

1 A bill to be entitled
2 An act relating to the Department of the Lottery; amending
3 s. 24.109, F.S.; requiring an administrative law judge to
4 conduct certain reviews in a competitive procurement
5 protest and providing guidelines for such review;
6 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 (2) of section
11 24.109, Florida Statutes, is redesignated as paragraph (c), and
12 a new paragraph (b) is added to that subsection to read:

13 24.109 Administrative procedure.--

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

16 (b) In a competitive procurement protest, including the
17 rejection of all bids, proposals, or replies, the administrative
18 law judge shall not substitute his or her procurement decision
19 for the agency's procurement decision but shall review the
20 intended agency action only to determine if the agency action is
21 illegal, arbitrary, dishonest, or fraudulent.

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