

By the Committees on Fiscal Policy; and Governmental Oversight  
and Accountability

594-01453-16

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1                   A bill to be entitled  
2       An act relating to individuals with disabilities;  
3       creating s. 17.68, F.S.; providing legislative  
4       findings; establishing the Financial Literacy Program  
5       for Individuals with Developmental Disabilities within  
6       the Department of Financial Services; requiring the  
7       department to develop and implement the program in  
8       consultation with specified stakeholders; providing  
9       for the participation of banks, credit unions, savings  
10      associations, and savings banks; requiring the program  
11      to provide information, resources, outreach, and  
12      education on specified issues to individuals with  
13      developmental disabilities and employers in this  
14      state; requiring the department to establish on its  
15      website a clearinghouse for information regarding the  
16      program and to publish a brochure describing the  
17      program; requiring, by a specified date, qualified  
18      public depositories to make copies of the department's  
19      brochure available and provide a hyperlink on their  
20      websites to the department's website for the program;  
21      providing that qualified public depositories are not  
22      subject to civil liability arising from the  
23      distribution and contents of the brochure and the  
24      program website information; amending s. 20.60, F.S.;  
25      revising requirements for the Department of Economic  
26      Opportunity's annual report to conform to changes made  
27      by the act; reordering and amending s. 110.107, F.S.;  
28      revising definitions and defining the term "individual  
29      who has a disability"; amending s. 110.112, F.S.;

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30 revising the state's equal employment opportunity  
31 policy to include individuals who have a disability;  
32 requiring each executive agency to annually report to  
33 the Department of Management Services regarding the  
34 agency's progress in increasing employment among  
35 certain underrepresented groups; revising the required  
36 content of the department's annual workforce report;  
37 requiring the department to develop and implement  
38 certain programs geared toward individuals who have a  
39 disability; requiring the department to develop  
40 training programs by a specified date; requiring each  
41 executive agency to develop a plan regarding the  
42 employment of individuals who have a disability by a  
43 specified date; requiring the department to report to  
44 the Governor and the Legislature regarding  
45 implementation; requiring the department to compile  
46 and post data regarding the hiring practices of  
47 executive agencies regarding the employment of  
48 individuals who have a disability; requiring the  
49 department to assist executive agencies in identifying  
50 strategies to retain employees who have a disability;  
51 requiring the department to adopt certain rules;  
52 specifying that the act does not create any  
53 enforceable right or benefit; amending s. 280.16,  
54 F.S.; requiring a qualified public depository to  
55 participate in the Financial Literacy Program for  
56 Individuals with Developmental Disabilities; amending  
57 s. 393.063, F.S.; revising the definition of the term  
58 "developmental disability" to include Down syndrome;

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59 creating the "Employment First Act"; providing  
60 legislative findings and intent; providing a purpose;  
61 requiring specified state agencies and organizations  
62 to develop and implement an interagency cooperative  
63 agreement; requiring the interagency cooperative  
64 agreement to provide the roles, responsibilities, and  
65 objectives of state agencies and organizations;  
66 requiring the Department of Economic Opportunity, in  
67 consultation with other entities, to create the  
68 Florida Unique Abilities Partner Program; defining  
69 terms; authorizing a business entity to apply to the  
70 department for designation; requiring the department  
71 to consider nominations of business entities for  
72 designation; requiring the department to adopt  
73 procedures for application, nomination, and  
74 designation processes; establishing criteria for a  
75 business entity to be designated as a Florida Unique  
76 Abilities Partner; requiring a business entity to  
77 certify that it continues to meet the established  
78 criteria for designation each year; requiring the  
79 department to remove the designation if a business  
80 entity does not submit yearly certification of  
81 continued eligibility; authorizing a business entity  
82 to discontinue its designated status; requiring the  
83 department, in consultation with the disability  
84 community, to develop a logo for business entities  
85 designated as Florida Unique Abilities Partners;  
86 requiring the department to adopt guidelines and  
87 requirements for the use of the logo; authorizing the

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88 department to allow a designated business entity to  
89 display a logo; prohibiting the use of a logo if a  
90 business entity does not have a current designation;  
91 requiring the department to maintain a website with  
92 specified information; requiring the Agency for  
93 Persons with Disabilities to provide a link on its  
94 website to the department's website for the program;  
95 requiring the department to provide the Florida  
96 Tourism Industry Marketing Corporation with certain  
97 information; requiring the department and CareerSource  
98 Florida, Inc., to identify employment opportunities  
99 posted by business entities that receive the Florida  
100 Unique Abilities Partner designation on the workforce  
101 information system; requiring a report to the  
102 Legislature; providing report requirements; requiring  
103 the department to adopt rules; providing  
104 appropriations; providing effective dates.

