

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 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

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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.

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

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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.