

By Senator Wise

6-1578-02

See HB

1 A bill to be entitled
2 An act relating to direct-support
3 organizations; creating ss. 20.193 and 430.065,
4 F.S.; providing for direct-support
5 organizations for the benefit of the Department
6 of Children and Family Services and the
7 Department of Elderly Affairs, respectively;
8 providing a definition; providing purposes and
9 objectives; authorizing certain use of state
10 property and facilities; requiring annual
11 audit; providing an effective date.

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

15 Section 1. Section 20.193, Florida Statutes, is
16 created to read:

17 20.193 Department of Children and Family Services
18 direct-support organization.--

19 (1) As used in this section, the term "direct-support
20 organization" means a not-for-profit corporation incorporated
21 under chapter 617 and organized and operated to conduct
22 programs and activities; initiate developmental projects;
23 raise funds; request and receive grants, gifts, and bequests
24 of moneys; acquire, receive, hold, invest, and administer, in
25 its own name, securities, funds, objectives of value, or other
26 property, real or personal; and make expenditures to or for
27 the direct or indirect benefit of the Department of Children
28 and Family Services or individual programs or projects of the
29 department.

30 (2) The purposes and objectives of the direct-support
31 organization must be consistent with the priority issues and

1 objectives of the department and must be in the best interest
2 of the state.

3 (3) The department may permit, without charge, the
4 appropriate use of property and facilities of the state by the
5 direct-support organization subject to the provisions of this
6 section. Such use must be directly in keeping with the
7 approved purpose of the direct-support organization.

8 (4) The direct-support organization shall provide for
9 an annual postaudit of its financial accounts to be conducted
10 by an independent certified public accountant. The annual
11 audit report shall include a management letter and shall be
12 submitted to the Auditor General and the department for
13 review. The department and the Auditor General have the
14 authority to require and receive from the organization or from
15 its independent auditor any detail or supplemental data
16 relative to the operation of the organization.

17 Section 2. Section 430.065, Florida Statutes, is
18 created to read:

19 430.065 Department of Elderly Affairs direct-support
20 organization.--

21 (1) As used in this section, the term "direct-support
22 organization" means a not-for-profit corporation incorporated
23 under chapter 617 and organized and operated to conduct
24 programs and activities; initiate developmental projects;
25 raise funds; request and receive grants, gifts, and bequests
26 of moneys; acquire, receive, hold, invest, and administer, in
27 its own name, securities, funds, objectives of value, or other
28 property, real or personal; and make expenditures to or for
29 the direct or indirect benefit of the Department of Elderly
30 Affairs or individual programs or projects of the department.

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1 (2) The purposes and objectives of the direct-support
2 organization must be consistent with the priority issues and
3 objectives of the department and must be in the best interest
4 of the state.

5 (3) The department may permit, without charge, the
6 appropriate use of property and facilities of the state by the
7 direct-support organization subject to the provisions of this
8 section. Such use must be directly in keeping with the
9 approved purpose of the direct-support organization.

10 (4) The direct-support organization shall provide for
11 an annual postaudit of its financial accounts to be conducted
12 by an independent certified public accountant. The annual
13 audit report shall include a management letter and shall be
14 submitted to the Auditor General and the department for
15 review. The department and the Auditor General have the
16 authority to require and receive from the organization or from
17 its independent auditor any detail or supplemental data
18 relative to the operation of the organization.

19 Section 3. This act shall take effect upon becoming a
20 law.

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23 HOUSE SUMMARY

24 Provides for nonprofit direct-support organizations for
25 the Department of Children and Family Services and the
26 Department of Elderly Affairs, respectively. Provides a
27 definition. Provides purposes and objectives. Authorizes
28 certain use of state property and facilities by the
29 direct-support organizations. Requires annual audits by
30 an independent certified public accountant.
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