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2016 Legislature

1
2 An act relating to individuals with disabilities;
3 creating s. 17.68, F.S.; providing legislative
4 findings; establishing the Financial Literacy Program
5 for Individuals with Developmental Disabilities within
6 the Department of Financial Services; requiring the
7 department to develop and implement the program in
8 consultation with specified stakeholders; providing
9 for the participation of banks, credit unions, savings
10 associations, and savings banks; requiring the program
11 to provide information, resources, outreach, and
12 education on specified issues to individuals with
13 developmental disabilities and employers in this
14 state; requiring the department to establish on its
15 website a clearinghouse for information regarding the
16 program and to publish a brochure describing the
17 program; requiring, by a specified date, qualified
18 public depositories to make copies of the department's
19 brochure available and provide a hyperlink on their
20 websites to the department's website for the program;
21 providing that qualified public depositories are not
22 subject to civil liability arising from the
23 distribution and contents of the brochure and the
24 program website information; amending s. 20.60, F.S.;;
25 revising requirements for the Department of Economic
26 Opportunity's annual report to conform to changes made

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27 | by the act; reordering and amending s. 110.107, F.S.;

28 | revising definitions and defining the term "individual

29 | who has a disability"; amending s. 110.112, F.S.;

30 | revising the state's equal employment opportunity

31 | policy to include individuals who have a disability;

32 | requiring each executive agency to annually report to

33 | the Department of Management Services regarding the

34 | agency's progress in increasing employment among

35 | certain underrepresented groups; revising the required

36 | content of the department's annual workforce report;

37 | requiring the department to develop and implement

38 | certain programs geared toward individuals who have a

39 | disability; requiring the department to develop

40 | training programs by a specified date; requiring each

41 | executive agency to develop a plan regarding the

42 | employment of individuals who have a disability by a

43 | specified date; requiring the department to report to

44 | the Governor and the Legislature regarding

45 | implementation; requiring the department to compile

46 | and post data regarding the hiring practices of

47 | executive agencies regarding the employment of

48 | individuals who have a disability; requiring the

49 | department to assist executive agencies in identifying

50 | strategies to retain employees who have a disability;

51 | requiring the department to adopt certain rules;

52 | specifying that the act does not create any

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53 enforceable right or benefit; amending s. 280.16,
54 F.S.; requiring a qualified public depository to
55 participate in the Financial Literacy Program for
56 Individuals with Developmental Disabilities; amending
57 s. 393.063, F.S.; revising the definition of the term
58 "developmental disability" to include Down syndrome;
59 creating the "Employment First Act"; providing
60 legislative findings and intent; providing a purpose;
61 requiring specified state agencies and organizations
62 to develop and implement an interagency cooperative
63 agreement; requiring the interagency cooperative
64 agreement to provide the roles, responsibilities, and
65 objectives of state agencies and organizations;
66 requiring the Department of Economic Opportunity, in
67 consultation with other entities, to create the
68 Florida Unique Abilities Partner Program; defining
69 terms; authorizing a business entity to apply to the
70 department for designation; requiring the department
71 to consider nominations of business entities for
72 designation; requiring the department to adopt
73 procedures for application, nomination, and
74 designation processes; establishing criteria for a
75 business entity to be designated as a Florida Unique
76 Abilities Partner; requiring a business entity to
77 certify that it continues to meet the established
78 criteria for designation each year; requiring the

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79 | department to remove the designation if a business
80 | entity does not submit yearly certification of
81 | continued eligibility; authorizing a business entity
82 | to discontinue its designated status; requiring the
83 | department, in consultation with the disability
84 | community, to develop a logo for business entities
85 | designated as Florida Unique Abilities Partners;
86 | requiring the department to adopt guidelines and
87 | requirements for the use of the logo; authorizing the
88 | department to allow a designated business entity to
89 | display a logo; prohibiting the use of a logo if a
90 | business entity does not have a current designation;
91 | requiring the department to maintain a website with
92 | specified information; requiring the Agency for
93 | Persons with Disabilities to provide a link on its
94 | website to the department's website for the Florida
95 | Unique Abilities Partner Program; requiring the
96 | department to provide the Florida Tourism Industry
97 | Marketing Corporation with certain information;
98 | requiring the department and CareerSource Florida,
99 | Inc., to identify employment opportunities posted by
100 | business entities that receive the Florida Unique
101 | Abilities Partner designation on the workforce
102 | information system; requiring a report to the
103 | Legislature; providing report requirements; requiring
104 | the department to adopt rules; providing

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105 appropriations; providing effective dates.

