



229772

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
04/17/2021	.	
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The Committee on Appropriations (Rodriguez) recommended the following:

Senate Amendment (with title amendment)

Delete lines 50 - 165
and insert:

(a) "Governmental entity" means a state, regional, county, municipal, or special district entity, or any other political subdivision, whether executive, judicial, or legislative, including, but not limited to, a department, a division, a bureau, a commission, an authority, a district, or an agency thereof or a public school, a Florida College System



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11 institution, a state university, or an associated board.

12 (b) "Operational audit" has the same meaning as in s.
13 11.45(1).

14 (c) "Quasi-public entity" means an entity, other than a
15 governmental entity, established by general law, regardless of
16 form, for a public purpose or to effectuate a government
17 program, and that is not under the direct control of a
18 governmental entity. The term does not include a citizen support
19 organization or a direct-support organization. For purposes of
20 this paragraph, the term "direct control" means the ability to
21 plan, direct, coordinate, and execute the powers, duties,
22 functions, and responsibilities of a quasi-public entity,
23 including the ability to control, supervise, and manage the
24 quasi-public entity's daily operations. The term does not
25 include the appointment of public officials or private persons
26 to the governing body, regardless of appointment method, and
27 does not include the approval of a plan of operations by a
28 governmental entity.

29 (2) (a) For a quasi-public entity created in law before July
30 1, 2021, the Governor must specify a department with which the
31 quasi-public entity will be affiliated, unless a department is
32 already specified in law, no later than December 31, 2021. The
33 affiliated department, whether specified by the Governor or in
34 law, shall serve in an advisory capacity to the governing body
35 of the affiliated quasi-public entity. The head of the
36 affiliated department shall review the activities of the
37 affiliated quasi-public entity at least annually and shall
38 recommend appropriate statutory changes to the Legislature, as
39 necessary, to ensure the most efficient and cost-effective



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40 operation.

41 (b) For a quasi-public entity created in law on or after
42 July 1, 2021, the law creating the quasi-public entity shall
43 specify a department with which the quasi-public entity will be
44 affiliated. The affiliated department shall serve in an advisory
45 capacity to the governing body of the affiliated quasi-public
46 entity. The head of the affiliated department shall review the
47 activities of the affiliated quasi-public entity at least
48 annually and shall recommend appropriate statutory changes to
49 the Legislature, as necessary, to ensure the most efficient and
50 cost-effective operation.

51 (3) By September 15 of each year, each quasi-public entity
52 shall submit a report to the Governor, the President of the
53 Senate, the Speaker of the House of Representatives, and its
54 affiliated department which includes all of the following
55 information:

56 (a) The name, mailing address, physical address, telephone
57 number, and website address of the quasi-public entity.

58 (b) The statutory authority creating the quasi-public
59 entity.

60 (c) A description of the quasi-public entity's mission.

61 (d) A description of the quasi-public entity's plans for
62 the next 3 fiscal years.

63 (e) A copy of the quasi-public entity's code of ethics.

64 (f) If the quasi-public entity is a corporation not for
65 profit, a copy of the entity's most recent federal Internal
66 Revenue Service Return of Organization Exempt from Income Tax
67 Form (Form 990).

68 (g) If the quasi-public entity is organized as a



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69 corporation, a copy of all of the following:

70 1. Corporate governance framework and structure.

71 2. Policies and practices of the corporation's significant
72 committees, including any compensation committee.

73 3. Policies and practices for directing senior management.

74 4. Processes by which the board, its committees, and senior
75 management ensure an appropriate amount of oversight over the
76 corporation's activities.

77 (h) If the quasi-public entity has created an entity of any
78 type with which it is affiliated, the following information must
79 be included for each such affiliated entity:

80 1. The name, mailing address, physical address, telephone
81 number, and website address of the affiliated entity.

82 2. The statutory authority creating or authorizing the
83 creation of the affiliated entity, if any.

84 3. A description of the affiliated entity's mission.

85 4. If the affiliated entity is a corporation, a copy of all
86 of the information described in paragraph (g).

87 5. If the affiliated entity is a corporation not for
88 profit, a copy of the entity's most recent federal Internal
89 Revenue Service Return of Organization Exempt from Income Tax
90 Form (Form 990).

91 (4) Each quasi-public entity shall maintain a publicly
92 accessible website. The website must include the following:

93 (a) The report required pursuant to subsection (4).

94 (b) The most recently approved operating budget, which must
95 be maintained on the website for 2 years.

