

By Senator Stewart

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1 A bill to be entitled
2 An act relating to state contracting; creating s.
3 287.1351, F.S.; providing definitions; prohibiting an
4 agency from entering into or renewing a contract for
5 goods or services with a company that is domiciled in
6 a state or territory that enacts legislation
7 establishing restrictions on abortion in violation of
8 United States Supreme Court precedent; specifying
9 conditions upon which legislation is deemed to be in
10 violation of Supreme Court precedent; requiring
11 contracts entered into or renewed on or after a
12 specified date to authorize immediate termination of
13 the contract if certain conditions exist; requiring
14 the Department of Management Services, in consultation
15 with the Department of Legal Affairs, to annually
16 prepare a list of affected states and territories;
17 providing for distribution of such list to agencies;
18 providing for applicability and construction;
19 providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Section 287.1351, Florida Statutes, is created
24 to read:

25 287.1351 Prohibition against contracting with companies
26 domiciled in states with certain abortion restrictions.-

27 (1) As used in this section, the term:

28 (a) "Agency" means any department, entity, or office of the
29 executive, judicial, or legislative branches of state

13-00042-20

20201562__

30 government.

31 (b) "Company" means a sole proprietorship, an organization,
32 an association, a corporation, a partnership, a joint venture, a
33 limited partnership, a limited liability partnership, a limited
34 liability company, or any other entity or business association,
35 including all wholly owned subsidiaries, majority-owned
36 subsidiaries, parent companies, or affiliates of such entities
37 or business associations, which exists for the purpose of making
38 profit.

39 (2) An agency may not enter into or a renew a contract for
40 goods or services with a company that is domiciled in a state or
41 a territory of the United States that has enacted legislation
42 that infringes on, in whole or in part, a woman's constitutional
43 right to choose to terminate a pregnancy as established by the
44 United States Supreme Court in *Roe v. Wade*, 410 U.S. 113 (1973);
45 *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S. 833
46 (1992); and their progeny. For purposes of this section,
47 legislation is deemed to be in violation of United States
48 Supreme Court precedent establishing a woman's constitutional
49 right to choose to terminate a pregnancy once a court has
50 temporarily enjoined enforcement of the legislation on such
51 constitutional grounds or has made a determination on the merits
52 regarding the legislation's constitutionality. The prohibition
53 shall continue until the state or territory formally repeals by
54 legislative action the portion of the law that has been enjoined
55 or determined on the merits to be unconstitutional.

56 (3) Any contract for goods or services with an agency which
57 is entered into or renewed on or after July 1, 2020, must
58 contain a provision that allows for the immediate termination of

13-00042-20

20201562__

59 such contract if the state or territory where a company that is
60 a party to the contract is domiciled has enacted legislation
61 that infringes upon a woman's constitutional right as provided
62 in subsection (2).

63 (4) By October 1 of each year, the department shall compile
64 a list of any states or territories of the United States that
65 enact legislation that infringes upon a woman's constitutional
66 right as provided in subsection (2). The Department of Legal
67 Affairs shall assist the department in preparing the list.
68 Following the list's compilation, the department shall furnish
69 the list to agencies.

70 (5) This section applies to any contract that is entered
71 into or renewed on or after July 1, 2020.

72 (6) The issuance of any decision by the United States
73 Supreme Court overruling the essential holding of *Roe v. Wade*,
74 410 U.S. 113 (1973), or any other ruling which otherwise
75 authorizes individual states to prohibit abortion, may not be
76 construed to impair the continued operation of this section.

77 Section 2. This act shall take effect July 1, 2020.