

1 A bill to be entitled

2 An act relating to citizen support and direct-support  
3 organizations; amending s. 14.29, F.S.; providing for  
4 future review and repeal of provisions authorizing the  
5 Florida Commission on Community Service to establish  
6 and operate a direct-support organization; amending s.  
7 16.616, F.S.; providing for future review and repeal  
8 of the direct-support organization established within  
9 the Department of Legal Affairs; creating s. 20.058,  
10 F.S.; requiring citizen support and direct-support  
11 organizations to annually submit certain information  
12 to the appropriate agency; requiring each agency  
13 receiving such information to post submissions on the  
14 agency's website; requiring each agency receiving such  
15 information to annually submit a report to the  
16 Governor, the Legislature, and the Office of Program  
17 Policy Analysis and Government Accountability;  
18 providing report requirements; requiring that a  
19 contract between an agency and a citizen support  
20 organization or direct-support organization be  
21 contingent on disclosure requirements; requiring an  
22 agency head to terminate a contract if an organization  
23 fails to meet disclosure requirements; requiring that  
24 each citizen support organization or direct-support  
25 organization created or authorized by law be subject  
26 to legislative review and repeal; requiring that

27 citizen support organizations or direct-support  
28 organizations in existence as of a certain date be  
29 subject to future legislative review; amending s.  
30 20.2551, F.S.; providing for future review and repeal  
31 of the citizen support organization established within  
32 the Department of Environmental Protection; amending  
33 s. 39.0011, F.S.; providing for future review and  
34 repeal of the direct-support organization of the  
35 Office of Adoption and Child Protection; amending s.  
36 39.8298, F.S.; providing for future review and repeal  
37 of the Statewide Guardian Ad Litem Office's  
38 authorization to create a direct-support organization;  
39 amending s. 250.115, F.S.; providing for future review  
40 and repeal of the direct-support organization of the  
41 Department of Military Affairs; amending s. 257.43,  
42 F.S.; providing for future review and repeal of the  
43 citizen support organization of the Division of  
44 Library and Information Services of the Department of  
45 State; amending s. 258.015, F.S.; providing for future  
46 review and repeal of provisions relating to citizen  
47 support organizations under the Division of Recreation  
48 and Parks of the Department of Environmental  
49 Protection; amending s. 259.10521, F.S.; providing for  
50 future review and repeal of the citizen support  
51 organization benefitting the Babcock Ranch Preserve;  
52 amending s. 265.703, F.S.; providing for future review

53 and repeal of the citizen support organization of the  
54 Division of Cultural Affairs of the Department of  
55 State; amending s. 267.17, F.S.; providing for future  
56 review and repeal of the citizen support organization  
57 of the Division of Historical Resources of the  
58 Department of State; amending s. 288.1226, F.S.;  
59 providing for future review and repeal of the Florida  
60 Tourism Industry Marketing Corporation; amending s.  
61 288.809, F.S.; providing for future review and repeal  
62 of the Florida Intergovernmental Relations Foundation;  
63 amending s. 288.923, F.S.; providing for future review  
64 and repeal of the Division of Tourism Marketing of  
65 Enterprise Florida, Inc.; amending s. 292.055, F.S.;  
66 providing for future review and repeal of the direct-  
67 support organization of the Department of Veterans'  
68 Affairs; amending s. 379.223, F.S.; providing for  
69 future review and repeal of the Fish and Wildlife  
70 Conservation Commission's authorization to establish  
71 citizen support organizations; amending s. 413.0111,  
72 F.S.; providing for future review and repeal of the  
73 direct-support organization of the Division of Blind  
74 Services of the Department of Education; amending s.  
75 413.615, F.S.; providing for future review and repeal  
76 of the Florida Endowment Foundation for Vocational  
77 Rehabilitation; amending s. 430.82, F.S.; providing  
78 for future review and repeal of the Department of

79 Elderly Affairs' authority to establish a direct-  
80 support organization; amending s. 570.903, F.S.;  
81 providing for future review and repeal of the  
82 Department of Agriculture and Consumer Services'  
83 authority to establish a direct-support organization;  
84 amending s. 570.9135, F.S.; providing for future  
85 review and repeal of Florida Beef Council, Inc.;  
86 amending s. 626.9895, F.S.; providing for future  
87 review and repeal of the Division of Insurance Fraud  
88 of the Department of Financial Services' authority to  
89 establish a direct-support organization; amending s.  
90 683.231, F.S.; providing for future review and repeal  
91 of the Department of Law Enforcement's authority to  
92 establish a citizen support organization for Florida  
93 Missing Children's Day; amending s. 744.7082, F.S.;  
94 providing for future review and repeal of the direct-  
95 support organization supporting the Statewide Public  
96 Guardianship Office; amending s. 893.055, F.S.;  
97 providing for future review and repeal of the  
98 Department of Health's authority to establish a  
99 direct-support organization supporting the  
100 prescription drug monitoring program; amending s.  
101 944.802, F.S.; providing for future review and repeal  
102 of the Department of Corrections' authority to  
103 establish a direct-support organization; amending s.  
104 960.002, F.S.; providing for future review and repeal