106

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

108

109 Section 1. Section 17.68, Florida Statutes, is created to
110 read:

111 17.68 Financial Literacy Program for Individuals with
112 Developmental Disabilities.—

113 (1) The Legislature finds that the state has a compelling
114 interest in promoting the economic independence and successful
115 employment of individuals with developmental disabilities as
116 defined in s. 393.063. In comparison with the general
117 population, individuals with developmental disabilities
118 experience lower rates of educational achievement, employment,
119 and annual earnings and are more likely to live in poverty.
120 Additionally, such individuals must navigate a complex network
121 of federal and state programs in order to be eligible for
122 financial and health benefits. Thus, it is essential that these
123 individuals have sufficient financial management knowledge and
124 skills to effectively participate in benefit eligibility
125 determination processes and make informed decisions regarding
126 financial services and products provided by financial
127 institutions. Enhancing the financial literacy of such
128 individuals will provide a pathway for economic independence and
129 successful employment.

130 (2) The Financial Literacy Program for Individuals with

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131 Developmental Disabilities is established within the Department
132 of Financial Services. The department, in consultation with
133 public and private stakeholders, shall develop and implement the
134 program, which must be designed to promote the economic
135 independence and successful employment of individuals with
136 developmental disabilities. Banks, credit unions, savings
137 associations, and savings banks will be key participants in the
138 development and promotion of the program, which must provide
139 information, resources, outreach, and education in the following
140 areas:

141 (a) For individuals with developmental disabilities:

142 1. Financial education, including instruction on money
143 management skills and the effective use of financial services
144 and products, to promote income preservation and asset
145 development.

146 2. Identification of available financial and health
147 benefit programs and services.

148 3. Job training programs and employment opportunities,
149 including work incentives and state and local workforce
150 development programs.

151 4. The impact of earnings and assets on eligibility for
152 federal and state financial and health benefit programs, and
153 options to manage such impact.

154 (b) For employers in this state, strategies to make
155 program information and educational materials available to their
156 employees with developmental disabilities.

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157 (3) Effective October 1, 2016, the department shall:

158 (a) Establish on its website a clearinghouse for
 159 information regarding the program and other resources available
 160 for individuals with developmental disabilities and their
 161 employers.

162 (b) Publish a brochure describing the program, which is
 163 also accessible on its website.

164 (4) Within 90 days after the department establishes the
 165 website clearinghouse and publishes the brochure, each bank,
 166 savings association, and savings bank that is a qualified public
 167 depository as defined in s. 280.02 shall:

168 (a) Make copies of the department's brochures available,
 169 upon the request of the consumer, at its principal place of
 170 business and each branch office located in this state which has
 171 in-person teller services by having copies of the brochure
 172 available or having the capability to print a copy of the
 173 brochure from the department's website. Upon request, the
 174 department shall provide copies of the brochure to a bank,
 175 savings association, or savings bank.

176 (b) Provide on its website a hyperlink to the department's
 177 website clearinghouse. If the department changes the website
 178 address for the clearinghouse, the bank, savings association, or
 179 savings bank must update the hyperlink within 90 days after
 180 notification by the department of such change.

181 (5) A participating qualified public depository is not
 182 subject to civil liability arising from the distribution or

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183 nondistribution of the brochure or program website information.
 184 The contents of the brochure or the program website information
 185 may not be attributed to a participating qualified public
 186 depository by virtue of its distribution, and do not constitute
 187 financial or investment advice by, nor create a fiduciary duty
 188 on, the participating qualified public depository to the
 189 recipient.

190 Section 2. Effective January 1, 2017, paragraph (b) of
 191 subsection (10) of section 20.60, Florida Statutes, is amended
 192 to read:

193 20.60 Department of Economic Opportunity; creation; powers
 194 and duties.—

195 (10) The department, with assistance from Enterprise
 196 Florida, Inc., shall, by November 1 of each year, submit an
 197 annual report to the Governor, the President of the Senate, and
 198 the Speaker of the House of Representatives on the condition of
 199 the business climate and economic development in the state.

