

1 A bill to be entitled
 2 An act relating to governmental entity access to and
 3 use of vendor background information; amending s.
 4 287.042, F.S.; authorizing the Department of
 5 Management Services to grant governmental entities
 6 access to specified electronic systems regarding
 7 certain vendors; amending s. 287.138, F.S.; specifying
 8 the uses for which state governmental entities may use
 9 such electronic systems; authorizing governmental
 10 entities to make certain determinations if certain
 11 affidavits submitted as part of a competitive
 12 solicitation are not true; specifying that a
 13 determination that an affidavit is not true or that a
 14 vendor is not responsible or responsive does not
 15 constitute a decision or intended decision subject to
 16 protest; providing an effective date.

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

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 20 **Section 1. Paragraph (c) is added to subsection (6) of**
 21 **section 287.042, Florida Statutes, to read:**

22 287.042 Powers, duties, and functions.—The department
 23 shall have the following powers, duties, and functions:

24 (6)

25 (c) To grant governmental entities, as defined in s.

26 | 287.138, access to electronic systems that provide background
 27 | information on vendors seeking to do business with the state.

28 | **Section 2. Subsection (7) of section 287.138, Florida**
 29 | **Statutes, is renumbered as subsection (8), and subsection (7) is**
 30 | **added to that section, to read:**

31 | 287.138 Contracting with entities of foreign countries of
 32 | concern prohibited.—

33 | (7) A governmental entity may use information in its
 34 | possession, including information acquired through electronic
 35 | systems made available by the department, to verify that the
 36 | affidavit required in subsection (4) is true and accurate. If
 37 | the governmental entity determines that an affidavit submitted
 38 | as part of a competitive solicitation is not true and accurate,
 39 | the governmental entity may determine that the vendor is not a
 40 | responsible or responsive vendor susceptible of award. A
 41 | determination that an affidavit required under this section is
 42 | not true and accurate or that a vendor is not responsible or
 43 | responsive does not constitute a decision or intended decision
 44 | that is subject to protest under s. 120.57(3).

45 | **Section 3.** This act shall take effect upon becoming a law.