105 of the Governor's authority to authorize a direct-  
 106 support organization to assist victims of adult and  
 107 juvenile crime; amending s. 985.672, F.S.; providing  
 108 for future review and repeal of the Department of  
 109 Juvenile Justice's direct-support organization;  
 110 amending s. 1009.983, F.S.; providing for future  
 111 review and repeal of the Florida Prepaid College  
 112 Board's authority to establish a direct-support  
 113 organization; providing an effective date.

114

115 Be It Enacted by the Legislature of the State of Florida:

116

117 Section 1. Subsections (9), (10), (11), (12), (13), (14),  
 118 and (15) of section 14.29, Florida Statutes, are amended to  
 119 read:

120 14.29 Florida Commission on Community Service.—

121 (9) (a) The commission may establish a direct-support  
 122 organization which is:

123 1.(a) A Florida corporation, not for profit, incorporated  
 124 under the provisions of chapter 617 and approved by the  
 125 Secretary of State.

126 2.(b) Organized and operated exclusively to receive, hold,  
 127 invest, and administer property and funds and to make  
 128 expenditures to or for the benefit of the program.

129 3.(e) An organization which the commission, after review,  
 130 has certified to be operating in a manner consistent with the

131 goals of the program and in the best interests of the state.

132       (b)~~(10)~~ The direct-support organization shall operate  
133 under written contract with the commission. The contract must  
134 provide for:

135       1.~~(a)~~ Approval of the articles of incorporation and bylaws  
136 of the direct-support organization by the commission.

137       2.~~(b)~~ Submission of an annual budget for the approval of  
138 the commission. The budget must comply with rules adopted by the  
139 commission.

140       3.~~(e)~~ Certification by the commission that the direct-  
141 support organization is complying with the terms of the contract  
142 and in a manner consistent with the goals and purposes of the  
143 commission and in the best interest of the state. Such  
144 certification must be made annually and reported in the official  
145 minutes of a meeting of the commission.

146       4.~~(d)~~ The reversion to the commission, or the state if the  
147 commission ceases to exist, of moneys and property held in trust  
148 by the direct-support organization if the direct-support  
149 organization is no longer approved to operate for the commission  
150 or the commission ceases to exist.

151       5.~~(e)~~ The fiscal year of the direct-support organization,  
152 to begin July 1 of each year and end June 30 of the following  
153 year.

154       6.~~(f)~~ The disclosure of material provisions of the  
155 contract and the distinction between the board of directors and  
156 the direct-support organization to donors of gifts,

157 contributions, or bequests, as well as on all promotional and  
158 fundraising publications.

159 (c)~~(11)~~ The members of the direct-support organization's  
160 board of directors must include members of the commission.

161 (d)~~(12)~~ The commission may authorize a direct-support  
162 organization to use its personal services, facilities, and  
163 property, ~~(except money), facilities, and personal services,~~  
164 subject to the provisions of this section. A direct-support  
165 organization that does not provide equal employment  
166 opportunities to all persons regardless of race, color,  
167 religion, sex, age, or national origin may not use the property,  
168 facilities, or personal services of the commission. For the  
169 purposes of this subsection, the term "personal services"  
170 includes full-time personnel and part-time personnel as well as  
171 payroll processing.

172 (e)~~(13)~~ The commission shall adopt rules prescribing the  
173 procedures by which the direct-support organization is governed  
174 and any conditions with which the direct-support organization  
175 must comply to use property, facilities, or personal services of  
176 the commission.

177 (f)~~(14)~~ Moneys of the direct-support organization may be  
178 held in a separate depository account in the name of the direct-  
179 support organization and subject to the provisions of the  
180 contract with the commission. Such moneys may include membership  
181 fees, private donations, income derived from fundraising  
182 activities, and grants applied for and received by the direct-

183 support organization.

184 ~~(g) (15)~~ The direct-support organization shall provide for  
 185 an annual financial audit in accordance with s. 215.981.

186 (h) This subsection is repealed effective October 1, 2018,  
 187 unless reviewed and saved from repeal by the Legislature.