105  
106 Be It Enacted by the Legislature of the State of Florida:

107  
108 Section 1. Section 17.68, Florida Statutes, is created to  
109 read:

110 17.68 Financial Literacy Program for Individuals with  
111 Developmental Disabilities.—

112 (1) The Legislature finds that the state has a compelling  
113 interest in promoting the economic independence and successful  
114 employment of individuals with developmental disabilities as  
115 defined in s. 393.063. In comparison with the general  
116 population, individuals with developmental disabilities

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117 experience lower rates of educational achievement, employment,  
118 and annual earnings and are more likely to live in poverty.  
119 Additionally, such individuals must navigate a complex network  
120 of federal and state programs in order to be eligible for  
121 financial and health benefits. Thus, it is essential that these  
122 individuals have sufficient financial management knowledge and  
123 skills to effectively participate in benefit eligibility  
124 determination processes and make informed decisions regarding  
125 financial services and products provided by financial  
126 institutions. Enhancing the financial literacy of such  
127 individuals will provide a pathway for economic independence and  
128 successful employment.

129 (2) The Financial Literacy Program for Individuals with  
130 Developmental Disabilities is established within the Department  
131 of Financial Services. The department, in consultation with  
132 public and private stakeholders, shall develop and implement the  
133 program, which must be designed to promote the economic  
134 independence and successful employment of individuals with  
135 developmental disabilities. Banks, credit unions, savings  
136 associations, and savings banks will be key participants in the  
137 development and promotion of the program, which must provide  
138 information, resources, outreach, and education in the following  
139 areas:

140 (a) For individuals with developmental disabilities:  
141 1. Financial education, including instruction on money  
142 management skills and the effective use of financial services  
143 and products, to promote income preservation and asset  
144 development.

145 2. Identification of available financial and health benefit

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146 programs and services.

147 3. Job training programs and employment opportunities,  
148 including work incentives and state and local workforce  
149 development programs.

150 4. The impact of earnings and assets on eligibility for  
151 federal and state financial and health benefit programs, and  
152 options to manage such impact.

153 (b) For employers in this state, strategies to make program  
154 information and educational materials available to their  
155 employees with developmental disabilities.

156 (3) Effective October 1, 2016, the department shall:

157 (a) Establish on its website a clearinghouse for  
158 information regarding the program and other resources available  
159 for individuals with developmental disabilities and their  
160 employers.

161 (b) Publish a brochure describing the program, which is  
162 also accessible on its website.

163 (4) Within 90 days after the department establishes the  
164 website clearinghouse and publishes the brochure, each bank,  
165 savings association, and savings bank that is a qualified public  
166 depository as defined in s. 280.02 shall:

167 (a) Make copies of the department's brochures available,  
168 upon the request of the consumer, at its principal place of  
169 business and each branch office located in this state which has  
170 in-person teller services by having copies of the brochure  
171 available or having the capability to print a copy of the  
172 brochure from the department's website. Upon request, the  
173 department shall provide copies of the brochure to a bank,  
174 savings association, or savings bank.

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175 (b) Provide on its website a hyperlink to the department's  
176 website clearinghouse. If the department changes the website  
177 address for the clearinghouse, the bank, savings association, or  
178 savings bank must update the hyperlink within 90 days after  
179 notification by the department of such change.

180 (5) A participating qualified public depository is not  
181 subject to civil liability arising from the distribution or  
182 nondistribution of the brochure or program website information.  
183 The contents of the brochure or the program website information  
184 may not be attributed to a participating qualified public  
185 depository by virtue of its distribution, and do not constitute  
186 financial or investment advice by, nor create a fiduciary duty  
187 on, the participating qualified public depository to the  
188 recipient.

