

1                   A bill to be entitled  
 2           An act relating to preference to Florida businesses in  
 3           procurement of personal property and services; providing a  
 4           short title; amending s. 283.35, F.S.; requiring an  
 5           agency, county, municipality, school district, or other  
 6           political subdivision of the state to grant a specified  
 7           preference to a vendor located within the state when  
 8           awarding a contract for printing; specifying the  
 9           percentage of preference to be granted; amending s.  
 10          287.084, F.S.; requiring, rather than authorizing, an  
 11          agency, county, municipality, school district, or other  
 12          political subdivision of the state in making purchases of  
 13          personal property through competitive solicitation to  
 14          award a preference to the lowest responsible and  
 15          responsive vendor having a principal place of business  
 16          within this state under specified circumstances;  
 17          specifying the percentage of preference to be granted;  
 18          providing nonapplicability; providing an effective date.

19  
 20 Be It Enacted by the Legislature of the State of Florida:

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 22           Section 1. This act may be cited as the "Buy Florida Act."

23           Section 2. Section 283.35, Florida Statutes, is amended to  
 24 read:

25           283.35 Preference given printing within the state. ~~Every~~  
 26 ~~agency shall give preference to vendors located within the state~~  
 27 When awarding a contract ~~contracts~~ to have materials printed,  
 28 the agency, county, municipality, school district, or other

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29 political subdivision of this state awarding the contract shall  
 30 grant a preference to the lowest responsible and responsive  
 31 vendor having a principal place of business within this state.  
 32 The preference shall be 5 percent if the lowest bid is submitted  
 33 by a vendor whose principal place of business is located outside  
 34 the state and if the ~~whenever such~~ printing can be performed in  
 35 this state ~~done at no greater expense than the expense of~~  
 36 ~~awarding a contract to a vendor located outside the state and~~  
 37 ~~can be done~~ at a level of quality comparable to that obtainable  
 38 from ~~the~~ a vendor submitting the lowest bid located outside the  
 39 state.

40 Section 3. Section 287.084, Florida Statutes, is amended  
 41 to read:

42 287.084 Preference to Florida businesses.—

43 (1) (a) When an agency, county, municipality, school  
 44 district, or other political subdivision of the state is  
 45 required to make purchases of personal property through  
 46 competitive solicitation and the lowest responsible and  
 47 responsive bid, proposal, or reply is by a vendor whose  
 48 principal place of business is in a state or political  
 49 subdivision thereof which grants a preference for the purchase  
 50 of such personal property to a person whose principal place of  
 51 business is in such state, then the agency, county,  
 52 municipality, school district, or other political subdivision of  
 53 this state shall ~~may~~ award a preference to the lowest  
 54 responsible and responsive vendor having a principal place of  
 55 business within this state, which preference is equal to the  
 56 preference granted by the state or political subdivision thereof

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57 | in which the lowest responsible and responsive vendor has its  
58 | principal place of business. In a competitive solicitation in  
59 | which the lowest bid is submitted by a vendor whose principal  
60 | place of business is located outside the state and that state  
61 | does not grant a preference in competitive solicitation to  
62 | vendors having a principal place of business in that state, the  
63 | preference to the lowest responsible and responsive vendor  
64 | having a principal place of business in this state shall be 5  
65 | percent.

66 |       (b) Paragraph (a) ~~However, this section~~ does not apply to  
67 | transportation projects for which federal aid funds are  
68 | available.

69 |       ~~(2) If a solicitation provides for the granting of such~~  
70 | ~~preference as is provided in this section,~~ Any vendor whose  
71 | principal place of business is outside the State of Florida must  
72 | accompany any written bid, proposal, or reply documents with a  
73 | written opinion of an attorney at law licensed to practice law  
74 | in that foreign state, as to the preferences, if any or none,  
75 | granted by the law of that state to its own business entities  
76 | whose principal places of business are in that foreign state in  
77 | the letting of any or all public contracts.

78 |       Section 4. This act shall take effect July 1, 2011.