

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 20-44

WHEREAS, the Florida Coalition Against Domestic Violence (Coalition) submitted documents to the Executive Office of the Governor and Florida House of Representatives on February 12, 2020, revealing that the Coalition used funds from the Department of Children and Families to subsidize exorbitant executive leadership team compensation payouts; and

WHEREAS, information indicates the number of survivors turned away from domestic violence shelters around the State grew as the Coalition increasingly directed State-allocated funds to executive team compensation; and

WHEREAS, upon receiving evidence of the Coalition's fiscal irresponsibility, I ordered the Office of the Chief Inspector General to conduct a thorough review of the Coalition's compensation practices and to refer the matter for additional investigation, if necessary; and

WHEREAS, several provisions of law require various Executive agencies to enter sole-source contracts or other agreements with certain private entities on a non-competitive basis; and

WHEREAS, section 39.903, Fla. Stat., provides one example by requiring the Department of Children and Families to contract with the Coalition for the delivery and management of services for the State's domestic violence program; and

WHEREAS, significant State funds are directed to private organizations through mandatory, non-competitive State contracts and other public-private agreements; and

WHEREAS, Florida law requires that each agency include in contracts with outside organizations appropriate audit and oversight authority and agency access to documents, papers, letters, or other material made or received by the contractor in conjunction with the contract; and

WHEREAS, public-private partnerships effectively serve the People of Florida only when good stewards of State funds lead the partnership and uphold the values of transparency and accountability.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution, and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

Section 1. I hereby direct all Executive agencies to submit to the Executive Office of the Governor, within 45 days of this Order, a list of: (a) all entities named in statute with which the agency must form a sole-source, public-private agreement; and (b) all entities that, through contract or other agreement with the State, annually receive 50% or more of their budget from the State or from a combination of State and Federal funds.

Section 2. I further direct that, within 45 days of submission of the list, each agency obtain and review copies of the IRS Form 990 and other documentation for each listed entity showing total compensation—to include salary, bonuses, cashed-in leave, cash equivalents, severance pay, retirement benefits, deferred compensation, real-property gifts, and any other payout—for all members of the listed contractors' executive leadership teams for the past year. If the compensation totals exceed limits set forth in federal or state law and regulations, the agency shall refer the matter to the Office of the Chief Inspector General for investigation and appropriate action.

Section 3. In addition, within 45 days of submission of the list from Section 1 of this Order, each Executive agency must verify compliance with the Florida Single Audit Act and develop, for submission to the Office of the Chief Inspector General, an appropriate corrective

action plan for non-compliance or any issues noted, and a timeline for completion of the corrective action plans.

Section 4. Each Executive agency shall henceforth require, from entities that meet the criteria listed in Section 1 of this Order, an annual report, including the most recent IRS Form 990, detailing the total compensation for the entities' executive leadership teams. Total compensation shall include salary, bonuses, cashed-in leave, cash equivalents, severance pay, retirement benefits, deferred compensation, real-property gifts, and any other payout. In addition, contracted entities must agree through appropriate contract or grant agreement amendment to inform the agency of any changes in total executive compensation between the annual reports. All compensation reports must indicate what percent of compensation comes directly from the State or Federal allocations to the contracted entity.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 20th day of February, 2020


GOVERNOR

ATTEST:


SECRETARY OF STATE

STATE OF FLORIDA
TALLAHASSEE, FLORIDA

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