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2 An act relating to charitable youth  
3 organizations; creating s. 255.60, F.S.;  
4 authorizing the state and its political  
5 subdivisions to contract with charitable youth  
6 organizations for certain public service work;  
7 providing for contracts and award limit;  
8 providing limitations; providing an effective  
9 date.

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

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13 Section 1. Section 255.60, Florida Statutes, is  
14 created to read:15 255.60 Special contracts with charitable youth  
16 organizations.--The state, or the governing body of any  
17 political subdivision of the state, is authorized, but not  
18 required, to contract for public service work such as highway  
19 and park maintenance, notwithstanding competitive sealed bid  
20 procedures required under this chapter or chapter 287, upon  
21 compliance with this section.22 (1) The contractor or supplier must meet the following  
23 conditions:24 (a) The contractor or supplier must be a  
25 not-for-profit corporation incorporated under chapter 617 and  
26 in good standing.27 (b) The contractor or supplier must hold exempt status  
28 under section 501(a) of the Internal Revenue Code, as an  
29 organization described in s. 501(c)(3) of the Internal Revenue  
30 Code.

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1           (c) The corporate charter of the contractor or  
2 supplier must state that the corporation is organized as a  
3 charitable youth organization exclusively for at-risk youths  
4 enrolled in a work-study program.

5           (d) Administrative salaries and benefits for any such  
6 corporation shall not exceed 15 percent of gross revenues.  
7 Field supervisors shall not be considered administrative  
8 overhead.

9           (2) The contract, if approved by authorized agency  
10 personnel of the state, or the governing body of a political  
11 subdivision, as appropriate, must provide at a minimum that:

12           (a) Labor shall be performed exclusively by at-risk  
13 youth and their direct supervisors; and shall not be subject  
14 to subcontracting.

15           (b) Payment must be production-based.

16           (c) The contract will terminate should the contractor  
17 or supplier no longer qualify under subsection (1).

18           (d) The supplier or contractor has instituted a  
19 drug-free workplace program substantially in compliance with  
20 the provisions of s. 287.087.

21           (e) The contractor or supplier agrees to be subject to  
22 review and audit at the discretion of the Auditor General in  
23 order to ensure that the contractor or supplier has complied  
24 with this section.

25           (3) No contract under this section may exceed the  
26 annual sum of \$250,000.

27           (4) Should a court find that a contract purporting to  
28 have been entered into pursuant to this section does not so  
29 qualify, the court may order that the contract be terminated  
30 on reasonable notice to the parties. The court shall not  
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1 require disgorgement of any moneys earned for goods or  
2 services actually delivered or supplied.

3 (5) Nothing in this section shall excuse any person  
4 from compliance with ss. 287.132-287.134.

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

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