

**FOR CONSIDERATION** By the Committee on Governmental Oversight and Accountability

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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 future review and repeal; requiring that citizen  
27          support organizations or direct-support organizations  
28          in existence as of a certain date be subject to future  
29          legislative review and repeal; amending s. 20.2551,

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30 F.S.; providing for future review and repeal of the  
31 citizen support organization established within the  
32 Department of Environmental Protection; amending s.  
33 39.0011, F.S.; providing for future review and repeal  
34 of the direct-support organization of the Office of  
35 Adoption and Child Protection; amending s. 39.8298,  
36 F.S.; providing for future review and repeal of the  
37 Statewide Guardian Ad Litem Office's authorization to  
38 create a direct-support organization; amending s.  
39 250.115, F.S.; providing for future review and repeal  
40 of the direct-support organization of the Department  
41 of Military Affairs; amending s. 259.10521, F.S.;

42 providing for future review and repeal of the citizen  
43 support organization benefitting the Babcock Ranch  
44 Preserve; amending s. 265.703, F.S.; providing for  
45 future review and repeal of the citizen support  
46 organization of the Division of Cultural Affairs of  
47 the Department of State; amending s. 288.1226, F.S.;

48 providing for future review and repeal of the Florida  
49 Tourism Industry Marketing Corporation; amending s.  
50 288.809, F.S.; providing for future review and repeal  
51 of the Florida Intergovernmental Relations Foundation;  
52 amending s. 288.923, F.S.; providing for future review  
53 and repeal of the Division of Tourism Marketing of  
54 Enterprise Florida, Inc.; amending s. 292.055, F.S.;

55 providing for future review and repeal of the direct-  
56 support organization of the Department of Veterans'  
57 Affairs; amending s. 413.0111, F.S.; providing for  
58 future review and repeal of the direct-support

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59 organization of the Division of Blind Services of the  
60 Department of Education; amending s. 413.615, F.S.;  
61 providing for future review and repeal of the Florida  
62 Endowment Foundation for Vocational Rehabilitation;  
63 amending s. 430.82, F.S.; providing for future review  
64 and repeal of the Department of Elderly Affairs'  
65 authority to establish a direct-support organization;  
66 amending s. 570.903, F.S.; providing for future review  
67 and repeal of the Department of Agriculture and  
68 Consumer Services' authority to establish a direct-  
69 support organization; amending s. 570.9135, F.S.;  
70 providing for future review and repeal of Florida Beef  
71 Council, Inc.; amending s. 626.9895, F.S.; providing  
72 for future review and repeal of the Division of  
73 Insurance Fraud of the Department of Financial  
74 Services' authority to establish a direct-support  
75 organization; amending s. 683.231, F.S.; providing for  
76 future review and repeal of the Department of Law  
77 Enforcement's authority to establish a citizen support  
78 organization for Florida Missing Children's Day;  
79 amending s. 744.7082, F.S.; providing for future  
80 review and repeal of the direct-support organization  
81 supporting the Statewide Public Guardianship Office;  
82 amending s. 893.055, F.S.; providing for future review  
83 and repeal of the Department of Health's authority to  
84 establish a direct-support organization supporting the  
85 prescription drug monitoring program; amending s.  
86 944.802, F.S.; providing for future review and repeal  
87 of the Department of Corrections' authority to

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88 establish a direct-support organization; amending s.  
89 960.002, F.S.; providing for future review and repeal  
90 of the Governor's authority to authorize a direct-  
91 support organization to assist victims of adult and  
92 juvenile crime; amending s. 985.672, F.S.; providing  
93 for future review and repeal of the Department of  
94 Juvenile Justice's direct-support organization;  
95 amending s. 1009.983, F.S.; providing for future  
96 review and repeal of the Florida Prepaid College  
97 Board's authority to establish a direct-support  
98 organization; providing an effective date.  
99

100 Be It Enacted by the Legislature of the State of Florida:  
101

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

105 14.29 Florida Commission on Community Service.—

106 (9) (a) The commission may establish a direct-support  
107 organization which is:

108 1. ~~(a)~~ A Florida corporation, not for profit, incorporated  
109 under the provisions of chapter 617 and approved by the  
110 Secretary of State.

111 2. ~~(b)~~ Organized and operated exclusively to receive, hold,  
112 invest, and administer property and funds and to make  
113 expenditures to or for the benefit of the program.

114 3. ~~(e)~~ An organization which the commission, after review,  
115 has certified to be operating in a manner consistent with the  
116 goals of the program and in the best interests of the state.

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117        (b) ~~(10)~~ The direct-support organization shall operate under  
118 written contract with the commission. The contract must provide  
119 for:

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

122        2. ~~(b)~~ Submission of an annual budget for the approval of  
123 the commission. The budget must comply with rules adopted by the  
124 commission.

