

By the Committee on Governmental Oversight and Productivity;  
and Senators Wise and Campbell

302-2128-02

1                                   A bill to be entitled  
2           An act relating to direct-support  
3           organizations; creating s. 20.193, F.S.;  
4           providing for direct-support organizations for  
5           the benefit of the Department of Children and  
6           Family Services; providing a definition;  
7           providing for administration of funds;  
8           providing purposes and objectives; requiring  
9           funds be used for enhancement of department  
10          programs and projects; authorizing certain use  
11          of state property and facilities; requiring an  
12          annual audit; amending s. 20.19, F.S.;  
13          authorizing designation of employees to solicit  
14          funds; creating s. 430.065, F.S.; providing for  
15          direct-support organizations for the benefit of  
16          the Department of Elderly Affairs; providing a  
17          definition; providing purposes and objectives;  
18          requiring funds be used for enhancement of  
19          department programs and projects; authorizing  
20          certain use of state property and facilities;  
21          requiring an annual audit; providing an  
22          effective date.

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

26           Section 1. Section 20.193, Florida Statutes, is  
27 created to read:

28           20.193 Department of Children and Family Services  
29 direct-support organization.--

30           (1) As used in this section, the term "direct-support  
31 organization" means a not-for-profit corporation incorporated

1 under chapter 617 and organized and operated to conduct  
2 programs and activities; initiate developmental projects;  
3 raise funds; request and receive grants, gifts, and bequests  
4 of moneys; acquire, receive, hold, invest, and administer, in  
5 its own name, securities, funds, objects of value, or other  
6 property, real or personal; and make expenditures to or for  
7 the direct or indirect benefit of the Department of Children  
8 and Family Services or individual programs or projects of the  
9 department.

10 (2) A direct-support organization may be organized to  
11 accomplish the purposes and objectives set forth in subsection  
12 (3). The direct-support organization shall maintain donations  
13 and direct-service expenditures in a bank account outside of  
14 the State Treasury. Any administrative costs of running and  
15 promoting the purposes of the corporation shall be paid for by  
16 private funds or state appropriations to the extent the  
17 receipt of federal funding by the department is not  
18 jeopardized.

19 (3) The purposes and objectives of the direct-support  
20 organization must be consistent with the priority issues and  
21 objectives of the department and must be in the best interest  
22 of the state.

23 (4) Funds designated for the direct-support  
24 organization shall be used for the enhancement of programs and  
25 projects of the department.

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

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1           (6) The direct-support organization shall provide for  
2 an annual financial audit in accordance with s. 215.981.

3           Section 2. Subsection (10) is added to section 20.19,  
4 Florida Statutes, to read:

5           20.19 Department of Children and Family  
6 Services.--There is created a Department of Children and  
7 Family Services.

8           (10) SOLICITATION OF DONATIONS TO DIRECT-SUPPORT  
9 ORGANIZATIONS.--The secretary may designate employees of the  
10 department to solicit donations from public or private sources  
11 pursuant to s. 20.193.

12           Section 3. Section 430.065, Florida Statutes, is  
13 created to read:

14           430.065 Department of Elderly Affairs direct-support  
15 organization.--

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

26           (2) The purposes and objectives of the direct-support  
27 organization must be consistent with the priority issues and  
28 objectives of the department and must be in the best interest  
29 of the state.

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1           (3) Funds designated for the direct-support  
2 organization shall be used for the enhancement of programs and  
3 projects of the department.

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

9           (5) The direct-support organization shall provide for  
10 an annual financial audit in accordance with s. 215.981.

11           Section 4. This act shall take effect upon becoming a  
12 law.

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14                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
15   COMMITTEE SUBSTITUTE FOR  
16   SB 1862

17 Requires a direct-support organization to maintain donations  
18 and direct service expenditures in a bank account outside of  
the State Treasury.

19 Provides that administrative costs of running and promoting  
20 the purposes of the corporation must be paid from private  
21 funds or state appropriations to the extent the receipt of  
federal funding by the department is not jeopardized.

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