



687448

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: RCS	.	
3/27/2008	.	
	.	
	.	

1 The Committee on Governmental Operations (Oelrich) recommended
2 the following **amendment**:

3
4 **Senate Amendment (with title amendment)**

5 Between line(s) 127-128

6 insert:

7 Section 2. State Government Transparency; contracts

8 (1) As used in this section, the term:

9 (a) "Contract" means any legally binding agreement

10 executed by a state agency and a corporation or an individual
11 which requires the expenditure of \$5,000 or more.

12 (b) "Corporation" means all corporations registered to do
13 business in the state, whether for profit or not for profit;
14 foreign corporations qualified to do business in this state or
15 actually doing business in this state, whether for profit or not



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16 for profit; limited liability companies under chapter 608;
17 partnerships under chapter 620; a sole proprietorship as defined
18 in s. 440.02; or any other legal business entity, whether for
19 profit or not for profit.

20 (c) "Expenditure" means a payment that a state agency
21 makes to a corporation or an individual under a contract.

22 (d) "Individual" means a person, but excludes an employee
23 of a governmental entity or an employee of the federal
24 government.

25 (2) The Executive Office of the Governor is directed to
26 develop and maintain a portal linking to the state agency
27 contract expenditures report maintained by the Department of
28 Financial Services and required under this section.

29 (3) (a) The Department of Financial Services is directed to
30 develop and maintain a contract expenditures report that
31 provides the following information:

32 1. The name of the state agency that is a party to a
33 contract;

34 2. The name of each corporation or individual who is a
35 party to a contract.

36 3. The date, amount, and purpose of the contract; and

37 4. Each expenditure made under the contract.

38 (b) The contract expenditures report must be maintained by
39 the department in a searchable website containing a navigation
40 bar that allows an individual with Internet access to search for
41 expenditure reports by governmental function, state agency, or
42 appropriation category.



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43 (4) (a) Each state agency shall record each contract
44 executed between the agency and a corporation or an individual,
45 and each payment made under the contract along with the contract
46 number in the department's Florida Accounting and Information
47 Resources contract subsystem as provided in s.215.94(2).

48 (b) To the extent possible, each state agency shall
49 provide a link to an electronic copy of the contract. The
50 portion of a public record that is confidential or exempt from
51 inspection and copying shall be redacted prior to posting.

52
53 (Renumber subsequent sections)

54
55 ===== T I T L E A M E N D M E N T =====

56 And the title is amended as follows:

57 Delete everything before the enacting clause
58 and insert:

59 A bill to be entitled
60 An act relating to transparency in government contracts;
61 creating s. 218.315, F.S.; defining the terms "contract,"
62 "corporation," "county officer," "local government," and
63 "individual," for purposes of local government contract
64 reporting; directing the Department of Financial Services
65 to develop and maintain a portal linking to websites
66 maintained by local governments; requiring local
67 governments with a website to electronically post contract
68 information relating to certain contracts; providing an
69 exemption for contracts protected under ch. 119, F.S., or
70 by general law; requiring that access to the website be



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71 provided at no cost; requiring that electronic copies of
72 contracts be provided in certain circumstances; requiring
73 the Department of Financial Services to develop a uniform
74 format to be used by local governments when posting
75 contract information; requiring specific information be
76 provided under the uniform format; requiring each local
77 government to designate a central office to maintain all
78 contract information; providing reporting requirements for
79 local governments without a website; requiring that
80 contract information be posted at least quarterly using
81 the uniform format; establishing a schedule for local
82 governments to meet requirements of the act; providing
83 rulemaking authority; defining the terms "contract",
84 "corporation", "expenditure" and "individual" for purposes
85 of state government contract reporting; directing the
86 Executive Office of the Governor to develop and maintain a
87 port linking to the state agency contract expenditures
88 report maintained by the Department of Financial Services;
89 directing the department of develop and maintain a
90 contract information report containing specified
91 information; directing that the report be maintained by
92 the department in a searchable website; directing that
93 access to the website be provided at no charge to a user
94 with Internet access; directing each state agency to
95 record information relating to contracts between the
96 agency and a corporation or an individual; directing each
97 agency to record payment information on specified
98 contracts in the Florida Accounting and Information



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99 | Resources contract subsystem; requiring that electronic
100 | copies of contracts be provided in certain circumstances;
101 | providing that portions of public records which are
102 | confidential and exempt from inspection and copying shall
103 | be redacted prior to posting; providing an effective date.