



Conference Committee on
Senate General Government Appropriations/
House Government Operations Appropriations

House Offer #2

Conforming Bill
HB 5401 Transparency in State Contracting

Saturday, April 20, 2013
10:30 AM
301 SOB

**House Government Operations and Senate General Government
Conforming Bills Comparison / Budget Conference FY 2013-2014**

HOUSE		SENATE		SENATE OFFER	HOUSE OFFER #2
1	HB 5401 - Transparency in State Contracting				
2	<p>Section 1. Amends s. 215.985, F.S., requiring the Chief Financial Officer to establish and maintain a secure website for public viewing of information contained in the contract tracking system. The bill also requires state agencies to post certain information to the contract tracking system, requires agencies to redact exempt and confidential information from contracts posted on the system, and provides a process for state agencies when a document has not been properly redacted as well as a method for a party to a contract to notify a state agency that a document has not been properly redacted and to request redaction. The bill requires the display of a notice of the right of an affected party to request redaction, provides that certain persons are not responsible for redacting confidential or exempt information and are not liable for the failure of a state agency to redact the information. In addition, the bill provides that posting information on the contract tracking system does not supersede the duty of a state agency to respond to a public records request and that a service of a subpoena may only be to state agencies that are a party to the contract and that maintain the original documents. The bill authorizes the Chief Financial Officer to adopt rules to administer the subsection of law and defines the term "state agency", as defined in s. 216.011, excluding the judicial branch, the Department of Legal Affairs, the Department of Agriculture and Consumer Services, and the Department of Financial Services.</p>			House Offer modified as described in lines 3-10	House Position
3				Include procurement documents and contracts documents	House Position
4				Include all existing contracts executed before July 1, 2013, with payments of state funds made after July 1, 2013	House Position

HOUSE		SENATE	SENATE OFFER	HOUSE OFFER #2
5			Reporting requirement applies to all state entities as defined in s. 216.011, including the judicial branch.	House Position
6			Permit affected parties to seek enforcement in circuit court	House Position
7			Grant CFO authority to exempt posting of information in certain circumstances (see lines 354-364)	House Position
8		SB 1764 Florida Transparency Act		
9		EOG directed to establish and maintain single website to host Transparency Florida; EOG directed to establish and maintain website relating to approved operating budget; must be searchable and downloadable; sets out information to be available; data to be available for 10 years; EOG directed to establish and maintain website relating to fiscal planning information for the state; sets out information to be available; data to be available for 10 years; DMS directed to establish and maintain website relating to salaries of state employees, university employees, and SBA employees; sets out information to be available; must be searchable and downloadable. Joint Auditing Committee directed to make recommendations annually on additional information that may be added to the consolidated website; directs managers of the various websites to submit information relating to costs associated with creating and maintaining the websites and information; deletes exemption for municipalities or special districts that have annual revenues of less than \$10 million.	Senate Position as stated in SB 1764	House Position
10		User Experience Task Force	Senate Position	House Position
11	Section 2. Provides an effective date of July 1, 2013.			House Position