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

192 20.60 Department of Economic Opportunity; creation; powers  
193 and duties.—

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

199 (b) The report must incorporate annual reports of other  
200 programs, including:

201 1. The displaced homemaker program established under s.  
202 446.50.

203 2. Information provided by the Department of Revenue under

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204 s. 290.014.

205 3. Information provided by enterprise zone development  
206 agencies under s. 290.0056 and an analysis of the activities and  
207 accomplishments of each enterprise zone.

208 4. The Economic Gardening Business Loan Pilot Program  
209 established under s. 288.1081 and the Economic Gardening  
210 Technical Assistance Pilot Program established under s.  
211 288.1082.

212 5. A detailed report of the performance of the Black  
213 Business Loan Program and a cumulative summary of quarterly  
214 report data required under s. 288.714.

215 6. The Rural Economic Development Initiative established  
216 under s. 288.0656.

217 7. The Florida Unique Abilities Partner Program.

218 Section 3. Section 110.107, Florida Statutes, is reordered  
219 and amended to read:

220 110.107 Definitions.—As used in this chapter, the term:

221 (5)~~(1)~~ "Department" means the Department of Management  
222 Services.

223 (28)~~(2)~~ "Secretary" means the Secretary of Management  
224 Services.

225 (11)~~(3)~~ "Furlough" means a temporary reduction in the  
226 regular hours of employment in a pay period, or temporary leave  
227 without pay for one or more pay periods, with a commensurate  
228 reduction in pay, which is necessitated by a projected deficit  
229 in any fund that supports salary and benefit appropriations. The  
230 deficit must be projected by the Revenue Estimating Conference  
231 pursuant to s. 216.136(3).

232 (30)~~(4)~~ "State agency" or "agency" means any official,



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233 officer, commission, board, authority, council, committee, or  
234 department of the executive branch or the judicial branch of  
235 state government as defined in chapter 216.

236 (21)~~(5)~~ "Position" means the work, consisting of duties and  
237 responsibilities, assigned to be performed by an officer or  
238 employee.

239 (10)~~(6)~~ "Full-time position" means a position authorized  
240 for the entire normally established work period, whether daily,  
241 weekly, monthly, or annually.

242 (18)~~(7)~~ "Part-time position" means a position authorized  
243 for less than the entire normally established work period,  
244 whether daily, weekly, monthly, or annually.

245 (16)~~(8)~~ "Occupation" means all positions that ~~which~~ are  
246 sufficiently similar in knowledge, skills, ~~and~~ abilities, and  
247 the ~~sufficiently similar as to~~ kind or subject matter of work.

248 (17)~~(9)~~ "Occupational group" means a group of occupations  
249 that ~~which~~ are sufficiently similar in the kind of work  
250 performed to warrant the use of the same performance factors in  
251 determining the level of complexity for all occupations in that  
252 occupational group.

253 (3)~~(10)~~ "Classification plan" means a formal description of  
254 the concepts, rules, job family definitions, occupational group  
255 characteristics, and occupational profiles used in the  
256 classification of positions.

257 (20)~~(11)~~ "Pay plan" means a formal description of the  
258 philosophy, methods, procedures, and salary schedules for  
259 competitively compensating employees at market-based rates for  
260 work performed.

261 (27)~~(12)~~ "Salary schedule" means an official document that

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262 ~~which~~ contains a complete list of occupation titles, broadband  
263 level codes, and pay bands.

264 (1)~~(13)~~ "Authorized position" means a position included in  
265 an approved budget. In counting the number of authorized  
266 positions, part-time positions may be converted to full-time  
267 equivalents.

268 (8)~~(14)~~ "Established position" means an authorized position  
269 that ~~which~~ has been classified in accordance with a  
270 classification and pay plan as provided by law.

271 (22)~~(15)~~ "Position number" means the identification number  
272 assigned to an established position.

273 (26)~~(16)~~ "Reclassification" means the changing of an  
274 established position in one broadband level in an occupational  
275 group to a higher or lower broadband level in the same  
276 occupational group or to a broadband level in a different  
277 occupational group.

278 (24)~~(17)~~ "Promotion" means the changing of the  
279 classification of an employee to a broadband level having a  
280 higher maximum salary; or the changing of the classification of  
281 an employee to a broadband level having the same or a lower  
282 maximum salary but a higher level of responsibility.