200 (b) The report must incorporate annual reports of other
 201 programs, including:

202 1. The displaced homemaker program established under s.
 203 446.50.

204 2. Information provided by the Department of Revenue under
 205 s. 290.014.

206 3. Information provided by enterprise zone development
 207 agencies under s. 290.0056 and an analysis of the activities and
 208 accomplishments of each enterprise zone.

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209 4. The Economic Gardening Business Loan Pilot Program
 210 established under s. 288.1081 and the Economic Gardening
 211 Technical Assistance Pilot Program established under s.
 212 288.1082.

213 5. A detailed report of the performance of the Black
 214 Business Loan Program and a cumulative summary of quarterly
 215 report data required under s. 288.714.

216 6. The Rural Economic Development Initiative established
 217 under s. 288.0656.

218 7. The Florida Unique Abilities Partner Program.

219 Section 3. Section 110.107, Florida Statutes, is reordered
 220 and amended to read:

221 110.107 Definitions.—As used in this chapter, the term:

222 (5)~~(1)~~ "Department" means the Department of Management
 223 Services.

224 (28)~~(2)~~ "Secretary" means the Secretary of Management
 225 Services.

226 (11)~~(3)~~ "Furlough" means a temporary reduction in the
 227 regular hours of employment in a pay period, or temporary leave
 228 without pay for one or more pay periods, with a commensurate
 229 reduction in pay, which is necessitated by a projected deficit
 230 in any fund that supports salary and benefit appropriations. The
 231 deficit must be projected by the Revenue Estimating Conference
 232 pursuant to s. 216.136(3).

233 (30)~~(4)~~ "State agency" or "agency" means any official,
 234 officer, commission, board, authority, council, committee, or

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235 department of the executive branch or the judicial branch of
 236 state government as defined in chapter 216.

237 (21)~~(5)~~ "Position" means the work, consisting of duties
 238 and responsibilities, assigned to be performed by an officer or
 239 employee.

240 (10)~~(6)~~ "Full-time position" means a position authorized
 241 for the entire normally established work period, whether daily,
 242 weekly, monthly, or annually.

243 (18)~~(7)~~ "Part-time position" means a position authorized
 244 for less than the entire normally established work period,
 245 whether daily, weekly, monthly, or annually.

246 (16)~~(8)~~ "Occupation" means all positions that ~~which~~ are
 247 sufficiently similar in knowledge, skills, ~~and~~ abilities, and
 248 the ~~sufficiently similar as to~~ kind or subject matter of work.

249 (17)~~(9)~~ "Occupational group" means a group of occupations
 250 that ~~which~~ are sufficiently similar in the kind of work
 251 performed to warrant the use of the same performance factors in
 252 determining the level of complexity for all occupations in that
 253 occupational group.

254 (3)~~(10)~~ "Classification plan" means a formal description
 255 of the concepts, rules, job family definitions, occupational
 256 group characteristics, and occupational profiles used in the
 257 classification of positions.

258 (20)~~(11)~~ "Pay plan" means a formal description of the
 259 philosophy, methods, procedures, and salary schedules for
 260 competitively compensating employees at market-based rates for

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261 work performed.

262 (27)~~(12)~~ "Salary schedule" means an official document that
 263 ~~which~~ contains a complete list of occupation titles, broadband
 264 level codes, and pay bands.

265 (1)~~(13)~~ "Authorized position" means a position included in
 266 an approved budget. In counting the number of authorized
 267 positions, part-time positions may be converted to full-time
 268 equivalents.

269 (8)~~(14)~~ "Established position" means an authorized
 270 position that ~~which~~ has been classified in accordance with a
 271 classification and pay plan as provided by law.

272 (22)~~(15)~~ "Position number" means the identification number
 273 assigned to an established position.

274 (26)~~(16)~~ "Reclassification" means the changing of an
 275 established position in one broadband level in an occupational
 276 group to a higher or lower broadband level in the same
 277 occupational group or to a broadband level in a different
 278 occupational group.

279 (24)~~(17)~~ "Promotion" means the changing of the
 280 classification of an employee to a broadband level having a
 281 higher maximum salary; or the changing of the classification of
 282 an employee to a broadband level having the same or a lower
 283 maximum salary but a higher level of responsibility.

