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LEGISLATIVE ACTION

Senate

House

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04/25/2013 04:56 PM

Senator Thompson moved the following:

Senate Amendment (with title amendment)

Delete lines 79 - 82

and insert:

(5) As used in this section, the term "direct-support organization" means a Florida not-for-profit corporation incorporated under chapter 617, Florida Statutes, and organized and operated to conduct programs and activities; initiate developmental projects; raise funds; request and receive grants, gifts, and bequests of moneys; acquire, receive, hold, invest, and administer, in its own name, securities, funds, objects of value, or other property, real or personal; and make expenditures to or for the direct or indirect benefit of black



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14 tourism in this state, to support the state's black cultural
15 sites, and to support the functions of the commission.

16 (6) (a) The commission is authorized to organize and
17 incorporate a direct-support organization pursuant to the
18 requirements of this section and chapter 617, Florida Statutes,
19 to accomplish the purposes and objectives set forth in this
20 section.

21 (b) The board of the direct-support organization shall
22 consist of seven members. The Secretary of State shall appoint
23 three members to serve 3-year terms. The commission shall
24 appoint two members to serve 2-year terms and two members to
25 serve 4-year terms. Thereafter, the board shall be self-
26 appointed according to the established bylaws.

27 (c) The direct-support organization is subject to the
28 provisions of ss. 119.07 and 286.011, Florida Statutes, and
29 s.24, Article I of the State Constitution.

30 (d) The direct-support organization shall maintain
31 donations and direct service expenditures in a bank account
32 outside the State Treasury.

33 (e) Any administrative costs of running and promoting the
34 purposes of the corporation must be paid by private funds.

35 (7) The direct-support organization shall operate under
36 written contract with the commission. The contract must provide
37 for:

38 (a) Approval by the commission of the articles of
39 incorporation and bylaws of the direct-support organization.

40 (b) Submission of an annual budget for the approval of the
41 commission. The budget must comply with rules adopted by the
42 commission.



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43 (c) Certification by the commission that the direct-support
44 organization is complying with the terms of the contract and in
45 a manner consistent with the goals and purposes of the
46 commission and in the best interest of the state. Such
47 certification must be made annually and reported in the official
48 minutes of a meeting of the commission.

49 (d) Reversion to the commission, or to the department if
50 the commission ceases to exist, of moneys and property held in
51 trust by the direct-support organization if the direct-support
52 organization is no longer approved to operate for the commission
53 or the commission ceases to exist.

54 (e) A fiscal year for the direct-support organization
55 beginning on July 1 of each year and ending on June 30 of the
56 following year.

57 (f) The disclosure of material provisions of the contract
58 and the distinction between the board of directors and the
59 direct-support organization to donors of gifts, contributions,
60 or bequests, as well as on all promotional and fundraising
61 publications.

62 (8) The purposes and goals of the direct-support
63 organization must be consistent with priority issues and
64 objectives of the commission and must be in the best interests
65 of the state.

66 (9) Funds designated for the direct-support organization
67 must be used for the enhancement of programs and projects of the
68 commission. All moneys received by the organization must be
69 deposited into an account of the organization and must be used
70 by the organization in a manner consistent with the purposes and
71 goals of the organization.



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72 (10) The direct-support organization shall comply with the
73 audit requirements of s. 215.981, Florida Statutes.

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75 ===== T I T L E A M E N D M E N T =====

76 And the title is amended as follows:

77 Delete lines 11 - 13

78 and insert:

79 expenses for commission members; defining the term
80 "direct-support organization"; authorizing the
81 commission to create a direct-support organization;
82 providing purposes and objectives; providing for
83 members of the board of the direct-support
84 organization; providing that the direct-support
85 organization is subject to public records and meetings
86 requirements; requiring expenses of the direct-support
87 organization to be paid by private funds; requiring
88 the direct-support organization to operate under a
89 written contract with the commission; specifying
90 contract requirements; providing guidelines for the
91 use of the funds; requiring the direct-support
92 organization to comply with audit requirements;
93 providing an