

By the Committees on Governmental Oversight and Accountability;  
and Community Affairs; and Senator Hays

585-02412-15

2015778c2

1 A bill to be entitled  
2 An act relating to local government construction  
3 preferences; creating s. 255.0991, F.S.; prohibiting  
4 local ordinances and regulations from restricting  
5 competition for the award of a contract for  
6 construction services based upon certain conditions;  
7 requiring a state college, county, municipality,  
8 school district, or other political subdivision of the  
9 state to make specified disclosures in competitive  
10 solicitation documents; providing applicability;  
11 providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Section 255.0991, Florida Statutes, is created  
16 to read:

17 255.0991 Contracts for construction services; prohibited  
18 local government preferences.—

19 (1) For a competitive solicitation for construction  
20 services in which 50 percent or more of the cost will be paid  
21 from state-appropriated funds, a state college, county,  
22 municipality, school district, or other political subdivision of  
23 the state may not use a local ordinance or regulation that  
24 provides a preference based upon:

25 (a) The contractor's maintaining an office or place of  
26 business within a particular local jurisdiction;

27 (b) The contractor's hiring employees or subcontractors  
28 from within a particular local jurisdiction; or

29 (c) The contractor's prior payment of local taxes,

585-02412-15

2015778c2

30 assessments, or duties within a particular local jurisdiction.

31 (2) For any competitive solicitation subject to this  
32 section, a state college, county, municipality, school district,  
33 or other political subdivision of the state shall disclose in  
34 the solicitation document whether payment will be made from  
35 funds appropriated by the state and, if known, the amount of  
36 such funds or the percentage of such funds as compared to the  
37 anticipated total cost of the construction services.

38 (3) Except as provided in subsection (1), this section does  
39 not prevent a state college, county, municipality, school  
40 district, or other political subdivision of the state from  
41 awarding a contract to a contractor in accordance with  
42 applicable state laws or local ordinances or regulations.

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