

By Senator Justice

16-00395A-10

2010644

1 A bill to be entitled
2 An act relating to the direct-support organization for
3 the Department of Military Affairs; amending s.
4 250.115, F.S.; authorizing the direct-support
5 organization to administer the Soldiers and Airmen
6 Assistance Program or similar programs; authorizing
7 the president of the direct-support organization to
8 appoint all members of the board of directors;
9 requiring the direct-support organization to submit
10 its annual budget and financial reports to the
11 Department of Military Affairs; creating s. 250.116,
12 F.S.; creating the Soldiers and Airmen Assistance
13 Program; authorizing the program to provide specified
14 types of assistance to certain members of the Florida
15 National Guard and their families; providing for the
16 review of requests for assistance; requiring the
17 financial committee of the board of directors of the
18 direct-support organization for the Department of
19 Military Affairs to review the financial transactions
20 of the program quarterly; authorizing the financial
21 committee of the board of directors to request
22 additional reviews by the Office of Inspector General;
23 authorizing the Department of Military Affairs to
24 adopt rules to administer the Soldiers and Airmen
25 Assistance Program; providing an effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:

28
29 Section 1. Section 250.115, Florida Statutes, is amended to

16-00395A-10

2010644

30 read:

31 250.115 Department of Military Affairs direct-support
32 organization.—

33 (1) DEFINITIONS.—As used in this section, the term:

34 (a) "Direct-support organization" means an organization
35 that is:

36 1. A Florida corporation not for profit, incorporated under
37 chapter 617, and approved by the Department of State.

38 2. Organized and operated exclusively to raise funds;
39 request and receive grants, gifts, and bequests of moneys;
40 acquire, receive, hold, invest, and administer in its own name
41 securities, funds, or property; administer the Soldiers and
42 Airmen Assistance Program or similar programs as directed by the
43 Adjutant General; and make expenditures to or for the direct or
44 indirect benefit of the Department of Military Affairs or the
45 Florida National Guard.

46 3. Determined by the Department of Military Affairs to be
47 operating in a manner consistent with the goals of the
48 Department of Military Affairs and the Florida National Guard
49 and in the best interest of the state. Any organization that is
50 denied certification by the Adjutant General may not use the
51 name of the Florida National Guard or the Department of Military
52 Affairs in any part of its name or its publications.

53 (b) "Personal services" includes full-time or part-time
54 personnel as well as payroll processing.

55 (2) BOARD OF DIRECTORS.—The organization shall be governed
56 by a board of directors. The Adjutant General, or his or her
57 designee, shall appoint a president of the board. The board of
58 directors shall ~~consist of up to 15 members appointed by the~~

16-00395A-10

2010644

59 ~~president of the board. Up to 15 additional members may be~~
60 ~~appointed by the president of the board of directors. The terms~~
61 ~~of office of the members shall be 3 years. Members must be~~
62 ~~residents of the state and highly knowledgeable about the United~~
63 ~~States military, its service personnel, and its missions. In~~
64 ~~making appointments, the board must consider a potential~~
65 ~~member's background in community service. The board may remove~~
66 ~~any member for cause and shall fill vacancies that occur.~~

67 (3) USE OF PROPERTY.—

68 (a) The Department of Military Affairs may permit the use
69 of property, facilities, and personal services of the Department
70 of Military Affairs by the direct-support organization, subject
71 to the provisions of this section.

72 (b) The Department of Military Affairs may prescribe by
73 rule any condition with which a direct-support organization
74 organized under this section must comply in order to use
75 property, facilities, or personal services of the Department of
76 Military Affairs.

77 (c) The Department of Military Affairs may not permit the
78 use of its property, facilities, or personal services by any
79 direct-support organization organized under this section which
80 does not provide equal employment opportunities to all persons
81 regardless of race, color, national origin, gender, age, or
82 religion.

83 (4) ACTIVITIES; RESTRICTIONS.—Any transaction or agreement
84 between the direct-support organization organized pursuant to
85 this section and another direct-support organization or center
86 of technology innovation designated under s. 1004.77 must be
87 approved by the Department of Military Affairs.