284 (4)~~(18)~~ "Demotion" means the changing of the
 285 classification of an employee to a broadband level having a
 286 lower maximum salary; or the changing of the classification of

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287 an employee to a broadband level having the same or a higher
 288 maximum salary but a lower level of responsibility.

289 (32)~~(19)~~ "Transfer" means moving an employee from one
 290 geographic location of the state to a different geographic
 291 location more than ~~in excess of~~ 50 miles from the employee's
 292 current work location.

293 (25)~~(20)~~ "Reassignment" means moving an employee from a
 294 position in one broadband level to a different position in the
 295 same broadband level or to a different broadband level having
 296 the same maximum salary.

297 (6)~~(21)~~ "Dismissal" means a disciplinary action taken by
 298 an agency pursuant to s. 110.227 against an employee which
 299 results ~~resulting~~ in the termination of his or her employment.

300 (31)~~(22)~~ "Suspension" means a disciplinary action taken by
 301 an agency pursuant to s. 110.227 against an employee which ~~to~~
 302 temporarily relieves ~~relieve~~ the employee of his or her duties
 303 and places ~~place~~ him or her on leave without pay.

304 (15)~~(23)~~ "Layoff" means termination of employment due to a
 305 shortage of funds or work, or a material change in the duties or
 306 organization of an agency, including the outsourcing or
 307 privatization of an activity or function previously performed by
 308 career service employees.

309 (7)~~(24)~~ "Employing agency" means any agency authorized to
 310 employ personnel to carry out the responsibilities of the agency
 311 under the provisions of chapter 20 or other law ~~statutory~~
 312 authority.

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313 (29)~~(25)~~ "Shared employment" means part-time career
 314 employment in which ~~whereby~~ the duties and responsibilities of a
 315 full-time position in the career service are divided among part-
 316 time employees who are eligible for the position and who receive
 317 career service benefits and wages pro rata. The term does not ~~in~~
 318 ~~no case shall "shared employment"~~ include the employment of
 319 persons paid from other-personal-services funds.

320 (9)~~(26)~~ "Firefighter" means a firefighter certified under
 321 chapter 633.

322 (14)~~(27)~~ "Law enforcement or correctional officer" means a
 323 law enforcement officer, special agent, correctional officer,
 324 correctional probation officer, or institutional security
 325 specialist ~~required to be~~ certified under chapter 943.

326 (23)~~(28)~~ "Professional health care provider" means
 327 registered nurses, physician's assistants, dentists,
 328 psychologists, nutritionists or dietitians, pharmacists,
 329 psychological specialists, physical therapists, and speech and
 330 hearing therapists.

331 (13)~~(29)~~ "Job family" means a defined grouping of one or
 332 more occupational groups.

333 (19)~~(30)~~ "Pay band" means the minimum salary, the maximum
 334 salary, and intermediate rates that ~~which~~ are payable for work
 335 in a specific broadband level.

336 (2)~~(31)~~ "Broadband level" means all positions that ~~which~~
 337 are sufficiently similar in knowledge, skills, and abilities;
 338 the, ~~and sufficiently similar as to~~ kind or subject matter of

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339 | work; ~~the~~ level of difficulty or the level of
 340 | responsibilities; ~~and~~ the qualification requirements of the
 341 | work so as to warrant the same treatment with respect ~~as~~ to
 342 | title, pay band, and other personnel transactions.

343 | (12) "Individual who has a disability" means a person who
 344 | has a physical or intellectual impairment that substantially
 345 | limits one or more major life activities; a person who has a
 346 | history or record of such an impairment; or a person who is
 347 | perceived by others as having such an impairment.

348 | Section 4. Subsections (1) and (2) of section 110.112,
 349 | Florida Statutes, are amended, present subsections (3) through
 350 | (6) of that section are redesignated as subsections (4) through
 351 | (7), respectively, and a new subsection (3) is added to that
 352 | section, to read:

353 | 110.112 Affirmative action; equal employment opportunity.—

354 | (1) It is ~~shall be~~ the policy of this ~~the~~ state to assist
 355 | in providing the assurance of equal employment opportunity
 356 | through programs of affirmative and positive action that will
 357 | allow full utilization of women, and minorities, and individuals
 358 | who have a disability.

