

1 A bill to be entitled
 2 An act relating to public works projects; providing
 3 definitions; prohibiting state and political
 4 subdivisions that contract for the construction,
 5 maintenance, repair, or improvement of public works
 6 from imposing certain conditions on certain
 7 contractors, subcontractors, or material suppliers or
 8 carriers; providing an exception; prohibiting state
 9 and political subdivisions from restricting qualified
 10 bidders from submitting bids, being awarded any bid or
 11 contract, or performing work on a public works
 12 project; providing an effective date.

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 14 Be It Enacted by the Legislature of the State of Florida:

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 16 Section 1. (1) As used in this section, the term:
 17 (a) "Political subdivision" means a separate agency or
 18 unit of local government created or established by law or
 19 ordinance and the officers thereof. The term includes, but is
 20 not limited to, a county; a city, town, or other municipality;
 21 or a department, commission, authority, school district, tax
 22 district, water management district, board, public corporation,
 23 institution of higher education, or other public agency or body
 24 authorized to expend public funds for construction, maintenance,
 25 repair, or improvement of public works.

26 (b) "Project labor agreement" means an arrangement
 27 mentioned, detailed, or outlined within the project plans, the
 28 specifications, or any bidding document of a public works
 29 project that:

30 1. Imposes requirements, controls, or limitations on
 31 staffing, sources of employee referrals, assignments of work,
 32 sources of insurance or benefits, including health, life, and
 33 disability insurance and retirement pensions, training programs
 34 or standards, or wages; or

35 2. Requires a contractor to enter into any sort of
 36 agreement as a condition of submitting a bid that directly or
 37 indirectly limits or requires the contractor to recruit, train,
 38 or hire employees from a particular source to perform work on
 39 public works or a public works project.

40 (c) "Public works" or "public works project" means a
 41 building, road, street, sewer, storm drain, water system, site
 42 development, irrigation system, reclamation project, gas or
 43 electrical distribution system, gas or electrical substation, or
 44 other facility, project, or portion thereof, including repair,
 45 renovation, or remodeling, owned, in whole or in part, by any
 46 political subdivision that is to be paid for in whole or in part
 47 with state funds.

48 (2) (a) Except as provided in paragraph (b) or as required
 49 by federal or state law, the state or any political subdivision
 50 that contracts for the construction, maintenance, repair, or
 51 improvement of public works may not require that a contractor,

52 subcontractor, or material supplier or carrier engaged in the
 53 construction, maintenance, repair, or improvement of public
 54 works:

55 1. Pay employees a predetermined amount of wages or wage
 56 rate;

57 2. Provide employees a specified type, amount, or rate of
 58 employee benefits;

59 3. Control or limit staffing;

60 4. Recruit, train, or hire employees from a designated or
 61 single source;

62 5. Designate any particular assignment of work for
 63 employees;

64 6. Participate in proprietary training programs; or

65 7. Enter into any type of project labor agreement.

66 (b) Paragraph (a) does not apply if the payment of
 67 prevailing or minimum wages to persons working on projects
 68 funded in whole or in part by federal funds is required under
 69 federal law.

70 (3) The state or any political subdivision that contracts
 71 for the construction, maintenance, repair, or improvement of
 72 public works shall not require that a contractor, subcontractor,
 73 or material supplier or carrier engaged in the construction,
 74 maintenance, repair, or improvement of public works execute or
 75 otherwise become a party to any agreement with employees, their
 76 representatives, or any labor organization as described in 29
 77 U.S.C. s. 152(5) and 42 U.S.C. s. 2000e(d), including any area-

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78 wide, regional, or state building or construction trade or
79 crafts council, organization, association, or similar body, as a
80 condition of bidding, negotiating, being awarded any bid or
81 contract, or performing work on a public works project.

82 (4) The state or any political subdivision that contracts
83 for the construction, maintenance, repair, or improvement of any
84 public works project may not prohibit a contractor,
85 subcontractor, or material supplier or carrier engaged in the
86 construction, maintenance, repair, or improvement of public
87 works who is qualified, licensed, or certified to do any of the
88 work described in the bid documents from submitting bids, being
89 awarded any bid or contract, or performing work on a public
90 works project.

91 Section 2. This act shall take effect upon becoming a law.