125        3. ~~(e)~~ Certification by the commission that the direct-  
126 support organization is complying with the terms of the contract  
127 and in a manner consistent with the goals and purposes of the  
128 commission and in the best interest of the state. Such  
129 certification must be made annually and reported in the official  
130 minutes of a meeting of the commission.

131        4. ~~(d)~~ The reversion to the commission, or the state if the  
132 commission ceases to exist, of moneys and property held in trust  
133 by the direct-support organization if the direct-support  
134 organization is no longer approved to operate for the commission  
135 or the commission ceases to exist.

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

139        6. ~~(f)~~ The disclosure of material provisions of the contract  
140 and the distinction between the board of directors and the  
141 direct-support organization to donors of gifts, contributions,  
142 or bequests, as well as on all promotional and fundraising  
143 publications.

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

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146        (d) ~~(12)~~ The commission may authorize a direct-support  
147 organization to use its personal services, facilities, and  
148 property, ~~(except money), facilities, and personal services,~~  
149 subject to the provisions of this section. A direct-support  
150 organization that does not provide equal employment  
151 opportunities to all persons regardless of race, color,  
152 religion, sex, age, or national origin may not use the property,  
153 facilities, or personal services of the commission. For the  
154 purposes of this subsection, the term "personal services"  
155 includes full-time personnel and part-time personnel as well as  
156 payroll processing.

157        (e) ~~(13)~~ The commission shall adopt rules prescribing the  
158 procedures by which the direct-support organization is governed  
159 and any conditions with which the direct-support organization  
160 must comply to use property, facilities, or personal services of  
161 the commission.

162        (f) ~~(14)~~ Moneys of the direct-support organization may be  
163 held in a separate depository account in the name of the direct-  
164 support organization and subject to the provisions of the  
165 contract with the commission. Such moneys may include membership  
166 fees, private donations, income derived from fundraising  
167 activities, and grants applied for and received by the direct-  
168 support organization.

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

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

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

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175 16.616 Direct-support organization.—

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

178 Section 3. Section 20.058, Florida Statutes, is created to  
179 read:

180 20.058 Citizen support and direct-support organizations.—

181 (1) By August 1 of each year, a citizen support  
182 organization or direct-support organization created or  
183 authorized pursuant to law or executive order and created,  
184 approved, or administered by an agency, shall submit the  
185 following information to the appropriate agency:

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

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

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

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

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

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

198 (g) For the prior fiscal year, the current fiscal year, and  
199 the next fiscal year:

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

202 2. The amounts and purposes of expenditures or projected  
203 expenditures by the organization, including specific amounts, if

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204 any, spent or projected to be incurred to lobby the executive or  
205 legislative branch of state government and specific amounts, if  
206 any, spent or projected to be incurred for travel or  
207 entertainment expenses for state or local public officers and  
208 employees;

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

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

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

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

222 (3) By August 15 of each year, each agency shall report to  
223 the Governor, the President of the Senate, the Speaker of the  
224 House of Representatives, and the Office of Program Policy  
225 Analysis and Government Accountability the information provided  
226 by each citizen-support organization and direct support  
227 organization. The report must also include a recommendation by  
228 the agency, with supporting rationale, to continue, terminate,  
229 or modify the agency's association with each organization.

230 (4) Any contract between an agency and a citizen support  
231 organization or direct-support organization must be contingent  
232 upon the organization's submission and posting of information



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233 pursuant to subsections (1) and (2). If an organization fails to  
234 submit the required information for 2 consecutive years, the  
235 agency head shall terminate any contract between the agency and  
236 the organization.

237 (5) A law creating, or authorizing the creation of, a  
238 citizen support organization or a direct-support organization  
239 shall be repealed on October 1 of the 5th year after enactment,  
240 unless reviewed and saved from repeal through reenactment by the  
241 Legislature. A law creating, or authorizing the creation of, a  
242 citizen support organization or direct-support organization that  
243 is in existence on July 1, 2014, shall be repealed on October 1,  
244 2019, unless reviewed and saved from repeal through reenactment  
245 by the Legislature.

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

248 20.2551 Citizen support organizations; use of property;  
249 audit; public records; partnerships.-

250 (6) REPEAL.-This section is repealed October 1, 2019,  
251 unless reviewed and saved from repeal by the Legislature.

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

254 39.0011 Direct-support organization.-

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

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

259 39.8298 Guardian Ad Litem direct-support organization.-

260 (8) REPEAL.-This section is repealed October 1, 2018,  
261 unless reviewed and saved from repeal by the Legislature.

