

1 A bill to be entitled

2 An act relating to prohibition of considering race or
3 ethnicity in government contracting; providing a short
4 title; creating s. 287.05703, F.S.; defining the term
5 "awarding body"; prohibiting an awarding body from
6 requesting documentation of or considering race or
7 ethnicity when granting contracts or awards;
8 prohibiting an awarding body from requiring or
9 encouraging a contractor or grantee to consider race
10 or ethnicity when granting contracts, subcontracts, or
11 awards; requiring an awarding body to submit a notice
12 of proposed rulemaking and adopt a final rule within
13 specified time periods under certain circumstances;
14 requiring the reduction of procurement goals by a
15 specified proportion under certain circumstances;
16 providing an exception; providing that certain laws,
17 charter amendments, ordinances, resolutions, rules,
18 regulations, and policies adopted by this state or a
19 local government are prohibited and void; providing
20 applicability; providing an effective date.

21
22 Be It Enacted by the Legislature of the State of Florida:

23
24 **Section 1.** This act may be cited as the "End Racism in
25 Contracting Act."

26 **Section 2. Section 287.05703, Florida Statutes, is created**
27 **to read:**

28 287.05703 Prohibition of considering race or ethnicity in
29 government contracting.—

30 (1) As used in this section, the term "awarding body" has
31 the same meaning as in s. 287.05701(1).

32 (2) An awarding body may not:

33 (a) Request documentation of or consider an individual's
34 race or ethnicity when granting contracts or awards.

35 (b) Require or encourage a contractor or grantee to
36 consider the race or ethnicity of an individual to whom the
37 contractor or grantee grants contracts, subcontracts, or awards.

38 (3) Within 60 days after this act takes effect, if an
39 awarding body has rules or regulations providing for the
40 consideration of an individual's race or ethnicity when granting
41 contracts or awards, the awarding body shall submit a notice of
42 proposed rulemaking removing all such references. Within 180
43 days after this act takes effect, the awarding body shall adopt
44 a final rule removing all such references.

45 **Section 3. If any state department or agency or any local**
46 **government governing body has procurement goals based on race or**
47 **ethnicity established by rule or regulation, respectively, for**
48 **disadvantaged businesses or any other businesses in**
49 **disadvantaged communities, such goals shall be reduced by the**
50 **proportion of contracts or awards granted in the last fiscal**

51 year based on such preferences relative to all other contracting
52 preferences, unless the department, agency, or governing body
53 proposes an amendment to any such rule or regulation changing
54 such goals within 60 days after this act takes effect.

55 **Section 4.** Any law, charter amendment, ordinance,
56 resolution, rule, regulation, or policy adopted by this state or
57 a local government that violates this act is prohibited and
58 void.

59 **Section 5.** This act does not apply to any existing state
60 or local government contracting goals or preferences:

61 (1) Provided to small, women-owned, or veteran-owned
62 businesses.

63 (2) Provided to disadvantaged businesses if such goal or
64 preference is required for this state or a local government to
65 be awarded a federal grant or contract.

66 (3) That are not based on race or ethnicity.

67 **Section 6.** This act shall take effect on the 60th day
68 after adjournment sine die of the session of the Legislature in
69 which enacted.