

By Senator Boyd

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1 A bill to be entitled
2 An act relating to United States-produced iron and
3 steel in public works projects; creating s. 255.0993,
4 F.S.; defining terms; requiring governmental entities
5 to include a requirement in certain contracts that
6 certain iron or steel products be produced in the
7 United States; providing exceptions; providing
8 construction; providing an effective date.

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

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12 Section 1. Section 255.0993, Florida Statutes, is created
13 to read:

14 255.0993 Public works projects; United States-produced iron
15 and steel products.-

16 (1) DEFINITIONS.-As used in this section, the term:

17 (a) "Governmental entity" means any political subdivision
18 as defined in s. 1.01(8).

19 (b) "Manufacturing process" means the application of a
20 process to alter the form or function of materials or elements
21 of a product in a manner that adds value and transforms the
22 materials or elements into a new finished product that is
23 functionally different from a finished product produced merely
24 from assembling materials or elements into a product without
25 applying such a process.

26 (c) "Produced in the United States" means, with respect to
27 iron and steel products, a product for which all manufacturing
28 processes, from initial melting through application of coatings,
29 occur in the United States or are subject to the jurisdiction of

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30 the United States, other than metallurgical processes to refine
31 steel additives.

32 (d) "Public works project" means an activity that is paid
33 for with any state-appropriated funds or funds administered by a
34 governmental entity and that consists of the construction,
35 maintenance, repair, renovation, remodeling, or improvement of a
36 building, a road, a street, a sewer, a storm drain, a water
37 system, a site development, an irrigation system, a reclamation
38 project, a gas or electrical distribution system, a gas or
39 electrical substation, or another facility, project, or portion
40 thereof which is owned in whole or in part by any governmental
41 entity.

42 (2) UNITED STATES-PRODUCED IRON AND STEEL REQUIREMENT.—

43 (a) Notwithstanding any other law, a governmental entity
44 entering into a contract for a public works project or for the
45 purchase of materials for a public works project must include in
46 the contract a requirement that any iron or steel product used
47 in or purchased for the project be produced in the United
48 States.

49 (b) Paragraph (a) does not apply if the governmental entity
50 entering into a contract for a public works project or the
51 purchase of materials for a public works project determines
52 that:

53 1. Iron or steel products produced in the United States are
54 not produced in sufficient quantities, reasonably available, or
55 of satisfactory quality.

56 2. The use of iron or steel products produced in the United
57 States will increase the total cost of the project by more than
58 20 percent.

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59 3. Complying with paragraph (a) is inconsistent with the
60 public interest.

61 (3) INTERNATIONAL AGREEMENTS.—This section must be applied
62 in a manner consistent with, and may not be construed to impair,
63 the state's obligations under any international agreement.

64 Section 2. This act shall take effect July 1, 2022.