359 | (2) (a) The head of each executive agency shall develop and
 360 | implement an affirmative action plan in accordance with rules
 361 | adopted by the department and approved by a majority vote of the
 362 | Administration Commission before their adoption.

363 | (b) Each executive agency shall establish annual goals for
 364 | ensuring full utilization of groups underrepresented in the

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365 agency's ~~its~~ workforce, including women, minorities, and
366 individuals who have a disability, as compared to the relevant
367 labor market, as defined by the agency. Each executive agency
368 shall design its affirmative action plan to meet its established
369 goals.

370 (c) Each executive agency shall annually report to the
371 department regarding the agency's progress toward increasing
372 employment among women, minorities, and individuals who have a
373 disability.

374 (d)-(e) An affirmative action-equal employment opportunity
375 officer shall be appointed by the head of each executive agency.
376 The affirmative action-equal employment opportunity officer's
377 responsibilities must include determining annual goals,
378 monitoring agency compliance, and providing consultation to
379 managers regarding progress, deficiencies, and appropriate
380 corrective action.

381 (e)-(d) The department shall report information in its
382 annual workforce report relating to the implementation,
383 continuance, updating, and results of each executive agency's
384 affirmative action plan for the previous fiscal year. The annual
385 workforce report must also include data for each executive
386 agency relating to employment levels among women, minorities,
387 and individuals who have a disability.

388 (f)-(e) The department shall provide to all supervisory
389 personnel of the executive agencies training in the principles
390 of equal employment opportunity and affirmative action, the

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391 development and implementation of affirmative action plans, and
392 the establishment of annual affirmative action goals. The
393 department may contract for training services, and each
394 participating agency shall reimburse the department for costs
395 incurred through such contract. After the department approves
396 the contents of the training program for the agencies, the
397 department may delegate this training to the executive agencies.

398 (3) (a) The department, in consultation with the Agency for
399 Persons with Disabilities, the Division of Vocational
400 Rehabilitation and the Division of Blind Services of the
401 Department of Education, the Department of Economic Opportunity,
402 and the Executive Office of the Governor, shall develop and
403 implement programs that incorporate internships, mentoring, on-
404 the-job training, unpaid work experience, situational
405 assessments, and other innovative strategies that are
406 specifically geared toward individuals who have a disability.

407 (b) By January 1, 2017, the department shall develop
408 mandatory training programs for human resources personnel and
409 hiring managers of executive agencies which support the
410 employment of individuals who have a disability.

411 (c)1. By January 1, 2017, each executive agency shall
412 develop an agency-specific plan that addresses how to promote
413 employment opportunities for individuals who have a disability.

414 2. The department shall assist executive agencies in the
415 implementation of agency-specific plans. The department shall
416 regularly report to the Governor, the President of the Senate,

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417 and the Speaker of the House of Representatives the progress of
418 executive agencies in implementing these plans. Such reports
419 shall be made at least biannually.

420 (d) The department shall compile data regarding the hiring
421 practices of executive agencies with regard to individuals who
422 have a disability and make such data available on its website.

423 (e) The department shall assist executive agencies in
424 identifying and implementing strategies for retaining employees
425 who have a disability which include, but are not limited to,
426 training programs, funding reasonable accommodations, increasing
427 access to appropriate technologies, and ensuring accessibility
428 of physical and virtual workplaces.

429 (f) The department shall adopt rules relating to forms
430 that provide for the voluntary self-identification of
431 individuals who have a disability and are employed by an
432 executive agency.

433 (g) This subsection does not create any substantive or
434 procedural right or benefit enforceable at law or in equity
435 against the state or a state agency, or an officer, employee, or
436 agent thereof.

437 Section 5. Paragraph (e) is added to subsection (1) of
438 section 280.16, Florida Statutes, to read:

439 280.16 Requirements of qualified public depositories;
440 confidentiality.—

441 (1) In addition to any other requirements specified in
442 this chapter, qualified public depositories shall:

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443 (e) Participate in the Financial Literacy Program for
 444 Individuals with Developmental Disabilities as required under s.
 445 17.68.

