

By Senator Wise

5-43A-03

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 for administration
 7 of funds; providing purposes and objectives;
 8 requiring funds to be used for the enhancement
 9 of department programs and projects;
 10 authorizing certain use of state property and
 11 facilities; requiring an annual audit; amending
 12 s. 20.19, F.S.; authorizing designation of
 13 employees to solicit funds; creating s.
 14 430.065, F.S.; providing for direct-support
 15 organizations for the benefit of the Department
 16 of Elderly Affairs; providing purposes and
 17 objectives; requiring funds to be used for the
 18 enhancement of department programs and
 19 projects; authorizing certain use of state
 20 property and facilities; requiring an annual
 21 audit; providing an effective date.

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

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

27 20.193 Department of Children and Family Services
 28 direct-support organization.--

29 (1) As used in this section, the term "direct-support
 30 organization" means a not-for-profit corporation incorporated
 31 under chapter 617 and organized and operated to conduct

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

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

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

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

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

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

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

3 20.19 Department of Children and Family
4 Services.--There is created a Department of Children and
5 Family Services.

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

10 Section 3. Section 430.065, Florida Statutes, is
11 created to read:

12 430.065 Department of Elderly Affairs direct-support
13 organization.--

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

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

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

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

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

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

SENATE SUMMARY

Creates nonprofit, direct-support organizations for the benefit of the Department of Children and Family Services and the Department of Elderly Affairs. Provides for the purposes and objectives of the organizations. Authorizes the solicitation of funds by designated employees.