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LEGISLATIVE ACTION

Senate	.	House
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Floor: AD/CR	.	
05/06/2011 05:50 PM	.	
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The Conference Committee on CS for CS for SB 1314 recommended the following:

1 **Senate Conference Committee Amendment (with title**
2 **amendment)**

3
4 Delete everything after the enacting clause
5 and insert:

6 Section 1. Present paragraph (vv) of subsection (1) of
7 section 216.011, Florida Statutes, is redesignated as paragraph
8 (ww), and a new paragraph (vv) is added to that subsection, to
9 read:

10 216.011 Definitions.—

11 (1) For the purpose of fiscal affairs of the state,
12 appropriations acts, legislative budgets, and approved budgets,



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13 each of the following terms has the meaning indicated:

14 (vv) "Lease or lease-purchase of equipment" means the
15 appropriations category used to fund the lease or lease-purchase
16 of equipment, fixtures, and other tangible personal property.

17 Section 2. Present subsections (6) through (9) of section
18 216.023, Florida Statutes, are renumbered as subsections (7)
19 through (10), respectively, and a new subsection (6) is added to
20 that section, to read:

21 216.023 Legislative budget requests to be furnished to
22 Legislature by agencies.—

23 (6) As part of the legislative budget request, each state
24 agency must include the following information for each contract
25 in which the consideration to be paid to the agency is a
26 percentage of the vendor revenue and in excess of \$10 million
27 under the contract period:

28 (a) The name of the vendor.

29 (b) A brief description of the services provided by the
30 vendor.

31 (c) The term of the contract and the years remaining on the
32 contract.

33 (d) The amount of revenue generated or expected to be
34 generated by the vendor under the contract for the prior fiscal
35 year, the current fiscal year, and the next fiscal year.

36 (e) The amount of revenue remitted or expected to be
37 remitted to the state agency by the vendor for the prior fiscal
38 year, the current fiscal year, and the next fiscal year.

39 (f) The value of capital improvements, if any, on state
40 property which have been funded by the vendor over the term of
41 the contract.



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42 (g) The remaining amount of capital improvements, if any,
43 on state property which have not been fully amortized by June 30
44 of the prior fiscal year.

45 (h) The amount, if any, of state appropriations made to the
46 state agency to pay for services provided by the vendor.

47 Section 3. Section 216.313, Florida Statutes, is created to
48 read:

49 216.313 Contract appropriation; requirements.—An executive
50 or judicial branch public officer or employee may not enter into
51 any contract or agreement on behalf of the state or judicial
52 branch which binds the state or its executive agencies or the
53 judicial branch for the purchase of services or tangible
54 personal property in excess of \$5 million unless the contract
55 identifies the specific appropriation of state funds from which
56 the state will make payment under the contract in the first year
57 of the contract, unless the Legislature expressly authorizes the
58 agency or the judicial branch to enter into such contract absent
59 a specific appropriation of funds.

60 Section 4. Subsections (2) and (3) of section 287.056,
61 Florida Statutes, are amended to read

62 287.056 Purchases from purchasing agreements and state term
63 contracts.—

64 ~~(2) Agencies may have the option to purchase commodities or~~
65 ~~contractual services from state term contracts procured,~~
66 ~~pursuant to s. 287.057, by the department.~~

67 (2)~~(3)~~ Agencies and eligible users may use a request for
68 quote to obtain written pricing or services information from a
69 state term contract vendor for commodities or contractual
70 services available on state term contract from that vendor. The



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71 purpose of a request for quote is to determine whether a price,
72 term, or condition more favorable to the agency or eligible user
73 than that provided in the state term contract is available. Use
74 of a request for quote does not constitute a decision or
75 intended decision that is subject to protest under s. 120.57(3).

76 Section 5. Section 45 of chapter 2010-151, Laws of Florida,
77 is amended to read:

78 Section 45. Contracts for academic program reviews,
79 auditing services, health services, or Medicaid services are
80 subject to the transaction or user fees imposed under ss.
81 287.042(1)(h) and 287.057(22), Florida Statutes, only to the
82 extent that such contracts were ~~not~~ subject to such transaction
83 or user fees before July 1, 2010.

84 Section 6. This act shall take effect July 1, 2011, and
85 applies to initial contracts and agreements, amendments to a
86 contract or agreement, and extensions or renewals of a contract
87 or agreement which are executed on or after that date.

88
89 ===== T I T L E A M E N D M E N T =====

90 And the title is amended as follows:

91 Delete everything before the enacting clause
92 and insert:

93 A bill to be entitled
94 An act relating to state financial matters; amending
95 s. 216.011, F.S.; defining the term "lease or lease-
96 purchase of equipment"; amending s. 216.023, F.S.;
97 requiring that specified information relating to
98 certain contracts be included in an agency's
99 legislative budget request; creating s. 216.313, F.S.;



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100 requiring certain state contracts to identify the
101 appropriation that funds a contract; amending s.
102 287.056, F.S.; deleting a provision relating to an
103 option to purchase commodities or contractual services
104 from state term contracts; amending s. 45, chapter
105 2010-151, Laws of Florida; providing that certain
106 contracts are subject to transaction fees; providing
107 for application of the act to certain contracts and
108 agreements; providing an effective date.