



26 1004.28 Direct-support organizations; use of property;  
 27 board of directors; activities; audit; facilities.—

28 (1) DEFINITIONS.—For the purposes of this section:

29 ~~(b) "Personal services" includes full-time or part-time~~  
 30 ~~personnel as well as payroll processing.~~

31 (2) USE OF PROPERTY.—

32 (a) Each state university board of trustees is authorized  
 33 to permit the use of property and, facilities, ~~and personal~~  
 34 ~~services~~ at any state university by any university direct-  
 35 support organization, and, subject to the provisions of this  
 36 section, direct-support organizations may establish accounts  
 37 with the State Board of Administration for investment of funds  
 38 pursuant to part IV of chapter 218.

39 (b) The board of trustees, in accordance with rules and  
 40 guidelines of the Board of Governors, shall prescribe by rule  
 41 conditions with which a university direct-support organization  
 42 must comply in order to use property or, facilities, ~~or personal~~  
 43 ~~services~~ at any state university. Such rules shall provide for  
 44 budget and audit review and oversight by the board of trustees.

45 (c) The board of trustees shall not permit the use of  
 46 property or, facilities, ~~or personal services~~ at any state  
 47 university by any university direct-support organization that  
 48 does not provide equal employment opportunities to all persons  
 49 regardless of race, color, religion, gender, age, or national  
 50 origin.

51 (4) ACTIVITIES; RESTRICTION.—A university direct-support  
 52 organization is prohibited from giving, either directly or  
 53 indirectly, any gift to a political committee as defined in s.  
 54 106.011 ~~for any purpose other than those certified by a majority~~  
 55 ~~roll call vote of the governing board of the direct-support~~  
 56 ~~organization at a regularly scheduled meeting as being directly~~  
 57 ~~related to the educational mission of the university.~~

58 (5) ANNUAL AUDIT; PUBLIC RECORDS EXEMPTION; PUBLIC  
 59 MEETINGS EXEMPTION.—

60 (b) All records of the organization relating to the  
 61 identity of donors who desire to remain anonymous ~~other than the~~  
 62 ~~auditor's report, management letter, and any supplemental data~~  
 63 ~~requested by the Board of Governors, the university board of~~  
 64 ~~trustees, the Auditor General, and the Office of Program Policy~~  
 65 ~~Analysis and Government Accountability~~ shall be confidential and  
 66 exempt from s. 119.07(1).

67 Section 2. Subsections (1) and (3), paragraph (d) of  
 68 subsection (4), and subsection (6) of section 1004.70, Florida  
 69 Statutes, are amended to read:

70 1004.70 Florida College System institution direct-support  
 71 organizations.—

72 (1) DEFINITION ~~DEFINITIONS~~.—For the purposes of this  
 73 section a÷

74 ~~(a)~~ "Florida College System institution direct-support  
 75 organization" means an organization that is:

76        (a)1. A Florida corporation not for profit, incorporated  
 77 under the provisions of chapter 617 and approved by the  
 78 Department of State.

79        (b)2. Organized and operated exclusively to receive, hold,  
 80 invest, and administer property and to make expenditures to, or  
 81 for the benefit of, a Florida College System institution in this  
 82 state.

83        (c)3. An organization that the Florida College System  
 84 institution board of trustees, after review, has certified to be  
 85 operating in a manner consistent with the goals of the Florida  
 86 College System institution and in the best interest of the  
 87 state. Any organization that is denied certification by the  
 88 board of trustees may not use the name of the Florida College  
 89 System institution that it serves.

90        ~~(b) "Personal services" includes full-time or part-time~~  
 91 ~~personnel as well as payroll processing.~~

92        (3) USE OF PROPERTY.—

93        (a) The board of trustees is authorized to permit the use  
 94 of property and, facilities, ~~and personal services~~ at any  
 95 Florida College System institution by any Florida College System  
 96 institution direct-support organization, subject to the  
 97 provisions of this section.

98        (b) The board of trustees is authorized to prescribe by  
 99 rule any condition with which a Florida College System  
 100 institution direct-support organization must comply in order to

101 use property or, facilities, ~~or personal services~~ at any Florida  
102 College System institution.

103 (c) The board of trustees may not permit the use of  
104 property or, facilities, ~~or personal services~~ at any Florida  
105 College System institution by any Florida College System  
106 institution direct-support organization that does not provide  
107 equal employment opportunities to all persons regardless of  
108 race, color, national origin, gender, age, or religion.

109 (4) ACTIVITIES; RESTRICTIONS.—

110 (d) A Florida College System institution direct-support  
111 organization is prohibited from giving, either directly or  
112 indirectly, any gift to a political committee as defined in s.  
113 106.011 ~~for any purpose other than those certified by a majority~~  
114 ~~roll call vote of the governing board of the direct-support~~  
115 ~~organization at a regularly scheduled meeting as being directly~~  
116 ~~related to the educational mission of the Florida College System~~  
117 ~~institution.~~

118 (6) ANNUAL AUDIT.—Each direct-support organization shall  
119 provide for an annual financial audit in accordance with rules  
120 adopted by the Auditor General pursuant to s. 11.45(8). The  
121 annual audit report must be submitted, within 9 months after the  
122 end of the fiscal year, to the Auditor General, the State Board  
123 of Education, and the board of trustees for review. The board of  
124 trustees, the Auditor General, and the Office of Program Policy  
125 Analysis and Government Accountability may require and receive

126 | from the organization or from its independent auditor any detail  
127 | or supplemental data relative to the operation of the  
128 | organization. The identity of donors who desire to remain  
129 | anonymous shall be protected, and that anonymity shall be  
130 | maintained in the auditor's report. All records of the  
131 | organization relating to the identity of donors who desire to  
132 | remain anonymous, ~~other than the auditor's report, any~~  
133 | ~~information necessary for the auditor's report, any information~~  
134 | ~~related to the expenditure of funds, and any supplemental data~~  
135 | ~~requested by the board of trustees, the Auditor General, and the~~  
136 | ~~Office of Program Policy Analysis and Government Accountability,~~  
137 | shall be confidential and exempt from the provisions of s.  
138 | 119.07(1).

139 |       Section 3. This act shall take effect July 1, 2017.