

1 A bill to be entitled
 2 An act relating to the Assistive Technology Advisory
 3 Council; amending s. 413.407, F.S.; revising
 4 provisions relating to the membership of and
 5 appointments and reappointments to the Assistive
 6 Technology Advisory Council; requiring council members
 7 to select a chair from among the council membership;
 8 revising provisions relating to committees appointed
 9 to perform the council's functions; expanding the
 10 council's functions to include fundraising activities;
 11 providing an effective date.

12
 13 Be It Enacted by the Legislature of the State of Florida:

14
 15 Section 1. Section 413.407, Florida Statutes, is amended
 16 to read:

17 413.407 Assistive Technology Advisory Council.—There is
 18 created the Assistive Technology Advisory Council, responsible
 19 for ensuring consumer involvement in the creation, application,
 20 and distribution of technology-related assistance to and for
 21 persons who have disabilities. The council shall fulfill its
 22 responsibilities through statewide policy development, ~~both~~
 23 state and federal legislative initiatives, advocacy at ~~both~~ the
 24 state and federal levels ~~level~~, planning of statewide resource
 25 allocations, policy-level management, and reviews of ~~both~~

26 consumer responsiveness and the adequacy of program service
 27 delivery, and by performing the functions listed in this
 28 section.

29 (1)(a) The council shall be composed of:

30 1. Persons ~~Individuals~~ who have disabilities and who are
 31 assistive technology consumers or family members or guardians of
 32 those persons ~~individuals~~.

33 2. A representative ~~Representatives~~ of a consumer
 34 organization ~~organizations~~ concerned with assistive technology.

35 3. A representative ~~Representatives~~ of business and
 36 industry, including the insurance industry, concerned with
 37 assistive technology.

38 4. A representative of the Division of Vocational
 39 Rehabilitation.

40 5. A representative of the Division of Blind Services.

41 6. A representative of a center for independent living ~~the~~
 42 ~~Florida Independent Living Council~~.

43 7. A representative of CareerSource Florida, Inc.

44 8. A representative of the Department of Education.

45 9. A representative ~~Representatives~~ of any other state
 46 agency ~~agencies~~ that provides or coordinates ~~provide or~~
 47 ~~coordinate~~ services for persons with disabilities, if requested
 48 by a majority vote of the council members.

49
 50 ~~Total membership on the council may not exceed 27 at any one~~

51 ~~time. A majority of the members shall be appointed in accordance~~
 52 ~~with subparagraph 1.~~

53 (b) Members of the council shall be appointed by the
 54 Commissioner of Education from a list of candidates proposed by
 55 the division director. However, a member who is a representative
 56 of a state agency shall be appointed by the head of that state
 57 agency.

58 (c) A majority of council members must ~~shall~~ be persons
 59 who have disabilities as defined in s. 413.20 and ~~s. 413.20(7)~~
 60 who are ~~also~~ consumers of assistive technology or family members
 61 or guardians of such persons.

62 (d) Members of the council must be geographically
 63 representative of the state and reflect the diversity of the
 64 state's population with respect to race, ethnicity, gender, age,
 65 type of disability, and type of disability-related services and
 66 devices received.

67 ~~(e)-(d)~~ The members of the council shall select a chair ~~two~~
 68 ~~co-chairs~~ from among the membership of the council.

69 ~~1. One co-chair may be selected from the group described~~
 70 ~~in paragraph (c) and one co-chair shall be selected from the~~
 71 ~~other council members.~~

72 2. The chair ~~No co-chair~~ may not be an elected member or
 73 an employee of a state agency or of any political subdivision of
 74 the state.

75 (f)1.-(e)1. Each member of the council shall serve for a

76 term of not more than 3 years, except that a member appointed to
 77 fill a vacancy occurring before ~~prior to~~ the expiration of the
 78 term for which a predecessor was appointed shall be appointed
 79 for the remainder of such term.

80 2. A ~~No~~ member of the council may not serve more than two
 81 consecutive terms; however, any appointment under subparagraph
 82 1., if for less than 18 months, is ~~shall~~ not ~~be~~ considered a
 83 term for the purposes of this section.

