

By Senator Stargel

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A bill to be entitled
An act relating to membership associations; creating
s. 617.221, F.S.; defining the term "membership
association"; requiring membership associations to
file an annual report with the Legislature; specifying
the requirements for the annual report; prohibiting a
membership association from using public funds for
certain litigation; requiring the assessment of dues
paid to a membership association by certain elected
and appointed officials with public funds; requiring
the Auditor General to conduct certain audits
annually; specifying that all membership association
records constitute public records under certain law;
providing an effective date.

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

Section 1. Section 617.221, Florida Statutes, is created to
read:

617.221 Membership associations; reporting requirements;
restrictions on use of funds.—

(1) As used in this section, the term "membership
association" means a not-for-profit corporation, including a
department or division of such corporation, the majority of
whose board members are constitutional officers who, pursuant to
s. 1001.32(2) and (3), operate, control, and supervise public
entities that receive annual state appropriations through a
statutorily defined formulaic allocation that is funded and
prescribed annually in the General Appropriations Act or the
substantive bill implementing the annual appropriations act. The
term does not include a labor organization as defined in s.
447.02 or an entity funded through the Justice Administrative

15-00842B-16

20161426__

Commission.

(2) A membership association shall file a report with the President of the Senate and the Speaker of the House of Representatives by January 1 of each year. The report must provide:

(a) The name and address of the membership association and any parent membership association or state, national, or international membership association with which it is affiliated.

(b) The names, titles, telephone numbers, and addresses of the principal officers and all representatives of the membership association.

(c) The amount of the fee required to become a member of the membership association, if any, and the annual dues each member must pay.

(d) The current annual financial statements of the membership association as described in s. 617.1605.

(e) A copy of the current constitution and bylaws of the membership association.

(f) A description of the assets and liabilities of the membership association at the beginning and end of the preceding fiscal year.

(g) A description of the salary, allowances, and other direct or indirect disbursements, including reimbursed expenses, to each officer and to each employee who, during the preceding fiscal year, received more than \$10,000 in the aggregate from the membership association and any other state, national, or international membership association affiliated with the membership association.

15-00842B-16

20161426__

62 (h) The annual amount of the following benefit packages
63 paid to each of the principal officers of the membership
64 association:

65 1. Health, major medical, vision, dental, and life
66 insurance.

67 2. Retirement plans.

68 3. Automobile allowances.

69 (i) The per-member amount of annual dues sent from the
70 membership association to each state, national, or international
71 affiliate.

72 (j) The total amount of direct or indirect disbursements
73 for lobbying activity at the federal, state, or local level
74 incurred by the membership association, listed by full name and
75 address of each person who received a disbursement.

76 (k) The total amount of direct or indirect disbursements
77 for litigation expenses incurred by the membership association,
78 listed by case citation.

79 (3) A membership association may not expend moneys received
80 from public funds, as defined in s. 215.85(3), on litigation
81 against the state.

82 (4) Dues paid to a membership association which are paid
83 with public funds shall be assessed for each elected or
84 appointed public officer. If a public officer elects not to join
85 the membership association, the dues assessed to that public
86 officer may not be paid to the membership association.

87 (5) The Auditor General shall conduct an annual financial
88 and operational audit of accounts and records of each membership
89 association.

90 (6) All records of a membership association constitute

15-00842B-16

20161426__

91 public records for purposes of chapter 119.

92 Section 2. This act shall take effect upon becoming a law.