



HB 0481

2003
CS

CHAMBER ACTION

The Committee on State Administration recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to charitable youth organizations; creating s. 255.60, F.S.; authorizing the state and its political subdivisions to contract with charitable youth organizations for certain public service work; providing conditions for contracts and annual award limit; providing for audit; providing limitations; providing for termination of contract by the court; providing an effective date.

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

Section 1. Section 255.60, Florida Statutes, is created to read:

255.60 Special contracts with charitable youth organizations.--The state or the governing body of any political subdivision of the state is authorized but not required to contract for public service work such as highway and park maintenance, notwithstanding competitive sealed bid procedures



HB 0481

2003
CS

29 required under this chapter or chapter 287, upon compliance with
30 this section.

31 (1) The contractor or supplier must meet the following
32 conditions:

33 (a) The contractor or supplier must be a not-for-profit
34 corporation incorporated under chapter 617 and in good standing.

35 (b) The contractor or supplier must hold exempt status
36 under s. 501(a) of the Internal Revenue Code as an organization
37 described in s. 501(c)(3) of the Internal Revenue Code.

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

42 (d) Administrative salaries and benefits for any such
43 corporation shall not exceed 15 percent of gross revenues. Field
44 supervisors shall not be considered administrative overhead.

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

48 (a) Labor shall be performed exclusively by at-risk youth
49 and their direct supervisors and shall not be subject to
50 subcontracting.

51 (b) Payment must be production-based.

52 (c) The contract shall be terminated if the contractor or
53 supplier no longer qualifies under subsection (1).

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



HB 0481

2003
CS

57 | (e) The contractor or supplier agrees to be subject to
58 | review and audit at the discretion of the Auditor General in
59 | order to ensure that the contractor or supplier has complied
60 | with this section.

61 | (3) A contract under this section may not exceed the
62 | annual sum of \$250,000.

63 | (4) If a court finds that a contract purporting to have
64 | been entered into pursuant to this section does not qualify, the
65 | court may order that the contract be terminated upon reasonable
66 | notice to the parties. The court shall not require disgorgement
67 | of any moneys earned for goods or services actually delivered or
68 | supplied.

69 | (5) Nothing in this section shall excuse any person from
70 | compliance with ss. 287.132-287.134.

71 | Section 2. This act shall take effect upon becoming a law.