

HB 755

2006
CS

CHAMBER ACTION

1 The Business Regulation Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to the Department of the Lottery; amending
7 s. 24.109, F.S.; requiring an administrative law judge to
8 conduct certain reviews in a competitive procurement
9 protest and providing guidelines for such review;
10 providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Paragraph (b) of subsection (2) of section
15 24.109, Florida Statutes, is redesignated as paragraph (c), and
16 a new paragraph (b) is added to that subsection to read:

17 24.109 Administrative procedure.--

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

20 (b) In a competitive procurement protest, including the
21 rejection of all bids, proposals, or replies, the administrative
22 law judge shall not substitute his or her procurement decision
23 for the agency's procurement decision but shall review the

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24 | intended agency action only to determine if the agency action is
25 | illegal, arbitrary, dishonest, or fraudulent.

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