

By the Committee on Commerce and Tourism; and Senator Detert

577-02088-15

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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 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;

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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.

37  
38 Be It Enacted by the Legislature of the State of Florida:

39  
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:

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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

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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

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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

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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.