

By Senator Baxley

12-01456A-18

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1                                   A bill to be entitled  
 2           An act relating to the direct-support organization of  
 3           the Florida Commission on Community Service; amending  
 4           s. 14.29, F.S.; removing the scheduled repeal of  
 5           provisions governing the commission's direct-support  
 6           organization; providing an effective date.

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

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 10           Section 1. Subsection (9) of section 14.29, Florida  
 11           Statutes, is amended to read:

12           14.29 Florida Commission on Community Service.—

13           (9) (a) The commission may establish a direct-support  
 14           organization which is:

15           1. A Florida corporation, not for profit, incorporated  
 16           under the provisions of chapter 617 and approved by the  
 17           Secretary of State.

18           2. Organized and operated exclusively to receive, hold,  
 19           invest, and administer property and funds and to make  
 20           expenditures to or for the benefit of the program.

21           3. An organization which the commission, after review, has  
 22           certified to be operating in a manner consistent with the goals  
 23           of the program and in the best interests of the state.

24           (b) The direct-support organization shall operate under  
 25           written contract with the commission. The contract must provide  
 26           for:

27           1. Approval of the articles of incorporation and bylaws of  
 28           the direct-support organization by the commission.

29           2. Submission of an annual budget for the approval of the

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30 commission. The budget must comply with rules adopted by the  
31 commission.

32 3. Certification by the commission that the direct-support  
33 organization is complying with the terms of the contract and in  
34 a manner consistent with the goals and purposes of the  
35 commission and in the best interest of the state. Such  
36 certification must be made annually and reported in the official  
37 minutes of a meeting of the commission.

38 4. The reversion to the commission, or the state if the  
39 commission ceases to exist, of moneys and property held in trust  
40 by the direct-support organization if the direct-support  
41 organization is no longer approved to operate for the commission  
42 or the commission ceases to exist.

43 5. The fiscal year of the direct-support organization, to  
44 begin July 1 of each year and end June 30 of the following year.

45 6. The disclosure of material provisions of the contract  
46 and the distinction between the board of directors and the  
47 direct-support organization to donors of gifts, contributions,  
48 or bequests, as well as on all promotional and fundraising  
49 publications.

50 (c) The members of the direct-support organization's board  
51 of directors must include members of the commission.

52 (d) The commission may authorize a direct-support  
53 organization to use its personal services, facilities, and  
54 property, except money, subject to the provisions of this  
55 section. A direct-support organization that does not provide  
56 equal employment opportunities to all persons regardless of  
57 race, color, religion, sex, age, or national origin may not use  
58 the property, facilities, or personal services of the

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59 commission. For the purposes of this subsection, the term  
60 "personal services" includes full-time personnel and part-time  
61 personnel as well as payroll processing.

62 (e) The commission shall adopt rules prescribing the  
63 procedures by which the direct-support organization is governed  
64 and any conditions with which the direct-support organization  
65 must comply to use property, facilities, or personal services of  
66 the commission.

67 (f) Moneys of the direct-support organization may be held  
68 in a separate depository account in the name of the direct-  
69 support organization and subject to the provisions of the  
70 contract with the commission. Such moneys may include membership  
71 fees, private donations, income derived from fundraising  
72 activities, and grants applied for and received by the direct-  
73 support organization.

74 (g) The direct-support organization shall provide for an  
75 annual financial audit in accordance with s. 215.981.

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

78 Section 2. This act shall take effect July 1, 2018.