446 Section 6. Subsection (9) of section 393.063, Florida
 447 Statutes, is amended to read:

448 393.063 Definitions.—For the purposes of this chapter, the
 449 term:

450 (9) "Developmental disability" means a disorder or
 451 syndrome that is attributable to intellectual disability,
 452 cerebral palsy, autism, Down syndrome, spina bifida, or Prader-
 453 Willi syndrome; that manifests before the age of 18; and that
 454 constitutes a substantial handicap that can reasonably be
 455 expected to continue indefinitely.

456 Section 7. Employment First Act.—

457 (1) SHORT TITLE.—This section may be cited as the
 458 "Employment First Act."

459 (2) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds
 460 that employment is the most direct and cost-effective means to
 461 assist an individual in achieving independence and fulfillment;
 462 however, individuals with disabilities are confronted by unique
 463 barriers to employment which inhibit their opportunities to
 464 compete fairly in the labor force. It is the intent of the
 465 Legislature to provide a framework for a long-term commitment to
 466 improving employment outcomes for individuals with disabilities
 467 in this state through the implementation of this act.

468 (3) PURPOSE.—The purpose of this act is to prioritize

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469 employment of individuals with disabilities and to change the
 470 employment system to better integrate individuals with
 471 disabilities into the workforce. This act encourages a
 472 collaborative effort between state agencies and organizations to
 473 achieve better employment outcomes for individuals with
 474 disabilities.

475 (4) INTERAGENCY COOPERATIVE AGREEMENT.—The following state
 476 agencies and organizations, and others, as appropriate, shall
 477 develop an interagency cooperative agreement to implement this
 478 act:

479 (a) The Division of Vocational Rehabilitation of the
 480 Department of Education.

481 (b) The Division of Blind Services of the Department of
 482 Education.

483 (c) The Bureau of Exceptional Education and Student
 484 Services of the Department of Education.

485 (d) The Agency for Persons with Disabilities.

486 (e) The Substance Abuse and Mental Health Program Office
 487 of the Department of Children and Families.

488 (f) The Department of Economic Opportunity.

489 (g) CareerSource Florida, Inc.

490 (h) The Florida Developmental Disabilities Council.

491 (i) The Florida Association of Rehabilitation Facilities.

492 (j) Other appropriate organizations.

493 (5) ROLES, RESPONSIBILITIES, AND OBJECTIVES.—The
 494 interagency cooperative agreement must identify the roles and

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495 responsibilities of the state agencies and organizations
 496 identified in subsection (4) and the objectives of the
 497 interagency cooperative agreement, which must include all of the
 498 following:

499 (a) Establishing a commitment by leadership of the state
 500 agencies and organizations to maximize resources and
 501 coordination to improve employment outcomes for individuals with
 502 disabilities who seek publicly funded services.

503 (b) Developing strategic goals and benchmarks to assist
 504 the state agencies and organizations in the implementation of
 505 this agreement.

506 (c) Identifying financing and contracting methods that
 507 will help to prioritize employment for individuals with
 508 disabilities by state agencies and organizations.

509 (d) Establishing training methods to better integrate
 510 individuals with disabilities into the workforce.

511 (e) Ensuring collaborative efforts between multiple
 512 agencies to achieve the purposes of this act.

513 (f) Promoting service innovations to better assist
 514 individuals with disabilities in the workplace.

515 (g) Identifying accountability measures to ensure the
 516 sustainability of this agreement.

517 Section 8. Florida Unique Abilities Partner Program.—

518 (1) CREATION AND PURPOSE.—The Department of Economic
 519 Opportunity shall establish the Florida Unique Abilities Partner
 520 Program to designate a business entity as a Florida Unique

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521 Abilities Partner if the business entity demonstrates
 522 commitment, through employment or support, to the independence
 523 of individuals who have a disability. The department shall
 524 consult with the Agency for Persons with Disabilities, the
 525 Division of Vocational Rehabilitation of the Department of
 526 Education, the Division of Blind Services of the Department of
 527 Education, and CareerSource Florida, Inc., in creating the
 528 program.

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

530 (a) "Department" means the Department of Economic
 531 Opportunity.

532 (b) "Individuals who have a disability" means persons who
 533 have a physical or intellectual impairment that substantially
 534 limits one or more major life activities, persons who have a
 535 history or record of such an impairment, or persons who are
 536 perceived by others as having such an impairment.

