



579782

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/21/2021	.	
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The Committee on Rules (Brodeur) recommended the following:

**Senate Amendment**

Delete lines 21 - 69  
and insert:  
services paid for with any in which 50 percent or more of the  
cost will be paid from state-appropriated funds which have been  
appropriated at the time of the competitive solicitation, a  
state college, county, municipality, school district, or other  
political subdivision of the state may not use a local ordinance  
or regulation to prevent a certified, licensed, or registered  
contractor, subcontractor, or material supplier or carrier from



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12 participating in the bidding process ~~that provides a preference~~  
13 based upon:

14 (a) ~~The contractor's~~ Maintaining an office or place of  
15 business within a particular local jurisdiction;

16 (b) ~~The contractor's~~ Hiring employees or subcontractors  
17 from within a particular local jurisdiction; or

18 (c) ~~The contractor's~~ Prior payment of local taxes,  
19 assessments, or duties within a particular local jurisdiction.

20 Section 2. Paragraph (b) of subsection (1) and subsection  
21 (2) of section 255.0992, Florida Statutes, are amended to read:

22 255.0992 Public works projects; prohibited governmental  
23 actions.—

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

25 (b) "Public works project" means an activity exceeding \$1  
26 million in value which is ~~of which 50 percent or more of the~~

27 ~~cost will be paid for with any from~~ state-appropriated funds  
28 ~~that were appropriated at the time of the competitive~~

29 ~~solicitation~~ and which consists of the construction,

30 maintenance, repair, renovation, remodeling, or improvement of a

31 building, road, street, sewer, storm drain, water system, site

32 development, irrigation system, reclamation project, gas or

33 electrical distribution system, gas or electrical substation, or

34 other facility, project, or portion thereof that is owned in

35 whole or in part by any political subdivision.

36 (2) ~~(a)~~ Except as required by federal or state law, the  
37 state or any political subdivision that contracts for a public

38 works project may not take the following actions:

39 (a) Prevent a certified, licensed, or registered

40 contractor, subcontractor, or material supplier or carrier from



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41 participating in the bidding process based on the geographic  
42 location of the company headquarters or offices of the  
43 contractor, subcontractor, or material supplier or carrier  
44 submitting a bid on a public works project or of the residence  
45 of an employee of such contractor, subcontractor, or material  
46 supplier or carrier.

47 (b) Require that a contractor, subcontractor, or material  
48 supplier or carrier engaged in a public works ~~such~~ project:

- 49 1. Pay employees a predetermined amount of wages or  
50 prescribe any wage rate;
- 51 2. Provide employees a specified type, amount, or rate of  
52 employee benefits;
- 53 3. Control, Limit, or expand staffing; or
- 54 4. Recruit, train, or hire employees from a designated,  
55 restricted, or single source.