

October 12, 2004

Lee County Board Of County Commissioners
Agenda Item Summary

Blue Sheet No. 20041344

1. **REQUESTED MOTION:**

ACTION REQUESTED: Authorize chairman to sign the contract with Catholic Charities, Diocese of Venice to act as lead agency of Choose Life funds in Lee County, once completed by agency.

WHY ACTION IS NECESSARY: Complies with Florida Statutes 320.08058 and 320.08062 to provide funds to meet the material needs of pregnant women who are committed to placing their child for adoption and other eligible adoption related expenses.

WHAT ACTION ACCOMPLISHES: Provides funds collected from the purchase of Choose Life License Plates to a qualifying not-for-profit.

2. **DEPARTMENTAL CATEGORY:**

COMMISSION DISTRICT #

Countywide CW

C5A

3. **MEETING DATE:**

10-26-2004

4. **AGENDA:**

X CONSENT

ADMINISTRATIVE

APPEALS

PUBLIC

WALK ON

TIME REQUIRED:

5. **REQUIREMENT/PURPOSE:**

(Specify)

X STATUTE 320.08058
320.08062

ORDINANCE

ADMIN. CODE

OTHER

6. **REQUESTOR OF INFORMATION:**

A. COMMISSIONER N/A

B. DEPARTMENT Human Services

C. DIVISION N/A

BY: Ann Arnall, Deputy Director

Ann Arnall 10/13/04

7. **BACKGROUND:**

Proceeds from Choose Life License Plates sold in each county are to be returned to said county to be used for meeting the basic material needs of pregnant women who are committed to placing their child for adoption or other eligible adoption related expenses such as counseling, training, or advertising. Funds may not be used for administrative expenses of the county or lead agency. Catholic Charities, Diocese of Venice will serve as lead agency and will work with local service providers to help locate and assist appropriate clients. Funds available during FY05 include \$43,772.86 carried forward from FY 04 and \$25,552.26 in new funds, for a total of \$69,325.12.

Funds are available in account string: 00100.229040

Attachments: Florida Statutes 320.08058 and 320.08062

8. **MANAGEMENT RECOMMENDATIONS:** Recommend Approval

9. **RECOMMENDED APPROVAL:**

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
<i>KBA</i>	<i>[Signature]</i>	N/A	N/A	<i>[Signature]</i>	OA	OM	Risk	GC	<i>[Signature]</i>
					<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	

10. **COMMISSION ACTION:**

- _____ APPROVED
- _____ DENIED
- _____ DEFERRED
- _____ OTHER

Rec. by CoAtty
Date: 10/14/04
Time: 3:28
Forwarded To:
Admin 10/14/04

RECEIVED BY
COUNTY ADMIN: *[Signature]*
10/14/04
3. 2004 501
COUNTY ADMIN
FORWARDED TO:

Select Year: 2004

Attachment
A

The 2004 Florida Statutes

[Title XXIII](#)
MOTOR VEHICLES[Chapter 320](#)
MOTOR VEHICLE LICENSES[View Entire Chapter](#)

320.08058 Specialty license plates.--

(30) CHOOSE LIFE LICENSE PLATES.--

(a) The department shall develop a Choose Life license plate as provided in this section. The word "Florida" must appear at the bottom of the plate, and the words "Choose Life" must appear at the top of the plate.

(b) The annual use fees shall be distributed annually to each county in the ratio that the annual use fees collected by each county bears to the total fees collected for the plates within the state. Each county shall distribute the funds to nongovernmental, not-for-profit agencies within the county, which agencies' services are limited to counseling and meeting the physical needs of pregnant women who are committed to placing their children for adoption. Funds may not be distributed to any agency that is involved or associated with abortion activities, including counseling for or referrals to abortion clinics, providing medical abortion-related procedures, or proabortion advertising, and funds may not be distributed to any agency that charges women for services received.

1. Agencies that receive the funds must use at least 70 percent of the funds to provide for the material needs of pregnant women who are committed to placing their children for adoption, including clothing, housing, medical care, food, utilities, and transportation. Such funds may also be expended on infants awaiting placement with adoptive parents.

2. The remaining funds may be used for adoption, counseling, training, or advertising, but may not be used for administrative expenses, legal expenses, or capital expenditures.

3. Each agency that receives such funds must submit an annual audit, prepared by a certified public accountant, to the county. The county may conduct a consolidated audit in lieu of the annual audit. Any unused funds that exceed 10 percent of the funds received by an agency during its fiscal year must be returned to the county, which shall distribute them to other qualified agencies.

Select Year: 2004 

The 2004 Florida Statutes

Title XXIII
MOTOR VEHICLESChapter 320
MOTOR VEHICLE LICENSES[View Entire Chapter](#)

320.08062 Audits and attestations required; annual use fees of specialty license plates.--

(1)(a) All organizations that receive annual use fee proceeds from the department are responsible for ensuring that proceeds are used in accordance with ss. [320.08056](#) and [320.08058](#).

(b) Any organization not subject to audit pursuant to s. [215.97](#) shall annually attest, under penalties of perjury, that such proceeds were used in compliance with ss. [320.08056](#) and [320.08058](#). The attestation shall be made annually in a form and format determined by the department.

(c) Any organization subject to audit pursuant to s. [215.97](#) shall submit an audit report in accordance with rules promulgated by the Auditor General. The annual attestation shall be submitted to the department for review within 9 months after the end of the organization's fiscal year.

(2) Within 90 days after receiving an organization's audit or attestation, the department shall determine which recipients of revenues from specialty license plate annual use fees have not complied with subsection (1). If the department determines that an organization has not complied or has failed to use the revenues in accordance with ss. [320.08056](#) and [320.08058](#), the department must discontinue the distribution of the revenues to the organization until the department determines that the organization has complied. If an organization fails to comply within 12 months after the annual use fee proceeds are withheld by the department, the proceeds shall be deposited into the Highway Safety Operating Trust Fund to offset department costs related to the issuance of specialty license plates.

(3) The department has the authority to examine all records pertaining to the use of funds from the sale of specialty license plates.

History.--s. 5, ch. 90-194; s. 7, ch. 95-282; s. 3, ch. 98-414; s. 270, ch. 99-248; s. 8, ch. 2001-196; s. 102, ch. 2001-266.

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