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594-02559-15

Proposed Committee Substitute by the Committee on Fiscal Policy
(Appropriations Subcommittee on Transportation, Tourism, and
Economic Development)

1 A bill to be entitled
2 An act relating to individuals with disabilities;
3 requiring the Department of Economic Opportunity, in
4 consultation with other organizations, to create the
5 Florida Unique Abilities Partner program; defining
6 terms; authorizing a business entity to apply to the
7 department for designation; requiring the department
8 to consider nominations of business entities for
9 designation; requiring the department to adopt
10 procedures for application and designation processes;
11 establishing criteria for a business entity to be
12 designated as a Florida Unique Abilities Partner;
13 requiring a business entity to certify that it
14 continues to meet the established criteria for
15 designation each year; requiring the department to
16 remove the designation if a business entity does not
17 submit yearly certification of continued eligibility;
18 authorizing a business entity to discontinue its use
19 of the designation; requiring the department, in
20 consultation with the disability community, to develop
21 a logo for business entities designated as Florida
22 Unique Abilities Program Partners; requiring the
23 department to adopt guidelines and requirements for
24 use of the logo; authorizing the department to allow a
25 designated business entity to display a logo;
26 prohibiting the use of a logo if a business entity



897622

594-02559-15

27 does not have a current designation; requiring the
28 department to maintain a website with specified
29 information; requiring the Agency for Persons with
30 Disabilities to provide a link on its website to the
31 department's website for the Florida Unique Abilities
32 Partner program; requiring the department to provide
33 the Florida Tourism Industry Marketing Corporation
34 with certain information; requiring the department and
35 CareerSource Florida, Inc., to identify employment
36 opportunities posted by employers that receive the
37 Florida Unique Abilities Partner designation on the
38 workforce information system; providing report
39 requirements; requiring the department to adopt rules;
40 providing appropriations; providing an effective date.

41

42 Be It Enacted by the Legislature of the State of Florida:

43

44 Section 1. Florida Unique Abilities Partner program.-

45 (1) CREATION AND PURPOSE.-The Department of Economic
46 Opportunity shall establish the Florida Unique Abilities Partner
47 program to designate a business entity as a Florida Unique
48 Abilities Partner if the business entity demonstrates
49 commitment, through employment or support, to the independence
50 of individuals who have a disability. The department shall
51 consult with the Agency for Persons with Disabilities, the
52 Division of Vocational Rehabilitation of the Department of
53 Education, the Division of Blind Services of the Department of
54 Education, and CareerSource Florida, Inc., in creating the
55 program.



897622

594-02559-15

56 (2) DEFINITIONS.—As used in this section, the term:

57 (a) "Department" means the Department of Economic
58 Opportunity.

59 (b) "Individuals who have a disability" means persons who
60 have a physical or intellectual impairment that substantially
61 limits one or more major life activities; persons who have a
62 history or record of such an impairment; or persons who are
63 perceived by others as having such an impairment.

64 (3) DESIGNATION.—

65 (a) A business entity may apply to the department to be
66 designated as a Florida Unique Abilities Partner, based on the
67 business entity's achievements in at least one of the following
68 categories:

69 1. Employment of individuals who have a disability.

70 2. Contributions to local or national disability
71 organizations.

72 3. Contributions to or the establishment of a program that
73 contributes to the independence of individuals who have a
74 disability.

75 (b) As an alternative to application by a business entity,
76 the department must consider nominations from members of the
77 community where the business entity is located. The nomination
78 must identify the business entity's achievements in at least one
79 of the categories provided in paragraph (a).

80 (c) The name, location, and contact information of the
81 business entity must be included in the business entity's
82 application or nomination.

83 (d) The department shall adopt procedures for the
84 application, nomination, and designation processes for the



897622

594-02559-15

85 Florida Unique Abilities Partner program. Designation as a
86 Florida Unique Abilities Partner does not establish or involve
87 licensure, does not affect the substantial interests of a party,
88 and does not constitute a final agency action. The Florida
89 Unique Abilities Partner program and designation are not subject
90 to chapter 120, Florida Statutes.

91 (4) ELIGIBILITY AND AWARD.-In determining the eligibility
92 for the designation of a business entity as a Florida Unique
93 Abilities Partner, the department shall consider, at a minimum,
94 the following criteria:

95 (a) For a designation based on an application by a
96 business:

97 1. A business entity must certify that it employs at least
98 one individual who has a disability. Such employees must be
99 residents of this state and must have been employed by the
100 business entity for at least 9 months before the business
101 entity's application for the designation. The department may not
102 require the employer to provide personally identifiable
103 information about its employees;

104 2. A business entity must certify that it has made
105 contributions to local and national disability organizations or
106 contributions in support of individuals who have a disability.
107 Contributions may be accomplished through financial or in-kind
108 contributions, including employee volunteer hours. Contributions
109 must be documented by providing copies of written receipts or
110 letters of acknowledgment from recipients or donees. A business
111 entity with 100 or fewer employees must make a financial or in-
112 kind contribution of at least \$1,000, and a business entity with
113 more than 100 employees must make a financial or in-kind



897622

594-02559-15

114 contribution of at least \$5,000; or

115 3. A business entity must certify that it has established,
116 or has contributed to the establishment of, a program that
117 contributes to the independence of individuals who have a
118 disability. Contributions must be documented by providing copies
119 of written receipts, a summary of the program, program
120 materials, or letters of acknowledgment from program
121 participants or volunteers. A business entity with 100 or fewer
122 employees must make a financial or in-kind contribution of at
123 least \$1,000 in the program, and a business entity with more
124 than 100 employees must make a financial or in-kind contribution
125 of at least \$5,000.

