

1                                   A bill to be entitled  
 2           An act relating to the Council on the Social Status of  
 3           Black Men and Boys; amending s. 16.615, F.S.; removing  
 4           outdated provisions; providing additional duties and  
 5           powers of the council; removing certain duties of the  
 6           Attorney General; removing a provision that discontinues  
 7           the council under certain conditions; creating s. 16.616,  
 8           F.S.; creating a direct-support organization; specifying  
 9           duties and requiring a contract; providing contract  
 10          requirements; providing for appointment of members of the  
 11          board of directors; requiring the direct-support  
 12          organization to form strategic partnerships for specified  
 13          purposes, including in specified counties; requiring  
 14          certain reports; providing additional duties and powers of  
 15          the direct-support organization; requiring the direct-  
 16          support organization to consider the participation of  
 17          certain other counties; providing an appropriation;  
 18          providing an effective date.

19  
 20 Be It Enacted by the Legislature of the State of Florida:

21  
 22           Section 1.   Section 16.615, Florida Statutes, is amended to  
 23           read:

24           16.615   Council on the Social Status of Black Men and  
 25           Boys.--

26           (1)   The Council on the Social Status of Black Men and Boys  
 27           is established within the Department of Legal Affairs and shall  
 28           consist of 19 members appointed as follows:

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29 (a) Two members of the Senate who are not members of the  
30 same political party, appointed by the President of the Senate  
31 with the advice of the Minority Leader of the Senate.

32 (b) Two members of the House of Representatives who are  
33 not members of the same political party, appointed by the  
34 Speaker of the House of Representatives with the advice of the  
35 Minority Leader of the House of Representatives.

36 (c) The Secretary of Children and Family Services or his  
37 or her designee.

38 (d) The director of the Mental Health Program Office  
39 within the Department of Children and Family Services or his or  
40 her designee.

41 (e) The State Surgeon General or his or her designee.

42 (f) The Commissioner of Education or his or her designee.

43 (g) The Secretary of Corrections or his or her designee.

44 (h) The Attorney General or his or her designee.

45 (i) The Secretary of Management Services or his or her  
46 designee.

47 (j) The director of the Agency for Workforce Innovation or  
48 his or her designee.

49 (k) A businessperson who is an African American, as  
50 defined in s. 760.80(2)(a), ~~of black origin~~ appointed by the  
51 Governor.

52 (l) Two persons appointed by the President of the Senate  
53 who are not members of the Legislature or employed by state  
54 government. One of the appointees must be a clinical  
55 psychologist.

56 (m) Two persons appointed by the Speaker of the House of  
57 Representatives who are not members of the Legislature or  
58 employed by state government. One of the appointees must be an  
59 Africana studies professional.

60 (n) The deputy secretary for Medicaid in the Agency for  
61 Health Care Administration or his or her designee.

62 (o) The Secretary of Juvenile Justice or his or her  
63 designee.

64 (2) Each member of the council shall be appointed to a 4-  
65 year term; however, for the purpose of providing staggered  
66 terms, of the initial appointments, 9 members shall be appointed  
67 to 2-year terms and 10 members shall be appointed to 4-year  
68 terms. A member of the council may be removed at any time by the  
69 member's appointing authority who shall fill the vacancy on the  
70 council.

71 (3) (a) At the first meeting of the council each year, the  
72 members shall elect a chair and a vice chair.

73 (b) A vacancy in the office of chair or vice chair shall  
74 be filled by vote of the remaining members.

75 (4) (a) The council shall make a systematic study of the  
76 conditions affecting black men and boys, including, but not  
77 limited to, homicide rates, arrest and incarceration rates,  
78 poverty, violence, drug abuse, death rates, disparate annual  
79 income levels, school performance in all grade levels including  
80 postsecondary levels, and health issues.

81 (b) The council shall propose measures to alleviate and  
82 correct the underlying causes of the conditions described in  
83 paragraph (a). These measures may consist of changes to the law

84 or systematic changes that can be implemented without  
 85 legislative action.

86 (c) The council may study other topics suggested by the  
 87 Legislature or as directed by the chair of the council.

88 (d) The council shall receive suggestions or comments  
 89 pertinent to the applicable issues from members of the  
 90 Legislature, governmental agencies, public and private  
 91 organizations, and private citizens.

92 (e) The council shall monitor outcomes of the direct-  
 93 support organization created pursuant to s. 16.616.

94 (f) The council shall develop a strategic program and  
 95 funding initiative to establish local Councils on the Social  
 96 Status of Black Men and Boys.

97 (5) The council may:

98 (a) Access data held by any state departments or agencies,  
 99 which data is otherwise a public record.

