

1 A bill to be entitled
2 An act relating to direct-support
3 organizations; creating s. 20.193, F.S.;
4 providing for direct-support organizations for
5 the benefit of the Department of Children and
6 Family Services; providing a definition;
7 providing for administration of funds;
8 providing purposes and objectives; requiring
9 funds be used for enhancement of department
10 programs and projects; authorizing certain use
11 of state property and facilities; requiring
12 annual audit; amending s. 20.19, F.S.;
13 authorizing designation of employees to solicit
14 funds; creating s. 430.065, F.S.; providing for
15 direct-support organizations for the benefit of
16 the Department of Elderly Affairs; providing a
17 definition; providing purposes and objectives;
18 requiring funds be used for enhancement of
19 department programs and projects; authorizing
20 certain use of state property and facilities;
21 requiring annual audit; amending ss. 240.299
22 and 240.3315, F.S.; revising provisions
23 relating to restricted activities of university
24 direct-support organizations and community
25 college direct-support organizations; providing
26 an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:

29
30 Section 1. Section 20.193, Florida Statutes, is
31 created to read:

1 20.193 Department of Children and Family Services
2 direct-support organization.--

3 (1) As used in this section, the term "direct-support
4 organization" means a not-for-profit corporation incorporated
5 under chapter 617 and organized and operated to conduct
6 programs and activities; initiate developmental projects;
7 raise funds; request and receive grants, gifts, and bequests
8 of moneys; acquire, receive, hold, invest, and administer, in
9 its own name, securities, funds, objects of value, or other
10 property, real or personal; and make expenditures to or for
11 the direct or indirect benefit of the Department of Children
12 and Family Services or individual programs or projects of the
13 department.

14 (2) A direct support organization may be organized to
15 accomplish the purposes and objectives set forth in subsection
16 (3) of this section. The direct support organization will
17 maintain donations and direct service expenditures in a bank
18 account outside of the State Treasury. Any administrative
19 costs of running and promoting the purposes of the corporation
20 will be paid for by private funds or state appropriations to
21 the extent the receipt of federal funding by the department is
22 not jeopardized.

23 (3) The purposes and objectives of the direct-support
24 organization must be consistent with the priority issues and
25 objectives of the department and must be in the best interest
26 of the state.

27 (4) Funds designated for the direct-support
28 organization shall be used for the enhancement of programs and
29 projects of the department.

30 (5) The department may permit, without charge, the
31 appropriate use of property and facilities of the state by the

1 direct-support organization subject to the provisions of this
2 section. Such use must be directly in keeping with the
3 approved purpose of the direct-support organization.

4 (6) The direct-support organization shall provide for
5 an annual financial audit in accordance with s. 215.981.

6 Section 2. Subsection (10) is added to section 20.19,
7 Florida Statutes, to read:

8 20.19 Department of Children and Family
9 Services.--There is created a Department of Children and
10 Family Services.

11 (10) SOLICITATION OF DONATIONS TO DIRECT-SUPPORT
12 ORGANIZATIONS.--The secretary may designate employees of the
13 department to solicit donations from public or private sources
14 pursuant to s. 20.193.

15 Section 3. Section 430.065, Florida Statutes, is
16 created to read:

17 430.065 Department of Elderly Affairs direct-support
18 organization.--

19 (1) As used in this section, the term "direct-support
20 organization" means a not-for-profit corporation incorporated
21 under chapter 617 and organized and operated to conduct
22 programs and activities; initiate developmental projects;
23 raise funds; request and receive grants, gifts, and bequests
24 of moneys; acquire, receive, hold, invest, and administer, in
25 its own name, securities, funds, objects of value, or other
26 property, real or personal; and make expenditures to or for
27 the direct or indirect benefit of the Department of Elderly
28 Affairs or individual programs or projects of the department.

29 (2) The purposes and objectives of the direct-support
30 organization must be consistent with the priority issues and
31

1 objectives of the department and must be in the best interest
2 of the state.

3 (3) Funds designated for the direct-support
4 organization shall be used for the enhancement of programs and
5 projects of the department.

6 (4) The department may permit, without charge, the
7 appropriate use of property and facilities of the state by the
8 direct-support organization subject to the provisions of this
9 section. Such use must be directly in keeping with the
10 approved purpose of the direct-support organization.

11 (5) The direct-support organization shall provide for
12 an annual financial audit in accordance with s. 215.981.

13 Section 4. Subsection (4) of section 240.299, Florida
14 Statutes, is amended to read:

15 240.299 Direct-support organizations; use of property;
16 board of directors; activities; audit; facilities.--

17 (4) ACTIVITIES; RESTRICTION.--A university
18 direct-support organization is prohibited from giving, either
19 directly or indirectly, any gift to a political committee or
20 committee of continuous existence as defined in s. 106.011 ~~for~~
21 ~~any purpose other than those certified by a majority roll call~~
22 ~~vote of the governing board of the direct-support organization~~
23 ~~at a regularly scheduled meeting as being directly related to~~
24 ~~the educational mission of the university. Any gift by a~~
25 direct-support organization, either direct or indirect, with a
26 value in excess of \$1000 must be immediately reported to the
27 university board of trustees. The report must include the
28 following information: the amount of the gift or nature of
29 the gift; the recipient of the gift; the direct relationship
30 of the gift to the educational mission of the university; and
31 the direct benefit of the gift to the university. The

1 university board of trustees shall forward such information to
2 the State Board of Education by December 31 of each year.

3 Section 5. Paragraph (c) of subsection (4) of section
4 240.3315, Florida Statutes, is amended to read:

5 240.3315 Statewide community college direct-support
6 organizations.--

7 (4) RESTRICTIONS.--

8 (c) A statewide community college direct-support
9 organization is prohibited from giving, either directly or
10 indirectly, any gift to a political committee or committee of
11 continuous existence as defined in s. 106.011 ~~for any purpose~~
12 ~~other than those certified by a majority roll call vote of the~~
13 ~~governing board of the direct-support organization at a~~
14 ~~regularly scheduled meeting as being directly related to the~~
15 ~~educational mission of the State Board of Community Colleges.~~
16 Any gift by a direct-support organization, either direct or
17 indirect, with a value in excess of \$1000 must be immediately
18 reported to the community college board of trustees. The
19 report must include the following information: the amount of
20 the gift or nature of the gift; the recipient of the gift; the
21 direct relationship of the gift to the educational mission of
22 the community college; and the direct benefit of the gift to
23 the community college. The community college board of trustees
24 shall forward such information to the State Board of Education
25 by December 31 of each year.

26 Section 6. This act shall take effect upon becoming a
27 law.