283 (4)~~(18)~~ "Demotion" means the changing of the classification  
284 of an employee to a broadband level having a lower maximum  
285 salary; or the changing of the classification of an employee to  
286 a broadband level having the same or a higher maximum salary but  
287 a lower level of responsibility.

288 (32)~~(19)~~ "Transfer" means moving an employee from one  
289 geographic location of the state to a different geographic  
290 location more than ~~in excess of~~ 50 miles from the employee's

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291 current work location.

292 ~~(25)-(20)~~ "Reassignment" means moving an employee from a  
293 position in one broadband level to a different position in the  
294 same broadband level or to a different broadband level having  
295 the same maximum salary.

296 ~~(6)-(21)~~ "Dismissal" means a disciplinary action taken by an  
297 agency pursuant to s. 110.227 against an employee which results  
298 ~~resulting~~ in the termination of his or her employment.

299 ~~(31)-(22)~~ "Suspension" means a disciplinary action taken by  
300 an agency pursuant to s. 110.227 against an employee which ~~to~~  
301 temporarily relieves ~~relieve~~ the employee of his or her duties  
302 and places ~~place~~ him or her on leave without pay.

303 ~~(15)-(23)~~ "Layoff" means termination of employment due to a  
304 shortage of funds or work, or a material change in the duties or  
305 organization of an agency, including the outsourcing or  
306 privatization of an activity or function previously performed by  
307 career service employees.

308 ~~(7)-(24)~~ "Employing agency" means any agency authorized to  
309 employ personnel to carry out the responsibilities of the agency  
310 under the provisions of chapter 20 or other law ~~statutory~~  
311 authority.

312 ~~(29)-(25)~~ "Shared employment" means part-time career  
313 employment in which ~~whereby~~ the duties and responsibilities of a  
314 full-time position in the career service are divided among part-  
315 time employees who are eligible for the position and who receive  
316 career service benefits and wages pro rata. The term does not ~~in~~  
317 ~~no case shall "shared employment"~~ include the employment of  
318 persons paid from other-personal-services funds.

319 ~~(9)-(26)~~ "Firefighter" means a firefighter certified under

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320 chapter 633.

321 ~~(14)(27)~~ "Law enforcement or correctional officer" means a  
322 law enforcement officer, special agent, correctional officer,  
323 correctional probation officer, or institutional security  
324 specialist ~~required to be~~ certified under chapter 943.

325 ~~(23)(28)~~ "Professional health care provider" means  
326 registered nurses, physician's assistants, dentists,  
327 psychologists, nutritionists or dietitians, pharmacists,  
328 psychological specialists, physical therapists, and speech and  
329 hearing therapists.

330 ~~(13)(29)~~ "Job family" means a defined grouping of one or  
331 more occupational groups.

332 ~~(19)(30)~~ "Pay band" means the minimum salary, the maximum  
333 salary, and intermediate rates that ~~which~~ are payable for work  
334 in a specific broadband level.

335 ~~(2)(31)~~ "Broadband level" means all positions that ~~which~~  
336 are sufficiently similar in knowledge, skills, and abilities;  
337 ~~the, and sufficiently similar as to~~ kind or subject matter of  
338 work; ~~the,~~ level of difficulty or the level of responsibility;  
339 ~~responsibilities,~~ and the qualification requirements of the work  
340 so as to warrant the same treatment with respect ~~as~~ to title,  
341 pay band, and other personnel transactions.

342 (12) "Individual who has a disability" means a person who  
343 has a physical or intellectual impairment that substantially  
344 limits one or more major life activities; a person who has a  
345 history or record of such an impairment; or a person who is  
346 perceived by others as having such an impairment.

347 Section 4. Subsections (1) and (2) of section 110.112,  
348 Florida Statutes, are amended, present subsections (3) through

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349 (6) of that section are redesignated as subsections (4) through  
350 (7), respectively, and a new subsection (3) is added to that  
351 section, to read:

352 110.112 Affirmative action; equal employment opportunity.-

353 (1) It is ~~shall be~~ the policy of this ~~the~~ state to assist  
354 in providing the assurance of equal employment opportunity  
355 through programs of affirmative and positive action that will  
356 allow full utilization of women, and minorities, and individuals  
357 who have a disability.