188 Section 2. Subsection (7) is added to section 16.616,  
 189 Florida Statutes, to read:

190 16.616 Direct-support organization.—

191 (7) This section is repealed October 1, 2018, unless  
 192 reviewed and saved from repeal by the Legislature.

193 Section 3. Section 20.058, Florida Statutes, is created to  
 194 read:

195 20.058 Citizen support and direct-support organizations.—

196 (1) By August 1 of each year, a citizen support  
 197 organization or direct-support organization created or  
 198 authorized pursuant to law or executive order and created,  
 199 approved, or administered by an agency, shall submit the  
 200 following information to the appropriate agency:

201 (a) The name, mailing address, telephone number, and  
 202 website address of the organization.

203 (b) The statutory authority or executive order pursuant to  
 204 which the organization was created.

205 (c) A brief description of the mission of, and results  
 206 obtained by, the organization.

207 (d) A brief description of the plans of the organization  
 208 for the next 3 fiscal years.



209       (e) A copy of the organization's code of ethics.

210       (f) A copy of the organization's most recent federal  
 211 Internal Revenue Service Return of Organization Exempt from  
 212 Income Tax form (Form 990).

213       (g) For the prior fiscal year, the current fiscal year,  
 214 and the next fiscal year:

215           1. The amount and source of revenue generated or projected  
 216 to be generated by the organization;

217           2. The amounts and purposes of expenditures or projected  
 218 expenditures by the organization, including specific amounts, if  
 219 any, spent or projected to be incurred to lobby the executive or  
 220 legislative branch of state government and specific amounts, if  
 221 any, spent or projected to be incurred for travel or  
 222 entertainment expenses for state or local public officers and  
 223 employees;

224           3. The value of capital improvements made, if any, to  
 225 state property which has been funded or projected to be funded  
 226 by the organization;

227           4. The amount, if any, of any state or federal funds  
 228 provided to the organization; and

229           5. The names of, and compensation for, the organization's  
 230 officers, directors, employees, and independent contractors.

231       (2) Each agency receiving information from a citizen  
 232 support organization or direct-support organization pursuant to  
 233 subsection (1) shall make such information available to the  
 234 public through the agency's website. If the organization

235 maintains a website, the agency's website must provide a link to  
236 the organization's website.

237 (3) By August 15 of each year, each agency shall report to  
238 the Governor, the President of the Senate, the Speaker of the  
239 House of Representatives, and the Office of Program Policy  
240 Analysis and Government Accountability the information provided  
241 by each citizen-support organization and direct support  
242 organization. The report must also include a recommendation by  
243 the agency, with supporting rationale, to continue, terminate,  
244 or modify the agency's association with each organization.

245 (4) Any contract between an agency and a citizen support  
246 organization or direct-support organization must be contingent  
247 upon the organization's submission and posting of information  
248 pursuant to subsections (1) and (2). If an organization fails to  
249 submit the required information for 2 consecutive years, the  
250 agency head shall terminate any contract between the agency and  
251 the organization.

252 (5) A law creating, or authorizing the creation of, a  
253 citizen support organization or a direct-support organization  
254 must state that the creation of or authorization for the  
255 organization is repealed on October 1 of the 5th year after  
256 reenactment, unless reviewed and saved from repeal through  
257 reenactment by the Legislature. Citizen support organizations  
258 and direct-support organizations in existence on July 1, 2014,  
259 must be reviewed by the Legislature by July 1, 2019.

260 Section 4. Subsection (6) is added to section 20.2551,

261 Florida Statutes, to read:  
 262 20.2551 Citizen support organizations; use of property;  
 263 audit; public records; partnerships.—

264 (6) REPEAL.—This section is repealed October 1, 2019,  
 265 unless reviewed and saved from repeal by the Legislature.

266 Section 5. Subsection (5) is added to section 39.0011,  
 267 Florida Statutes, to read:

268 39.0011 Direct-support organization.—

269 (5) This section is repealed October 1, 2017, unless  
 270 reviewed and saved from repeal by the Legislature.

271 Section 6. Subsection (8) is added to section 39.8298,  
 272 Florida Statutes, to read:

273 39.8298 Guardian Ad Litem direct-support organization.—

274 (8) REPEAL.—This section is repealed October 1, 2018,  
 275 unless reviewed and saved from repeal by the Legislature.

276 Section 7. Subsection (8) is added to section 250.115,  
 277 Florida Statutes, to read:

278 250.115 Department of Military Affairs direct-support  
 279 organization.—

280 (8) REPEAL.—This section is repealed October 1, 2017,  
 281 unless reviewed and saved from repeal by the Legislature.