537 (3) DESIGNATION.—

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

542 1. Employment of individuals who have a disability.

543 2. Contributions to local or national disability
 544 organizations.

545 3. Contributions to, or the establishment of, a program
 546 that contributes to the independence of individuals who have a

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547 disability.

548 (b) As an alternative to application by a business entity,
549 the department must consider nominations from members of the
550 community where the business entity is located. The nomination
551 must identify the business entity's achievements in at least one
552 of the categories provided in paragraph (a).

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

556 (d) The department shall adopt procedures for the
557 application, nomination, and designation processes for the
558 Florida Unique Abilities Partner Program. Designation as a
559 Florida Unique Abilities Partner does not establish or involve
560 licensure, does not affect the substantial interests of a party,
561 and does not constitute a final agency action. The Florida
562 Unique Abilities Partner Program and designation are not subject
563 to chapter 120, Florida Statutes.

564 (4) ELIGIBILITY AND AWARD.—In determining the eligibility
565 for the designation of a business entity as a Florida Unique
566 Abilities Partner, the department shall consider, at a minimum,
567 the following criteria:

568 (a) For a designation based on an application by a
569 business entity, the business entity must certify that:

570 1. It employs at least one individual who has a
571 disability. Such employees must be residents of this state and
572 must have been employed by the business entity for at least 9

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573 months before the business entity's application for the
574 designation. The department may not require the employer to
575 provide personally identifiable information about its employees;

576 2. It has made contributions to local and national
577 disability organizations or contributions in support of
578 individuals who have a disability. Contributions may be
579 accomplished through financial or in-kind contributions,
580 including employee volunteer hours. Contributions must be
581 documented by providing copies of written receipts or letters of
582 acknowledgment from recipients or donees. A business entity with
583 100 or fewer employees must make a financial or in-kind
584 contribution of at least \$1,000, and a business entity with more
585 than 100 employees must make a financial or in-kind contribution
586 of at least \$5,000; or

587 3. It has established, or has contributed to the
588 establishment of, a program that contributes to the independence
589 of individuals who have a disability. Contributions must be
590 documented by providing copies of written receipts, a summary of
591 the program, program materials, or letters of acknowledgment
592 from program participants or volunteers. A business entity with
593 100 or fewer employees must make a financial or in-kind
594 contribution of at least \$1,000 in the program, and a business
595 entity with more than 100 employees must make a financial or in-
596 kind contribution of at least \$5,000.

597
598 A business entity that applies to the department to be

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599 designated as a Florida Unique Abilities Partner shall be
 600 awarded the designation upon meeting the requirements of this
 601 section.

602 (b) For a designation based upon receipt of a nomination
 603 of a business entity:

604 1. The department shall determine whether the nominee,
 605 based on the information provided by the nominating person or
 606 entity, meets the requirements of paragraph (a). The department
 607 may request additional information from the nominee.

608 2. If the nominee meets the requirements, the department
 609 shall provide notice, including the qualification criteria
 610 provided in the nomination, to the nominee regarding the
 611 nominee's eligibility to be awarded a designation as a Florida
 612 Unique Abilities Partner.

613 3. The nominee shall be provided 30 days after receipt of
 614 the notice to certify that the information in the notice is true
 615 and accurate and accept the nomination, to provide corrected
 616 information for consideration by the department and indicate an
 617 intention to accept the nomination, or to decline the
 618 nomination. If the nominee accepts the nomination, the
 619 department shall award the designation. The department may not
 620 award the designation if the nominee declines the nomination or
 621 has not accepted the nomination within 30 days after receiving
 622 notice.

623 (5) ANNUAL CERTIFICATION.—After an initial designation as
 624 a Florida Unique Abilities Partner, a business entity must

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625 certify each year that it continues to meet the criteria for the
 626 designation. If the business entity does not submit the yearly
 627 certification of continued eligibility, the department shall
 628 remove the designation. The business entity may elect to
 629 discontinue its designation status at any time by notifying the
 630 department of such decision.

631 (6) LOGO DEVELOPMENT.—

632 (a) The department, in consultation with members of the
 633 disability community, shall develop a logo that identifies a
 634 business entity that is designated as a Florida Unique Abilities
 635 Partner.