358 (2) (a) The head of each executive agency shall develop and  
359 implement an affirmative action plan in accordance with rules  
360 adopted by the department and approved by a majority vote of the  
361 Administration Commission before their adoption.

362 (b) Each executive agency shall establish annual goals for  
363 ensuring full utilization of groups underrepresented in the  
364 agency's ~~its~~ workforce, including women, minorities, and  
365 individuals who have a disability, as compared to the relevant  
366 labor market, as defined by the agency. Each executive agency  
367 shall design its affirmative action plan to meet its established  
368 goals.

369 (c) Each executive agency shall annually report to the  
370 department regarding the agency's progress toward increasing  
371 employment among women, minorities, and individuals who have a  
372 disability.

373 (d) ~~(e)~~ An affirmative action-equal employment opportunity  
374 officer shall be appointed by the head of each executive agency.  
375 The affirmative action-equal employment opportunity officer's  
376 responsibilities must include determining annual goals,  
377 monitoring agency compliance, and providing consultation to

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378 managers regarding progress, deficiencies, and appropriate  
379 corrective action.

380 (e)~~(d)~~ The department shall report information in its  
381 annual workforce report relating to the implementation,  
382 continuance, updating, and results of each executive agency's  
383 affirmative action plan for the previous fiscal year. The annual  
384 workforce report must also include data for each executive  
385 agency relating to employment levels among women, minorities,  
386 and individuals who have a disability.

387 (f)~~(e)~~ The department shall provide to all supervisory  
388 personnel of the executive agencies training in the principles  
389 of equal employment opportunity and affirmative action, the  
390 development and implementation of affirmative action plans, and  
391 the establishment of annual affirmative action goals. The  
392 department may contract for training services, and each  
393 participating agency shall reimburse the department for costs  
394 incurred through such contract. After the department approves  
395 the contents of the training program for the agencies, the  
396 department may delegate this training to the executive agencies.

397 (3) (a) The department, in consultation with the Agency for  
398 Persons with Disabilities, the Division of Vocational  
399 Rehabilitation and the Division of Blind Services of the  
400 Department of Education, the Department of Economic Opportunity,  
401 and the Executive Office of the Governor, shall develop and  
402 implement programs that incorporate internships, mentoring, on-  
403 the-job training, unpaid work experience, situational  
404 assessments, and other innovative strategies that are  
405 specifically geared toward individuals who have a disability.

406 (b) By January 1, 2017, the department shall develop

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407 mandatory training programs for human resources personnel and  
408 hiring managers of executive agencies which support the  
409 employment of individuals who have a disability.

410 (c)1. By January 1, 2017, each executive agency shall  
411 develop an agency-specific plan that addresses how to promote  
412 employment opportunities for individuals who have a disability.

413 2. The department shall assist executive agencies in the  
414 implementation of agency-specific plans. The department shall  
415 regularly report to the Governor, the President of the Senate,  
416 and the Speaker of the House of Representatives the progress of  
417 executive agencies in implementing these plans. Such reports  
418 shall be made at least biannually.

419 (d) The department shall compile data regarding the hiring  
420 practices of executive agencies with regard to individuals who  
421 have a disability and make such data available on its website.

422 (e) The department shall assist executive agencies in  
423 identifying and implementing strategies for retaining employees  
424 who have a disability which include, but are not limited to,  
425 training programs, funding reasonable accommodations, increasing  
426 access to appropriate technologies, and ensuring accessibility  
427 of physical and virtual workplaces.

428 (f) The department shall adopt rules relating to forms that  
429 provide for the voluntary self-identification of individuals who  
430 have a disability who are employed by an executive agency.

431 (g) This subsection does not create any substantive or  
432 procedural right or benefit enforceable at law or in equity  
433 against the state or a state agency, or an officer, employee, or  
434 agent thereof.

435 Section 5. Paragraph (e) is added to subsection (1) of

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436 section 280.16, Florida Statutes, to read:

437 280.16 Requirements of qualified public depositories;  
438 confidentiality.—

439 (1) In addition to any other requirements specified in this  
440 chapter, qualified public depositories shall:

441 (e) Participate in the Financial Literacy Program for  
442 Individuals with Developmental Disabilities as required under s.  
443 17.68.

