



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

House Offer #1

Conforming Bill

HB 5401 Transparency in State Contracting
With Amending Language

Friday, April 19, 2013

1:30 PM

301 SOB

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

HOUSE		SENATE	HOUSE OFFER	SENATE OFFER
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 Position	
3	Section 2. Provides an effective date of July 1, 2013.			

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 5401 (2013)

Amendment No. New Language

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Government Operations
 2 Appropriations Subcommittee
 3 Representative Ingram offered the following:

Amendment (with title amendment)

Remove line 138 and insert:

7 (f) The requirement under paragraphs (a) and (b) that each
 8 agency post information and documentation relating to contracts
 9 on the tracking system does not apply to any record that could
 10 reveal attorney work product or strategy.

(g) The Chief Financial Officer may adopt rules to

14 -----
 15 **T I T L E A M E N D M E N T**

Remove line 23 and insert:

17 service of a subpoena; providing an exemption; authorizing
 18 the Chief Financial