126
127 A business entity that applies to the department to be
128 designated as a Florida Unique Abilities Partner shall be
129 awarded the designation upon meeting the requirements of this
130 section.

131 (b) For a designation based upon receipt of a nomination of
132 a business entity:

133 1. The department shall determine whether the nominee,
134 based on the information provided by the nominating person or
135 entity, meets the requirements of paragraph (a). The department
136 may request additional information from the nominee.

137 2. If the nominee meets the requirements, the department
138 shall provide notice, including the qualification criteria
139 provided in the nomination, to the nominee regarding the
140 nominee's eligibility to be awarded a designation as a Florida
141 Unique Abilities Partner.

142 3. The nominee shall be provided 30 days from the receipt



897622

594-02559-15

143 of the notice to certify that the information in the notice is
144 true and accurate and accept the nomination; or to decline the
145 nomination. After 30 days, if the nomination has not been
146 accepted, the department may not award the designation. If the
147 nominee accepts the nomination, the department shall award the
148 designation. If the nominee declines the nomination, the
149 department may not award the designation.

150 (5) ANNUAL CERTIFICATION.—After an initial designation as a
151 Florida Unique Abilities Partner, a business entity must certify
152 each year that it continues to meet the criteria for the
153 designation. If a business entity does not submit the yearly
154 certification of continued eligibility, the department shall
155 remove the designation. A business entity may elect to
156 discontinue its use of the designation at any time by notifying
157 the department of such decision.

158 (6) LOGO DEVELOPMENT.—

159 (a) The department, in consultation with members of the
160 disability community, shall develop a logo that identifies a
161 business entity that is designated as a Florida Unique Abilities
162 Partner.

163 (b) The department shall adopt guidelines and requirements
164 for use of the logo, including how the logo may be used in
165 advertising. The department may allow a business entity to
166 display a Florida Unique Abilities Partner logo upon
167 designation. A business entity that has not been designated as a
168 Florida Unique Abilities Partner or has elected to discontinue
169 its designated status may not display the logo.

170 (7) WEBSITE.—The department shall maintain a website for
171 the program. At a minimum, the website must provide: a list of



897622

594-02559-15

172 business entities, by county, that currently have the Florida
173 Unique Abilities Partner designation, updated quarterly;
174 information regarding the eligibility requirements for the
175 designation and the method of application or nomination; and
176 best practices for business entities to facilitate the inclusion
177 of individuals who have a disability, updated annually. The
178 website may provide links to the websites of organizations or
179 other resources that will aid business entities to employ or
180 support individuals who have a disability.

181 (8) INTERAGENCY COLLABORATION.—

182 (a) The Agency for Persons with Disabilities shall provide
183 a link on its website to the department's website for the
184 Florida Unique Abilities Partner program.

185 (b) On a quarterly basis, the department shall provide the
186 Florida Tourism Industry Marketing Corporation with a current
187 list of all businesses that are designated as Florida Unique
188 Abilities Partners. The Florida Tourism Industry Marketing
189 Corporation must consider the Florida Unique Abilities Partner
190 program in the development of marketing campaigns, and
191 specifically in any targeted marketing campaign for individuals
192 who have a disability or their families.

193 (c) The department and CareerSource Florida, Inc., shall
194 identify employment opportunities posted by business entities
195 that currently have the Florida Unique Abilities Partner
196 designation on the workforce information system under s.
197 445.011, Florida Statutes.

198 (9) REPORT.—

199 (a) By January 1, 2016, the department shall provide a
200 report to the President of the Senate and the Speaker of the



897622

594-02559-15

201 House of Representatives on the status of the implementation of
202 this section, including the adoption of rules, development of
203 the logo, and development of application procedures.

204 (b) Beginning in 2016 and each year thereafter, the
205 department's annual report required under s. 20.60, Florida
206 Statutes, must describe in detail the progress and use of the
207 program. At a minimum, the report must include the following
208 information for the most recent year: the number of applications
209 and nominations received; the number of nominations accepted and
210 declined; designations awarded; annual certifications; use of
211 information provided under subsection (8); and any other
212 information deemed necessary to evaluate the program.

213 (10) RULES.—The department shall adopt rules to administer
214 this section.

215 Section 2. For the 2015-2016 fiscal year, the sums of
216 \$100,000 in recurring funds and \$100,000 in nonrecurring funds
217 from the Special Employment Security Administration Trust Fund
218 are appropriated to the Department of Economic Opportunity for
219 the purpose of funding the development, implementation, and
220 administration of the Florida Unique Abilities Partner program
221 created by this act.

222 Section 3. This act shall take effect July 1, 2015.