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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/23/2015	.	
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Appropriations Subcommittee on Transportation, Tourism, and Economic Development (Detert) recommended the following:

1 **Senate Substitute for Amendment (119544) (with title**
2 **amendment)**

3
4 Delete lines 40 - 164
5 and insert:

6 Section 1. Florida Unique Abilities Partner program.-
7 (1) CREATION AND PURPOSE.-The Department of Economic
8 Opportunity shall establish the Florida Unique Abilities Partner
9 program to designate a business entity as a Florida Unique
10 Abilities Partner if the business entity demonstrates



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11 commitment, through employment or support, to the independence
12 of individuals who have a disability. The department shall
13 consult with the Agency for Persons with Disabilities, the
14 Division of Vocational Rehabilitation of the Department of
15 Education, the Division of Blind Services of the Department of
16 Education, and CareerSource Florida, Inc., in creating the
17 program.

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

19 (a) "Department" means the Department of Economic
20 Opportunity.

21 (b) "Individuals who have a disability" means persons who
22 have a physical or intellectual impairment that substantially
23 limits one or more major life activities; persons who have a
24 history or record of such an impairment; or persons who are
25 perceived by others as having such an impairment.

26 (3) DESIGNATION.—

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

31 1. Employment of individuals who have a disability.

32 2. Contributions to local or national disability
33 organizations.

34 3. Contributions to or the establishment of a program that
35 contributes to the independence of individuals who have a
36 disability.

37 (b) As an alternative to application by a business entity,
38 the department must consider nominations from members of the
39 community where the business entity is located. The nomination



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40 must identify the business entity's achievements in at least one
41 of the categories provided in paragraph (a).

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

45 (d) The department shall adopt procedures for the
46 application, nomination, and designation processes for the
47 Florida Unique Abilities Partner program. Designation as a
48 Florida Unique Abilities Partner does not establish or involve
49 licensure, does not affect the substantial interests of a party,
50 and does not constitute a final agency action. The Florida
51 Unique Abilities Partner program and designation are not subject
52 to chapter 120, Florida Statutes.

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

57 (a) For a designation based on an application by a
58 business:

59 1. A business entity must certify that it employs at least
60 one individual who has a disability. Such employees must be
61 residents of this state and must have been employed by the
62 business entity for at least 9 months before the business
63 entity's application for the designation. The department may not
64 require the employer to provide personally identifiable
65 information about its employees;

66 2. A business entity must certify that it has made
67 contributions to local and national disability organizations or
68 contributions in support of individuals who have a disability.



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69 Contributions may be accomplished through financial or in-kind
70 contributions, including employee volunteer hours. Contributions
71 must be documented by providing copies of written receipts or
72 letters of acknowledgment from recipients or donees. A business
73 entity with 100 or fewer employees must make a financial or in-
74 kind contribution of at least \$1,000, and a business entity with
75 more than 100 employees must make a financial or in-kind
76 contribution of at least \$5,000; or

77 3. A business entity must certify that it has established,
78 or has contributed to the establishment of, a program that
79 contributes to the independence of individuals who have a
80 disability. Contributions must be documented by providing copies
81 of written receipts, a summary of the program, program
82 materials, or letters of acknowledgment from program
83 participants or volunteers. A business entity with 100 or fewer
84 employees must make a financial or in-kind contribution of at
85 least \$1,000 in the program, and a business entity with more
86 than 100 employees must make a financial or in-kind contribution
87 of at least \$5,000.

88
89 A business entity that applies to the department to be
90 designated as a Florida Unique Abilities Partner shall be
91 awarded the designation upon meeting the requirements of this
92 section.

93 (b) For a designation based upon receipt of a nomination of
94 a business entity:

95 1. The department shall determine whether the nominee,
96 based on the information provided by the nominating person or
97 entity, meets the requirements of paragraph (a). The department



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98 may request additional information from the nominee.

99 2. If the nominee meets the requirements, the department
100 shall provide notice, including the qualification criteria
101 provided in the nomination, to the nominee regarding the
102 nominee's eligibility to be awarded a designation as a Florida
103 Unique Abilities Partner.

104 3. The nominee shall be provided 30 days from the receipt
105 of the notice to certify that the information in the notice is
106 true and accurate and accept the nomination; or to decline the
107 nomination. After 30 days, if the nomination has not been
108 accepted, the department may not award the designation. If the
109 nominee accepts the nomination, the department shall award the
110 designation. If the nominee declines the nomination, the
111 department may not award the designation.

112 (5) ANNUAL CERTIFICATION.—After an initial designation as a
113 Florida Unique Abilities Partner, a business entity must certify
114 each year that it continues to meet the criteria for the
115 designation. If a business entity does not submit the yearly
116 certification of continued eligibility, the department shall
117 remove the designation. A business entity may elect to
118 discontinue its use of the designation at any time by notifying
119 the department of such decision.

