

**Effective July 1, 2024**

**CHIEF FINANCIAL OFFICER MEMORANDUM NO. 25**

**SUBJECT: CONTRACTS WITH NON-PROFIT ORGANIZATIONS AS DEFINED IN SECTION 215.72(2)(m), FLORIDA STATUTES**

This memorandum establishes requirements for contracts with non-profit organizations.

**FLORIDA ACCOUNTABILITY CONTRACT TRACKING SYSTEM (FACTS) REQUIREMENTS**

Section (s.) 215.985, Florida Statutes (F.S), amended in 2023 requires that each contract for which a state entity makes a payment pursuant to a contract executed, amended, or extended on or after July 1, 2023, the state entity shall post any documents submitted pursuant to s. 216.1366, F.S., which indicates the use of state funds as remuneration under the contract or a specified payment associated with the contract on the contract tracking system.

**CONTRACT DOCUMENTATION REQUIREMENTS**

Section 216.1366, F.S., amended in 2023, establishes new documentation requirements for any contract for services executed, amended, or extended on or after July 1, 2023, with non-profit organizations as defined in s. 215.97 (2)(m), F.S. The contract must require the contractor to provide documentation that indicates the amount of state funds:

- Allocated to be used during the full term of the contract for remuneration to any member of the board of directors or an officer of the contractor.
- Allocated under each payment by the public agency to be used for remuneration of any member of the board of directors or an officer of the contractor. The documentation must indicate the amounts and recipients of the remuneration.

Such information must be included in the contract tracking system maintained pursuant to s. 215.985, F.S., and must be posted on the contractor's website if the contractor maintains a website.

- As used in this subsection, the term:
  - "Officer" means a chief executive officer, chief financial officer, chief operating officer, or any other position performing an equivalent function.
  - "Remuneration" means all compensation earned by or awarded to personnel, whether paid or accrued, regardless of contingency, including bonuses, accrued paid time off, severance payments, incentive payments, contributions to a retirement plan, or in-kind payments, reimbursements, or allowances for moving expenses, vehicles and other transportation, telephone services, medical services, housing, and meals.
  - "State funds" means funds paid from the General Revenue Fund or any state trust fund, funds allocated by the Federal Government and distributed by the state, or funds appropriated by the state for distribution through any grant program. The term does not include funds used for the state Medicaid program.

The attached form will be used to document the compensation to non-profits using state funds

1. This form must be completed **annually** and only for the executive staff that receive compensation. For example, if you have a board member that does not receive any compensation, you **do not** complete this form.
2. One form should be completed for each executive staff that meets the criteria of being a board member or Officer.
3. The contractor should complete and sign this document for each executive staff, as defined in number two (2) above, to which they paid compensation.
4. If the person's compensation was supported by more than one contract or grant, record all applicable contract or grant numbers in the "Agency Grant Agreement/Contract #" area.
5. Enter the total amount of the contract(s) and/or grant(s) in the "Total Grant/Contract Amount" area.
6. When entering the amount for the "Total Amount Allocated" (Budgeted Amount) you should include all funding; State, Federal, Matching (if applicable), and county, that was allocated for each executive staff.
7. When entering the amount for the "Total Amount Paid", this should be how much the person received as compensation out of the "Total Amount Allocated". If the "Total Amount Allocated" happens to be 100% State funds and all funds were used to compensate the person, then the amount for the "Total Amount Paid" would be the same amount.
8. When entering the amount for the "Amount Paid from State Funds", this should be how much the person received as compensation out of the "Total Amount" that was funded with State Funds. If the "Total Amount Allocated" happens to be 100% State funds and all these funds were used to compensate the person, then the amount for the "Total Amount Paid" would be the same amount; therefore, the amount for the "Amount Paid from State Funds" would also be the same amount.
9. If a form has been submitted with incorrect information, the business may resubmit the form at any time.

This memorandum does not supersede the requirements outlined in Chief Financial Officer Memorandum Number 1.

If you have any questions, please call the Bureau of Auditing at (850) 413-5512.

## Total Compensation Paid to Non-Profit Personnel Using State Funds

<b>Name:</b>			
<b>Title:</b>			
<b>Agency Grant Agreement/Contract #</b>			
<b>Total Grant/Contract Amount</b>			
<b>Grant/Contract Term:</b>			
<b>Line Item Budget Category</b>	<b>Total Amount Allocated</b>	<b>Total Amount Paid</b>	<b>Amount Paid from State Funds</b>
Salaries			
Fringe Benefits			
Bonuses			
Accrued Paid Time Off			
Severance Payments			
Retirement Contributions			
In-Kind Payments			
Incentive Payments			
<b>Reimbursements/Allowances</b>			
Moving Expenses			
Transportation Costs			
Telephone Services			
Medical Services Costs			
Housing Costs			
Meals			
<b>Total Annual Amount Paid</b>			
<b>CERTIFICATION: I certify that the amounts listed above are true and accurate and in accordance with the approved budget.</b>			
Name:			
Signature:			
Title:			
Date:			