100 (b) Make requests directly to the Joint Legislative  
 101 Auditing Committee for assistance with research and monitoring  
 102 of outcomes by the Office of Program Policy Analysis and  
 103 Government Accountability.

104 (c) Request, through council members who are also  
 105 legislators, research assistance from the Office of Economic and  
 106 Demographic Research within the Florida Legislature.

107 (d) Request information and assistance from the state or  
 108 any political subdivision, municipal corporation, public  
 109 officer, or governmental department thereof.

110 (e) Apply for and accept funds, grants, gifts, and  
 111 services from the state, the Federal Government or any of its

112 agencies, or any other public or private source for the purpose  
113 of defraying clerical and administrative costs as may be  
114 necessary for carrying out its duties under this section.

115 (6)~~(5)~~ The Office of the Attorney General shall provide  
116 staff and administrative support to the council.

117 (7)~~(6)~~ The council shall meet quarterly and at other times  
118 at the call of the chair or as determined by a majority of  
119 council members and approved by the Attorney General.

120 (8)~~(7)~~ Eleven of the members of the council ~~shall~~  
121 constitute a quorum, and an affirmative vote of a majority of  
122 the members present is required for final action.

123 (9)~~(8)~~(a) The council shall issue its first annual report  
124 by December 15, 2007, and by December 15 each following year,  
125 stating the findings, conclusions, and recommendations of the  
126 council. The council shall submit the report to the Governor,  
127 the President of the Senate, the Speaker of the House of  
128 Representatives, and the chairpersons of the standing committees  
129 of jurisdiction in each chamber.

130 (b) The initial report must include the findings of an  
131 investigation into factors causing black-on-black crime from the  
132 perspective of public health related to mental health, other  
133 health issues, cultural disconnection, and cultural identity  
134 trauma.

135 (10)~~(9)~~ Members of the council shall serve without  
136 compensation. Members are entitled to reimbursement for per diem  
137 and travel expenses as provided in s. 112.061. State officers  
138 and employees shall be reimbursed from the budget of the agency

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139 through which they serve. Other members may be reimbursed by the  
 140 Department of Legal Affairs.

141 (11)~~(10)~~ The council and any subcommittees it forms are  
 142 ~~shall be~~ subject to the provisions of chapter 119, related to  
 143 public records, and the provisions of chapter 286, related to  
 144 public meetings.

145 (12)~~(11)~~ Each member of the council who is not otherwise  
 146 required to file a financial disclosure statement pursuant to s.  
 147 8, Art. II of the State Constitution or s. 112.3144, must file a  
 148 disclosure of financial interests pursuant to s. 112.3145.

149 ~~(12) Notwithstanding subsection (6), the Attorney General~~  
 150 ~~shall:~~

151 ~~(a) Within 60 days after the effective date of this act,~~  
 152 ~~fix a date for the initial meeting of the council.~~

153 ~~(b) Notify each member of the council of the time, date,~~  
 154 ~~and place where the initial meeting will be held.~~

155 ~~(c) Make any other arrangements concerning the initial~~  
 156 ~~meeting of the council.~~

157 ~~(d) Serve as the presiding officer at the initial meeting~~  
 158 ~~of the council until a chair is elected.~~

159 ~~(13) This section expires July 1, 2012, unless reenacted~~  
 160 ~~by the Legislature.~~

161 Section 2. Section 16.616, Florida Statutes, is created to  
 162 read:

163 16.616 Direct-support organization.--

164 (1) The Department of Legal Affairs shall establish a  
 165 direct-support organization that is:

166        (a) A Florida corporation, not for profit, incorporated  
 167 under the provisions of chapter 617 and approved by the  
 168 Secretary of State.

169        (b) Organized and operated exclusively to solicit funds;  
 170 request and receive grants, gifts, and bequests of money;  
 171 acquire, receive, hold, invest, and administer, in its own name,  
 172 property and funds; and make expenditures for the benefit of the  
 173 purposes as specified by this section.

174        (c) Certified by the department, after review, to be  
 175 operating in a manner consistent with the statutory goals of the  
 176 organization and in the best interests of the state.

177        (2) The direct-support organization shall operate under  
 178 written contract with the Department of Legal Affairs. The  
 179 contract must provide for:

180        (a) Approval of the articles of incorporation and bylaws  
 181 of the direct-support organization by the department.

182        (b) Submission of an annual budget for the approval by the  
 183 department.

184        (c) Certification by the department that the direct-  
 185 support organization is complying with the terms of the contract  
 186 and in a manner consistent with the statutory goals and purposes  
 187 and in the best interests of the state. Such certification must  
 188 be made annually.

189        (d) The reversion to the department of moneys and property  
 190 held in trust by the direct-support organization if the direct-  
 191 support organization is no longer approved to operate or ceases  
 192 to exist.