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

264 250.115 Department of Military Affairs direct-support  
265 organization.—

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

268 Section 8. Subsection (4) is added to section 259.10521,  
269 Florida Statutes, to read:

270 259.10521 Citizen support organization; use of property.—

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

273 Section 9. Subsection (4) is added to section 265.703,  
274 Florida Statutes, to read:

275 265.703 Citizen support organizations; use of state  
276 administrative services and property; audit.—

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

279 Section 10. Subsections (7) and (8) of section 288.1226,  
280 Florida Statutes, are amended, and a new subsection (9) is added  
281 to that section, to read:

282 288.1226 Florida Tourism Industry Marketing Corporation;  
283 use of property; board of directors; duties; audit.—

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

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

289 Indicators of vitality shall be determined by Enterprise  
290 Florida, Inc., and shall include, but not be limited to,

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291 estimated visitor count and party size, length of stay, average  
292 expenditure per party, and visitor origin and destination.

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

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

297 (d) Review all pertinent research findings.

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

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

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

309 Section 11. Subsection (5) is added to section 288.809,  
310 Florida Statutes, to read:

311 288.809 Florida Intergovernmental Relations Foundation; use  
312 of property; board of directors; audit.—

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

315 Section 12. Subsection (6) is added to section 288.923,  
316 Florida Statutes, to read:

317 288.923 Division of Tourism Marketing; definitions;  
318 responsibilities.—

319 (6) This section is repealed October 1, 2019, unless

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320 reviewed and saved from repeal by the Legislature.

321 Section 13. Subsection (10) is added to section 292.055,  
322 Florida Statutes, to read:

323 292.055 Direct-support organization.—

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

326 Section 14. Subsection (7) is added to section 413.0111,  
327 Florida Statutes, to read:

328 413.0111 Blind services direct-support organization.—

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

331 Section 15. Subsection (14) is added to section 413.615,  
332 Florida Statutes, to read:

333 413.615 Florida Endowment for Vocational Rehabilitation.—

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

336 Section 16. Subsection (9) is added to section 430.82,  
337 Florida Statutes, to read:

338 430.82 Direct-support organization.—

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

341 Section 17. Subsection (10) is added to section 570.903,  
342 Florida Statutes, to read:

343 570.903 Direct-support organization.—

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

346 Section 18. Subsection (14) is added to section 570.9135,  
347 Florida Statutes, to read:

348 570.9135 Beef Market Development Act; definitions; Florida

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349 Beef Council, Inc., creation, purposes, governing board, powers,  
350 and duties; referendum on assessments imposed on gross receipts  
351 from cattle sales; payments to organizations for services;  
352 collecting and refunding assessments; vote on continuing the  
353 act; council bylaws.-

354 (14) REPEAL.-This section is repealed October 1, 2019,  
355 unless reviewed and saved from repeal by the Legislature.

356 Section 19. Subsection (9) is added to section 626.9895,  
357 Florida Statutes, to read:

358 626.9895 Motor vehicle insurance fraud direct-support  
359 organization.-

360 (9) REPEAL.-This section is repealed October 1, 2019,  
361 unless reviewed and saved from repeal by the Legislature.

362 Section 20. Subsection (8) is added to section 683.231,  
363 Florida Statutes, to read:

364 683.231 Citizen support organization for Florida Missing  
365 Children's Day.-

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

368 Section 21. Subsection (9) is added to section 744.7082,  
369 Florida Statutes, to read:

370 744.7082 Direct-support organization; definition; use of  
371 property; board of directors; audit; dissolution.-

372 (9) REPEAL.-This section is repealed October 1, 2018,  
373 unless reviewed and saved from repeal by the Legislature.

374 Section 22. Paragraph (k) is added to subsection (11) of  
375 section 893.055, Florida Statutes, to read:

376 893.055 Prescription drug monitoring program.-

377 (11) The department may establish a direct-support

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378 organization that has a board consisting of at least five  
379 members to provide assistance, funding, and promotional support  
380 for the activities authorized for the prescription drug  
381 monitoring program.

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

384 Section 23. Subsection (4) is added to section 944.802,  
385 Florida Statutes, to read:

386 944.802 Direct-support organization; definition; use of  
387 property; board of directors; audit.-

388 (4) REPEAL.-This section is repealed October 1, 2018,  
389 unless reviewed and saved from repeal by the Legislature.

390 Section 24. Subsection (6) is added to section 960.002,  
391 Florida Statutes, to read:

392 960.002 Direct-support organization to assist victims of  
393 adult and juvenile crime.-

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

396 Section 25. Subsections (5) and (6) of section 985.672,  
397 Florida Statutes, are amended, and a new subsection (7) is added  
398 to that section, to read:

399 985.672 Direct-support organization; definition; use of  
400 property; board of directors; audit.-

401 (5) DEPOSIT OF FUNDS.-Any moneys may be held in a separate  
402 depository account in the name of the direct-support  
403 organization and subject to the provisions of the contract with  
404 the department.

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

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

409       Section 26. Subsection (9) is added to section 1009.983,  
410 Florida Statutes, to read:

411       1009.983 Direct-support organization; authority.—

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

414       Section 27. This act shall take effect upon becoming a law.