

ENROLLED

HB 6059

2018 Legislature

1  
2 An act relating to the Department of Corrections'  
3 direct-support organization; amending s. 944.802,  
4 F.S.; abrogating the scheduled repeal of provisions  
5 governing a direct-support organization that is  
6 permitted use of fixed properties and facilities of  
7 the state correctional system by the Department of  
8 Corrections; providing an effective date.  
9

10 Be It Enacted by the Legislature of the State of Florida:  
11

12 Section 1. Section 944.802, Florida Statutes, is amended  
13 to read:

14 944.802 Direct-support organization; definition; use of  
15 property; board of directors; audit.—

16 (1) DEFINITION.—For the purpose of this section, the term  
17 "direct-support organization" means an organization:

18 (a) That ~~which~~ is a corporation not for profit that is  
19 incorporated under ~~the provisions of~~ chapter 617, exempted from  
20 filing fees, and approved by the Department of State;

21 (b) Organized and operated to conduct programs and  
22 activities; initiate developmental projects; raise funds;  
23 request and receive grants, gifts, and bequests of moneys;  
24 acquire, receive, hold, invest, and administer, in its own name,  
25 securities, funds, objects of value, or other property, real or

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26 | personal; and make expenditures to or for the direct or indirect  
27 | benefit of the Department of Corrections or individual units of  
28 | the state correctional system;

29 | (c) Determined by the Department of Corrections to be  
30 | consistent with the priority issues and objectives of the  
31 | Department of Corrections and in the best interest of the state;  
32 | and

33 | (d) Approved in writing by the Secretary of Corrections to  
34 | operate for the direct or indirect benefit of the Department of  
35 | Corrections or individual units of the state correctional  
36 | system. Such approval shall be in a letter of agreement from the  
37 | Department of Corrections.

38 | (2) USE OF PROPERTY.—

39 | (a) The Department of Corrections may permit, without  
40 | charge, appropriate use of fixed property and facilities of the  
41 | state correctional system by a direct-support organization  
42 | subject to ~~the provisions in~~ this section. Such use must be  
43 | directly in keeping with the approved purpose of the direct-  
44 | support organization, and may not be made at times or places  
45 | that would unreasonably interfere with opportunities for inmates  
46 | and staff to use the areas for established purposes.

47 | (b) The Department of Corrections may prescribe by rule  
48 | any condition with which a direct-support organization shall  
49 | comply in order to use fixed property or facilities of the state  
50 | correctional system.

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51 (c) The Department of Corrections shall not permit the use  
52 of any fixed property or facilities of the Department of  
53 Corrections by a direct-support organization that does not  
54 provide equal membership and employment opportunities to all  
55 persons regardless of race, color, religion, sex, age, or  
56 national origin.

57 (3) ANNUAL AUDIT.—The direct-support organization shall  
58 provide for an annual financial audit in accordance with s.  
59 215.981.

60 ~~(4) REPEAL. This section is repealed October 1, 2018,~~  
61 ~~unless reviewed and saved from repeal by the Legislature.~~

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