

1                                   A bill to be entitled  
 2           An act relating to public-private partnerships;  
 3           amending s. 255.065, F.S.; defining the terms  
 4           "information technology" and "state agency"; revising  
 5           the definition of the term "responsible public  
 6           entity"; revising legislative findings to recognize  
 7           the public need of pursuing information technology  
 8           projects through the establishment of public-private  
 9           partnerships; providing an effective date.

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

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 13           Section 1. Present paragraphs (d) through (l) of  
 14           subsection (1) of section 255.065, Florida Statutes, are  
 15           redesignated as paragraphs (e) through (m), respectively,  
 16           present paragraph (j) is amended, a new paragraph (d) and  
 17           paragraph (n) are added to that subsection, and paragraph (a) of  
 18           subsection (2) of that section is amended, to read:

19           255.065 Public-private partnerships; public records and  
 20           public meetings exemptions.—

21           (1) DEFINITIONS.—As used in this section, the term:

22           (d) "Information technology" has the same meaning as  
 23           provided in s. 282.0041.

24           (k)-(j) "Responsible public entity" means a county,  
 25           municipality, school district, special district, state agency,

26 | or any other political subdivision of the state; a public body  
27 | corporate and politic; or a regional entity that serves a public  
28 | purpose and is authorized to develop or operate a qualifying  
29 | project.

30 |       (n) "State agency" has the same meaning as in s. 282.0041,  
31 | except that the term includes the Department of Legal Affairs,  
32 | the Department of Agriculture and Consumer Services, and the  
33 | Department of Financial Services.

34 |       (2) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds  
35 | that there is a public need for the construction or upgrade of  
36 | facilities that are used predominantly for public purposes and  
37 | that it is in the public's interest to provide for the  
38 | construction or upgrade of such facilities.

39 |       (a) The Legislature also finds that:

40 |       1. There is a public need for timely and cost-effective  
41 | acquisition, design, construction, improvement, renovation,  
42 | expansion, equipping, maintenance, operation, implementation, or  
43 | installation of projects serving a public purpose, including  
44 | educational facilities, transportation facilities, water or  
45 | wastewater management facilities and infrastructure, technology  
46 | infrastructure, information technology, roads, highways,  
47 | bridges, and other public infrastructure and government  
48 | facilities within the state which serve a public need and  
49 | purpose, and that such public need may not be wholly satisfied  
50 | by existing procurement methods.

51           2. There are inadequate resources to develop new  
52 educational facilities, transportation facilities, water or  
53 wastewater management facilities and infrastructure, technology  
54 infrastructure, roads, highways, bridges, and other public  
55 infrastructure and government facilities for the benefit of  
56 residents of this state, and that a public-private partnership  
57 has demonstrated that it can meet the needs by improving the  
58 schedule for delivery, lowering the cost, and providing other  
59 benefits to the public.

60           3. There may be state and federal tax incentives that  
61 promote partnerships between public and private entities to  
62 develop and operate qualifying projects.

63           4. A procurement under this section serves the public  
64 purpose of this section if such procurement facilitates the  
65 timely development or operation of a qualifying project.

66           Section 2. This act shall take effect July 1, 2017.