

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representative Snyder offered the following:

Amendment (with title amendment)

Remove lines 71-116 and insert:

6 908.111 Prohibition against governmental entity contracts
 7 with common carriers or contracted carriers; required
 8 termination provisions.-

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

10 (a) "Common carrier" means a person, firm, or corporation
 11 that undertakes for hire, as a regular business, to transport
 12 persons or commodities from place to place, offering his or her
 13 services to all such as may choose to employ the common carrier
 14 and pay his or her charges.

15 (b) "Contract" means an agreement that is subject to the
 16 competitive procurement requirements of the contracting

Amendment No.1

17 governmental entity or an agreement for an amount or duration
18 requiring it to include written provisions under the procurement
19 requirements of the governmental entity.

20 (c) "Governmental entity" means an agency of the state, a
21 regional or local government created by the State Constitution
22 or by a general or special act, a county or municipality, or any
23 other entity that independently exercises governmental
24 authority.

25 (d) "Unauthorized alien" means a person who is unlawfully
26 present in the United States according to the terms of the
27 federal Immigration and Nationality Act, 8 U.S.C. ss. 1101 et
28 seq. The term shall be interpreted consistently with any
29 applicable federal statutes, rules, or regulations.

30 (2) A governmental entity may not execute, amend, or renew
31 a contract with a common carrier or contracted carrier if the
32 carrier is willfully providing any service in furtherance of
33 transporting a person into the State of Florida knowing that the
34 person is an unauthorized alien, except to facilitate the
35 detention of the person, or the removal or departure of the
36 person from this state or the United States.

37 (3) A contract between a governmental entity and a common
38 carrier or contracted carrier which is executed, amended, or
39 renewed on or after October 1, 2022, including a grant agreement
40 or economic incentive program payment agreement, must include:

41 (a) An attestation by the common carrier or contracted

Amendment No.1

42 carrier, in conformity with s. 92.525, that the common carrier
43 or contracted carrier is not willfully providing and will not
44 willfully provide any service during the contract term in
45 furtherance of transporting a person into this state knowing
46 that the person is an unauthorized alien, except to facilitate
47 the detention of the person, or the removal or departure of the
48 person from this state or the United States. A governmental
49 entity is deemed to be in compliance with subsection (2) upon
50 receipt of the common carrier or contracted carrier's
51 attestation; and

52 (b) A provision for termination for cause of the contract,
53 grant agreement, or economic incentive program payment agreement
54 if a common carrier or contracted carrier is found in violation
55 of its attestation.

56 (4) The Department of Management Services shall develop by
57 rule a common carrier and contracted carrier attestation form no
58 later than August 30, 2022.

60 -----

61 **T I T L E A M E N D M E N T**

62 Remove lines 18-19 and insert:
63 common carriers or contracted carriers under certain
64 circumstances; requiring specified governmental entity
65 contracts with common carriers or contracted