444 Section 6. Subsection (9) of section 393.063, Florida  
445 Statutes, is amended to read:

446 393.063 Definitions.—For the purposes of this chapter, the  
447 term:

448 (9) "Developmental disability" means a disorder or syndrome  
449 that is attributable to intellectual disability, cerebral palsy,  
450 autism, Down syndrome, spina bifida, or Prader-Willi syndrome;  
451 that manifests before the age of 18; and that constitutes a  
452 substantial handicap that can reasonably be expected to continue  
453 indefinitely.

454 Section 7. Employment First Act.—

455 (1) SHORT TITLE.—This section may be cited as the  
456 "Employment First Act."

457 (2) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds  
458 that employment is the most direct and cost-effective means to  
459 assist an individual in achieving independence and fulfillment;  
460 however, individuals with disabilities are confronted by unique  
461 barriers to employment which inhibit their opportunities to  
462 compete fairly in the labor force. It is the intent of the  
463 Legislature to provide a framework for a long-term commitment to  
464 improving employment outcomes for individuals with disabilities



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465 in this state through the implementation of this act.

466 (3) PURPOSE.—The purpose of this act is to prioritize  
467 employment of individuals with disabilities and to change the  
468 employment system to better integrate individuals with  
469 disabilities into the workforce. This act encourages a  
470 collaborative effort between state agencies and organizations to  
471 achieve better employment outcomes for individuals with  
472 disabilities.

473 (4) INTERAGENCY COOPERATIVE AGREEMENT.—The following state  
474 agencies and organizations, and others, as appropriate, shall  
475 develop an interagency cooperative agreement to implement this  
476 act:

477 (a) The Division of Vocational Rehabilitation of the  
478 Department of Education.

479 (b) The Division of Blind Services of the Department of  
480 Education.

481 (c) The Bureau of Exceptional Education and Student  
482 Services of the Department of Education.

483 (d) The Agency for Persons with Disabilities.

484 (e) The Substance Abuse and Mental Health Program of the  
485 Department of Children and Families.

486 (f) The Department of Economic Opportunity.

487 (g) CareerSource Florida, Inc.

488 (h) The Florida Developmental Disabilities Council.

489 (i) The Florida Association of Rehabilitation Facilities.

490 (j) Other appropriate organizations.

491 (5) ROLES, RESPONSIBILITIES, AND OBJECTIVES.—The  
492 interagency cooperative agreement must identify the roles and  
493 responsibilities of the state agencies and organizations

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494 identified in subsection (4) and the objectives of the  
495 interagency cooperative agreement, which must include all of the  
496 following:

497 (a) Establishing a commitment by leadership of the state  
498 agencies and organizations to maximize resources and  
499 coordination to improve employment outcomes for individuals with  
500 disabilities who seek publicly funded services.

501 (b) Developing strategic goals and benchmarks to assist the  
502 state agencies and organizations in the implementation of this  
503 agreement.

504 (c) Identifying financing and contracting methods that will  
505 help to prioritize employment for individuals with disabilities  
506 by state agencies and organizations.

507 (d) Establishing training methods to better integrate  
508 individuals with disabilities into the workforce.

509 (e) Ensuring collaborative efforts between multiple  
510 agencies to achieve the purposes of this act.

511 (f) Promoting service innovations to better assist  
512 individuals with disabilities in the workplace.

513 (g) Identifying accountability measures to ensure the  
514 sustainability of this agreement.

515 Section 8. Florida Unique Abilities Partner Program.—

516 (1) CREATION AND PURPOSE.—The Department of Economic  
517 Opportunity shall establish the Florida Unique Abilities Partner  
518 Program to designate a business entity as a Florida Unique  
519 Abilities Partner if the business entity demonstrates  
520 commitment, through employment or support, to the independence  
521 of individuals who have a disability. The department shall  
522 consult with the Agency for Persons with Disabilities, the

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523 Division of Vocational Rehabilitation of the Department of  
524 Education, the Division of Blind Services of the Department of  
525 Education, and CareerSource Florida, Inc., in creating the  
526 program.

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

528 (a) "Department" means the Department of Economic  
529 Opportunity.

