

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	_____	(Y/N)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

1 Committee/Subcommittee hearing bill: State Affairs Committee
 2 Representative Rodriguez offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

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

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

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

(a) "Governmental entity" means the state, or any office,
board, bureau, commission, department, branch, division, or
institution thereof, or a separate agency or unit of local
government created or established by law or ordinance and the
officers thereof. The term includes, but is not limited to, a
county; a city, town, or other municipality; or a department,

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17 commission, authority, school district, taxing district, water
18 management district, board, public corporation, institution of
19 higher education, or other public agency or body thereof
20 authorized to expend public funds for the construction,
21 maintenance, repair, renovation, remodeling, or improvement of
22 public works.

23 (b) "Iron and steel products" means products made
24 primarily of iron or steel, including, but not limited to, lined
25 or unlined pipes and fittings, bars and rods, wire, wire ropes
26 and link chains, forgings, grating and drainage products, access
27 covers, hatches, manhole covers and other castings, hydrants,
28 electric transmission and distribution poles, tanks, flanges,
29 pipe clamps and restraints, valves, structural steel and other
30 steel mill products, materials made primarily of iron and steel
31 within precast concrete, and other construction materials made
32 primarily of iron or steel.

33 (c) "Manufacturing process" means the application of a
34 process to alter the form or function of materials or elements
35 of a product in a manner that adds value and transforms the
36 materials or elements into a new finished product that is
37 functionally different from a finished product produced merely
38 from assembling materials or elements into a product without
39 applying such a process.

40 (d) "Public works project" means an activity that is paid
41 for with any state-appropriated funds or state funds

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42 administered by the state and which consists of the
43 construction, maintenance, repair, renovation, remodeling, or
44 improvement of, a building, road, street, sewer, storm drain,
45 water system, site development, irrigation system, reclamation
46 project, gas or electrical distribution system, gas or
47 electrical substation, or other facility, project, or portion
48 thereof that is owned in whole or in part by any governmental
49 entity.

50 (e) "Produced in the United States" means, with respect to
51 iron and steel, all manufacturing processes, from initial
52 melting through application of coatings, occur in the United
53 States, other than metallurgical processes to refine steel
54 additives.

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

56 (a) Notwithstanding any other provision of law, a
57 governmental entity entering into a contract for a public works
58 project or for the purchase of materials for a public works
59 project must include in the contract a requirement that any iron
60 or steel product permanently incorporated in the project be
61 produced in the United States.

62 (b) Paragraph (a) does not apply if the governmental
63 entity administering the funds for a public works project or the
64 purchase of materials for a public works project solely
65 determines any of the following apply:

66 1. Iron or steel products produced in the United States

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67 are not produced in sufficient quantities, reasonably available,
68 or of satisfactory quality;

69 2. The use of iron or steel products produced in the
70 United States will increase the total cost of the project by
71 more than 20 percent; or

72 3. Complying with paragraph (a) is inconsistent with the
73 public interest.

74 (c) When steel and iron materials are used in a project,
75 the requirements of sub-subsection (2) (a) do not prevent a
76 minimal use of foreign steel and iron materials, if:

77 1. Such materials are incidental or ancillary to the
78 primary product and are not separately identified in the project
79 specifications.

80 2. The cost of such materials used does not exceed one-
81 tenth of one percent of the total contract cost or \$2,500,
82 whichever is greater.

83
84 For purposes of this paragraph, the cost is that shown to be the
85 value of the steel and iron products as they are delivered to
86 the project.

87 (d) Electrical components, equipment, systems, and
88 appurtenances, including supports, covers, shielding, and other
89 appurtenances related to an electrical system, necessary for
90 operation or concealment, except transmission and distribution
91 poles, are not considered to be iron or steel products, and are

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92 exempt from the requirements of sub-subsection (2) (a).

93 (4) INTERNATIONAL AGREEMENTS.—This section shall be
94 applied in a manner consistent with and may not be construed to
95 impair the state's obligations under any international
96 agreement.

97 (5) (a) Except as otherwise provided in this subsection,
98 the Department of Management Services shall develop guidelines
99 and procedures by rule to implement this section.

100 (b) The Department of Transportation shall develop
101 guidelines and procedures by rule to implement this section for
102 public works projects it administers.

103 Section 2. The Legislature determines and declares that
104 this act fulfills an important state interest.

105 Section 3. This act shall take effect July 1, 2022.

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

109 Remove everything before the enacting clause and insert:
110 An act relating to United States-produced iron and steel in
111 public works projects; creating s. 255.0993, F.S.; providing
112 definitions; requiring governmental entities to include a
113 requirement in certain contracts that certain iron or steel
114 products must be produced in the United States; providing
115 exceptions; providing for minimal use of foreign iron and steel
116 materials in certain circumstances; exempting certain parts of

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Bill No. HB 619 (2022)

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117 | electrical components; providing construction; requiring rule-
118 | making; providing the Legislature finds an important state
119 | interest; providing an effective date.