

26 read:

27 402.57 Direct-support organization.—

28 (1) The Department of Children and Families is authorized
 29 to create a direct-support organization.

30 (a) As used in this subsection, the term "direct-support
 31 organization" means an organization with the sole purpose of
 32 supporting the department and is:

33 1. A corporation not-for-profit incorporated under chapter
 34 617 and approved by the Department of State;

35 2. Organized and operated to conduct programs and
 36 activities; to raise funds; to request and receive grants,
 37 gifts, and bequests of moneys; to acquire, receive, hold,
 38 invest, and administer, in its own name, securities, funds,
 39 objects of value, or other property, real or personal; and to
 40 make expenditures to or for the direct or indirect benefit of
 41 the department and the individuals it serves; and

42 3. Determined by the department to be consistent with the
 43 needs of children and adults served by the department, in the
 44 best interest of the state and of those who serve in and are
 45 served by state mental health treatment facilities, and in
 46 accordance with the goals and mission of the department.

47 (b) The direct-support organization shall operate under a
 48 written contract with the department. The written contract must
 49 provide for all of the following:

50 1. Approval of the articles of incorporation and bylaws of

51 the direct-support organization by the department.

52 2. Submission of an annual budget for the approval of the
53 department.

54 3. Certification by the department that the direct-support
55 organization is complying with the terms of the contract and is
56 doing so consistent with the goals and purposes of the
57 department and in the best interest of the state. The
58 certification must be made annually and reported in the official
59 minutes of a meeting of the direct-support organization.

60 4. The reversion of moneys and property held in trust by
61 the direct-support organization for the benefit of those served
62 by the department to the state if the department ceases to exist
63 or to the department if the direct-support organization is no
64 longer approved to operate for the department, a county
65 commission, or a circuit board or if the direct-support
66 organization ceases to exist.

67 5. The fiscal year of the direct-support organization,
68 which must begin July 1 of each year and end June 30 of the
69 following year.

70 6. The disclosure of material provisions of the contract,
71 and the distinction between the department and the direct-
72 support organization, to donors of gifts, contributions, or
73 bequests, including such disclosure on all promotional and
74 fundraising publications.

75 (c) The secretary of the department shall appoint a board

76 of directors of the direct-support organization. The board
77 members shall be appointed according to the organization's
78 bylaws.

79 (d) The department may permit, without charge, appropriate
80 use of fixed property, facilities, and personnel services of the
81 department by the direct-support organization, subject to this
82 section. For the purposes of this subsection, the term
83 "personnel services" includes full-time or part-time personnel,
84 as well as payroll processing services.

85 1. The department may prescribe any condition with which
86 the direct-support organization must comply in order to use any
87 fixed property or facilities of the department.

88 2. The department may not permit the use of any fixed
89 property or facilities of the department by the direct-support
90 organization if it does not provide equal membership and
91 employment opportunities to all persons regardless of race,
92 color, religion, sex, age, or national origin.

93 3. The department shall adopt rules prescribing the
94 procedures by which the direct-support organization is governed
95 and any conditions with which a direct-support organization must
96 comply to use any fixed property or facilities of the
97 department.

98 (e) The direct-support organization may collect, expend,
99 and provide funds for:

100 1. Addressing gaps in services for the children and adults

101 served by the department.

102 2. Development, implementation, and operation of targeted
 103 prevention efforts.

104 3. Services and activities that support the goals of the
 105 department.

106 4. Functions of the direct-support organization's board of
 107 directors, as necessary and approved by the department.

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109 The expenditures of the direct-support organization may not be
 110 used for the purpose of lobbying as defined in s. 11.045(1).

111 (f) Any moneys may be held in a separate depository
 112 account in the name of the direct-support organization and
 113 subject to the provisions of the contract with the department.

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

116 (h) This subsection shall stand repealed on October 1,
 117 2028, unless reviewed and saved from repeal through reenactment
 118 by the Legislature.

119 (2) The Department of Children and Families shall
 120 establish a direct-support organization to assist the Children
 121 and Youth Cabinet established in s. 402.56 in carrying out its
 122 purposes and responsibilities, primarily regarding fostering
 123 public awareness of children and youth issues and developing new
 124 partners in the effort to serve children and youth by raising
 125 money; submitting requests for and receiving grants from the

126 Federal Government, the state or its political subdivisions,
127 private foundations, and individuals; and making expenditures to
128 or for the benefit of the cabinet. The sole purpose for the
129 direct-support organization is to support the cabinet.

130 (a) The direct-support organization must be:

131 1.(a) Incorporated under chapter 617 and approved by the
132 Department of State as a Florida corporation not for profit.

133 2.(b) Organized and operated to make expenditures to or
134 for the benefit of the cabinet.

135 3.(c) Approved by the department to be operating for the
136 benefit of and in a manner consistent with the goals of the
137 cabinet and in the best interest of the state.

138 (b)-(2) The board of directors of the direct-support
139 organization shall consist of seven members appointed by the
140 Governor. Each member of the board of directors shall be
141 appointed to a 4-year term. However, for the purpose of
142 providing staggered terms, the initial appointments shall be for
143 either 2 years or 4 years, as determined by the Governor.

144 (c)-(3) The direct-support organization shall operate under
145 a written contract with the department.

146 (d)-(4) All moneys received by the direct-support
147 organization must be deposited into an account of the direct-
148 support organization and shall be used in a manner consistent
149 with the goals of the cabinet.

150 (e)-(5) This subsection ~~section~~ is repealed October 1,

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151 | 2024, unless reviewed and saved from repeal by the Legislature.
152 | Section 2. This act shall take effect July 1, 2023.