

By the Committee on Community Affairs; and Senator Hays

578-01929-15

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1 A bill to be entitled
2 An act relating to local government construction
3 preferences; amending s. 287.084, F.S.; specifying
4 that funds appropriated by the state for certain
5 competitively solicited projects do not include
6 federal aid funds; prohibiting local ordinances and
7 regulations from restricting a certified contractor's
8 competition for award of a contract for construction
9 services based upon certain conditions; requiring a
10 state college, school district, or other political
11 subdivision to make specified disclosures in
12 competitive solicitation documents; providing
13 construction; providing an effective date.

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

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17 Section 1. Paragraphs (b) and (c) of subsection (1) of
18 section 287.084, Florida Statutes, are amended to read:

19 287.084 Preference to Florida businesses.—

20 (1)

21 (b) For purposes of this section:

22 1. Paragraph (a) does not apply to transportation projects
23 for which federal aid funds are available.

24 2. State-appropriated funds used for a project
25 competitively solicited under paragraph (c) does not include any
26 federal aid funds.

27 (c) 1. For a competitive solicitation for construction
28 services in which 50 percent or more of the cost will be paid
29 from state-appropriated funds, a local ordinance or regulation

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30 may not restrict a certified contractor as defined in s.
31 489.105(8) from competing for an award based upon:

32 a. The contractor's maintaining an office or place of
33 business within a particular local jurisdiction;

34 b. The contractor's hiring employees or subcontractors from
35 within a particular local jurisdiction; or

36 c. The contractor's prior payment of local taxes,
37 assessments, or duties within a particular local jurisdiction.

38 2. For any competitive solicitation subject to this
39 section, a state college, county, municipality, school district,
40 or other political subdivision shall disclose in the
41 solicitation document whether payment will be made from funds
42 appropriated by the state and, if known, the amount of such
43 funds or the percentage of such funds as compared to the
44 anticipated total cost of the construction services.

45 3. Except as provided in subparagraph 1., this section does
46 not prevent a state college, county, municipality, school
47 district, or other political subdivision from awarding a
48 contract to a contractor in accordance with applicable state
49 laws or local ordinances or regulations. As used in this
50 section, the term "other political subdivision of this state"
51 does not include counties or municipalities.

52 Section 2. This act shall take effect July 1, 2015.