



LEGISLATIVE ACTION

Senate	.	House
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Floor: 1/AD/2R	.	
04/19/2023 04:50 PM	.	
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Senator Burgess moved the following:

Senate Amendment (with title amendment)

Between lines 153 and 154
insert:

Section 2. Paragraphs (a) and (c) of subsection (2) and
subsection (4) of section 1001.453, Florida Statutes, are
amended to read:

1001.453 Direct-support organization; use of property;
board of directors; audit.—

(2) USE OF PROPERTY.—A district school board:

(a) Is authorized to:



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12 1. Permit the use of property, facilities, and personal
13 services of the district by a direct-support organization,
14 subject to ~~the provisions of~~ this section; or

15 2. Contract with a direct-support organization for personal
16 services or operations. However, a retiree of the Florida
17 Retirement System must first satisfy the requirements for
18 termination from employment provided in s. 121.021(39) before
19 providing such services or operations for a Florida Retirement
20 System employer, and is subject to the reemployment limitations
21 provided in s. 121.091(9).

22 (c) May ~~shall~~ not permit the use of property, facilities,
23 or personal services by ~~of~~ a direct-support organization if such
24 organization does not provide equal employment opportunities to
25 all persons, regardless of race, color, religion, sex, age, or
26 national origin.

27 (4) ANNUAL FINANCIAL AUDIT.—Each direct-support
28 organization with more than \$250,000 ~~\$100,000~~ in expenditures or
29 expenses shall provide for an annual financial audit of its
30 accounts and records, to be conducted by an independent
31 certified public accountant in accordance with rules adopted by
32 the Auditor General pursuant to s. 11.45(8) and the Commissioner
33 of Education. A district school board may contract with a vendor
34 for an annual financial audit of a direct-support organization.
35 The annual financial audit report shall be submitted within 9
36 months after the fiscal year's end to the district school board
37 and the Auditor General. The Commissioner of Education, the
38 Auditor General, and the Office of Program Policy Analysis and
39 Government Accountability have the authority to require and
40 receive from the organization or the district auditor any



41 records relative to the operation of the organization. The
42 identity of donors and all information identifying donors and
43 prospective donors are confidential and exempt from ~~the~~
44 ~~provisions of~~ s. 119.07(1), and that anonymity shall be
45 maintained in the auditor's report. All other records and
46 information shall be considered public records for the purposes
47 of chapter 119.

48
49 ===== T I T L E A M E N D M E N T =====

50 And the title is amended as follows:

51 Delete lines 2 - 26

52 and insert:

53 An act relating to direct-support organizations;
54 amending s. 402.57, F.S.; authorizing the Department
55 of Children and Families to establish a direct-support
56 organization for a specified purpose; specifying
57 criteria for the direct-support organization;
58 requiring the direct-support organization to operate
59 under written contract with the department; providing
60 requirements for the contract; requiring the Secretary
61 of Children and Families to appoint a board of
62 directors for the direct-support organization;
63 providing for appointment of board members;
64 authorizing the department to allow the direct-support
65 organization to use, without charge, the department's
66 fixed property, facilities, and personnel services,
67 subject to certain requirements; defining the term
68 "personnel services"; authorizing the direct-support
69 organization to collect, expend, and provide funds for



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70 specified purposes; prohibiting the use of such funds
71 for lobbying purposes; authorizing moneys to be held
72 in a separate depository account in the name of the
73 direct-support organization, subject to certain
74 requirements; requiring the direct-support
75 organization to provide for annual audits; providing
76 for future repeal; amending s. 1001.453, F.S.;
77 authorizing district school boards to contract with
78 direct-support organizations for personal services or
79 operations, subject to certain limitations; revising
80 the amount of expenditures and expenses a direct-
81 support organization must have to be required to
82 provide for an annual financial audit; authorizing
83 district school boards to contract with a vendor for
84 such audits; providing an effective date.