

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Grant offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 811-812 and insert:

5 Section 11. State government transparency; contracts.--

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

7 (a) "Contract" means any legally binding agreement
8 executed by a reporting entity and a corporation or an
9 individual for the purchase of commodities or contractual
10 services which requires the expenditure of \$25,000 or more. The
11 term excludes the contractual rights of state employees and
12 retirees who are members of the Florida Retirement System.

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

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

22 (c) "Expenditure" means a payment that a reporting entity
23 makes to a corporation or an individual under a contract.

24 (d) "Individual" means a person, but excludes an employee
25 of a reporting entity or an employee of the Federal Government
26 while acting in the capacity as employee.

27 (e) "Reporting entity" means any state officer,
28 department, board, commission, division, bureau, or council and
29 any other unit of organization, however designated, of the
30 executive branch of state government, and any water management
31 district, university or college board of trustees, and any state
32 university or college.

33 (2) The Executive Office of the Governor is directed to
34 develop and maintain a portal linking to the reporting entity
35 contract expenditures report maintained by the Department of
36 Financial Services and required under this section.

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

40 1. The name of the reporting entity that is a party to a
41 contract;

42 2. The name of each corporation or individual who is a
43 party to a contract and whether the corporation is a minority
44 business enterprise as defined in s. 288.703, Florida Statutes;

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

46 4. Each expenditure made under the contract.

47 (b) The contract expenditures report must be maintained by
48 the department in a searchable website containing a navigation
49 bar that allows an individual having Internet access to search
50 for expenditure reports by governmental function, reporting
51 entity, or appropriation category.

52 (4) (a) Each reporting entity, excluding water management
53 districts, university and college boards of trustees, and the
54 state universities and colleges, shall record each contract
55 executed between the reporting entity and a corporation or an
56 individual and each payment made under the contract along with
57 the contract number in the department's Florida Accounting and
58 Information Resources contract subsystem as provided in s.
59 215.94(2), Florida Statutes.

60 (b) To the extent possible, each reporting entity shall
61 provide a link to an electronic copy of the contract. The
62 portion of a public record which is confidential or exempt from
63 inspection and copying shall be redacted prior to posting.

64 Section 12. This act shall take effect upon becoming a law
65 and shall apply to the 2008-2009 fiscal year and each fiscal
66 year thereafter.

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69 **T I T L E A M E N D M E N T**

70 Between lines 43 and 44, insert:
71 defining the terms "contract," "corporation," "expenditure,"
72 "individual," and "reporting entity" for purposes of state
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73 government contract reporting; providing that contractual rights
74 of state employees and retirees who are members of the Florida
75 Retirement System are not considered contracts; directing the
76 Executive Office of the Governor to develop and maintain a port
77 linking to the reporting entity contract expenditures report
78 maintained by the Department of Financial Services; directing
79 the department to develop and maintain a contract information
80 report containing specified information; directing that the
81 report be maintained by the department in a searchable website;
82 directing that access to the website be provided at no charge to
83 a user who has Internet access; directing each reporting entity
84 to record information relating to contracts between the
85 reporting entity and a corporation or an individual; providing
86 exceptions; directing each reporting entity to record payment
87 information on specified contracts in the Florida Accounting and
88 Information Resources contract subsystem; requiring that
89 electronic copies of contracts be provided in certain
90 circumstances; providing that portions of public records that
91 are confidential and exempt from inspection and copying shall be
92 redacted prior to posting;