

By the Committees on Criminal and Civil Justice Appropriations;  
Governmental Operations; and Senator Wilson

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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4 outdated provisions; providing additional duties and  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 expansion of  
17 participation in certain counties and initiation of  
18 participation of certain other counties; providing an  
19 effective date.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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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 terms,  
66 | of the initial appointments, 9 members shall be appointed to 2-  
67 | year terms and 10 members shall be appointed to 4-year terms. A  
68 | member of the council may be removed at any time by the member's  
69 | appointing authority who shall fill the vacancy on the council.

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

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

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

80 |       (b) The council shall propose measures to alleviate and  
81 | correct the underlying causes of the conditions described in  
82 | paragraph (a). These measures may consist of changes to the law  
83 | or systematic changes that can be implemented without legislative  
84 | action.

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

87 |       (d) The council shall receive suggestions or comments

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88 | pertinent to the applicable issues from members of the  
89 | Legislature, governmental agencies, public and private  
90 | organizations, and private citizens.

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

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

96 | (5) The council may:

97 | (a) Access data held by any state department or agency  
98 | which is otherwise a public record.

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

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

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

109 | (e) Apply for and accept funds, grants, gifts, and services  
110 | from the state, the Federal Government or any of its agencies, or  
111 | any other public or private source for the purpose of defraying  
112 | clerical and administrative costs as may be necessary for  
113 | carrying out its duties under this section.

114 | (f) Work directly with, or request information and  
115 | assistance on issues pertaining to education from, the  
116 | historically black colleges and universities of this state.

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117        (6)~~(5)~~ The Office of the Attorney General shall provide  
118 staff and administrative support to the council.

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

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

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

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

137        (10)~~(9)~~ Members of the council shall serve without  
138 compensation. Members are entitled to reimbursement for per diem  
139 and travel expenses as provided in s. 112.061. State officers and  
140 employees shall be reimbursed from the budget of the agency  
141 through which they serve. Other members may be reimbursed by the  
142 Department of Legal Affairs.

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

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146 public meetings.

147 ~~(12)~~~~(11)~~ Each member of the council who is not otherwise  
148 required to file a financial disclosure statement pursuant to s.  
149 8, Art. II of the State Constitution or s. 112.3144, must file a  
150 disclosure of financial interests pursuant to s. 112.3145.

151 ~~(12) Notwithstanding subsection (6), the Attorney General~~  
152 ~~shall:~~

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

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

157 ~~(c) Make any other arrangements concerning the initial~~  
158 ~~meeting of the council.~~

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

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

163 Section 2. Section 16.616, Florida Statutes, is created to  
164 read:

165 16.616 Direct-support organization.--

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

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

171 (b) Organized and operated exclusively to solicit funds;  
172 request and receive grants, gifts, and bequests of money;  
173 acquire, receive, hold, invest, and administer, in its own name,  
174 property and funds; and make expenditures for the benefit of the

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175 purposes as specified by this section.

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

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

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

184 (b) Submission of an annual budget for the approval by the  
185 department.

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

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

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

200 (f) An annual financial audit in accordance with s.  
201 215.981.

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

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204       (h) Appointment of the board of directors to be made  
205 pursuant to this section.

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

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

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

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

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

225       (d) Four members appointed by the Speaker of the House of  
226 Representatives.

227       (4) In conjunction with the Council on the Social Status of  
228 Black Men and Boys, and funded exclusively by the direct-support  
229 organization, the direct-support organization shall form  
230 strategic partnerships to foster the development of community and  
231 private-sector resources and shall act as a liaison with state  
232 agencies, other state governments, and the public and private



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233 sectors on matters that relate to underlying conditions that  
234 affect black men and boys to bring about an environment that  
235 promotes the values of learning, family, prosperity, unity, and  
236 self-worth. To that end, the direct-support organization is  
237 charged with the following duties:

238 (a) Develop a strategic program and funding initiative to  
239 expand the 5000 Role Models of Excellence in Miami-Dade and  
240 Pinellas Counties and implement the 5000 Role Models of  
241 Excellence in Broward, Palm Beach, Duval, Orange, and  
242 Hillsborough Counties. The strategic program and funding  
243 initiative shall be reported to the Legislature by February 15,  
244 2009.

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

251 (c) Develop a strategic program and funding initiative to  
252 implement the One Church, One Child program statewide. The  
253 strategic program and funding initiative shall be reported to the  
254 Legislature by February 15, 2009.

255 (d) Develop a strategic program and funding initiative to  
256 implement the Mapping the Future for Black Males Program within  
257 community colleges identified by the Council on the Social Status  
258 of Black Men and Boys. The strategic program and funding  
259 initiative shall be reported to the Legislature by February 15,  
260 2009.

261 (e) Develop a public awareness and marketing campaign

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262 showcasing programs funded by the direct-support organization, as  
263 well as other opportunities to implement the statutory duties of  
264 the direct-support organization and the Council on the Social  
265 Status of Black Men and Boys, pursuant to s. 16.615(4). The  
266 campaign should also encourage the idea that each person has a  
267 responsibility to make a difference in the community.

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

271 (5) The direct-support organization may:

272 (a) Develop a strategic program and funding initiative to  
273 implement a health-screening program using mobile screening  
274 services.

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

277 (c) Create a compendium of intervention programs in each  
278 county, which can be used to determine how to maximize existing  
279 resources and address underserved populations or unmet needs.

280 (6) The direct-support organization shall consider the  
281 participation of counties, in addition to those specified in  
282 subsection (4), which demonstrate a willingness to participate  
283 and an ability to be successful in any programs funded by the  
284 direct-support organization.

285 Section 3. This act shall take effect July 1, 2008.