

1                                   A bill to be entitled  
 2           An act relating to state contracts for construction or  
 3           repair of public buildings and public works; amending s.  
 4           255.05, F.S.; revising the threshold amount of contracts  
 5           with the state, any political subdivision thereof, or  
 6           other public authority for the construction or repair of a  
 7           public building or the prosecution, completion, or repair  
 8           of a public work with respect to which the Department of  
 9           Management Services is required to adopt specified rules;  
 10          providing an effective date.

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

Section 1. Paragraph (b) of subsection (1) of section 255.05, Florida Statutes, is amended to read:

255.05 Bond of contractor constructing public buildings; form; action by materialmen.--

(1)

(b) The Department of Management Services shall adopt rules with respect to all contracts for \$500,000 ~~\$200,000~~ or less, to provide:

1. Procedures for retaining up to 10 percent of each request for payment submitted by a contractor and procedures for determining disbursements from the amount retained on a pro rata basis to laborers, materialmen, and subcontractors, as defined in s. 713.01.

2. Procedures for requiring certification from laborers, materialmen, and subcontractors, as defined in s. 713.01, prior

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29 | to final payment to the contractor that such laborers,  
30 | materialmen, and subcontractors have no claims against the  
31 | contractor resulting from the completion of the work provided  
32 | for in the contract.

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34 | The state shall not be held liable to any laborer, materialman,  
35 | or subcontractor for any amounts greater than the pro rata share  
36 | as determined under this section.

37 |       Section 2. This act shall take effect July 1, 2007.