

By Senator Kurth

15-659-00

See HB

1 A bill to be entitled
 2 An act relating to direct-support
 3 organizations; amending s. 240.299, F.S.;
 4 prohibiting a university direct-support
 5 organization from making certain political
 6 contributions; deleting the requirement that
 7 the identity of donors to the direct-support
 8 organization be protected; amending s. 240.331,
 9 F.S.; prohibiting a community college
 10 direct-support organization from making certain
 11 political contributions; deleting the
 12 requirement that the identity of donors to the
 13 direct-support organization be protected;
 14 amending s. 240.3315, F.S.; prohibiting
 15 statewide community college direct-support
 16 organizations from making certain political
 17 contributions; deleting the requirement that
 18 the identity of donors to the direct-support
 19 organization be protected; providing an
 20 effective date.

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 22 Be It Enacted by the Legislature of the State of Florida:
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24 Section 1. Present subsections (5) and (6) of section
 25 240.299, Florida Statutes, are renumbered as subsections (6)
 26 and (7), respectively, present subsection (4) of that section
 27 is renumbered as subsection (5) and amended, and a new
 28 subsection (4) is added to that section, to read:

29 240.299 Direct-support organizations; use of property;
 30 board of directors; audit; facilities.--
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1 (4) ACTIVITIES; RESTRICTION.--A university
2 direct-support organization is prohibited from giving, either
3 directly or indirectly, any gift to a political committee or
4 committee of continuous existence as defined in s. 106.011.

5 (5)(4) ANNUAL AUDIT.--Each direct-support organization
6 shall make provisions for an annual postaudit of its financial
7 accounts to be conducted by an independent certified public
8 accountant in accordance with rules to be promulgated by the
9 Board of Regents. The annual audit report shall include a
10 management letter and shall be submitted to the Auditor
11 General and the Board of Regents for review. The Board of
12 Regents and the Auditor General shall have the authority to
13 require and receive from the organization or from its
14 independent auditor any detail or supplemental data relative
15 to the operation of the organization. ~~The identity of donors~~
16 ~~who desire to remain anonymous shall be protected, and that~~
17 ~~anonymity shall be maintained in the auditor's report.~~ All
18 records of the organization other than the auditor's report,
19 management letter, the identity of donors, and any
20 supplemental data requested by the Board of Regents and the
21 Auditor General shall be confidential and exempt from the
22 provisions of s. 119.07(1).

23 Section 2. Paragraph (d) is added to subsection (4) of
24 section 240.331, Florida Statutes, and subsection (6) of that
25 section is amended, to read:

26 240.331 Community college direct-support
27 organizations.--

28 (4) ACTIVITIES; RESTRICTIONS.--

29 (d) A community college direct-support organization is
30 prohibited from giving, either directly or indirectly, any
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1 gift to a political committee or committee of continuous
2 existence as defined in s. 106.011.

3 (6) ANNUAL AUDIT.--Each direct-support organization
4 shall make provisions for an annual postaudit of its financial
5 accounts to be conducted by an independent certified public
6 accountant in accordance with rules to be promulgated by the
7 district board of trustees. The annual audit report must be
8 submitted to the Auditor General, the State Board of Community
9 Colleges, and the board of trustees for review. The board of
10 trustees and the Auditor General may require and receive from
11 the organization or from its independent auditor any detail or
12 supplemental data relative to the operation of the
13 organization. ~~The identity of donors who desire to remain~~
14 ~~anonymous shall be protected, and that anonymity shall be~~
15 ~~maintained in the auditor's report.~~All records of the
16 organization, other than the auditor's report, any information
17 necessary for the auditor's report, any information related to
18 the expenditure of funds, the identity of donors,and any
19 supplemental data requested by the board of trustees and the
20 Auditor General, shall be confidential and exempt from the
21 provisions of s. 119.07(1).

22 Section 3. Paragraph (c) is added to subsection (4) of
23 section 240.3315, Florida Statutes, and subsection (6) of that
24 section is amended, to read:

25 240.3315 Statewide community college direct-support
26 organizations.--

27 (4) RESTRICTIONS.--

28 (c) A statewide community college direct-support
29 organization is prohibited from giving, either directly or
30 indirectly, any gift to a political committee or committee of
31 continuous existence as defined in s. 106.011.

1 (6) ANNUAL AUDIT.--A statewide community college
2 direct-support organization shall make provisions for an
3 annual postaudit of its financial accounts to be conducted by
4 an independent certified public accountant in accordance with
5 rules to be adopted by the State Board of Community Colleges.
6 The annual audit report shall be submitted to the Auditor
7 General and the State Board of Community Colleges for review.
8 The State Board of Community Colleges and the Auditor General
9 shall have the authority to require and receive from the
10 organization or from its independent auditor any detail or
11 supplemental data relative to the operation of the
12 organization. ~~The identity of a donor or prospective donor who~~
13 ~~desires to remain anonymous and all information identifying~~
14 ~~such donor or prospective donor are confidential and exempt~~
15 ~~from the provisions of s. 119.07(1) and s. 24(a), Art. I of~~
16 ~~the State Constitution. Such anonymity shall be maintained in~~
17 ~~the auditor's report.~~

18 Section 4. This act shall take effect July 1, 2000.

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LEGISLATIVE SUMMARY

Revises provisions relating to university, community college, and statewide community college direct-support organizations to prohibit such direct-support organizations from making certain political contributions and to remove a provision requiring the identity of certain donors to be protected.