636 (b) The department shall adopt guidelines and requirements
 637 for the use of the logo, including how the logo may be used in
 638 advertising. The department may allow a business entity to
 639 display a Florida Unique Abilities Partner logo upon
 640 designation. A business entity that has not been designated as a
 641 Florida Unique Abilities Partner or has elected to discontinue
 642 its designated status may not display the logo.

643 (7) WEBSITE.—The department shall maintain a website for
 644 the program. At a minimum, the website must provide a list of
 645 business entities, by county, which currently have the Florida
 646 Unique Abilities Partner designation, updated quarterly;
 647 information regarding the eligibility requirements for the
 648 designation and the method of application or nomination; and
 649 best practices for business entities to facilitate the inclusion
 650 of individuals who have a disability, updated annually. The

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651 website may provide links to the websites of organizations or
652 other resources that will aid business entities to employ or
653 support individuals who have a disability.

654 (8) INTERAGENCY COLLABORATION.—

655 (a) The Agency for Persons with Disabilities shall provide
656 a link on its website to the department's website for the
657 Florida Unique Abilities Partner Program.

658 (b) On a quarterly basis, the department shall provide the
659 Florida Tourism Industry Marketing Corporation with a current
660 list of all businesses that are designated as Florida Unique
661 Abilities Partners. The Florida Tourism Industry Marketing
662 Corporation must consider the Florida Unique Abilities Partner
663 Program in the development of marketing campaigns, and
664 specifically in any targeted marketing campaign for individuals
665 who have a disability or their families.

666 (c) The department and CareerSource Florida, Inc., shall
667 identify employment opportunities posted by business entities
668 that currently have the Florida Unique Abilities Partner
669 designation in the workforce information system under s.
670 445.011, Florida Statutes.

671 (9) REPORT.—

672 (a) By January 1, 2017, the department shall provide a
673 report to the President of the Senate and the Speaker of the
674 House of Representatives on the status of the implementation of
675 this section, including the adoption of rules, development of
676 the logo, and development of application procedures.

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677 (b) Beginning in 2017 and each year thereafter, the
678 department's annual report required under s. 20.60, Florida
679 Statutes, must describe in detail the progress and use of the
680 program. At a minimum, the report must include, for the most
681 recent year: the number of applications and nominations
682 received; the number of nominations accepted and declined; the
683 number of designations awarded; annual certifications; the use
684 of information provided under subsection (8); and any other
685 information deemed necessary to evaluate the program.

686 (10) RULES.—The department shall adopt rules to administer
687 this section.

688 Section 9. For the 2016-2017 fiscal year, the sums of
689 \$100,000 in recurring funds and \$100,000 in nonrecurring funds
690 from the Special Employment Security Administration Trust Fund
691 are appropriated to the Department of Economic Opportunity, for
692 the purpose of funding the development, implementation, and
693 administration of the Florida Unique Abilities Partner Program
694 created by this act.

695 Section 10. For the 2016-2017 fiscal year, the sum of
696 \$69,570 in recurring funds from the Insurance Regulatory Trust
697 Fund is appropriated to the Consumer Assistance Program within
698 the Department of Financial Services for the purpose of
699 implementing the Financial Literacy Program for Individuals with
700 Developmental Disabilities created by this act.

701 Section 11. For the 2016-2017 fiscal year, the following
702 sums are appropriated for the purpose of implementing the

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703 amendments made by this act to s. 110.112, Florida Statutes,
704 relating to the employment of individuals who have a disability:

705 (1) The sums of \$138,692 in recurring funds and \$26,264 in
706 nonrecurring funds are appropriated from the State Personnel
707 System Trust Fund to the Department of Management Services, and
708 two full-time equivalent positions with associated salary rate
709 of 92,762 are authorized.

710 (2) The recurring sums of \$74,234 from the General Revenue
711 Fund and \$64,458 from trust funds and the nonrecurring sums of
712 \$14,051 from the General Revenue Fund and \$12,213 from trust
713 funds are appropriated to Administered Funds for distribution
714 among agencies for the increase in the human resource
715 assessment.

716 Section 12. Except as otherwise expressly provided in this
717 act, this act shall take effect July 1, 2016.