

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Ahern offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (1), subsections (2) and (4), and paragraph (b) of subsection (5) of section 1004.28, Florida Statutes, are amended to read:

1004.28 Direct-support organizations; use of property; board of directors; activities; audit; facilities.—

(1) DEFINITIONS.—For the purposes of this section:

~~(b) "Personal services" includes full-time or part-time personnel as well as payroll processing.~~

(2) USE OF PROPERTY.—

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14 (a) Each state university board of trustees is authorized
15 to permit the use of property and, facilities, ~~and personal~~
16 ~~services~~ at any state university by any university direct-
17 support organization, and, subject to the provisions of this
18 section, direct-support organizations may establish accounts
19 with the State Board of Administration for investment of funds
20 pursuant to part IV of chapter 218.

21 (b) The board of trustees, in accordance with rules and
22 guidelines of the Board of Governors, shall prescribe by rule
23 conditions with which a university direct-support organization
24 must comply in order to use property or, facilities, ~~or personal~~
25 ~~services~~ at any state university. Such rules shall provide for
26 budget and audit review and oversight by the board of trustees.

27 (c) The board of trustees shall not permit the use of
28 property or, facilities, ~~or personal services~~ at any state
29 university by any university direct-support organization that
30 does not provide equal employment opportunities to all persons
31 regardless of race, color, religion, gender, age, or national
32 origin.

33 (4) ACTIVITIES; RESTRICTION.—A university direct-support
34 organization is prohibited from giving, either directly or
35 indirectly, any gift to a political committee as defined in s.
36 106.011 ~~for any purpose other than those certified by a majority~~
37 ~~roll call vote of the governing board of the direct-support~~
38 ~~organization at a regularly scheduled meeting as being directly~~

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39 ~~related to the educational mission of the university.~~

40 (5) ANNUAL AUDIT; PUBLIC RECORDS EXEMPTION; PUBLIC
41 MEETINGS EXEMPTION.—

42 (b) All records of the organization relating to the
43 identity of donors who desire to remain anonymous ~~other than the~~
44 ~~auditor's report, management letter, and any supplemental data~~
45 ~~requested by the Board of Governors, the university board of~~
46 ~~trustees, the Auditor General, and the Office of Program Policy~~
47 ~~Analysis and Government Accountability~~ shall be confidential and
48 exempt from s. 119.07(1).

49 Section 2. Subsections (1) and (3), paragraph (d) of
50 subsection (4), and subsection (6) of section 1004.70, Florida
51 Statutes, are amended to read:

52 1004.70 Florida College System institution direct-support
53 organizations.—

54 (1) DEFINITION ~~DEFINITIONS~~.—For the purposes of this
55 section a÷

56 ~~(a)~~ "Florida College System institution direct-support
57 organization" means an organization that is:

58 (a)1. A Florida corporation not for profit, incorporated
59 under the provisions of chapter 617 and approved by the
60 Department of State.

61 (b)2. Organized and operated exclusively to receive, hold,
62 invest, and administer property and to make expenditures to, or
63 for the benefit of, a Florida College System institution in this

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64 state.

65 ~~(c)3-~~ An organization that the Florida College System
66 institution board of trustees, after review, has certified to be
67 operating in a manner consistent with the goals of the Florida
68 College System institution and in the best interest of the
69 state. Any organization that is denied certification by the
70 board of trustees may not use the name of the Florida College
71 System institution that it serves.

72 ~~(b) "Personal services" includes full-time or part-time~~
73 ~~personnel as well as payroll processing.~~

74 (3) USE OF PROPERTY.-

75 (a) The board of trustees is authorized to permit the use
76 of property and, facilities, ~~and personal services~~ at any
77 Florida College System institution by any Florida College System
78 institution direct-support organization, subject to the
79 provisions of this section.

80 (b) The board of trustees is authorized to prescribe by
81 rule any condition with which a Florida College System
82 institution direct-support organization must comply in order to
83 use property or, facilities, ~~or personal services~~ at any Florida
84 College System institution.

85 (c) The board of trustees may not permit the use of
86 property or, facilities, ~~or personal services~~ at any Florida
87 College System institution by any Florida College System
88 institution direct-support organization that does not provide

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89 equal employment opportunities to all persons regardless of
90 race, color, national origin, gender, age, or religion.

91 (4) ACTIVITIES; RESTRICTIONS.—

92 (d) A Florida College System institution direct-support
93 organization is prohibited from giving, either directly or
94 indirectly, any gift to a political committee as defined in s.
95 106.011 ~~for any purpose other than those certified by a majority~~
96 ~~roll call vote of the governing board of the direct support~~
97 ~~organization at a regularly scheduled meeting as being directly~~
98 ~~related to the educational mission of the Florida College System~~
99 ~~institution.~~

100 (6) ANNUAL AUDIT.—Each direct-support organization shall
101 provide for an annual financial audit in accordance with rules
102 adopted by the Auditor General pursuant to s. 11.45(8). The
103 annual audit report must be submitted, within 9 months after the
104 end of the fiscal year, to the Auditor General, the State Board
105 of Education, and the board of trustees for review. The board of
106 trustees, the Auditor General, and the Office of Program Policy
107 Analysis and Government Accountability may require and receive
108 from the organization or from its independent auditor any detail
109 or supplemental data relative to the operation of the
110 organization. The identity of donors who desire to remain
111 anonymous shall be protected, and that anonymity shall be
112 maintained in the auditor's report. All records of the
113 organization relating to the identity of donors who desire to

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114 ~~remain anonymous, other than the auditor's report, any~~
 115 ~~information necessary for the auditor's report, any information~~
 116 ~~related to the expenditure of funds, and any supplemental data~~
 117 ~~requested by the board of trustees, the Auditor General, and the~~
 118 ~~Office of Program Policy Analysis and Government Accountability,~~
 119 shall be confidential and exempt from the provisions of s.
 120 119.07(1).

121 Section 3. This act shall take effect July 1, 2017.

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T I T L E A M E N D M E N T

124 Remove everything before the enacting clause and insert:

125 A bill to be entitled
 126
 127 An act relating to higher education; amending s.
 128 1004.28, F.S.; removing provisions authorizing a
 129 university direct-support organization to use the
 130 personal services of a state university; prohibiting a
 131 university direct-support organization from giving any
 132 gift to a political entity; providing that only
 133 specified records of a university direct-support
 134 organization are confidential and exempt from
 135 specified provisions; amending s. 1004.70, F.S.;

136 removing provisions authorizing a direct-support
 137 organization to use the personal services of a Florida
 138 College System institution; prohibiting a Florida

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139 | College System institution direct-support organization
140 | from giving any gift to a political entity; providing
141 | that only specified records of a Florida College
142 | System institution direct-support organization are
143 | confidential and exempt from specified provisions;
144 | providing an effective date.

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