

1 A bill to be entitled
 2 An act relating to public employee charitable campaigns;
 3 creating s. 110.182, F.S.; creating the Florida Public
 4 Employees' Charitable Campaign; providing organization of
 5 campaign; authorizing salary or wage deductions for
 6 purposes of the campaign; providing that campaign
 7 contributions must be voluntary; providing criteria for
 8 the application and withdrawal from the campaign;
 9 providing that participation must be limited to certain
 10 nonprofit charitable federations and member agencies;
 11 excluding certain organizations from participation;
 12 providing for selection of fiscal agent; providing
 13 definitions; providing an effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Section 110.182, Florida Statutes, is created
 18 to read:

19 110.182 Florida Public Employees' Charitable Campaign.--

20 (1) CREATION AND ORGANIZATION OF PUBLIC EMPLOYEES'
 21 CHARITABLE CAMPAIGN.--

22 (a) The state or any of its departments, bureaus,
 23 commissions, and officers are authorized and permitted, in
 24 coordination with the payroll system of the Department of
 25 Financial Services, to establish and maintain an annual Florida
 26 Public Employees' Charitable Campaign. This annual fundraising
 27 drive is the only authorized charitable fundraising drive
 28 directed toward public employees, other than state employees,

29 within work areas during work hours, and for which the public
30 employer will provide payroll deduction.

31 (b) The state or any of its departments, bureaus,
32 commissions, and officers are authorized and permitted, with the
33 concurrence of the Department of Financial Services, to make
34 deductions from the salary or wage of any employee in such
35 amount as shall be authorized and requested by such employee and
36 for such purpose as shall be authorized and requested by such
37 employee and shall pay such sums so deducted as directed by such
38 employee.

39 (c) Public employer officers' and employees' contributions
40 toward the Florida Public Employees' Charitable Campaign must be
41 entirely voluntary.

42 (d) An applicable public employer shall authorize
43 deductions from the salaries or wages of its employees of an
44 amount specified by each employee for payment to an eligible
45 charitable organization. The request for the deduction may be
46 withdrawn by the employee at any time by filing a written
47 notification of withdrawal with the applicable treasurer or
48 responsible official in charge of the payroll system. If an
49 applicable public employer authorizes deductions from the
50 salaries or wages of its employees for payment to any eligible
51 charitable organization, the applicable public employer shall
52 ensure that an employee shall be permitted to authorize a
53 deduction to any eligible charitable organization.

54 (e) Participation in the annual Florida Public Employees'
55 Charitable Campaign must be limited to any nonprofit charitable
56 federation and member agency that has as its principal mission:

- 57 1. Public health and welfare;
 58 2. Education;
 59 3. Environmental restoration and conservation;
 60 4. Civil and human rights; or
 61 5. The relief of human suffering and poverty.
 62 (f) To qualify as a nonprofit charitable federation or
 63 member agency, the federation or member agency must:
 64 1. Have had an office open at least 20 hours per week
 65 employing full-time or part-time employees in this state for the
 66 last 5 years.
 67 2. Represent at least 10 health and human services, social
 68 welfare, or environmental agencies that also have an office open
 69 at least 20 hours per week employing full-time or part-time
 70 employees.
 71 3. Document direct services in the local service area in
 72 which the campaign takes place in order to participate in any
 73 local public employer campaign.
 74 4. Be governed by an active, voluntary board that
 75 exercises administrative control.
 76 (g) Any nonprofit charitable federation and member agency
 77 participating in the Florida Public Employees' Charitable
 78 Campaign must have its financial records audited annually by an
 79 independent public accountant whose examination conforms to
 80 generally accepted accounting principles.
 81 (h) Federations and member agencies ineligible to
 82 participate in the Florida Public Employees' Charitable Campaign
 83 include, but are not limited to, the following:

84 1. Federations and member agencies whose fundraising and
85 administrative expenses exceed 25 percent, unless extraordinary
86 circumstances can be demonstrated.

87 2. Federations and member agencies whose activities
88 contain an element that is more than incidentally political in
89 nature or whose activities are primarily political, religious,
90 professional, or fraternal in nature.

91 3. Federations and member agencies that discriminate
92 against any individual or group on account of race, color,
93 religion, sex, national origin, age, handicap, or political
94 affiliation.

95 4. Federations and member agencies not properly registered
96 as charitable organizations as required by the Solicitation of
97 Contributions Act, ss. 496.401-496.424.

98 5. Federations and member agencies that have not received
99 tax-exempt status under s. 501(c)(3), Internal Revenue Code.

100 (2) SELECTION OF FISCAL AGENTS; COST.--

101 (a) The state or any of its departments, bureaus,
102 commissions, and officers are not required to select a fiscal
103 agent to act on their behalf for campaign fund distribution but
104 may select through the competitive procurement process a fiscal
105 agent or agents to receive, account for, and distribute
106 charitable contributions among participating charitable
107 organizations.

108 (b) The fiscal agent shall withhold the reasonable costs
109 for conducting the campaign and for accounting and distribution
110 to the participating federations and member agencies not to

111 exceed 12 percent of gross campaign receipts for all
 112 participating charitable federations and member agencies.

113 (c) The fiscal agent shall furnish the department and
 114 participating charitable federations and member agencies a
 115 report of the accounting and distribution activities. Records
 116 relating to these activities shall be open for inspection upon
 117 reasonable notice and request.

118 (d) A local committee shall be established by each public
 119 employer to assist in conducting the campaign.

120 (e) Participating charitable federations and member
 121 agencies shall receive the same percentage of undesignated funds
 122 raised in any public employee campaign as the percentage of
 123 designated funds they receive.

124 (3) DEFINITIONS.--As used in this section the term:

125 (a) "Federation" means a federation of not-for-profit
 126 charitable organizations which have voluntarily joined together
 127 for purposes of raising and distributing contributions for and
 128 among themselves.

129 (b) "Member agency" means a not-for-profit charitable
 130 organization belonging to a federation.

131 Section 2. This act shall take effect July 1, 2007.