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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/31/2024	.	
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The Committee on Fiscal Policy (Brodeur) recommended the following:

Senate Amendment (with title amendment)

Between lines 323 and 324

insert:

Section 4. Type two transfer from the Department of Commerce.—All powers, duties, functions, records, offices, personnel, associated administrative support positions, property, pending issues, existing contracts, administrative authority, administrative rules, and unexpended balances of appropriations, allocations, and any other funds relating to the



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11 Florida Unique Abilities Partner Program are transferred by a
12 type two transfer, as described in s. 20.06(2), Florida
13 Statutes, from the Department of Commerce to the Agency for
14 Persons with Disabilities.

15 Section 5. Paragraph (c) of subsection (10) of section
16 20.60, Florida Statutes, is amended to read:

17 20.60 Department of Commerce; creation; powers and duties.—

18 (10) The department shall, by November 1 of each year,
19 submit an annual report to the Governor, the President of the
20 Senate, and the Speaker of the House of Representatives on the
21 condition of the business climate and economic development in
22 the state.

23 (c) The report must incorporate annual reports of other
24 programs, including:

25 1. A detailed report of the performance of the Black
26 Business Loan Program and a cumulative summary of quarterly
27 report data required under s. 288.714.

28 2. The Rural Economic Development Initiative established
29 under s. 288.0656.

30 ~~3. The Florida Unique Abilities Partner Program.~~

31 ~~4.~~ A detailed report of the performance of the Florida
32 Development Finance Corporation and a summary of the
33 corporation's report required under s. 288.9610.

34 ~~4.5.~~ Information provided by Space Florida under s.
35 331.3051 and an analysis of the activities and accomplishments
36 of Space Florida.

37 Section 6. Section 413.801, Florida Statutes, is amended to
38 read:

39 413.801 Florida Unique Abilities Partner Program.—



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

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

53 (a) “Agency Department” means the Agency for Persons with
54 Disabilities Department of Economic Opportunity.

55 (b) “Individuals who have a disability” means persons who
56 have a physical or intellectual impairment that substantially
57 limits one or more major life activities, persons who have a
58 history or record of such an impairment, or persons who are
59 perceived by others as having such an impairment.

60 (3) DESIGNATION.—

61 (a) A business entity may apply to the agency department to
62 be designated as a Florida Unique Abilities Partner, based on
63 the business entity’s achievements in at least one of the
64 following categories:

65 1. Employment of individuals who have a disability.

66 2. Contributions to local or national disability
67 organizations.

68 3. Contributions to, or the establishment of, a program



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69 that contributes to the independence of individuals who have a
70 disability.

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

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

79 (d) The agency ~~department~~ shall adopt procedures for the
80 application, nomination, and designation processes for the
81 Florida Unique Abilities Partner Program. Designation as a
82 Florida Unique Abilities Partner does not establish or involve
83 licensure, does not affect the substantial interests of a party,
84 and does not constitute a final agency action. The Florida
85 Unique Abilities Partner Program and designation are not subject
86 to chapter 120.

87 (4) ELIGIBILITY AND AWARD.—In determining the eligibility
88 for the designation of a business entity as a Florida Unique
89 Abilities Partner, the agency ~~department~~ shall consider, at a
90 minimum, the following criteria:

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

93 1. It employs at least one individual who has a disability.
94 Such employees must be residents of this state and must have
95 been employed by the business entity for at least 9 months
96 before the business entity's application for the designation.
97 The agency ~~department~~ may not require the employer to provide



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98 personally identifiable information about its employees;

99 2. It has made contributions to local and national
100 disability organizations or contributions in support of
101 individuals who have a disability. Contributions may be
102 accomplished through financial or in-kind contributions,
103 including employee volunteer hours. Contributions must be
104 documented by providing copies of written receipts or letters of
105 acknowledgment from recipients or donees. A business entity with
106 100 or fewer employees must make a financial or in-kind
107 contribution of at least \$1,000, and a business entity with more
108 than 100 employees must make a financial or in-kind contribution
109 of at least \$5,000; or

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

120
121 A business entity that applies to the agency ~~department~~ to be
122 designated as a Florida Unique Abilities Partner shall be
123 awarded the designation upon meeting the requirements of this
124 section.

