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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 their contributions from the
7 Florida State Employees' Charitable Campaign; deleting
8 requirements for independent unaffiliated agencies,
9 international service agencies, and national agencies;
10 requiring the fiscal agent selected by the Department
11 of Management Services to distribute undesignated
12 funds in a specified manner; deleting the requirement
13 that a local steering committee be established in each
14 fiscal agent area; providing an effective date.

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

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

20 110.181 Florida State Employees' Charitable Campaign.—

21 (1) CREATION AND ORGANIZATION OF CAMPAIGN.—

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

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30 (b) State officers' and employees' contributions toward the
31 Florida State Employees' Charitable Campaign must be entirely
32 voluntary. State officers and employees shall ~~must~~ designate a
33 charitable organization to receive their ~~such~~ contributions
34 unless such contributions are collected as part of a campaign
35 event.

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

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

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

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

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

57 (d)(g) The financial records of a Any nonprofit charitable
58 organization participating in the Florida State Employees'

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59 Charitable Campaign must be ~~have its financial records~~ audited
60 annually by an independent public accountant whose examination
61 conforms to generally accepted accounting principles.

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

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

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

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

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

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

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

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

85 (b) The fiscal agent shall withhold the reasonable costs
86 for conducting the campaign and for accounting and distribution
87 to the participating organizations and shall reimburse the

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

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

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

110 Section 2. This act shall take effect July 1, 2015.