282 Section 8. Subsection (4) is added to section 257.43,  
 283 Florida Statutes, to read:

284 257.43 Citizen support organization; use of state  
 285 administrative services and property; audit.—

286 (4) REPEAL.—This section is repealed October 1, 2019,

287 unless reviewed and saved from repeal by the Legislature.

288 Section 9. Subsection (4) is added to section 258.015,  
289 Florida Statutes, to read:

290 258.015 Citizen support organizations; use of property;  
291 audit.—

292 (4) REPEAL.—This section is repealed October 1, 2019,  
293 unless reviewed and saved from repeal by the Legislature.

294 Section 10. Subsection (4) is added to section 259.10521,  
295 Florida Statutes, to read:

296 259.10521 Citizen support organization; use of property.—

297 (4) REPEAL.—This section is repealed October 1, 2019,  
298 unless reviewed and saved from repeal by the Legislature.

299 Section 11. Subsection (4) is added to section 265.703,  
300 Florida Statutes, to read:

301 265.703 Citizen support organizations; use of state  
302 administrative services and property; audit.—

303 (4) REPEAL.—This section is repealed October 1, 2019,  
304 unless reviewed and saved from repeal by the Legislature.

305 Section 12. Subsection (4) is added to section 267.17,  
306 Florida Statutes, to read:

307 267.17 Citizen support organizations; use of state  
308 administrative services and property; audit.—

309 (4) REPEAL.—This section is repealed October 1, 2019,  
310 unless reviewed and saved from repeal by the Legislature.

311 Section 13. Subsections (7) and (8) of section 288.1226,  
312 Florida Statutes, are amended, and a new subsection (9) is added

313 to that section, to read:

314 288.1226 Florida Tourism Industry Marketing Corporation;  
 315 use of property; board of directors; duties; audit.—

316 (7) REPORT.—The corporation shall provide a quarterly  
 317 report to Enterprise Florida, Inc., which shall:

318 (a) Measure the current vitality of the visitor industry  
 319 of this state as compared to the vitality of such industry for  
 320 the year to date and for comparable quarters of past years.

321 Indicators of vitality shall be determined by Enterprise  
 322 Florida, Inc., and shall include, but not be limited to,  
 323 estimated visitor count and party size, length of stay, average  
 324 expenditure per party, and visitor origin and destination.

325 (b) Provide detailed, unaudited financial statements of  
 326 sources and uses of public and private funds.

327 (c) Measure progress towards annual goals and objectives  
 328 set forth in the 4-year marketing plan.

329 (d) Review all pertinent research findings.

330 (e) Provide other measures of accountability as requested  
 331 by Enterprise Florida, Inc.

332 (8) PUBLIC RECORDS EXEMPTION.—The identity of any person  
 333 who responds to a marketing project or advertising research  
 334 project conducted by the corporation in the performance of its  
 335 duties on behalf of Enterprise Florida, Inc., or trade secrets  
 336 as defined by s. 812.081 obtained pursuant to such activities,  
 337 are exempt from s. 119.07(1) and s. 24(a), Art. I of the State  
 338 Constitution.

339 (9) REPEAL.—This section is repealed October 1, 2019,  
 340 unless reviewed and saved from repeal by the Legislature.

341 Section 14. Subsection (5) is added to section 288.809,  
 342 Florida Statutes, to read:

343 288.809 Florida Intergovernmental Relations Foundation;  
 344 use of property; board of directors; audit.—

345 (5) REPEAL.—This section is repealed October 1, 2019,  
 346 unless reviewed and saved from repeal by the Legislature.

347 Section 15. Subsection (6) is added to section 288.923,  
 348 Florida Statutes, to read:

349 288.923 Division of Tourism Marketing; definitions;  
 350 responsibilities.—

351 (6) This section is repealed October 1, 2019, unless  
 352 reviewed and saved from repeal by the Legislature.

353 Section 16. Subsection (10) is added to section 292.055,  
 354 Florida Statutes, to read:

355 292.055 Direct-support organization.—

356 (10) REPEAL.—This section is repealed October 1, 2017,  
 357 unless reviewed and saved from repeal by the Legislature.

358 Section 17. Subsection (4) is added to section 379.223,  
 359 Florida Statutes, to read:

360 379.223 Citizen support organizations; use of state  
 361 property; audit.—

362 (4) This section is repealed October 1, 2019, unless  
 363 reviewed and saved from repeal by the Legislature.

364 Section 18. Subsection (7) is added to section 413.0111,

365 Florida Statutes, to read:

366 413.0111 Blind services direct-support organization.—

367 (7) This section is repealed October 1, 2017, unless  
 368 reviewed and saved from repeal by the Legislature.

