

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Governmental Oversight and Accountability Committee

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BILL: SB 898

INTRODUCER: Senator Bennett

SUBJECT: Faith-based & Community-based Advisory Council

DATE: April 1, 2011

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Mason	Roberts	GO	<b>Favorable</b>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

The bill removes the expiration subsection of section 14.31, Florida Statutes, which abolishes the council on June 30, 2011, unless the council is reviewed and saved from repeal from the Legislature.

This bill repeals subsection (8) of section 14.31, Florida Statutes.

**II. Present Situation:**

The Florida Faith-based and Community-based Advisory Council was established on July 1, 2006 to provide advice on the development of broadly based secular and faith-based engagements in the delivery of important state services and to report to the Governor and the Legislature on these recommendations. It was the intent of the Legislature that “faith-based and community-based organizations work cooperatively with government entities in order to deliver services more effectively.”<sup>1</sup>

The Florida Faith-based and Community-based Advisory Council was established and assigned to the Executive Office of the Governor under s. 20.02, Florida Statutes. The council is a 25-member advisory council which may include representatives from various faiths, faith-based organizations, community-based organizations, foundations, corporations, and municipalities.<sup>2</sup> The Governor appoints 17 members, the President of the Senate appoints 4 members, and the

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<sup>1</sup> 14.31(2), F.S.

<sup>2</sup> 14.31(3)(b), F.S.

Speaker of the House of Representatives appoints 4 members.<sup>3</sup> The council must meet at least once per quarter and may notice and hold its meetings electronically and through teleconferencing.<sup>4</sup>

The duties of the council are to review and recommend in a report to the Governor and the Legislature.<sup>5</sup>

- How faith-based and community-based organizations can best compete with other organizations for the delivery of state services, regardless of an organization's orientation, whether faith-based or secular;
- How best to develop and coordinate activities of faith-based and other community programs and initiatives, enhance such efforts in communities, and seek such resources, legislation, and regulatory relief as may be necessary to accomplish these objectives;
- How best to ensure that state policy decisions take into account the capacity of faith-based and other community initiatives to assist in the achievement of state priorities;
- How best to identify and promote best practices across state government relating to the delivery of services by faith-based and other community organizations;
- How best to coordinate public awareness of faith-based and other community organizations, such as demonstration pilot programs or projects, public-private partnerships, volunteerism, and special projects;
- How best to encourage private charitable giving to support faith-based and community initiatives;
- How best to bring concerns, ideas, and policy options to the Governor and Legislature for assisting, strengthening, and replicating successful faith-based and other community programs;
- How best to develop and implement strategic initiatives to strengthen the institutions of families and communities in this state;
- How best to showcase and herald innovative grassroots nonprofit organizations and civic initiatives;
- How best to eliminate unnecessary legislative, regulatory, and other bureaucratic barriers that impede effective faith-based and other community efforts to address social problems;
- How best to monitor implementation of state policy affecting faith-based and other community organizations; and
- How best to ensure that the efforts of faith-based and other community organizations meet objective criteria for performance and accountability.

In providing the recommendations noted above, the council is expressly prohibited from making any recommendation that is in conflict with the Establishment Clause of the First Amendment of the United States Constitution or the public funding provision of s. 3, Art. I of the State Constitution.<sup>6</sup>

In the 2010 Report to the Governor and the Legislature, the council established the following subcommittees: Recognition and Best Practices, Education and Evaluation, and Disaster

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<sup>3</sup> 14.31(3)(c), F.S.

<sup>4</sup> 14.31(4), F.S.

<sup>5</sup> 14.31(5), F.S.

<sup>6</sup> 14.31(6), F.S.

Recovery. The Recognition and Best Practices subcommittee will identify and recognize those faith-based and community-based organizations presently engaged in effective practices in cooperation with government entities and look at models to replicate their efforts of success. The Education and Evaluation subcommittee will support the final year of the Compassion Florida initiative to train and give technical assistance to faith-based and community-based groups with the continued funding of a major federal grant to Volunteer Florida Foundation to perform this service. The Disaster Recovery subcommittee will assist as needed with communication, planning, and support of the state's disaster response.<sup>7</sup>

In its report, the council recommended the following: The Recognition and Best Practices subcommittee should study public-private partnerships and their effective operation, providing statewide recognition and potential replication; the Education and Evaluation subcommittee should study public-private partnerships and their effective operation, offering technical assistance; and the Disaster Recovery subcommittee should activate as needed in the event of a disaster and participate as requested in disaster planning events.<sup>8</sup>

Over the years, the council has also improved the system for contract opportunities for Florida non-profits; held face-to-face meetings with key mayoral leaders to learn about effective partnerships; developed a toolkit for community leaders to establish more effective partnerships; built a strong network of faith-based organizations, community groups, foundations, civic, grassroots and state leaders; conducted regional training for state agencies to encourage their participation; established Neighbors to the Rescue; created and maintained over 40 long-term recovery organizations; launched the Compassion Florida program; and collaborated with the Governor's Office of Adoption and Child Protection through the Child Abuse Prevention and Permanency Council.<sup>9</sup>

### **III. Effect of Proposed Changes:**

The bill removes the expiration subsection of section 14.31, Florida Statutes, which abolishes the council on June 30, 2011, unless the council is reviewed and saved from repeal from the Legislature. Therefore, the council will not expire and will have perpetual existence.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

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<sup>7</sup> 2010 Annual Report & Recommendations by the Florida Faith-Based and Community-Based Advisory Council (Feb. 1, 2010), available at <http://www.floridasfoundation.org/pdfs/recommendations.pdf> (last visited Apr. 1, 2011).

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.