120 (6) LOGO DEVELOPMENT.—

121 (a) The department, in consultation with members of the
122 disability community, shall develop a logo that identifies a
123 business entity that is designated as a Florida Unique Abilities
124 Partner.

125 (b) The department shall adopt guidelines and requirements
126 for use of the logo, including how the logo may be used in



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127 advertising. The department may allow a business entity to
128 display a Florida Unique Abilities Partner logo upon
129 designation. A business entity that has not been designated as a
130 Florida Unique Abilities Partner or has elected to discontinue
131 its designated status may not display the logo.

132 (7) WEBSITE.—The department shall maintain a website for
133 the program. At a minimum, the website must provide: a list of
134 business entities, by county, that currently have the Florida
135 Unique Abilities Partner designation, updated quarterly;
136 information regarding the eligibility requirements for the
137 designation and the method of application or nomination; and
138 best practices for business entities to facilitate the inclusion
139 of individuals who have a disability, updated annually. The
140 website may provide links to the websites of organizations or
141 other resources that will aid business entities to employ or
142 support individuals who have a disability.

143 (8) INTERAGENCY COLLABORATION.—

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

147 (b) On a quarterly basis, the department shall provide the
148 Florida Tourism Industry Marketing Corporation with a current
149 list of all businesses that are designated as Florida Unique
150 Abilities Partners. The Florida Tourism Industry Marketing
151 Corporation must consider the Florida Unique Abilities Partner
152 program in the development of marketing campaigns, and
153 specifically in any targeted marketing campaign for individuals
154 who have a disability or their families.

155 (c) The department and CareerSource Florida, Inc., shall



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156 identify employment opportunities posted by business entities
157 that currently have the Florida Unique Abilities Partner
158 designation on the workforce information system under s.
159 445.011, Florida Statutes.

160 (9) REPORT.—

161 (a) By January 1, 2016, the department shall provide a
162 report to the President of the Senate and the Speaker of the
163 House of Representatives on the status of the implementation of
164 this section, including the adoption of rules, development of
165 the logo, and development of application procedures.

166 (b) Beginning in 2016 and each year thereafter, the
167 department's annual report required under s. 20.60, Florida
168 Statutes, must describe in detail the progress and use of the
169 program. At a minimum, the report must include the following
170 information for the most recent year: the number of applications
171 and nominations received; the number of nominations accepted and
172 declined; designations awarded; annual certifications; use of
173 information provided under subsection (8); and any other
174 information deemed necessary to evaluate the program.

175 (10) RULES.—The department shall adopt rules to administer
176 this section.

177 Section 2. For the 2015-2016 fiscal year, the sums of
178 \$100,000 in recurring funds and \$100,000 in nonrecurring funds
179 from the Special Employment Security Administration Trust Fund
180 are appropriated to the Department of Economic Opportunity for
181 the purpose of funding the development, implementation, and
182 administration of the Florida Unique Abilities Partner program
183 created by this act.

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

186 And the title is amended as follows:

187 Delete lines 5 - 36

188 and insert:

189 Florida Unique Abilities Partner program; defining
190 terms; authorizing a business entity to apply to the
191 department for designation; requiring the department
192 to consider nominations of business entities for
193 designation; requiring the department to adopt
194 procedures for application and designation processes;
195 establishing criteria for a business entity to be
196 designated as a Florida Unique Abilities Partner;
197 requiring a business entity to certify that it
198 continues to meet the established criteria for
199 designation each year; requiring the department to
200 remove the designation if a business entity does not
201 submit yearly certification of continued eligibility;
202 authorizing a business entity to discontinue its use
203 of the designation; requiring the department, in
204 consultation with the disability community, to develop
205 a logo for business entities designated as Florida
206 Unique Abilities Program Partners; requiring the
207 department to adopt guidelines and requirements for
208 use of the logo; authorizing the department to allow a
209 designated business entity to display a logo;
210 prohibiting the use of a logo if a business entity
211 does not have a current designation; requiring the
212 department to maintain a website with specified
213 information; requiring the Agency for Persons with



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214 Disabilities to provide a link on its website to the
215 department's website for the Florida Unique Abilities
216 Partner program; requiring the department to provide
217 the Florida Tourism Industry Marketing Corporation
218 with certain information; requiring the department and
219 CareerSource Florida, Inc., to identify employment
220 opportunities posted by employers that receive the
221 Florida Unique Abilities Partner designation on the
222 workforce information system; providing report
223 requirements; requiring the department to adopt rules;
224 providing appropriations; providing an effective date.