125 (b) For a designation based upon receipt of a nomination of
126 a business entity:



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127 1. The agency ~~department~~ shall determine whether the
128 nominee, based on the information provided by the nominating
129 person or entity, meets the requirements of paragraph (a). The
130 agency ~~department~~ may request additional information from the
131 nominee.

132 2. If the nominee meets the requirements, the agency
133 ~~department~~ shall provide notice, including the qualification
134 criteria provided in the nomination, to the nominee regarding
135 the nominee's eligibility to be awarded a designation as a
136 Florida Unique Abilities Partner.

137 3. The nominee shall be provided 30 days after receipt of
138 the notice to certify that the information in the notice is true
139 and accurate and accept the nomination, to provide corrected
140 information for consideration by the agency ~~department~~ and
141 indicate an intention to accept the nomination, or to decline
142 the nomination. If the nominee accepts the nomination, the
143 agency ~~department~~ shall award the designation. The agency
144 ~~department~~ may not award the designation if the nominee declines
145 the nomination or has not accepted the nomination within 30 days
146 after receiving notice.

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

155 (6) LOGO DEVELOPMENT.—



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

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

167 (7) WEBSITE.—The agency department shall maintain a website
168 for the program. At a minimum, the website must provide a list
169 of business entities, by county, which currently have the
170 Florida Unique Abilities Partner designation, updated quarterly;
171 information regarding the eligibility requirements for the
172 designation and the method of application or nomination; and
173 best practices for business entities to facilitate the inclusion
174 of individuals who have a disability, updated annually. The
175 website may provide links to the websites of organizations or
176 other resources that will aid business entities to employ or
177 support individuals who have a disability.

178 (8) INTERAGENCY COLLABORATION.—

179 (a) The Department of Commerce ~~Agency for Persons with~~
180 ~~Disabilities~~ shall provide a link on its website to the agency's
181 ~~department's~~ website for the Florida Unique Abilities Partner
182 Program.

183 (b) On a quarterly basis, the agency department shall
184 provide the Florida Tourism Industry Marketing Corporation with



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185 a current list of all businesses that are designated as Florida
186 Unique Abilities Partners. The Florida Tourism Industry
187 Marketing Corporation must consider the Florida Unique Abilities
188 Partner Program in the development of marketing campaigns, and
189 specifically in any targeted marketing campaign for individuals
190 who have a disability or their families.

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

196 (9) REPORT.—

197 ~~(a) By January 1, 2025, and annually thereafter 2017, the~~
198 agency department shall provide a report on the progress and use
199 of the program to the President of the Senate and the Speaker of
200 the House of Representatives ~~on the status of the implementation~~
201 ~~of this section, including the adoption of rules, development of~~
202 ~~the logo, and development of application procedures.~~

203 ~~(b) Beginning in 2017 and each year thereafter, the~~
204 ~~department's annual report required under s. 20.60 must describe~~
205 ~~in detail the progress and use of the program. At a minimum, the~~
206 report must include, for the most recent year, all of the
207 following:

208 (a) The number of applications and nominations received. †

209 (b) The number of nominations accepted and declined. †

210 (c) The number of designations awarded. †

211 (d) Annual certifications. †

212 (e) The use of information provided under subsection (8). †

213 and



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214 (f) Any other information the agency deems ~~deemed~~ necessary
215 to evaluate the program.

216 (10) RULES.—The agency ~~department~~ shall adopt rules to
217 administer this section.

218

219 ===== T I T L E A M E N D M E N T =====

220 And the title is amended as follows:

221 Delete line 29

222 and insert:

223 individual support plan; providing for a type two
224 transfer of the Florida Unique Abilities Partner
225 Program from the Department of Commerce to the Agency
226 for Persons with Disabilities; amending ss. 20.60 and
227 413.801, F.S.; conforming provisions to changes made
228 by the act; providing appropriations;