

By Senator Bracy

11-00638-18

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1 A bill to be entitled
2 An act relating to the Department of Juvenile
3 Justice's direct-support organization; amending s.
4 985.672, F.S.; abrogating the scheduled repeal of
5 provisions governing a direct-support organization
6 established by the department; providing an effective
7 date.

8
9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Section 985.672, Florida Statutes, is amended to
12 read:

13 985.672 Direct-support organization; definition; use of
14 property; board of directors; audit.—

15 (1) DEFINITION.—As used in this section, the term "direct-
16 support organization" means an organization whose sole purpose
17 is to support the juvenile justice system and which is:

18 (a) A corporation not-for-profit incorporated under chapter
19 617 and which is approved by the Department of State;

20 (b) Organized and operated to conduct programs and
21 activities; to raise funds; to request and receive grants,
22 gifts, and bequests of moneys; to acquire, receive, hold,
23 invest, and administer, in its own name, securities, funds,
24 objects of value, or other property, real or personal; and to
25 make expenditures to or for the direct or indirect benefit of
26 the Department of Juvenile Justice or the juvenile justice
27 system operated by a county commission or a circuit board; and

28 (c) Determined by the Department of Juvenile Justice to be
29 consistent with the goals of the juvenile justice system, in the

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30 best interest of the state, and in accordance with the adopted
31 goals and mission of the Department of Juvenile Justice.

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33 Expenditures of the organization shall be used for the
34 prevention and amelioration of juvenile delinquency. The
35 expenditures of the direct-support organization may not be used
36 for the purpose of lobbying as defined in s. 11.045.

37 (2) CONTRACT.—The direct-support organization shall operate
38 under written contract with the department. The contract must
39 provide for:

40 (a) Approval of the articles of incorporation and bylaws of
41 the direct-support organization by the department.

42 (b) Submission of an annual budget for the approval of the
43 department.

44 (c) Certification by the department that the direct-support
45 organization is complying with the terms of the contract and in
46 a manner consistent with the goals and purposes of the
47 department and in the best interest of the state. Such
48 certification must be made annually and reported in the official
49 minutes of a meeting of the direct-support organization.

50 (d) The reversion of moneys and property held in trust by
51 the direct-support organization for the benefit of the juvenile
52 justice system to the state if the department ceases to exist or
53 to the department if the direct-support organization is no
54 longer approved to operate for the department, a county
55 commission, or a circuit board or if the direct-support
56 organization ceases to exist.†

57 (e) The fiscal year of the direct-support organization,
58 which must begin July 1 of each year and end June 30 of the

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59 following year.†

60 (f) The disclosure of material provisions of the contract,
61 and the distinction between the department and the direct-
62 support organization, to donors of gifts, contributions, or
63 bequests, including such disclosure on all promotional and
64 fundraising publications.

65 (3) BOARD OF DIRECTORS.—The Secretary of Juvenile Justice
66 shall appoint a board of directors of the direct-support
67 organization. Members of the organization must include
68 representatives from businesses, representatives from each of
69 the juvenile justice service districts, and one representative
70 appointed at large.

71 (4) USE OF PROPERTY.—The department may permit, without
72 charge, appropriate use of fixed property, facilities, and
73 personnel services of the juvenile justice system by the direct-
74 support organization, subject to this section. For the purposes
75 of this subsection, the term "personnel services" includes full-
76 time or part-time personnel, as well as payroll processing
77 services.

78 (a) The department may prescribe any condition with which
79 the direct-support organization must comply in order to use
80 fixed property or facilities of the juvenile justice system.

81 (b) The department may not permit the use of any fixed
82 property or facilities of the juvenile justice system by the
83 direct-support organization if it does not provide equal
84 membership and employment opportunities to all persons
85 regardless of race, color, religion, sex, age, or national
86 origin.

87 (c) The department shall adopt rules prescribing the

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88 procedures by which the direct-support organization is governed
89 and any conditions with which a direct-support organization must
90 comply to use property or facilities of the department.

91 (5) DEPOSIT OF FUNDS.—Any moneys may be held in a separate
92 depository account in the name of the direct-support
93 organization and subject to the provisions of the contract with
94 the department.

95 (6) AUDIT.—The direct-support organization shall provide
96 for an annual financial audit in accordance with s. 215.981.

97 ~~(7) REPEAL.—This section is repealed October 1, 2018,~~
98 ~~unless reviewed and saved from repeal by the Legislature.~~

99 Section 2. This act shall take effect July 1, 2018.