

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 agency that the organization was created to
13 support; requiring each agency receiving such
14 information to post submissions on the agency's
15 website; requiring each agency receiving such
16 information to annually submit a report to the
17 Governor, the Legislature, and the Office of Program
18 Policy Analysis and Government Accountability;
19 providing report requirements; requiring that a
20 contract entered into between an agency and a citizen
21 support organization or direct-support organization on
22 or after a specified date contain certain provisions;
23 requiring that each citizen support organization or
24 direct-support organization created or authorized by
25 law be subject to legislative review and repeal;
26 requiring that citizen support organizations or

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

53 of the citizen support organization of the Division of
54 Cultural Affairs of the Department of State; amending
55 s. 267.17, F.S.; providing for future review and
56 repeal of the citizen support organization of the
57 Division of Historical Resources of the Department of
58 State; amending s. 288.1226, F.S.; providing for
59 future review and repeal of the Florida Tourism
60 Industry Marketing Corporation; amending s. 288.809,
61 F.S.; providing for future review and repeal of the
62 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 agency that the organization was
 201 created to support:

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

204 (b) The statutory authority or executive order that
 205 created the organization.

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

208 (d) A brief description of the organization's plans for

209 the next 3 fiscal years.

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

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

214 (2) Each agency receiving information from a citizen
 215 support organization or direct-support organization pursuant to
 216 subsection (1) shall make such information available to the
 217 public through the agency's website. In addition, if the
 218 organization maintains a website, the agency's website must
 219 provide a link to that website.

220 (3) By August 30 of each year, each agency shall report to
 221 the Governor, the President of the Senate, the Speaker of the
 222 House of Representatives, and the Office of Program Policy
 223 Analysis and Government Accountability the information provided
 224 by each citizen support organization or direct-support
 225 organization. The report must also include a recommendation by
 226 the agency, with supporting rationale, to continue, terminate,
 227 or modify the agency's association with each organization.

228 (4) Each contract entered into between an agency and a
 229 citizen support organization or direct-support organization on
 230 or after July 1, 2014, shall contain provisions that require the
 231 organization to submit information in compliance with subsection
 232 (1) and require the agency to terminate the contract if the
 233 organization fails to do so for 2 consecutive years.

234 (5) A law creating, or authorizing the creation of, a

235 citizen support organization or a direct-support organization
 236 must state that the creation of or authorization for the
 237 organization is repealed on October 1 of the 5th year after
 238 enactment, unless reviewed and saved from repeal through
 239 reenactment by the Legislature. Citizen support organizations
 240 and direct-support organizations in existence on July 1, 2014,
 241 must be reviewed by the Legislature by July 1, 2019.

242 Section 4. Subsection (6) is added to section 20.2551,
 243 Florida Statutes, to read:

244 20.2551 Citizen support organizations; use of property;
 245 audit; public records; partnerships.—

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

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

250 39.0011 Direct-support organization.—

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

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

255 39.8298 Guardian Ad Litem direct-support organization.—

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

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

260 250.115 Department of Military Affairs direct-support

261 organization.-

262 (8) REPEAL.-This section is repealed October 1, 2017,
 263 unless reviewed and saved from repeal by the Legislature.

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

266 257.43 Citizen support organization; use of state
 267 administrative services and property; audit.-

268 (4) REPEAL.-This section is repealed October 1, 2019,
 269 unless reviewed and saved from repeal by the Legislature.

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

272 258.015 Citizen support organizations; use of property;
 273 audit.-

274 (4) REPEAL.-This section is repealed October 1, 2019,
 275 unless reviewed and saved from repeal by the Legislature.

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

278 259.10521 Citizen support organization; use of property.-

279 (4) REPEAL.-This section is repealed October 1, 2019,
 280 unless reviewed and saved from repeal by the Legislature.

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

283 265.703 Citizen support organizations; use of state
 284 administrative services and property; audit.-

285 (4) REPEAL.-This section is repealed October 1, 2019,
 286 unless reviewed and saved from repeal by the Legislature.

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

289 267.17 Citizen support organizations; use of state
 290 administrative services and property; audit.—

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

293 Section 13. Subsections (7) and (8) of section 288.1226,
 294 Florida Statutes, are amended, and a new subsection (9) is added
 295 to that section, to read:

296 288.1226 Florida Tourism Industry Marketing Corporation;
 297 use of property; board of directors; duties; audit.—

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

300 (a) Measure the current vitality of the visitor industry
 301 of this state as compared to the vitality of such industry for
 302 the year to date and for comparable quarters of past years.
 303 Indicators of vitality shall be determined by Enterprise
 304 Florida, Inc., and shall include, but not be limited to,
 305 estimated visitor count and party size, length of stay, average
 306 expenditure per party, and visitor origin and destination.

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

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

311 (d) Review all pertinent research findings.

312 (e) Provide other measures of accountability as requested

313 by Enterprise Florida, Inc.

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

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

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

325 288.809 Florida Intergovernmental Relations Foundation;
 326 use of property; board of directors; audit.—

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

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

331 288.923 Division of Tourism Marketing; definitions;
 332 responsibilities.—

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

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

337 292.055 Direct-support organization.—

338 (10) REPEAL.—This section is repealed October 1, 2017,

339 unless reviewed and saved from repeal by the Legislature.

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

342 379.223 Citizen support organizations; use of state
343 property; audit.—

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

346 Section 18. Subsection (7) is added to section 413.0111,
347 Florida Statutes, to read:

348 413.0111 Blind services direct-support organization.—

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

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

353 413.615 Florida Endowment for Vocational Rehabilitation.—

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

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

358 430.82 Direct-support organization.—

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

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

363 570.903 Direct-support organization.—

364 (10) This section is repealed October 1, 2019, unless

365 reviewed and saved from repeal by the Legislature.

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

368 570.9135 Beef Market Development Act; definitions; Florida
369 Beef Council, Inc., creation, purposes, governing board, powers,
370 and duties; referendum on assessments imposed on gross receipts
371 from cattle sales; payments to organizations for services;
372 collecting and refunding assessments; vote on continuing the
373 act; council bylaws.—

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

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

378 626.9895 Motor vehicle insurance fraud direct-support
379 organization.—

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

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

384 683.231 Citizen support organization for Florida Missing
385 Children's Day.—

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

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

390 744.7082 Direct-support organization; definition; use of

391 property; board of directors; audit; dissolution.—

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

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

396 893.055 Prescription drug monitoring program.—

397 (11) The department may establish a direct-support
 398 organization that has a board consisting of at least five
 399 members to provide assistance, funding, and promotional support
 400 for the activities authorized for the prescription drug
 401 monitoring program.

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

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

406 944.802 Direct-support organization; definition; use of
 407 property; board of directors; audit.—

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

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

412 960.002 Direct-support organization to assist victims of
 413 adult and juvenile crime.—

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

416 Section 29. Subsections (5) and (6) of section 985.672,

417 Florida Statutes, are amended, and a new subsection (7) is added
 418 to that section, to read:

419 985.672 Direct-support organization; definition; use of
 420 property; board of directors; audit.—

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

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

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

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

431 1009.983 Direct-support organization; authority.—

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

434 Section 31. This act shall take effect upon becoming a
 435 law.