

1                                   A bill to be entitled  
 2           An act relating to the Department of the Lottery; amending  
 3           s. 24.109, F.S.; requiring the administrative law judge to  
 4           conduct certain reviews in a competitive procurement  
 5           protest; providing an effective date.

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

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 9           Section 1. Paragraph (b) of subsection (2) of section  
 10          24.109, Florida Statutes, is redesignated as paragraph (c), and  
 11          a new paragraph (b) is added to that subsection to read:

12           24.109 Administrative procedure.--

13           (2) The provisions of s. 120.57(3) apply to the  
 14          department's contracting process, except that:

15           (b) In a competitive procurement protest, including the  
 16          rejection of all bids, proposals, or replies, the administrative  
 17          law judge shall not conduct a de novo proceeding but instead  
 18          shall review the intended agency action to determine if the  
 19          agency action is illegal, arbitrary, dishonest, or fraudulent.

20           Section 2. This act shall take effect July 1, 2006.