

By the Committee on Community Affairs; and Senator Grall

578-02373-24

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1 A bill to be entitled
2 An act relating to public works projects; amending s.
3 255.0992, F.S.; revising the definition of the term
4 "public works project"; revising applicability of a
5 provision that prohibits the state or a political
6 subdivision that contracts for a public works project
7 from taking certain actions under specified
8 circumstances; 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. Paragraph (b) of subsection (1) and paragraph
13 (a) of subsection (2) of section 255.0992, Florida Statutes, are
14 amended to read:

15 255.0992 Public works projects; prohibited governmental
16 actions.—

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

18 (b) "Public works project" means an activity that is paid
19 for with any local or state-appropriated funds and that consists
20 of the construction, maintenance, repair, renovation,
21 remodeling, or improvement of a building, road, street, sewer,
22 storm drain, water system, site development, irrigation system,
23 reclamation project, gas or electrical distribution system, gas
24 or electrical substation, or other facility, project, or portion
25 thereof owned in whole or in part by any political subdivision.
26 The term does not include the provision of goods, services, or
27 work incidental to the public works project, such as the
28 provision of security services, janitorial services, landscaping
29 services, maintenance services, transportation services, or

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30 other services that do not require a construction contracting
31 license or involve supplying or carrying construction materials
32 for a public works project.

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

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

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