

By Senator Ring

29-00595-14

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1                   A bill to be entitled  
2           An act relating to the Florida State Employees'  
3           Charitable Campaign; amending s. 110.181, F.S.;  
4           providing an exception to the requirement that state  
5           officers and employees designate a charitable  
6           organization to receive contributions from the Florida  
7           State Employees' Charitable Campaign; providing for  
8           the distribution of undesignated funds by the fiscal  
9           agent; removing the requirement that a local steering  
10          committee be established in each fiscal agent area;  
11          providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

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15           Section 1. Subsections (1) and (2) of section 110.181,  
16 Florida Statutes, are amended to read:

17           110.181 Florida State Employees' Charitable Campaign.—

18           (1) CREATION AND ORGANIZATION OF CAMPAIGN.—

19           (a) The Department of Management Services shall establish  
20 and maintain, in coordination with the payroll system of the  
21 Department of Financial Services, an annual Florida State  
22 Employees' Charitable Campaign. Except as provided in subsection  
23 (5), this annual fundraising drive is the only authorized  
24 charitable fundraising drive directed toward state employees  
25 within work areas during work hours, and for which the state  
26 will provide payroll deduction.

27           (b) State officers' and employees' contributions toward the  
28 Florida State Employees' Charitable Campaign must be entirely  
29 voluntary. State officers and employees making contributions

29-00595-14

2014604\_\_

30 shall ~~must~~ designate a charitable organization to receive their  
31 ~~such~~ contributions, unless such contributions are collected as  
32 part of a campaign event.

33 (c) Participation in the annual Florida State Employees'  
34 Charitable Campaign is ~~must be~~ limited to any nonprofit  
35 charitable organization that ~~which~~ has as its principal mission:

- 36 1. Public health and welfare;
- 37 2. Education;
- 38 3. Environmental restoration and conservation;
- 39 4. Civil and human rights; or
- 40 5. ~~Any nonprofit charitable organization engaged in~~ The  
41 relief of human suffering and poverty.

42 (d) An independent, unaffiliated agency must be a statewide  
43 entity whose programs provide year-round substantial, direct,  
44 hands-on services that meet basic human or environmental needs  
45 ~~and extend throughout the year and throughout the state.~~

46 (e) An international service agency must have well-defined  
47 programs that meet basic human or environmental needs outside  
48 the United States with no duplication of existing programs.

49 (f) A national agency must demonstrate, through a well-  
50 defined program, the provision of direct services that meet  
51 ~~meeting~~ basic human or environmental needs and ~~which~~ are readily  
52 available, being administered, or providing a substantial,  
53 direct benefit to the residents of this state.

54 (g) The financial records of a ~~Any~~ nonprofit charitable  
55 organization participating in the Florida State Employees'  
56 Charitable Campaign shall be ~~must have its financial records~~  
57 audited annually by an independent public accountant whose  
58 examination conforms to generally accepted accounting

29-00595-14

2014604\_\_

59 principles.

60 (h) Organizations ineligible to participate in the Florida  
61 State Employees' Charitable Campaign include, but are not  
62 limited to, the following:

63 1. Organizations whose fundraising and administrative  
64 expenses exceed 25 percent, unless extraordinary circumstances  
65 can be demonstrated.

66 2. Organizations whose activities contain an element that  
67 is more than incidentally political in nature or whose  
68 activities are primarily political, religious, professional, or  
69 fraternal in nature.

70 3. Organizations that ~~which~~ discriminate against any  
71 individual or group on account of race, color, religion, sex,  
72 national origin, age, handicap, or political affiliation.

73 4. Organizations not properly registered as a charitable  
74 organization as required by the Solicitation of Contributions  
75 Act, ss. 496.401-496.424.

76 5. Organizations that ~~which~~ have not received tax-exempt  
77 status under s. 501(c)(3) of the~~7~~ Internal Revenue Code.

78 (2) SELECTION OF FISCAL AGENTS; COST.—

79 (a) The Department of Management Services shall select  
80 through the competitive procurement process a fiscal agent or  
81 agents to receive, account for, and distribute charitable  
82 contributions among participating charitable organizations.

83 (b) The fiscal agent shall withhold the reasonable costs  
84 for conducting the campaign and for accounting and distribution  
85 to the participating organizations and shall reimburse the  
86 department the actual cost for coordinating the campaign in  
87 accordance with the rules of the department. In any fiscal year

29-00595-14

2014604\_\_

88 ~~that in which~~ the Legislature specifically appropriates to the  
89 department its total costs for coordinating the campaign from  
90 the General Revenue Fund, the fiscal agent is not required to  
91 reimburse such costs to the department under this subsection.  
92 Otherwise, reimbursement will be the difference between actual  
93 costs and the amount appropriated.

94 (c) The fiscal agent shall furnish to the department and  
95 participating charitable organizations a report on ~~of~~ the  
96 accounting and distribution activities. Records relating to  
97 these activities must ~~shall~~ be open for inspection upon  
98 reasonable notice and request.

99 (d) The fiscal agent shall distribute undesignated funds to  
100 each participating charitable organization in direct proportion  
101 to the percentage of designated funds or pledges received by the  
102 organization ~~A local steering committee shall be established in~~  
103 ~~each fiscal agent area to assist in conducting the campaign. The~~  
104 ~~committee shall be composed of state employees selected by the~~  
105 ~~fiscal agent from among recommendations provided by interested~~  
106 ~~participating organizations, if any, and approved by the~~  
107 ~~Statewide Steering Committee.~~

108 Section 2. This act shall take effect July 1, 2014.