

By the Committee on Judiciary and Representatives Byrd and Roberts

1 A bill to be entitled
2 An act relating to state contracts with
3 religious organizations; providing a
4 definition; authorizing certain agencies to
5 contract with religious organizations under
6 certain programs or allow religious
7 organizations to accept certificates, vouchers,
8 or other forms of disbursement under certain
9 programs; specifying eligibility of religious
10 organizations; providing certain protections
11 for religious organizations; requiring certain
12 agencies to prepare implementation plans and
13 submit the plans to the Governor and the
14 Legislature; providing an effective date.
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16 WHEREAS, state government should engage Florida's
17 religious organizations to enhance care for the needy and fill
18 hollow hearts, and
19 WHEREAS, government must have qualities of the spirit,
20 and
21 WHEREAS, the federal Personal Responsibility and Work
22 Opportunity Reconciliation Act of 1996 specifically authorized
23 states to administer and provide services under specific
24 programs through contracts with charitable, religious, or
25 private organizations, and
26 WHEREAS, health care facilities operated by or
27 affiliated with religious organizations have been effective
28 partners in the provision of public health services for many
29 years without interfering with the religious liberties of
30 Floridians, and
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1 WHEREAS, the Legislature intends to engage Florida's
2 churches, synagogues, other religious congregations, and
3 spiritual entrepreneurs to enhance care for the needy, NOW,
4 THEREFORE,

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

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8 Section 1. (1) For purposes of this act, "program"
9 means:

10 (a) Any state program funded under part A of Title IV
11 of the Social Security Act, as amended by section 103(a) of
12 Title I of the Personal Responsibility and Work Opportunity
13 Reconciliation Act of 1996, Pub. L. No. 104-193.

14 (b) Any other program established or modified under
15 Title I or Title II of the Personal Responsibility and Work
16 Opportunity Reconciliation Act of 1996 that permits contracts
17 with organizations or permits certificates, vouchers, or other
18 forms of disbursement to be provided to beneficiaries as a
19 means of providing assistance.

20 (c) Any other state program or policy initiative that
21 provides direct assistance to individuals or families.

22 (2) Any agency of this state or political subdivision
23 of this state may contract with religious organizations or
24 allow religious organizations to accept certificates,
25 vouchers, or other forms of disbursement under any program, on
26 the same basis as any other nongovernmental provider without
27 impairing the religious character of such organizations. Each
28 program to which this act is applicable shall be operated in
29 compliance with federal requirements applicable to the
30 particular program.

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1 (3) Any religious organization is eligible as a
2 contractor, on the same basis as any other nongovernmental
3 organization, to provide assistance or to accept certificates,
4 vouchers, or other forms of disbursement under any program.
5 Any agency of this state or any political subdivision of this
6 state receiving funds under any program shall not discriminate
7 against any organization which is or applies to be a
8 contractor to provide assistance, or which accepts
9 certificates, vouchers, or other forms of disbursement, on the
10 basis that the organization has a religious character.

11 (4)(a) A religious organization which has entered into
12 a contract with any agency of this state or any political
13 subdivision of this state under a program, or which accepts
14 certificates, vouchers, or other forms of disbursement
15 described in subsection (1), shall retain its independence
16 from state and local governments, including such
17 organization's control over the definition, development,
18 practice, and expression of its religious beliefs.

19 (b) An agency of this state or any political
20 subdivision of this state shall not require a religious
21 organization to alter its form of internal governance or
22 remove religious art, icons, scripture, or other symbols in
23 order to be eligible to contract to provide assistance, or to
24 accept certificates, vouchers, or other forms of disbursement,
25 funded under a program.

26 (5) Each agency which administers any program
27 described in this section shall prepare a plan to implement
28 this section and, no later than September 1, 1999, shall
29 submit a copy of the plan to the Governor, the President of
30 the Senate, and the Speaker of the House of Representatives.

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