



447670

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/21/2026	.	
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The Committee on Transportation (DiCeglie) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (d) is added to subsection (11) of  
section 337.11, Florida Statutes, to read:

337.11 Contracting authority of department; bids; emergency  
repairs, supplemental agreements, and change orders; combined  
design and construction contracts; progress payments; records;  
requirements of vehicle registration.—



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(11)

(d)1. The department shall adopt rules establishing circumstances under which it may make direct payments to a first-tier subcontractor. Such circumstances must include all of the following:

a. The contractor has not requested payment from the department in the past 6 months.

b. There is a binding, written subcontract between the contractor and the subcontractor, and the department is in possession of a complete copy of the subcontract.

c. The subcontractor has performed work that is unpaid by the contractor, and the department has sufficient documentation of such unpaid work.

d. There is no bona fide, documented dispute between the contractor and the subcontractor.

2. Amounts paid by the department pursuant to rules adopted under this paragraph must be deducted from amounts otherwise due to the contractor.

Section 2. Present subsection (6) of section 337.18, Florida Statutes, is redesignated as subsection (7), and a new subsection (6) is added to that section, to read:

337.18 Surety bonds for construction or maintenance contracts; requirement with respect to contract award; bond requirements; defaults; damage assessments.—

(6) If, due to a default by the contractor, the department and the surety enter into a takeover agreement, such agreement must require the surety's completion contractor to meet the certification of qualification requirements of the original contract bid solicitation and follow the contract's procedures



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40 regarding certification of disbursement of payment to  
41 subcontractors.

42 Section 3. This act shall take effect July 1, 2026.

43  
44 ===== T I T L E A M E N D M E N T =====

45 And the title is amended as follows:

46 Delete everything before the enacting clause  
47 and insert:

48 A bill to be entitled

49 An act relating to transportation; amending s. 337.11,  
50 F.S.; requiring the Department of Transportation to  
51 adopt rules establishing circumstances under which it  
52 may make direct payments to a first-tier  
53 subcontractor; requiring that amounts paid to such  
54 subcontractor be deducted from amounts otherwise due  
55 to the contractor; amending s. 337.18, F.S.; requiring  
56 that a takeover agreement between the department and a  
57 surety require the surety's completion contractor to  
58 meet certain requirements and follow certain contract  
59 procedures; providing an effective date.