HB 1385 2022

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A bill to be entitled An act relating to state contracting; amending s. 287.057, F.S.; requiring an agency subject to ch. 287, F.S., to require any vendor awarded a competitively solicited contract for commodities or contractual services to use certified minority, woman-owned, or veteran-owned business enterprises as subcontractors or subvendors for at least a specified minimum percentage of the contract value; requiring a vendor to identify subcontractors or subvendors when bidding for such a contract; requiring the vendor to report certain information regarding subcontractors or subvendors upon performance or completion of the contract; requiring the Office of Supplier Diversity to commission a disparity study to review and evaluate the use of minority, women-owned, and veteran-owned business enterprises within this state by a specified date; requiring the study results to be presented to the Legislature by a specified date; providing an appropriation; providing an effective date. Be It Enacted by the Legislature of the State of Florida:

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Subsection (9) of section 287.057, Florida

CODING: Words stricken are deletions; words underlined are additions.

Section 1.

Statutes, is amended to read:

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287.057 Procurement of commodities or contractual services.—

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- (9) An agency shall require that may reserve any contract for competitive solicitation may be awarded only to only among vendors who agree to use certified minority business enterprises, woman-owned business enterprises, or veteran-owned business enterprises as subcontractors or subvendors for at least 30 percent of the value of the contract. The percentage of funds, in terms of gross contract amount and revenues, which must be expended with such the certified minority business enterprise subcontractors and subvendors must shall be determined by the agency before the contract is made available for bidding such contracts may be reserved. In order to bid on a contract so reserved, the vendor must shall identify in a sworn statement those certified minority business enterprises, womanowned business enterprises, or veteran-owned business enterprises that which will be used utilized as subcontractors or subvendors by sworn statement. At the time of performance or project completion, the contractor shall report by sworn statement the payments and completion of work for all certified minority business enterprises, woman-owned business enterprises, or veteran-owned business enterprises used in the contract.
- Section 2. <u>In order to ensure that the requirement</u> established under s. 287.057(9), Florida Statutes, for contracting with minority, woman-owned, or veteran-owned

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enterprises is met, the Office of Supplier Diversity shall
commission a disparity study to review and evaluate the
statistical data indicating the availability of, and disparity
in the use of, minority, woman-owned, and veteran-owned business
enterprises within this state. The study results must be
presented to the Legislature no later than December 1, 2023.
Section 3. For the 2022-2023 fiscal year, the nonrecurring
sum of \$500,000 is appropriated from the General Revenue Fund to
the Office of Supplier Diversity within the Department of
Management Services for the purpose of conducting the disparity
study required by this act. Funds remaining unexpended or
unencumbered from this appropriation as of June 30, 2023, shall
revert to the General Revenue Fund.
Section 4. This act shall take effect July 1, 2022.

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