



233342

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/22/2024	.	
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The Committee on Governmental Oversight and Accountability
(Boyd) recommended the following:

Senate Amendment (with title amendment)

Delete lines 66 - 104
and insert:
presented and affected public entities and members of the public
are able to provide comment and at a second duly noticed public
meeting determines that the proposal is in the public's
interest. In making the public interest determination, the
responsible public entity must consider all of the following
factors:



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- 11 1. The benefits to the public.
- 12 2. The financial structure of and the economic efficiencies
13 achieved by the proposal.
- 14 3. The qualifications and experience of the private entity
15 that submitted the proposal and such entity's ability to perform
16 the project.
- 17 4. The project's compatibility with regional infrastructure
18 plans.
- 19 5. Public comments submitted at the meeting. The
20 responsible public entity must provide a statement that explains
21 why the proposal should proceed and addresses such comments.
- 22 (d) If the responsible public entity decides to proceed
23 with an unsolicited proposal without engaging in a public
24 bidding process, the responsible public entity must publish in
25 the Florida Administrative Register for at least 7 days a report
26 that includes all of the following:
- 27 1. The public interest determination required under
28 paragraph (c).
- 29 2. The factors considered in making such public interest
30 determination.
- 31 3. The responsible public entity's findings based on each
32 considered factor.
- 33 (f) ~~(d)~~ Before approving a comprehensive agreement, the
34 responsible public entity must determine that the proposed
35 project:
- 36 1. Is in the public's best interest, if the proposal was
37 solicited. If the proposal was unsolicited, the responsible
38 public entity must determine that the proposed project has been
39 determined to be in the public's interest in accordance with



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40 paragraph (c).

41 2. Is for a facility that is owned by the responsible
42 public entity or for a facility for which ownership will be
43 conveyed to the responsible public entity. For a proposed
44 project that was unsolicited, if ownership will not be conveyed
45 to the responsible public entity within 10 years after initial
46 public operation begins, the public benefits apart from
47 ownership must be identified and stated by the responsible
48 public entity in the public interest determination required
49 under paragraph (c).

50

51 ===== T I T L E A M E N D M E N T =====

52 And the title is amended as follows:

53 Delete lines 12 - 13

54 and insert:

55 that meets certain requirements and holds a subsequent
56 public meeting at which it makes a certain
57 determination; requiring the responsible public entity