84 3. A member who has served two consecutive terms and has
 85 been retired from the council for at least 3 years ~~1 year~~ may be
 86 reappointed to the council on the same basis as a new member.

87 (g) ~~(f)~~ Any vacancy occurring in the membership of the
 88 council shall be filled in the same manner as the original
 89 appointment. A vacancy does not affect the power of the
 90 remaining members to execute the duties of the council.

91 (2) In addition to the other functions specified in this
 92 section, the council shall:

93 (a) Act as the board of directors of a not-for-profit
 94 corporation created by the division. Through the corporation,
 95 the council shall provide direction to the Florida ~~Florida's~~
 96 Alliance for Assistive Services and Technology, a project
 97 sponsored by the department for the coordination and delivery of
 98 appropriate, cost-effective, state-of-the-art assistive
 99 technology services and devices.

100 (b) Appoint committees made up of members of the council

101 to focus on specific issues within the council's mandate.
 102 Committees may request and accept in-kind contributions of
 103 personnel from public or private entities to supply such
 104 staffing as the committees deem necessary to carry out their
 105 individual mandates. ~~These committees shall include, but are not~~
 106 ~~limited to:~~

107 1. Members who are representatives of state agencies
 108 serving on the committees ~~An interagency committee composed of~~
 109 ~~those members representing state agencies. The interagency~~
 110 ~~committee~~ shall work towards the development of cooperative
 111 agreements among government agencies and perform such other
 112 duties as the council deems appropriate.

113 2. Members who are representatives of state agencies
 114 serving on the committees ~~The interagency committee's members~~
 115 shall assign staff from their respective agencies to the
 116 alliance, as an in-kind contribution for a specified period of
 117 time, to review federal and state legislation and agency
 118 policies and practices and to identify both facilitators of, and
 119 barriers to, accessibility and utilization of assistive
 120 technology services, devices, and funding sources.

121 ~~2. A technology-awareness committee to guide the council's~~
 122 ~~public awareness, coordination, and collaboration activities.~~

123 ~~3. A public policy and advocacy committee to review~~
 124 ~~federal and state legislation and agency policies and practices~~
 125 ~~and to identify facilitators of and barriers to access and~~

126 ~~utilization of assistive technology services, devices, and~~
127 ~~funding sources.~~

128 (c) Review and approve all reports, recommendations, and
129 proposed actions of committee staff.

130 (d) Appoint the executive director of the alliance who is.
131 ~~The executive director shall be~~ responsible for the overall
132 administration and day-to-day direction of the alliance,
133 including the ~~as well as~~ supervision of all staff.

134 (e) Annually review and approve the strategic or business
135 plan of the alliance, as submitted by the executive director.

136 (f) Submit an annual comprehensive report of the
137 activities of the council, the corporation, and the alliance to
138 the division director.

139 (g) Perform ~~such~~ other functions, including fundraising
140 activities, as the council determines to be appropriate which
141 are comparable to functions performed by the council.

142 (h) Convene at least four meetings each year in locations
143 that ~~such places as~~ it determines to be necessary to conduct
144 council business and may conduct such forums or hearings as it
145 ~~the council~~ considers appropriate. The council shall make a
146 report of each meeting which must contain ~~shall include~~ a record
147 of its discussions and recommendations and must ~~, all of which~~
148 ~~reports shall~~ be made available to the public.

149 (3) In accordance with Pub. L. No. 108-364, the council
150 shall:

151 (a) Investigate financing options that will increase
152 access to and funding for assistive technology devices and
153 assistive technology services.

154 (b) Develop assistive technology demonstrations,
155 reutilization programs, and loan programs.

156 (c) Provide training and technical assistance in order to
157 increase knowledge and awareness of the uses and benefits of
158 assistive technology devices and assistive technology services.

159 (d) Promote public awareness activities designed to
160 provide information relating to the benefits of assistive
161 technology devices and assistive technology services.

162 (e) Promote coordination and collaboration among public
163 and private entities that are responsible for policies,
164 procedures, or funding for the provision of assistive technology
165 devices and assistive technology services.

166 Section 2. This act shall take effect July 1, 2022.