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1                   A bill to be entitled  
2           An act relating to state financial matters; amending  
3           s. 216.011, F.S.; defining the term "lease or lease-  
4           purchase of equipment"; amending s. 216.023, F.S.;  
5           requiring that specified information relating to  
6           certain contracts be included in an agency's  
7           legislative budget request; creating s. 216.313, F.S.;  
8           requiring certain state contracts to identify the  
9           appropriation that funds a contract; amending s.  
10          287.056, F.S.; deleting a provision relating to an  
11          option to purchase commodities or contractual services  
12          from state term contracts; amending s. 45, chapter  
13          2010-151, Laws of Florida; providing that certain  
14          contracts are subject to transaction fees; providing  
15          for application of the act to certain contracts and  
16          agreements; providing an effective date.

17  
18   Be It Enacted by the Legislature of the State of Florida:

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20           Section 1. Present paragraph (vv) of subsection (1) of  
21          section 216.011, Florida Statutes, is redesignated as paragraph  
22          (wv), and a new paragraph (vv) is added to that subsection, to  
23          read:

24           216.011 Definitions.—

25           (1) For the purpose of fiscal affairs of the state,  
26          appropriations acts, legislative budgets, and approved budgets,  
27          each of the following terms has the meaning indicated:

28           (vv) "Lease or lease-purchase of equipment" means the  
29          appropriations category used to fund the lease or lease-purchase

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30 of equipment, fixtures, and other tangible personal property.

31 Section 2. Present subsections (6) through (9) of section  
32 216.023, Florida Statutes, are renumbered as subsections (7)  
33 through (10), respectively, and a new subsection (6) is added to  
34 that section, to read:

35 216.023 Legislative budget requests to be furnished to  
36 Legislature by agencies.—

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

42 (a) The name of the vendor.

43 (b) A brief description of the services provided by the  
44 vendor.

45 (c) The term of the contract and the years remaining on the  
46 contract.

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

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

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

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

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

61       Section 3. Section 216.313, Florida Statutes, is created to  
62 read:

63       216.313 Contract appropriation; requirements.—An executive  
64 or judicial branch public officer or employee may not enter into  
65 any contract or agreement on behalf of the state or judicial  
66 branch which binds the state or its executive agencies or the  
67 judicial branch for the purchase of services or tangible  
68 personal property in excess of \$5 million unless the contract  
69 identifies the specific appropriation of state funds from which  
70 the state will make payment under the contract in the first year  
71 of the contract, unless the Legislature expressly authorizes the  
72 agency or the judicial branch to enter into such contract absent  
73 a specific appropriation of funds.

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

76       287.056 Purchases from purchasing agreements and state term  
77 contracts.—

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

81       (2)~~(3)~~ Agencies and eligible users may use a request for  
82 quote to obtain written pricing or services information from a  
83 state term contract vendor for commodities or contractual  
84 services available on state term contract from that vendor. The  
85 purpose of a request for quote is to determine whether a price,  
86 term, or condition more favorable to the agency or eligible user  
87 than that provided in the state term contract is available. Use

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88 of a request for quote does not constitute a decision or  
89 intended decision that is subject to protest under s. 120.57(3).

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

92 Section 45. Contracts for academic program reviews,  
93 auditing services, health services, or Medicaid services are  
94 subject to the transaction or user fees imposed under ss.  
95 287.042(1)(h) and 287.057(22), Florida Statutes, only to the  
96 extent that such contracts were ~~not~~ subject to such transaction  
97 or user fees before July 1, 2010.

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