530 (b) "Individuals who have a disability" means persons who  
531 have a physical or intellectual impairment that substantially  
532 limits one or more major life activities, persons who have a  
533 history or record of such an impairment, or persons who are  
534 perceived by others as having such an impairment.

535 (3) DESIGNATION.—

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

540 1. Employment of individuals who have a disability.

541 2. Contributions to local or national disability  
542 organizations.

543 3. Contributions to, or the establishment of, a program  
544 that contributes to the independence of individuals who have a  
545 disability.

546 (b) As an alternative to application by a business entity,  
547 the department must consider nominations from members of the  
548 community where the business entity is located. The nomination  
549 must identify the business entity's achievements in at least one  
550 of the categories provided in paragraph (a).

551 (c) The name, location, and contact information of the

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552 business entity must be included in the business entity's  
553 application or nomination.

554 (d) The department shall adopt procedures for the  
555 application, nomination, and designation processes for the  
556 Florida Unique Abilities Partner Program. Designation as a  
557 Florida Unique Abilities Partner does not establish or involve  
558 licensure, does not affect the substantial interests of a party,  
559 and does not constitute a final agency action. The Florida  
560 Unique Abilities Partner Program and designation are not subject  
561 to chapter 120, Florida Statutes.

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

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

568 1. It employs at least one individual who has a disability.  
569 Such employees must be residents of this state and must have  
570 been employed by the business entity for at least 9 months  
571 before the business entity's application for the designation.

572 The department may not require the employer to provide  
573 personally identifiable information about its employees;

574 2. It has made contributions to local and national  
575 disability organizations or contributions in support of  
576 individuals who have a disability. Contributions may be  
577 accomplished through financial or in-kind contributions,  
578 including employee volunteer hours. Contributions must be  
579 documented by providing copies of written receipts or letters of  
580 acknowledgment from recipients or donees. A business entity with

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581 100 or fewer employees must make a financial or in-kind  
582 contribution of at least \$1,000, and a business entity with more  
583 than 100 employees must make a financial or in-kind contribution  
584 of at least \$5,000; or

585 3. It has established, or has contributed to the  
586 establishment of, a program that contributes to the independence  
587 of individuals who have a disability. Contributions must be  
588 documented by providing copies of written receipts, a summary of  
589 the program, program materials, or letters of acknowledgment  
590 from program participants or volunteers. A business entity with  
591 100 or fewer employees must make a financial or in-kind  
592 contribution of at least \$1,000 in the program, and a business  
593 entity with more than 100 employees must make a financial or in-  
594 kind contribution of at least \$5,000.

595  
596 A business entity that applies to the department to be  
597 designated as a Florida Unique Abilities Partner shall be  
598 awarded the designation upon meeting the requirements of this  
599 section.

600 (b) For a designation based upon receipt of a nomination of  
601 a business entity:

602 1. The department shall determine whether the nominee,  
603 based on the information provided by the nominating person or  
604 entity, meets the requirements of paragraph (a). The department  
605 may request additional information from the nominee.

606 2. If the nominee meets the requirements, the department  
607 shall provide notice, including the qualification criteria  
608 provided in the nomination, to the nominee regarding the  
609 nominee's eligibility to be awarded a designation as a Florida

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610 Unique Abilities Partner.

611 3. The nominee shall be provided 30 days after receipt of  
612 the notice to certify that the information in the notice is true  
613 and accurate and accept the nomination, to provide corrected  
614 information for consideration by the department and indicate an  
615 intention to accept the nomination, or to decline the  
616 nomination. If the nominee accepts the nomination, the  
617 department shall award the designation. The department may not  
618 award the designation if the nominee declines the nomination or  
619 has not accepted the nomination within 30 days of receiving  
620 notice.

621 (5) ANNUAL CERTIFICATION.—After an initial designation as a  
622 Florida Unique Abilities Partner, a business entity must certify  
623 each year that it continues to meet the criteria for the  
624 designation. If the business entity does not submit the yearly  
625 certification of continued eligibility, the department shall  
626 remove the designation. The business entity may elect to  
627 discontinue its designation status at any time by notifying the  
628 department of such decision.

629 (6) LOGO DEVELOPMENT.—

630 (a) The department, in consultation with members of the  
631 disability community, shall develop a logo that identifies a  
632 business entity that is designated as a Florida Unique Abilities  
633 Partner.