96 (c) The position title and annual salary or rate of pay for
97 each regularly established position.



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98 (d) A link to any state audit or report of the entity's
99 operations.

100 (e) A link to any program or activity descriptions for
101 which funds may be expended.

102 (f) All meeting notices for meetings of the entity's
103 governing body, which must be maintained on the website for 2
104 years.

105 (g) The official minutes of each meeting of the entity's
106 governing body, which must be posted no later than 7 days after
107 the date of the meeting in which the minutes are approved.

108 (5) A quasi-public entity may not use public funds to
109 retain a lobbyist to represent the entity before the legislative
110 or executive branch. However, a full-time employee of the quasi-
111 public entity may register as a lobbyist and represent the
112 entity before the legislative or executive branch. Except as a
113 full-time employee, a person may not accept public funds from a
114 quasi-public entity for lobbying.

115 (6) Unless specifically authorized by law, a quasi-public
116 entity may not create an entity separate from itself, including
117 a citizen support organization or a direct-support organization.

118 (7) Any meeting of a quasi-public entity's governing body
119 must be video recorded.

120 (8) The executive director of a quasi-public entity, or an
121 officer with responsibilities similar to that of an executive
122 director, may not recommend or otherwise be involved in the
123 selection, appointment, or retention of any member of the
124 entity's governing body.

125 (9) (a) By October 1, 2021, the Auditor General shall
126 compile a list of the quasi-public entities subject to this



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127 section and provide such list to the Governor, the President of
128 the Senate, the Speaker of the House of Representatives, and the
129 Legislative Auditing Committee. The list must be available on
130 the Auditor General's website for review by the public.

131 (b) The Legislative Auditing Committee shall establish
132 procedures for the annual selection of a random sample of 5
133 percent of the quasi-public entities identified in paragraph (a)
134 to undergo an operational audit by the Auditor General. A quasi-
135 public entity that has had an operational audit completed within
136 the preceding 4 years or that is otherwise subject to a
137 statutorily-required operational audit shall not be included in
138 the random sample.

139 Section 2. Paragraph (d) of subsection (2) of section
140 215.985, Florida Statutes, is redesignated as paragraph (e), a
141 new paragraph (d) is added to that subsection, and subsections
142 (6) and (14) of that section are amended to read:

143 215.985 Transparency in government spending.—

144 (2) As used in this section, the term:

145 (d) "Quasi-public entity" has the same meaning as provided
146 in s. 20.059.

147 (6) The Department of Management Services shall establish
148 and maintain a website that provides current information
149 relating to each employee or officer of a state agency, a state
150 university, a Florida College System institution, a quasi-public
151 entity, or the State Board of Administration, regardless of the
152 appropriation category from which the person is paid.

153 (a) For each employee or officer, the information must
154 include, at a minimum, his or her:

155 1. Name and salary or hourly rate of pay.



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- 156 2. Position number, class code, and class title.
- 157 3. Employing agency or quasi-public entity and budget
- 158 entity.

159 (b) The information must be searchable by state agency,
160 state university, Florida College System institution, quasi-
161 public entity, and the State Board of Administration, and by
162 employee name, salary range, or class code and must be
163 downloadable in a format that allows offline analysis.

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

167 And the title is amended as follows:

168 Delete lines 8 - 24

169 and insert:

170 requiring a quasi-public entity to submit an annual
171 report that includes certain information to the
172 Governor, the Legislature, and its affiliated
173 department by a certain date; requiring a quasi-public
174 entity to maintain a website that includes certain
175 information; prohibiting a quasi-public entity from
176 using public funds to retain a lobbyist; authorizing
177 certain employees of a quasi-public entity to register
178 as a lobbyist and represent the quasi-public entity;
179 prohibiting a quasi-public entity from creating an
180 entity separate from itself; requiring that meetings
181 of the quasi-public entity's governing body be video
182 recorded; prohibiting an executive director or similar
183 officer of a quasi-public entity from certain
184 involvement with the entity's governing body;



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185 requiring the Auditor General to identify quasi-public
186 entities; requiring the Legislative Auditing Committee
187 to establish a process for random selection of quasi-
188 public entities to undergo operational audits;
189 providing exceptions to the audit process for certain
190 entities; amending s. 215.985, F.S.; defining the term
191 "quasi-public entity"; requiring the Department of
192 Management Services to provide certain information
193 relating to quasi-public entity employees or officers
194 on a website; requiring such information to be
195 searchable in a certain manner;