

Amendment No.4

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
ADOPTED AS AMENDED (Y/N)
ADOPTED W/O OBJECTION (Y/N)
FAILED TO ADOPT (Y/N)
WITHDRAWN (Y/N)
OTHER

1 Committee/Subcommittee hearing bill: Health & Human Services
2 Committee

3 Representative Buchanan offered the following:

4
5 **Amendment (with title amendment)**

6 Between lines 320 and 321, insert:

7 Section 6. Type two transfer from the Department of
8 Commerce.—Effective October 1, 2024, all powers, duties,
9 functions, records, offices, personnel, associated
10 administrative support positions, property, pending issues,
11 existing contracts, administrative authority, administrative
12 rules, and unexpended balances of appropriations, allocations,
13 and any other funds relating to the Florida Unique Abilities
14 Partner Program are transferred by a type two transfer, as
15 described in s. 20.06(2), Florida Statutes, from the Department
16 of Commerce to the Agency for Persons with Disabilities.

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17 Section 7. Effective October 1, 2024, paragraph (c) of
18 subsection (10) of section 20.60, Florida Statutes, is amended
19 to read:

20 20.60 Department of Commerce; creation; powers and
21 duties.—

22 (10) The department shall, by November 1 of each year,
23 submit an annual report to the Governor, the President of the
24 Senate, and the Speaker of the House of Representatives on the
25 condition of the business climate and economic development in
26 the state.

27 (c) The report must incorporate annual reports of other
28 programs, including:

29 1. A detailed report of the performance of the Black
30 Business Loan Program and a cumulative summary of quarterly
31 report data required under s. 288.714.

32 2. The Rural Economic Development Initiative established
33 under s. 288.0656.

34 3. ~~The Florida Unique Abilities Partner Program.~~

35 ~~4.~~ A detailed report of the performance of the Florida
36 Development Finance Corporation and a summary of the
37 corporation's report required under s. 288.9610.

38 ~~4.5.~~ Information provided by Space Florida under s.
39 331.3051 and an analysis of the activities and accomplishments
40 of Space Florida.

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41 Section 8. Effective October 1, 2024, section 413.801,
42 Florida Statutes, is amended to read:

43 413.801 Florida Unique Abilities Partner Program.—

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

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

57 (a) "Agency Department" means the Agency for Persons with
58 Disabilities ~~Department of Economic Opportunity~~.

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

64 (3) DESIGNATION.—

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

69 1. Employment of individuals who have a disability.

70 2. Contributions to local or national disability
71 organizations.

72 3. Contributions to, or the establishment of, a program
73 that contributes to the independence of individuals who have a
74 disability.

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

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

83 (d) The agency department shall adopt procedures for the
84 application, nomination, and designation processes for the
85 Florida Unique Abilities Partner Program. Designation as a
86 Florida Unique Abilities Partner does not establish or involve
87 licensure, does not affect the substantial interests of a party,
88 and does not constitute a final agency action. The Florida

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89 Unique Abilities Partner Program and designation are not subject
90 to chapter 120.

91 (4) ELIGIBILITY AND AWARD.—In determining the eligibility
92 for the designation of a business entity as a Florida Unique
93 Abilities Partner, the agency ~~department~~ shall consider, at a
94 minimum, the following criteria:

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

97 1. It employs at least one individual who has a
98 disability. Such employees must be residents of this state and
99 must have been employed by the business entity for at least 9
100 months before the business entity's application for the
101 designation. The agency ~~department~~ may not require the employer
102 to provide personally identifiable information about its
103 employees;

104 2. It has made contributions to local and national
105 disability organizations or contributions in support of
106 individuals who have a disability. Contributions may be
107 accomplished through financial or in-kind contributions,
108 including employee volunteer hours. Contributions must be
109 documented by providing copies of written receipts or letters of
110 acknowledgment from recipients or donees. A business entity with
111 100 or fewer employees must make a financial or in-kind
112 contribution of at least \$1,000, and a business entity with more

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113 than 100 employees must make a financial or in-kind contribution
114 of at least \$5,000; or

115 3. It has established, or has contributed to the
116 establishment of, a program that contributes to the independence
117 of individuals who have a disability. Contributions must be
118 documented by providing copies of written receipts, a summary of
119 the program, program materials, or letters of acknowledgment
120 from program participants or volunteers. A business entity with
121 100 or fewer employees must make a financial or in-kind
122 contribution of at least \$1,000 in the program, and a business
123 entity with more than 100 employees must make a financial or in-
124 kind contribution of at least \$5,000.

125 A business entity that applies to the agency ~~department~~ to be
126 designated as a Florida Unique Abilities Partner shall be
127 awarded the designation upon meeting the requirements of this
128 section.

129 (b) For a designation based upon receipt of a nomination
130 of a business entity:

131 1. The agency ~~department~~ shall determine whether the
132 nominee, based on the information provided by the nominating
133 person or entity, meets the requirements of paragraph (a). The
134 agency ~~department~~ may request additional information from the
135 nominee.

136 2. If the nominee meets the requirements, the agency
137 ~~department~~ shall provide notice, including the qualification

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138 criteria provided in the nomination, to the nominee regarding
139 the nominee's eligibility to be awarded a designation as a
140 Florida Unique Abilities Partner.

141 3. The nominee shall be provided 30 days after receipt of
142 the notice to certify that the information in the notice is true
143 and accurate and accept the nomination, to provide corrected
144 information for consideration by the agency ~~department~~ and
145 indicate an intention to accept the nomination, or to decline
146 the nomination. If the nominee accepts the nomination, the
147 agency ~~department~~ shall award the designation. The agency
148 ~~department~~ may not award the designation if the nominee declines
149 the nomination or has not accepted the nomination within 30 days
150 after receiving notice.

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

159 (6) LOGO DEVELOPMENT.—

160 (a) The agency ~~department~~, in consultation with members of
161 the disability community, shall develop a logo that identifies a

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162 business entity that is designated as a Florida Unique Abilities
163 Partner.

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

171 (7) WEBSITE.—The agency ~~department~~ shall maintain a
172 website for the program. At a minimum, the website must provide
173 a list of business entities, by county, which currently have the
174 Florida Unique Abilities Partner designation, updated quarterly;
175 information regarding the eligibility requirements for the
176 designation and the method of application or nomination; and
177 best practices for business entities to facilitate the inclusion
178 of individuals who have a disability, updated annually. The
179 website may provide links to the websites of organizations or
180 other resources that will aid business entities to employ or
181 support individuals who have a disability.

182 (8) INTERAGENCY COLLABORATION.—

183 (a) The Department of Commerce ~~Agency for Persons with~~
184 ~~Disabilities~~ shall provide a link on its website to the agency's
185 ~~department's~~ website for the Florida Unique Abilities Partner
186 Program.

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

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

200 (9) REPORT.—

201 ~~(a) By January 1, 2025, and annually thereafter 2017, the~~
202 ~~agency department shall provide a report on the progress and use~~
203 ~~of the program to the President of the Senate and the Speaker of~~
204 ~~the House of Representatives on the status of the implementation~~
205 ~~of 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 must describe~~
209 ~~in detail the progress and use of the program. At a minimum, the~~
210 ~~report must include, for the most recent year, all of the~~
211 ~~following:~~

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