634 (b) The department shall adopt guidelines and requirements  
635 for the use of the logo, including how the logo may be used in  
636 advertising. The department may allow a business entity to  
637 display a Florida Unique Abilities Partner logo upon  
638 designation. A business entity that has not been designated as a

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639 Florida Unique Abilities Partner or has elected to discontinue  
640 its designated status may not display the logo.

641 (7) WEBSITE.—The department shall maintain a website for  
642 the program. At a minimum, the website must provide a list of  
643 business entities, by county, which currently have the Florida  
644 Unique Abilities Partner designation, updated quarterly;  
645 information regarding the eligibility requirements for the  
646 designation and the method of application or nomination; and  
647 best practices for business entities to facilitate the inclusion  
648 of individuals who have a disability, updated annually. The  
649 website may provide links to the websites of organizations or  
650 other resources that will aid business entities to employ or  
651 support individuals who have a disability.

652 (8) INTERAGENCY COLLABORATION.—

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

656 (b) On a quarterly basis, the department shall provide the  
657 Florida Tourism Industry Marketing Corporation with a current  
658 list of all businesses that are designated as Florida Unique  
659 Abilities Partners. The Florida Tourism Industry Marketing  
660 Corporation must consider the Florida Unique Abilities Partner  
661 Program in the development of marketing campaigns, and  
662 specifically in any targeted marketing campaign for individuals  
663 who have a disability or their families.

664 (c) The department and CareerSource Florida, Inc., shall  
665 identify employment opportunities posted by business entities  
666 that currently have the Florida Unique Abilities Partner  
667 designation on the workforce information system under s.

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668 445.011, Florida Statutes.

669 (9) REPORT.—

670 (a) By January 1, 2017, the department shall provide a  
671 report to the President of the Senate and the Speaker of the  
672 House of Representatives on the status of the implementation of  
673 this section, including the adoption of rules, development of  
674 the logo, and development of application procedures.

675 (b) Beginning in 2017 and each year thereafter, the  
676 department's annual report required under s. 20.60, Florida  
677 Statutes, must describe in detail the progress and use of the  
678 program. At a minimum, the report must include, for the most  
679 recent year: the number of applications and nominations  
680 received; the number of nominations accepted and declined; the  
681 number of designations awarded; annual certifications; the use  
682 of information provided under subsection (8); and any other  
683 information deemed necessary to evaluate the program.

684 (10) RULES.—The department shall adopt rules to administer  
685 this section.

686 Section 9. For the 2016-2017 fiscal year, the sum of  
687 \$69,570 in recurring funds from the Insurance Regulatory Trust  
688 Fund is appropriated to the Consumer Assistance Program within  
689 the Department of Financial Services for the purpose of  
690 implementing the Financial Literacy Program for Individuals with  
691 Developmental Disabilities created by this act.

692 Section 10. For the 2016-2017 fiscal year, the following  
693 sums are appropriated for the purpose of implementing the  
694 amendments made by this act to s. 110.112, Florida Statutes,  
695 relating to the employment of individuals who have a disability:

696 (1) The sums of \$138,692 in recurring funds and \$26,264 in



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697 nonrecurring funds are appropriated from the State Personnel  
698 System Trust Fund to the Department of Management Services, and  
699 two full-time equivalent positions with associated salary rate  
700 of 92,762 are authorized.

701 (2) The recurring sums of \$74,234 from the General Revenue  
702 Fund and \$64,458 from trust funds and the nonrecurring sums of  
703 \$14,051 from the General Revenue Fund and \$12,213 from trust  
704 funds are appropriated to Administered Funds for distribution  
705 among agencies for the increase in the human resource  
706 assessment.

707 Section 11. For the 2016-2017 fiscal year, the sums of  
708 \$100,000 in recurring funds and \$100,000 in nonrecurring funds  
709 from the Special Employment Security Administration Trust Fund  
710 are appropriated to the Department of Economic Opportunity, for  
711 the purpose of funding the development, implementation, and  
712 administration of the Florida Unique Abilities Partner Program  
713 created by this act.

714 Section 12. Except as otherwise expressly provided in this  
715 act, this act shall take effect July 1, 2016.