

CHAPTER 2022-18

Senate Bill No. 418

An act relating to the Assistive Technology Advisory Council; amending s. 413.407, F.S.; revising provisions relating to the membership of and appointments and reappointments to the Assistive Technology Advisory Council; requiring council members to select a chair from among the council membership; revising provisions relating to committees appointed to perform the council's functions; expanding the council's functions to include fundraising activities; providing an effective date.

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

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

413.407 Assistive Technology Advisory Council.—There is created the Assistive Technology Advisory Council, responsible for ensuring consumer involvement in the creation, application, and distribution of technology-related assistance to and for persons who have disabilities. The council shall fulfill its responsibilities through statewide policy development, ~~both~~ state and federal legislative initiatives, advocacy at ~~both~~ the state and federal levels level, planning of statewide resource allocations, policy-level management, and ~~and~~ reviews of ~~both~~ consumer responsiveness and the adequacy of program service delivery; and by performing the functions listed in this section.

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

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

2. A representative ~~Representatives of a consumer organization~~ organi-
zations concerned with assistive technology.

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

4. A representative of the Division of Vocational Rehabilitation.

5. A representative of the Division of Blind Services.

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

7. A representative of CareerSource Florida, Inc.

8. A representative of the Department of Education.

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

~~Total membership on the council may not exceed 27 at any one time. A majority of the members shall be appointed in accordance with subparagraph 1.~~

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

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

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

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

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

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

~~(f)(e)1.~~ Each member of the council shall serve for a term of not more than 3 years, except that a member appointed to fill a vacancy occurring before ~~prior to~~ the expiration of the term for which a predecessor was appointed shall be appointed for the remainder of such term.

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

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

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

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

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

(b) Appoint committees made up of members of the council to focus on specific issues within the council's mandate. Committees may request and accept in-kind contributions of personnel from public or private entities to supply such staffing as the committees deem necessary to carry out their individual mandates. ~~These committees shall include, but are not limited to:~~

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

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

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

~~3. A public policy and advocacy committee to review federal and state legislation and agency policies and practices and to identify facilitators of and barriers to access and utilization of assistive technology services, devices, and funding sources.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved by the Governor March 25, 2022.

Filed in Office Secretary of State March 25, 2022.