

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Grant offered the following:

2
3 **Substitute Amendment for Amendment (420845) (with title**
4 **amendment)**

5 Remove line(s) 811-812 and insert:

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

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

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

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

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

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

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

28 (e) "State agency" means any of the various state
29 officers, departments, boards, commissions, divisions, bureaus,
30 and councils and any other unit of organization, however
31 designated, of the executive branch of state government,
32 including water management districts, university and college
33 boards of trustees, and the state universities and colleges.

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

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

41 1. The name of the state agency that is a party to a
42 contract;

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

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

47 4. Each expenditure made under the contract.

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

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

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

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

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

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

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