

By 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 entities, 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 designated status; requiring the
20 department, in consultation with the disability
21 community, to develop a logo for business entities
22 designated as Florida Unique Abilities Partners;
23 requiring the department to adopt guidelines and
24 requirements for the 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 program;
32 requiring the department to provide the Florida
33 Tourism Industry Marketing Corporation with certain
34 information; requiring the department and CareerSource
35 Florida, Inc., to identify employment opportunities
36 posted by business entities that receive the Florida
37 Unique Abilities Partner designation on the workforce
38 information system; requiring a report to the
39 Legislature; providing report requirements; requiring
40 the department to adopt rules; amending s. 20.60,
41 F.S.; revising requirements for the department's
42 annual report to conform to changes made by the act;
43 providing appropriations; providing effective dates.
44

45 Be It Enacted by the Legislature of the State of Florida:
46

47 Section 1. Florida Unique Abilities Partner Program.—

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

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

60 (a) "Department" means the Department of Economic
61 Opportunity.

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

67 (3) DESIGNATION.—

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

72 1. Employment of individuals who have a disability.

73 2. Contributions to local or national disability
74 organizations.

75 3. Contributions to, or the establishment of, a program
76 that contributes to the independence of individuals who have a
77 disability.

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

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

86 (d) The department shall adopt procedures for the
87 application, nomination, and designation processes for the

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88 Florida Unique Abilities Partner Program. Designation as a
89 Florida Unique Abilities Partner does not establish or involve
90 licensure, does not affect the substantial interests of a party,
91 and does not constitute a final agency action. The Florida
92 Unique Abilities Partner Program and designation are not subject
93 to chapter 120, Florida Statutes.

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

98 (a) For a designation based on an application by a business
99 entity, the business entity must certify that:

100 1. It employs at least one individual who has a disability.
101 Such employees must be residents of this state and must have
102 been employed by the business entity for at least 9 months
103 before the business entity's application for the designation.
104 The department may not require the employer to provide
105 personally identifiable information about its employees;
106 2. It has made contributions to local and national
107 disability organizations or contributions in support of
108 individuals who have a disability. Contributions may be
109 accomplished through financial or in-kind contributions,
110 including employee volunteer hours. Contributions must be
111 documented by providing copies of written receipts or letters of
112 acknowledgment from recipients or donees. A business entity with
113 100 or fewer employees must make a financial or in-kind
114 contribution of at least \$1,000, and a business entity with more
115 than 100 employees must make a financial or in-kind contribution
116 of at least \$5,000; or

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117 3. It has established, or has contributed to the
118 establishment of, a program that contributes to the independence
119 of individuals who have a disability. Contributions must be
120 documented by providing copies of written receipts, a summary of
121 the program, program materials, or letters of acknowledgment
122 from program participants or volunteers. A business entity with
123 100 or fewer employees must make a financial or in-kind
124 contribution of at least \$1,000 in the program, and a business
125 entity with more than 100 employees must make a financial or in-
126 kind contribution 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 after receipt of
144 the notice to certify that the information in the notice is true
145 and accurate and accept the nomination, to provide corrected

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146 information for consideration by the department and indicate an
147 intention to accept the nomination, or to decline the
148 nomination. If the nominee accepts the nomination, the
149 department shall award the designation. The department may not
150 award the designation if the nominee declines the nomination or
151 has not accepted the nomination within 30 days of receiving
152 notice.

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

161 (6) LOGO DEVELOPMENT.—

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

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

173 (7) WEBSITE.—The department shall maintain a website for
174 the program. At a minimum, the website must provide a list of

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

184 (8) INTERAGENCY COLLABORATION.—

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

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

196 (c) The department and CareerSource Florida, Inc., shall
197 identify employment opportunities posted by business entities
198 that currently have the Florida Unique Abilities Partner
199 designation on the workforce information system under s.
200 445.011, Florida Statutes.

201 (9) REPORT.—

202 (a) By January 1, 2017, the department shall provide a
203 report to the President of the Senate and the Speaker of the

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204 House of Representatives on the status of the implementation of
205 this section, including the adoption of rules, development of
206 the logo, and development of application procedures.

207 (b) Beginning in 2017 and each year thereafter, the
208 department's annual report required under s. 20.60, Florida
209 Statutes, must describe in detail the progress and use of the
210 program. At a minimum, the report must include, for the most
211 recent year: the number of applications and nominations
212 received; the number of nominations accepted and declined; the
213 number of designations awarded; annual certifications; the use
214 of information provided under subsection (8); and any other
215 information deemed necessary to evaluate the program.

216 (10) RULES.—The department shall adopt rules to administer
217 this section.

218 Section 2. Effective January 1, 2017, paragraph (b) of
219 subsection (10) of section 20.60, Florida Statutes, is amended
220 to read:

221 20.60 Department of Economic Opportunity; creation; powers
222 and duties.—

223 (10) The department, with assistance from Enterprise
224 Florida, Inc., shall, by November 1 of each year, submit an
225 annual report to the Governor, the President of the Senate, and
226 the Speaker of the House of Representatives on the condition of
227 the business climate and economic development in the state.

228 (b) The report must incorporate annual reports of other
229 programs, including:

230 1. The displaced homemaker program established under s.
231 446.50.

232 2. Information provided by the Department of Revenue under

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233 s. 290.014.

234 3. Information provided by enterprise zone development
235 agencies under s. 290.0056 and an analysis of the activities and
236 accomplishments of each enterprise zone.

237 4. The Economic Gardening Business Loan Pilot Program
238 established under s. 288.1081 and the Economic Gardening
239 Technical Assistance Pilot Program established under s.
240 288.1082.

241 5. A detailed report of the performance of the Black
242 Business Loan Program and a cumulative summary of quarterly
243 report data required under s. 288.714.

244 6. The Rural Economic Development Initiative established
245 under s. 288.0656.

246 7. The Florida Unique Abilities Partner Program.

247 Section 3. For the 2016-2017 fiscal year, the sums of
248 \$100,000 in recurring funds and \$100,000 in nonrecurring funds
249 from the Special Employment Security Administration Trust Fund
250 are appropriated to the Department of Economic Opportunity, for
251 the purpose of funding the development, implementation, and
252 administration of the Florida Unique Abilities Partner Program
253 created by this act.

254 Section 4. Except as otherwise expressly provided in this
255 act, this act shall take effect July 1, 2016.