16-00395A-10

2010644

88 (5) ANNUAL BUDGETS AND REPORTS.—The direct-support
89 organization shall submit to the Department of Military Affairs
90 its annual budget and financial reports, its federal Internal
91 Revenue Service Application for Recognition of Exemption form
92 (Form 1023), and its federal Internal Revenue Service Return of
93 Organization Exempt from Income Tax form (Form 990).

94 (6) ANNUAL AUDIT.—The direct-support organization shall
95 provide for an annual financial audit in accordance with s.
96 215.981.

97 Section 2. Section 250.116, Florida Statutes, is created to
98 read:

99 250.116 Soldiers and Airmen Assistance Program.—

100 (1) PROGRAM PURPOSE.—The purpose of the program is to
101 provide financial assistance and services to eligible
102 servicemembers of the Florida National Guard and eligible
103 members of their families. The program shall be headed by a
104 program director appointed by the direct-support organization
105 authorized under s. 250.115.

106 (2) FUNDING.—The program shall be implemented through
107 funding provided by the direct-support organization.

108 (3) AUTHORIZED ASSISTANCE.—The assistance available under
109 the program may include:

110 (a) Housing.—The program may provide housing assistance.
111 Housing assistance includes assistance with emergency repairs,
112 renovations, or replacements that are needed for a
113 servicemember's primary residential property in order to address
114 health or safety issues or meet disability needs. Housing
115 assistance also includes assistance with lease deposits,
116 mortgage payments, and rent payments.

16-00395A-10

2010644

117 (b) Living expenses.—The program may provide assistance for
118 living expenses that are reasonable and necessary to meet basic
119 needs for eligible members of the Florida National Guard and
120 eligible members of their families. Living expenses include
121 expenses for clothing, groceries, utility services, gasoline and
122 transportation, insurance, and child care that is necessary to
123 obtain or maintain employment.

124 (c) Vehicles.—The program may provide assistance for
125 repairs or short-term rentals required to maintain the primary
126 vehicle of a servicemember's family in a safe operating
127 condition. If a repair will not restore the primary vehicle to a
128 safe operating condition or if there is no vehicle, assistance
129 with the purchase of a vehicle may be provided if such a vehicle
130 is necessary.

131 (d) Health care.—The program may provide assistance for
132 services that are documented by a medical authority as necessary
133 for the health and welfare of the individual. Assistance is not
134 available for elective procedures or medical care that is
135 covered by insurance.

136 (e) Other services.—The program may provide assistance for
137 a service or expense that is not specifically enumerated in this
138 subsection if the service or expense is reasonable under the
139 circumstances.

140 (4) ELIGIBILITY.—Persons eligible for assistance from the
141 program include:

142 (a) Servicemembers who are members of the Florida National
143 Guard who are:

144 1. On active duty serving in the Global War on Terrorism or
145 Overseas Contingency Operation or request assistance within 120

16-00395A-10

2010644

146 days after the termination of orders for such service and return
147 to home of record.

148 2. Deployed by the Federal Government and participating in
149 state operations for homeland defense or request assistance
150 within 120 days after the termination of orders for such service
151 and return to home of record.

152 (b)1. Beneficiaries of an eligible servicemember designated
153 on the United States Department of Defense Form 93.

154 2. Individuals demonstrating a financial need for
155 authorized assistance who are dependents or family members of an
156 eligible servicemember.

157 (5) REQUESTS FOR ASSISTANCE; REVIEW; AWARDS.—

158 (a) A request for assistance shall be reviewed and
159 processed at the local level by an official designated by the
160 Adjutant General. A recommendation from the local level for
161 assistance shall be forwarded to the program director of the
162 direct-support organization for final review and approval.

163 (b) Requests for assistance shall be reviewed and evaluated
164 based on the following criteria:

165 1. The impact of a servicemember's absence and inability to
166 assist in home and vehicle repairs or meet other family needs;

167 2. The economic impact of deployment;

168 3. The overall financial situation of the applicant;

169 4. The assistance authorized under the program; and

170 5. Other relevant information.

171 (6) QUARTERLY FINANCIAL REVIEW.—The financial committee of
172 the board of directors of the direct-support organization shall
173 review financial transactions of the program each quarter. The
174 financial committee may request the Office of Inspector General

16-00395A-10

2010644__

175 to conduct additional reviews.

176 (7) RULES.—The Department of Military Affairs may adopt
177 rules to administer this section.

178 Section 3. This act shall take effect July 1, 2010.