

By the Committee on Criminal Justice; and Senator Bracy

591-02331-18

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1 A bill to be entitled
2 An act relating to the Department of Juvenile
3 Justice's direct-support organization; amending s.
4 985.672, F.S.; requiring the secretary of the
5 department to appoint board of directors to the
6 department's direct-support organization according to
7 the organization's established bylaws; abrogating the
8 scheduled repeal of provisions governing a direct-
9 support organization established by the department;
10 providing an effective date.

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

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14 Section 1. Section 985.672, Florida Statutes, is amended to
15 read:

16 985.672 Direct-support organization; definition; use of
17 property; board of directors; audit.—

18 (1) DEFINITION.—As used in this section, the term "direct-
19 support organization" means an organization whose sole purpose
20 is to support the juvenile justice system and which is:

21 (a) A corporation not-for-profit incorporated under chapter
22 617 and which is approved by the Department of State;

23 (b) Organized and operated to conduct programs and
24 activities; to raise funds; to request and receive grants,
25 gifts, and bequests of moneys; to acquire, receive, hold,
26 invest, and administer, in its own name, securities, funds,
27 objects of value, or other property, real or personal; and to
28 make expenditures to or for the direct or indirect benefit of
29 the Department of Juvenile Justice or the juvenile justice

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30 system operated by a county commission or a circuit board; and

31 (c) Determined by the Department of Juvenile Justice to be
32 consistent with the goals of the juvenile justice system, in the
33 best interest of the state, and in accordance with the adopted
34 goals and mission of the Department of Juvenile Justice.

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36 Expenditures of the organization shall be used for the
37 prevention and amelioration of juvenile delinquency. The
38 expenditures of the direct-support organization may not be used
39 for the purpose of lobbying as defined in s. 11.045.

40 (2) CONTRACT.—The direct-support organization shall operate
41 under written contract with the department. The contract must
42 provide for:

43 (a) Approval of the articles of incorporation and bylaws of
44 the direct-support organization by the department.

45 (b) Submission of an annual budget for the approval of the
46 department.

47 (c) Certification by the department that the direct-support
48 organization is complying with the terms of the contract and in
49 a manner consistent with the goals and purposes of the
50 department and in the best interest of the state. Such
51 certification must be made annually and reported in the official
52 minutes of a meeting of the direct-support organization.

53 (d) The reversion of moneys and property held in trust by
54 the direct-support organization for the benefit of the juvenile
55 justice system to the state if the department ceases to exist or
56 to the department if the direct-support organization is no
57 longer approved to operate for the department, a county
58 commission, or a circuit board or if the direct-support

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59 organization ceases to exist.~~†~~

60 (e) The fiscal year of the direct-support organization,
61 which must begin July 1 of each year and end June 30 of the
62 following year.~~†~~

63 (f) The disclosure of material provisions of the contract,
64 and the distinction between the department and the direct-
65 support organization, to donors of gifts, contributions, or
66 bequests, including such disclosure on all promotional and
67 fundraising publications.

68 (3) BOARD OF DIRECTORS.—The Secretary of Juvenile Justice
69 shall appoint a board of directors of the direct-support
70 organization according to the direct-support organization's
71 established bylaws. ~~Members of the organization must include~~
72 ~~representatives from businesses, representatives from each of~~
73 ~~the juvenile justice service districts, and one representative~~
74 ~~appointed at large.~~

75 (4) USE OF PROPERTY.—The department may permit, without
76 charge, appropriate use of fixed property, facilities, and
77 personnel services of the juvenile justice system by the direct-
78 support organization, subject to this section. For the purposes
79 of this subsection, the term "personnel services" includes full-
80 time or part-time personnel, as well as payroll processing
81 services.

82 (a) The department may prescribe any condition with which
83 the direct-support organization must comply in order to use
84 fixed property or facilities of the juvenile justice system.

85 (b) The department may not permit the use of any fixed
86 property or facilities of the juvenile justice system by the
87 direct-support organization if it does not provide equal

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88 membership and employment opportunities to all persons
89 regardless of race, color, religion, sex, age, or national
90 origin.

91 (c) The department shall adopt rules prescribing the
92 procedures by which the direct-support organization is governed
93 and any conditions with which a direct-support organization must
94 comply to use property or facilities of the department.

95 (5) DEPOSIT OF FUNDS.—Any moneys may be held in a separate
96 depository account in the name of the direct-support
97 organization and subject to the provisions of the contract with
98 the department.

99 (6) AUDIT.—The direct-support organization shall provide
100 for an annual financial audit in accordance with s. 215.981.

101 ~~(7) REPEAL. This section is repealed October 1, 2018,~~
102 ~~unless reviewed and saved from repeal by the Legislature.~~

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