

By the Committees on Fiscal Policy; and Commerce and Tourism;
and Senator Detert

594-02925-15

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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, nomination, and
11 designation processes; establishing criteria for a
12 business entity to be designated as a Florida Unique
13 Abilities Partner; requiring a business entity to
14 certify that it continues to meet the established
15 criteria for designation each year; requiring the
16 department to remove the designation if a business
17 entity does not submit yearly certification of
18 continued eligibility; authorizing a business entity
19 to discontinue its use of the designation; requiring
20 the department, in consultation with the disability
21 community, to develop a logo for business entities
22 designated as Florida Unique Abilities Program
23 Partners; requiring the department to adopt guidelines
24 and requirements for use of the logo; authorizing the
25 department to allow a designated business entity to
26 display a logo; prohibiting the use of a logo if a
27 business entity does not have a current designation;
28 requiring the department to maintain a website with
29 specified information; requiring the Agency for

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30 Persons with Disabilities to provide a link on its
31 website to the department's website for the Florida
32 Unique Abilities Partner program; requiring the
33 department to provide the Florida Tourism Industry
34 Marketing Corporation with certain information;
35 requiring the department and CareerSource Florida,
36 Inc., to identify employment opportunities posted by
37 employers that receive the Florida Unique Abilities
38 Partner designation on the workforce information
39 system; providing report requirements; requiring the
40 department to adopt rules; providing appropriations;
41 providing an effective date.

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

44
45 Section 1. Florida Unique Abilities Partner program.-

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

57 (2) DEFINITIONS.-As used in this section, the term:

58 (a) "Department" means the Department of Economic

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59 Opportunity.

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

65 (3) DESIGNATION.—

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

70 1. Employment of individuals who have a disability.

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

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

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

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

84 (d) The department shall adopt procedures for the
85 application, nomination, and designation processes for the
86 Florida Unique Abilities Partner program. Designation as a
87 Florida Unique Abilities Partner does not establish or involve

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88 licensure, does not affect the substantial interests of a party,
89 and does not constitute a final agency action. The Florida
90 Unique Abilities Partner program and designation are not subject
91 to chapter 120, Florida Statutes.

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

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

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

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

116 3. A business entity must certify that it has established,

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

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

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

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

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

143 3. The nominee shall be provided 30 days from the receipt
144 of the notice to certify that the information in the notice is
145 true and accurate and accept the nomination; or to decline the

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146 nomination. After 30 days, if the nomination has not been
147 accepted, the department may not award the designation. If the
148 nominee accepts the nomination, the department shall award the
149 designation. If the nominee declines the nomination, the
150 department may not award the designation.

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

159 (6) LOGO DEVELOPMENT.—

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

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

171 (7) WEBSITE.—The department shall maintain a website for
172 the program. At a minimum, the website must provide: a list of
173 business entities, by county, that currently have the Florida
174 Unique Abilities Partner designation, updated quarterly;

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

182 (8) INTERAGENCY COLLABORATION.—

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

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

194 (c) The department and CareerSource Florida, Inc., shall
195 identify employment opportunities posted by business entities
196 that currently have the Florida Unique Abilities Partner
197 designation on the workforce information system under s.
198 445.011, Florida Statutes.

199 (9) REPORT.—

200 (a) By January 1, 2016, the department shall provide a
201 report to the President of the Senate and the Speaker of the
202 House of Representatives on the status of the implementation of
203 this section, including the adoption of rules, development of

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204 the logo, and development of application procedures.

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

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

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

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