

By the Committee on Commerce and Tourism; and Senator Detert

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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 the
6 term "individuals who have a disability"; establishing
7 criteria for a business entity to be designated as a
8 Florida Unique Abilities Partner; requiring a business
9 entity to certify that it continues to meet the
10 established criteria for designation each year;
11 requiring the department to remove the designation if
12 a business entity does not submit yearly certification
13 of continued eligibility; authorizing a business
14 entity to discontinue its use of the designation;
15 requiring the department, in consultation with the
16 disability community, to develop a logo for business
17 entities designated as Florida Unique Abilities
18 Program Partners; requiring the department to adopt
19 guidelines and requirements for use of the logo;
20 authorizing the department to allow a designated
21 business entity to display a logo; prohibiting the use
22 of a logo if a business entity does not have a current
23 designation; requiring the department to maintain a
24 website with specified information; requiring the
25 Agency for Persons with Disabilities to provide a link
26 on its website to the department's website for the
27 Florida Unique Abilities Partner program; requiring
28 the department to provide the Florida Tourism Industry
29 Marketing Corporation with certain information;

577-02088-15

20151246c1

30 requiring the department to identify employment
31 opportunities posted by employers that receive the
32 Florida Unique Abilities Partner designation on the
33 workforce information system; requiring the department
34 to provide a specified report to the Legislature by a
35 specified date; requiring the department to adopt
36 rules; providing an effective date.

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

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40 Section 1. (1) The Department of Economic Opportunity shall
41 establish the Florida Unique Abilities Partner program to
42 designate a business entity as a Florida Unique Abilities
43 Partner if the business entity demonstrates commitment, through
44 employment and support, to the independence of individuals who
45 have a disability. The department shall consult with the Agency
46 for Persons with Disabilities, the Division of Vocational
47 Rehabilitation of the Department of Education, the Division of
48 Blind Services of the Department of Education, and CareerSource
49 Florida in creating the program. As used in this section, the
50 term "individuals who have a disability" means persons who have
51 a physical or intellectual impairment that substantially limits
52 one or more major life activities; persons who have a history or
53 record of such an impairment; or persons who are perceived by
54 others as having such an impairment.

55 (2) A business entity may apply to the Department of
56 Economic Opportunity to be designated as a Florida Unique
57 Abilities Partner, based on the business entity's achievements
58 in at least one of the following categories:

577-02088-15

20151246c1

59 (a) Employment of individuals who have a disability.

60 (b) Contributions to local or national disability
61 organizations or the establishment of a program that contributes
62 to the independence of individuals who have a disability.

63 (3) As an alternative to application by a business entity,
64 the Department of Economic Opportunity must consider nominations
65 from members of the community in which the business entity is
66 located. The nomination must identify the business entity's
67 achievements in one or both of the categories as provided in
68 subsection (2).

69 (4) The Department of Economic Opportunity shall adopt
70 procedures for the application and designation processes for the
71 Florida Unique Abilities Partner program. Designation as a
72 Florida Unique Abilities Partner does not establish or involve
73 licensure, does not affect the substantial interests of a party,
74 and does not constitute a final agency action. The Florida
75 Unique Abilities Partner program and designation are not subject
76 to chapter 120, Florida Statutes.

77 (5) In determining the eligibility for the designation of a
78 business entity as a Florida Unique Abilities Partner, the
79 Department of Economic Opportunity must consider, at a minimum,
80 the following criteria:

81 (a) For a designation based on an application by a
82 business:

83 1. A business entity must certify that it employs at least
84 one individual who has a disability. Such employees must be
85 residents of this state and must have been employed by the
86 business entity for at least 9 months before the business
87 entity's application for the designation. The department may not

577-02088-15

20151246c1

88 require the employer to provide personally identifiable
89 information about its employees; or

90 2. A business entity must certify that it has made
91 contributions to local and national disability organizations or
92 contributions in support of individuals who have a disability.
93 Contributions may be accomplished through financial or in-kind
94 contributions, including employee volunteer hours, or
95 accomplished through the establishment of a program that
96 contributes to the independence of individuals who have a
97 disability. Contributions must be documented by providing copies
98 of written receipts or letters of acknowledgment from recipients
99 or donees. A business entity with 100 or fewer employees must
100 make a financial or in-kind contribution of at least \$1,000, and
101 a business entity with more than 100 employees must make a
102 financial or in-kind contribution of at least \$5,000.

103 (b) For a designation based upon receipt of a nomination of
104 a business entity, the Department of Economic Opportunity shall
105 determine whether the nominee, based on the information provided
106 by the nominating person or entity, meets the requirements of
107 paragraph (a). If the designee appears to meet the requirements,
108 the Department of Economic Opportunity shall provide notice to
109 the nominee, including the qualification criteria asserted in
110 the nomination. The nominee shall be provided 30 days from the
111 receipt of the notice to decline the nomination. After 30 days,
112 if the nomination has not been declined, the business must be
113 awarded the designation.

114 (6) After an initial designation as a Florida Unique
115 Abilities Partner, a business entity must certify each year that
116 it continues to meet the criteria for the designation. If a

577-02088-15

20151246c1

117 business entity does not submit yearly certification of
118 continued eligibility, the Department of Economic Opportunity
119 shall remove the designation. A business entity may elect to
120 discontinue its use of the designation at any time by notifying
121 the department of such decision.

122 (7) The Department of Economic Opportunity, in consultation
123 with members of the disability community, must develop a logo
124 that identifies a business entity that is designated as a
125 Florida Unique Abilities Partner.

126 (8) The Department of Economic Opportunity must adopt
127 guidelines and requirements for use of the logo, including how
128 the logo may be used in advertising. The department may allow a
129 business entity to display a Florida Unique Abilities Partner
130 logo upon designation. A business entity that has not been
131 designated as a Florida Unique Abilities Partner or has elected
132 to discontinue its designated status may not display the logo.

133 (9) The Department of Economic Opportunity must maintain a
134 website that provides the public with a list of business
135 entities, by county, which currently have the Florida Unique
136 Abilities Partner designation and which provides information
137 regarding the eligibilities for the designation. At least once a
138 year, the department must publish on its website the best ways
139 for business entities to facilitate the inclusion of individuals
140 who have a disability. The Agency for Persons with Disabilities
141 must provide a link on its website to the department's website
142 that makes available the information on the Florida Unique
143 Abilities Partner program and designation.

144 (10) On a quarterly basis, the Department of Economic
145 Opportunity must provide the Florida Tourism Industry Marketing

577-02088-15

20151246c1

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

152 (11) The Department of Economic Opportunity shall identify
153 employment opportunities posted by business entities that
154 currently have the Florida Unique Abilities Partner designation
155 on the workforce information system under s. 445.011, Florida
156 Statutes.

157 (12) By January 1, 2016, the Department of Economic
158 Opportunity must provide a report to the President of the Senate
159 and the Speaker of the House of Representatives on the status of
160 the implementation of this section, including the adoption of
161 rules, development of the logo, and development of application
162 procedures.

163 (13) The Department of Economic Opportunity shall adopt
164 rules to administer this section.

165 Section 2. This act shall take effect July 1, 2015.