12 from repeal through reenactment by the Legislature.

13 Section 1. Section 286.0113, Florida Statutes, is
 14 amended to read: 286.0113 General exemptions from public
 15 meetings.--

16 (1) Those portions of any meeting which would reveal
 17 a security system plan or portion thereof made confidential
 18 and exempt by s. 119.071(3)(a) are exempt from the provisions
 19 of s. 286.011 and s. 24(b), Art. I of the State Constitution.
 20 This section is subject to the Open Government Sunset Review
 21 Act, in accordance with s. 119.15, and shall stand repealed on
 22 October 2, 2006, unless reviewed and saved from repeal through
 23 reenactment by the Legislature.

24 (2)(a) A meeting at which a negotiation with a vendor
 25 is conducted pursuant to s. 287.057(3) is exempt from s.
 26 286.011 and s. 24(b), Art. I of the State Constitution.

27 (b)1. A complete recording shall be made of any
 28 meeting made exempt in paragraph (a). No portion of the
 29 meeting may be held off the record.

30 2. The recording is exempt from s. 119.07(1) and s.
 31 24(a), Art. I of the State Constitution until such time as the

Bill No. SB 2316

Barcode 254220

1 agency provides notice of a decision or intended decision
2 pursuant to s. 120.57(3)(a) or until 20 days after the final
3 competitive sealed replies are all opened, whichever is
4 earlier.

5 3. If the agency rejects all sealed replies, the
6 recording remains exempt from s. 119.07(1) and s. 24(a), Art.
7 I of the State Constitution until such time as the agency
8 provides notice of a decision or intended decision pursuant to
9 s. 120.57(3)(a) concerning the reissued invitation to negotiate
10 or until the agency withdraws the reissued invitation to
11 negotiate. In no event shall a recording be exempt for more
12 than twelve months after the initial agency notice rejecting
13 all replies.

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31