

1 for the direct or indirect benefit of the Department of
2 Military Affairs or the Florida National Guard.

3 3. Determined by the Department of Military Affairs to
4 be operating in a manner consistent with the goals of the
5 Department of Military Affairs and the Florida National Guard
6 and in the best interest of the state. Any organization that
7 is denied certification by the Adjutant General may not use
8 the name of the Florida National Guard or the Department of
9 Military Affairs in any part of its name or its publications.

10 (b) "Personal services" includes full-time or
11 part-time personnel as well as payroll processing.

12 (2) BOARD OF DIRECTORS.--The organization shall be
13 governed by a board of directors. The Adjutant General, or his
14 or her designee, shall serve as president of the board. The
15 board of directors shall consist of up to 15 members appointed
16 by the Adjutant General. Up to 15 additional members shall be
17 appointed by the board of directors. The terms of office of
18 the members shall be 3 years. Members must be residents of the
19 state and highly knowledgeable about the United States
20 military, its service personnel, and its missions. In making
21 appointments, the board must consider a potential member's
22 background in community service. The Adjutant General may
23 remove any member for cause and shall fill vacancies that
24 occur.

25 (3) USE OF PROPERTY.--

26 (a) The Adjutant General is authorized to permit the
27 use of property, facilities, and personal services of the
28 Department of Military Affairs by the direct-support
29 organization, subject to the provisions of this section.

30 (b) The Adjutant General may prescribe by rule any
31 condition with which a direct-support organization organized

1 under this section must comply in order to use property,
2 facilities, or personal services of the Department of Military
3 Affairs.

4 (c) The Adjutant General may not permit the use of
5 property, facilities, or personal services of the Department
6 of Military Affairs by any direct-support organization
7 organized under this section that does not provide equal
8 employment opportunities to all persons regardless of race,
9 color, national origin, sex, age, or religion.

10 (4) ACTIVITIES; RESTRICTIONS.--Any transaction or
11 agreement between the direct-support organization organized
12 pursuant to this section and another direct-support
13 organization or center of technology innovation designated
14 under s. 240.3335 must be approved by the Adjutant General.

15 (5) ANNUAL BUDGETS AND REPORTS.--The direct-support
16 organization shall submit to the Adjutant General its federal
17 Internal Revenue Service Application for Recognition of
18 Exemption form (Form 1023) and its federal Internal Revenue
19 Service Return of Organization Exempt from Income Tax form
20 (Form 990).

21 (6) ANNUAL AUDIT.--The direct-support organization
22 shall make provisions for an annual postaudit of its financial
23 accounts to be conducted by an independent certified public
24 accountant in accordance with rules to be promulgated by the
25 Adjutant General. The annual audit report shall be submitted
26 to the Auditor General and the Adjutant General. The Adjutant
27 General and the Auditor General may require and receive from
28 the organization or its independent auditor any detail or
29 supplemental data relative to the operation of the
30 organization.

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

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5 HOUSE SUMMARY

6 Provides for the organization and operation of a
7 direct-support organization for the Department of
8 Military Affairs and the Florida National Guard. Provides
9 for a board of directors. Provides for the use of
10 property, facilities, and personal services of the
11 Department of Military Affairs by the direct-support
12 organization. Provides restrictions. Provides for
13 submission of annual budgets and reports. Provides for
14 annual audit.
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