193       (e) The disclosure of material provisions of the contract  
194 and the distinction between the board of directors and the  
195 direct-support organization to donors of gifts, contributions,  
196 or bequests, as well as on all promotional and fundraising  
197 publications.

198       (f) An annual financial audit in accordance with s.  
199 215.981.

200       (g) The fiscal year of the direct-support organization, to  
201 begin July 1 of each year and end June 30 of the following year.

202       (h) Appointment of the board of directors to be made  
203 pursuant to this section.

204       (i) Authority of the board of directors of the direct-  
205 support organization to hire an executive director.

206       (3) The board of directors of the direct-support  
207 organization shall consist of 13 members. Each member of the  
208 board of directors shall be appointed to a 4-year term; however,  
209 for the purpose of providing staggered terms, the Speaker of the  
210 House of Representatives and the President of the Senate shall  
211 each initially appoint two members to serve a 2-year term, and  
212 the Attorney General and the chair of the Council on the Social  
213 Status of Black Men and Boys shall each initially appoint one  
214 member to serve a 2-year term. All subsequent appointments shall  
215 be for 4-year terms. Any vacancy that occurs shall be filled in  
216 the same manner as the original appointment and shall be for the  
217 unexpired term of that seat. The board of directors shall be  
218 appointed as follows:

219       (a) Two members of the Council on the Social Status of  
220 Black Men and Boys, appointed by the council chair.



221        (b) Three members appointed by the Attorney General.

222        (c) Four members appointed by the Speaker of the House of  
 223 Representatives.

224        (d) Four members appointed by the President of the Senate.

225        (4) In conjunction with the Council on the Social Status  
 226 of Black Men and Boys, and funded exclusively by the direct-  
 227 support organization, the direct-support organization shall form  
 228 strategic partnerships to foster the development of community  
 229 and private sector resources and shall act as a liaison with  
 230 state agencies, other state governments, and the public and  
 231 private sectors on matters that relate to underlying conditions  
 232 that affect black men and boys to bring about an environment  
 233 that promotes the values of learning, family, prosperity, unity,  
 234 and self-worth. To that end, the direct-support organization is  
 235 charged with the following duties:

236        (a) Develop a strategic program and funding initiative to  
 237 implement the 5000 Role Models of Excellence in Broward, Palm  
 238 Beach, Duval, Orange, and Hillsborough Counties. The strategic  
 239 program and funding initiative shall be reported to the  
 240 Legislature by February 15, 2009.

241        (b) Develop a strategic program and funding initiative to  
 242 implement the Reading 4 Success Program by the 100 Black Men of  
 243 Florida in Broward, Miami-Dade, Palm Beach, Duval, Orange,  
 244 Pinellas, and Hillsborough Counties. The strategic program and  
 245 funding initiative shall be reported to the Legislature by  
 246 February 15, 2009.

247        (c) Develop a strategic program and funding initiative to  
 248 implement the One Church, One Child program statewide. The

249 strategic program and funding initiative shall be reported to  
250 the Legislature by February 15, 2009.

251 (d) Develop a strategic program and funding initiative to  
252 implement the Mapping the Future for Black Males Program within  
253 community colleges identified by the Council on the Social  
254 Status of Black Men and Boys. The strategic program and funding  
255 initiative shall be reported to the Legislature by February 15,  
256 2009.

257 (e) Develop a public awareness and marketing campaign  
258 showcasing programs funded by the direct-support organization,  
259 as well as other opportunities to implement the statutory duties  
260 of the direct-support organization and the Council on the Social  
261 Status of Black Men and Boys, pursuant to s. 16.615(4). The  
262 campaign should also encourage the idea that each one of us has  
263 a responsibility to make a difference in the community.

264 (f) Fund the clerical and administrative costs of the  
265 Council on the Social Status of Black Men and Boys, as may be  
266 necessary for carrying out the council's duties under s. 16.615.

267 (5) The direct-support organization may:

268 (a) Develop a strategic program and funding initiative to  
269 implement a health-screening program using mobile screening  
270 services.

271 (b) Hold a statewide Black Policy Summit in conjunction  
272 with a university in this state.

273 (c) Create a compendium of intervention programs in each  
274 county, which can be used to determine how to maximize existing  
275 resources and address under-served populations or unmet needs.

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276       (6) The direct-support organization shall consider the  
277 participation of counties, in addition to those specified in  
278 subsection (4), that demonstrate a willingness to participate  
279 and an ability to be successful in any programs funded by the  
280 direct-support organization.

281       Section 3. For fiscal year 2008-2009, the sum of \$50,000  
282 in nonrecurring funds is appropriated from the General Revenue  
283 Fund to the Department of Legal Affairs for the purpose of  
284 implementing the provisions of this act.

285       Section 4. This act shall take effect July 1, 2008.