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LEGISLATIVE ACTION

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

Senate Amendment (with title amendment)

Delete lines 40 - 164

and insert:

Section 1. Florida Unique Abilities Partner program.—

(1) CREATION AND PURPOSE.—The Department of Economic Opportunity shall establish the Florida Unique Abilities Partner program to designate a business entity as a Florida Unique Abilities Partner if the business entity demonstrates commitment, through employment or support, to the independence



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

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

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

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

25 (3) DESIGNATION.—

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

30 1. Employment of individuals who have a disability.

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

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

36 (b) As an alternative to application by a business entity,
37 the department must consider nominations from members of the
38 community where the business entity is located. The nomination
39 must identify the business entity's achievements in at least one



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40 of the categories provided in paragraph (a).

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

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

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

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

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

65 2. A business entity must certify that it has made
66 contributions to local and national disability organizations or
67 contributions in support of individuals who have a disability.
68 Contributions may be accomplished through financial or in-kind



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

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

87
88 A business entity that applies to the department to be
89 designated as a Florida Unique Abilities Partner shall be
90 awarded the designation upon meeting the requirements of this
91 section.

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

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



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

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

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

119 (6) LOGO DEVELOPMENT.—

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

124 (b) The department shall adopt guidelines and requirements
125 for use of the logo, including how the logo may be used in
126 advertising. The department may allow a business entity to



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

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

142 (8) INTERAGENCY COLLABORATION.—

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

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

154 (c) The department and CareerSource Florida, Inc., shall
155 identify employment opportunities posted by business entities



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156 that currently have the Florida Unique Abilities Partner
157 designation on the workforce information system under s.
158 445.011, Florida Statutes.

159 (9) REPORT.—

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

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

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

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

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



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185 And the title is amended as follows:

186 Delete lines 5 - 36

187 and insert:

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



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