

A bill to be entitled

An act relating to judicial circuit direct-support organizations; providing a definition; providing for a direct-support organization in a judicial circuit; providing for organization and operation of the organization for certain purposes; providing for approval of the organization by the state attorney of a judicial circuit; providing for a board of directors; providing for appointment of a president of the board; providing for appointment of board members; authorizing a state attorney's office of a judicial circuit to permit certain uses of certain property and facilities of the office by the direct-support organization for certain purposes; providing limitations; authorizing a state attorney to adopt certain rules; requiring the direct-support organization to submit certain information to the state attorney's office of a judicial circuit; requiring the organization to provide for an annual financial audit; providing an effective date.

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

Section 1. Direct-support organization; definition; board of directors; use of property; budgets and reports; audit.--

(1) DEFINITION.--For the purpose of this section, the term "direct-support organization" means an organization:

(a) Which is a corporation not for profit that is incorporated under the provisions of chapter 617, Florida

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29 Statutes, exempted from filing fees, and approved by the  
30 Department of State.

31 (b) Established, organized, and operated in a judicial  
32 circuit to benefit victims of crime and conduct crime prevention  
33 activities; raise funds; request and receive grants, gifts, and  
34 bequests of moneys; acquire, receive, hold, invest, and  
35 administer, in its own name, securities, funds, objects of  
36 value, or other property, real or personal; and make  
37 expenditures to or for the direct or indirect benefit of  
38 victims.

39 (c) Determined by the state attorney's office of the  
40 judicial circuit to be consistent with the priority issues and  
41 objectives of such state attorney's office and in the best  
42 interest of the state.

43 (d) Approved in writing by the state attorney of the  
44 judicial circuit to operate for the purposes specified in  
45 paragraph (b). Such approval shall be in a letter of agreement  
46 from the state attorney of the judicial circuit.

47 (2) BOARD OF DIRECTORS.--The organization shall be  
48 governed by a board of directors. The state attorney of the  
49 judicial circuit shall appoint a president of the board. The  
50 board of directors shall consist of up to 15 members appointed  
51 by the president of the board. The terms of office of the  
52 members shall be 3 years. Members must be residents of the state  
53 and highly knowledgeable about issues relating to victims of  
54 crimes and crime prevention activities. In making appointments,  
55 the board must consider a potential member's background in  
56 community service. The board may remove any member for cause and

57 shall fill vacancies that occur.

58 (3) USE OF PROPERTY.--

59 (a) The state attorney of the judicial circuit may permit,  
60 without charge, appropriate use of fixed property and facilities  
61 by the direct-support organization subject to the provisions of  
62 this section. Such use must be directly in keeping with the  
63 approved purpose of the direct-support organization and may not  
64 be made at times or places that would unreasonably interfere  
65 with opportunities for staff, victims, and witnesses to use the  
66 areas for established purposes.

67 (b) The state attorney of the judicial circuit may  
68 prescribe by rule any condition with which the direct-support  
69 organization organized under this section must comply in order  
70 to use fixed property or facilities of the state attorney's  
71 office of the judicial circuit.

72 (c) The state attorney's office of the judicial circuit  
73 may not permit the use of any fixed property or facilities of  
74 such office by a direct-support organization organized under  
75 this section that does not provide equal membership and  
76 employment opportunities to all persons regardless of race,  
77 color, religion, sex, age, or national origin.

78 (4) ANNUAL BUDGETS AND REPORTS.--The direct-support  
79 organization shall submit to the state attorney's office of the  
80 judicial circuit its federal Internal Revenue Service  
81 Application for Recognition of Exemption form (Form 1023) and  
82 its federal Internal Revenue Service Return of Organization  
83 Exempt from Income Tax form (Form 990).

84 (5) ANNUAL AUDIT.--The direct-support organization shall

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85 provide for an annual financial audit in accordance with s.  
86 215.981, Florida Statutes.

87       Section 2. This act shall take effect July 1, 2006.