

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.; providing definitions; requiring governmental
 5 entities to include a requirement in certain contracts
 6 that certain iron or steel products must be produced
 7 in the 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
 15 iron and steel products.-

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

17 (a) "Governmental entity" means the state, or any office,
 18 board, bureau, commission, department, branch, division, or
 19 institution thereof, or a separate agency or unit of local
 20 government created or established by law or ordinance and the
 21 officers thereof. The term includes, but is not limited to, a
 22 county; a city, town, or other municipality; or a department,
 23 commission, authority, school district, taxing district, water
 24 management district, board, public corporation, institution of
 25 higher education, or other public agency or body thereof

26 authorized to expend public funds for the construction,
 27 maintenance, repair, renovation, remodeling, or improvement of
 28 public works.

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

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

45 (d) "Produced in the United States" means, with respect to
 46 iron and steel, all manufacturing processes, from initial
 47 melting through application of coatings, occur in the United
 48 States, other than metallurgical processes to refine steel
 49 additives.

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

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51 (a) Notwithstanding any other provision of law, a
52 governmental entity entering into a contract for a public works
53 project or for the purchase of materials for a public works
54 project must include in the contract a requirement that any iron
55 or steel product used in or purchased for the project be
56 produced in the United States.

57 (b) Paragraph (a) does not apply if the governmental
58 entity entering into a contract for a public works project or
59 the purchase of materials for a public works project determines
60 that:

61 1. Iron or steel products produced in the United States
62 are not produced in sufficient quantities, reasonably available,
63 or of satisfactory quality.

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

67 3. Complying with paragraph (a) is inconsistent with the
68 public interest.

69 (3) INTERNATIONAL AGREEMENTS.—This section shall be
70 applied in a manner consistent with and may not be construed to
71 impair the state's obligations under any international
72 agreement.

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