369 Section 19. Subsection (14) is added to section 413.615,  
 370 Florida Statutes, to read:

371 413.615 Florida Endowment for Vocational Rehabilitation.—

372 (14) REPEAL.—This section is repealed October 1, 2017,  
 373 unless reviewed and saved from repeal by the Legislature.

374 Section 20. Subsection (9) is added to section 430.82,  
 375 Florida Statutes, to read:

376 430.82 Direct-support organization.—

377 (9) This section is repealed October 1, 2017, unless  
 378 reviewed and saved from repeal by the Legislature.

379 Section 21. Subsection (10) is added to section 570.903,  
 380 Florida Statutes, to read:

381 570.903 Direct-support organization.—

382 (10) This section is repealed October 1, 2019, unless  
 383 reviewed and saved from repeal by the Legislature.

384 Section 22. Subsection (14) is added to section 570.9135,  
 385 Florida Statutes, to read:

386 570.9135 Beef Market Development Act; definitions; Florida  
 387 Beef Council, Inc., creation, purposes, governing board, powers,  
 388 and duties; referendum on assessments imposed on gross receipts  
 389 from cattle sales; payments to organizations for services;  
 390 collecting and refunding assessments; vote on continuing the

391 act; council bylaws.—

392 (14) REPEAL.—This section is repealed October 1, 2019,  
 393 unless reviewed and saved from repeal by the Legislature.

394 Section 23. Subsection (9) is added to section 626.9895,  
 395 Florida Statutes, to read:

396 626.9895 Motor vehicle insurance fraud direct-support  
 397 organization.—

398 (9) REPEAL.—This section is repealed October 1, 2019,  
 399 unless reviewed and saved from repeal by the Legislature.

400 Section 24. Subsection (8) is added to section 683.231,  
 401 Florida Statutes, to read:

402 683.231 Citizen support organization for Florida Missing  
 403 Children's Day.—

404 (8) This section is repealed October 1, 2018, unless  
 405 reviewed and saved from repeal by the Legislature.

406 Section 25. Subsection (9) is added to section 744.7082,  
 407 Florida Statutes, to read:

408 744.7082 Direct-support organization; definition; use of  
 409 property; board of directors; audit; dissolution.—

410 (9) REPEAL.—This section is repealed October 1, 2018,  
 411 unless reviewed and saved from repeal by the Legislature.

412 Section 26. Paragraph (k) is added to subsection (11) of  
 413 section 893.055, Florida Statutes, to read:

414 893.055 Prescription drug monitoring program.—

415 (11) The department may establish a direct-support  
 416 organization that has a board consisting of at least five



417 members to provide assistance, funding, and promotional support  
 418 for the activities authorized for the prescription drug  
 419 monitoring program.

420 (k) This subsection is repealed October 1, 2017, unless  
 421 reviewed and saved from repeal by the Legislature.

422 Section 27. Subsection (4) is added to section 944.802,  
 423 Florida Statutes, to read:

424 944.802 Direct-support organization; definition; use of  
 425 property; board of directors; audit.—

426 (4) REPEAL.—This section is repealed October 1, 2018,  
 427 unless reviewed and saved from repeal by the Legislature.

428 Section 28. Subsection (6) is added to section 960.002,  
 429 Florida Statutes, to read:

430 960.002 Direct-support organization to assist victims of  
 431 adult and juvenile crime.—

432 (6) This section is repealed October 1, 2018, unless  
 433 reviewed and saved from repeal by the Legislature.

434 Section 29. Subsections (5) and (6) of section 985.672,  
 435 Florida Statutes, are amended, and a new subsection (7) is added  
 436 to that section, to read:

437 985.672 Direct-support organization; definition; use of  
 438 property; board of directors; audit.—

439 (5) DEPOSIT OF FUNDS.—Any moneys may be held in a separate  
 440 depository account in the name of the direct-support  
 441 organization and subject to the provisions of the contract with  
 442 the department.

HB 1153

2014

443           (6) AUDIT.—The direct-support organization shall provide  
 444 for an annual financial audit in accordance with s. 215.981.

445           (7) REPEAL.—This section is repealed October 1, 2018,  
 446 unless reviewed and saved from repeal by the Legislature.

447           Section 30. Subsection (9) is added to section 1009.983,  
 448 Florida Statutes, to read:

449           1009.983 Direct-support organization; authority.—

450           (9) This section is repealed October 1, 2017, unless  
 451 reviewed and saved from repeal by the Legislature.

452           Section 31. This act shall take effect upon becoming a  
 453 law.