

ENROLLED

CS/HB 705, Engrossed 1

2024 Legislature

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An act relating to public works projects; amending s. 255.0992, F.S.; revising the definition of the term "public works project"; revising applicability of a provision that prohibits the state or a political subdivision that contracts for a public works project from taking certain actions under specified circumstances; providing an effective date.

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

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

255.0992 Public works projects; prohibited governmental actions.—

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

(b) "Public works project" means an activity that is paid for with any local or state-appropriated funds and that consists of the construction, maintenance, repair, renovation, remodeling, or improvement of a building, road, street, sewer, storm drain, water system, site development, irrigation system, reclamation project, gas or electrical distribution system, gas or electrical substation, or other facility, project, or portion thereof owned in whole or in part by any political subdivision.

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 27 The term does not include the provision of goods, services, or
 28 work incidental to the public works project, such as the
 29 provision of security services, janitorial services, landscaping
 30 services, maintenance services, transportation services, or
 31 other services that do not require a construction contracting
 32 license or involve supplying or carrying construction materials
 33 for a public works project.

34 (2) Except as required by federal or state law, the state
 35 or any political subdivision that contracts for a public works
 36 project may not take the following actions:

37 (a) Prevent a certified, licensed, or registered
 38 contractor, subcontractor, or material supplier or carrier, from
 39 participating in the bidding process based on the geographic
 40 location of the company headquarters or offices of the
 41 contractor, subcontractor, or material supplier or carrier
 42 submitting a bid on a public works project or the residences of
 43 employees of such contractor, subcontractor, or material
 44 supplier or carrier. This paragraph does not apply to a county
 45 or municipality that contracts for a public works project for
 46 which the county or municipality is the sole source of funding.

47 Section 2. This act shall take effect July 1, 2024.