

Bill No. CS for CS for SB 2108, 1st Eng.

Amendment No. Barcode 765488

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Pruitt moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 93, line 31,

16 insert:

17 Section 35. Subsections (1), (2), (3), (5), and (7) of
18 section 240.299, Florida Statutes, are amended to read:

19 240.299 Direct-support organizations; use of property;
20 board of directors; activities; audit; facilities.--

21 (1) DEFINITIONS.--For the purposes of this section:

22 (a) "University direct-support organization" means an
23 organization ~~that~~ ~~which~~ is:

24 1. A Florida corporation not for profit incorporated
25 under the provisions of chapter 617 and approved by the
26 Department of State;

27 2. Organized and operated exclusively to receive,
28 hold, invest, and administer property and to make expenditures
29 to or for the benefit of a state university in Florida or for
30 the benefit of a research and development park or research and
31 development authority affiliated with a state university and

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1 organized under part V of chapter 159; and

2 3. An organization ~~that~~ ~~which~~ the board of trustees
3 regents of a state university, after review, has certified to
4 be operating in a manner consistent with the goals of the
5 university and in the best interest of the state. Any
6 organization ~~that~~ ~~which~~ is denied certification by the board
7 of trustees regents of a state university ~~shall~~ not use
8 the name of the university ~~that~~ ~~which~~ it serves.

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

11 (2) USE OF PROPERTY.--

12 (a) The board of trustees regents of a state
13 university ~~is authorized to~~ permit the use of property,
14 facilities, and personal services at its any state university
15 by any university direct-support organization, and, subject to
16 the provisions of this section, direct-support organizations
17 may establish accounts with the State Board of Administration
18 for investment of funds pursuant to part IV of chapter 218.

19 (b) The board of trustees regents of a state
20 university shall prescribe by rule conditions with which a
21 university direct-support organization must comply in order to
22 use property, facilities, or personal services at the any
23 state university. Such rules shall provide for budget and
24 audit review and oversight by the board of trustees regents of
25 the state university.

26 (c) The board of trustees regents of a state
27 university ~~may~~ ~~shall~~ not permit the use of property,
28 facilities, or personal services at its any state university
29 by any university direct-support organization ~~that~~ ~~which~~ does
30 not provide equal employment opportunities to all persons
31 regardless of race, color, religion, sex, age, or national

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1 origin.

2 (3) BOARD OF DIRECTORS.--The chair of the board of
3 trustees regents of a state university may appoint a
4 representative to the board of directors and the executive
5 committee of any direct-support organization established under
6 this section. The president of the university for which the
7 direct-support organization is established, or his or her
8 designee, shall also serve on the board of directors and the
9 executive committee of any direct-support organization
10 established to benefit that university.

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

30 (7) ANNUAL BUDGETS AND REPORTS.--Each direct-support
31 organization shall submit to the university president and the

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1 board of trustees ~~regents~~ of the state university its federal
2 Internal Revenue Service Application for Recognition of
3 Exemption form (Form 1023) and its federal Internal Revenue
4 Service Return of Organization Exempt from Income Tax form
5 (Form 990).

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7 (Redesignate subsequent sections.)

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10 ===== T I T L E A M E N D M E N T =====

11 And the title is amended as follows:

12 On page 7, line 19, after the semicolon,

13
14 insert:

15 amending s. 240.299, F.S.; providing for
16 university boards of trustees to certify the
17 operations of university direct-support
18 organizations; providing rulemaking authority;

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