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NATIONAL CONFERENCE of STATE LEGISLATURES

Employing People with Disabilities

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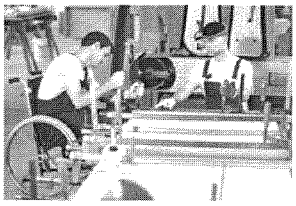
Disability Employment State Statute and Legislation Scan



The National Conference of State Legislatures prepared this report, July 2015, for the Employer Assistance and Resource Network on Disability Inclusion (EARN), a servic the Employer T/A Center, which is funded by the U.S. Department of Labor's Office of Disability Employment Policy under a cooperative agreement with The Viscardi Center.

Twenty-five years ago, Congress enacted the landmark Americans with Disabilities Act (ADA) which prohibited discrimination on the basis of disability in employment and ot aspects of community life. Since then, public policy at all levels has demonstrated growin support for the employment of people with disabilities, as part of a broad societal shift tov promoting these Americans' independence and full participation in mainstream society.

Today, the employment of people with disabilities is seen not only as a civil rights issue, but also as a practical boon businesses, government budgets and citizens. Employing people with disabilities has been shown to benefit busines for example, as a result of lower turnover, increased productivity and access to a broader pool of skilled workers. In addition, increasing job opportunities for people with disabilities "saves the federal and state government money by reducing dependency on cash and medical and disability benefits," according to a 2013 Employer Assistance and Resource Network report. For people with disabilities, employment means greater economic self-sufficiency, an opportunity to use their skills, and more active participation in community life.

Nevertheless, a striking employment gap persists between Americans with and without disabilities. At nearly 20 perc of the population, people with disabilities are one of the nation's largest minority groups. Yet the most recent U.S. disability employment statistics show that only 20 percent of people with disabilities are participating in the workforce compared to 69.1 percent of people without disabilities.

As noted in a recent NCSL LegisBrief, federal and state governments have enacted a variety of policies and progran an effort to close this employment gap. At the federal level, as many as 45 federal programs support employment for people with disabilities, with a total investment of more than $4 billion annually. The U.S Department of Labor's Offic Disability Employment Policy (ODEP) is key in developing and influencing policies and practices that increase the number and quality of employment opportunities for people with disabilities. Among its many initiatives, ODEP offers states technical assistance to develop disability-related employment policies and programs.

Federal Initiatives

In recent years, other federal initiatives that have supported the employment of people with disabilities ha included the following.

In 2010, President Obama issued Executive Order 13548, "Increasing Federal Employment of Individu with Disabilities," directing executive departments and agencies to improve their efforts to employ fede workers with disabilities.

In 2013, the regulations that implement Section 503 of the Rehabilitation Act of 1973 were updated. Among ot changes, the new rule strengthens affirmative action provisions that aid federal contractors in their efforts to re and hire qualified people with disabilities.

In July 2014, the Workforce Innovation and Opportunity Act was enacted. The 300-page legislation includes a focus on increasing competitive integrated employment opportunities for people with disabilities, defined as ful part-time work at minimum wage or higher that is fully integrated with co-workers without disabilities and compensated by wages and benefits similar to what people without disabilities receive for the same work. The also requires that 15 percent of public vocational rehabilitation funds be used to help people with disabilities transition from school to adult work life.

In December 2014, the Work Opportunity Tax Credit (WOTC)—a federal tax credit available to employers for I people from certain target groups, including people with disabilities who are referred by state vocational rehabilitation agencies—was reauthorized through the end of 2014.

Policy Approaches

States have also seized the opportunity to promote the inclusion of people with disabilities in the workforc through a wide variety of policy approaches—both indirectly, by encouraging their employment in the priv sector, and directly, through their own employment practices. The remainder of this report details the stat known to have relevant, current state statutes or bills enacted by their legislatures in these categories.

State laws that encourage private employers to hire, recruit and retain people with disabilities. The first tab features those states known to have statutes or enacted legislation that encourages private employers to employ people with disabilities. These laws include "employment first" policies that prioritize employment—typically in competitive, integrated settings—as the preferred option for working-age people with disabilities. They also includ incentives for businesses that hire or make accessibility-related modifications for employees with disabilities, state procurement preferences or goals for contracting with businesses owned by people with disabilities, laws that help provide accessible work transportation and other approaches that support this policy goal.

State laws that help states be model employers of people with disabilities. The second table highlights those states known to have statutes or enacted legislation that encourage states to be model employers of people with disabilities through their own employment practices. These laws include policies that direct the state to be a mode employemployer, including those that direct state officials to facilitate the hiring of individuals with disabilities in sta government, "fast track" provisions to recruit and appoint qualified people with disabilities into state jobs using alternative hiring practices, state hiring preferences for people with disabilities and other approaches that promote policy goal.

Other Actions

States are also taking actions that go beyond the scope of this report. Governors are signing executive o and launching executive branch initiatives, for example, and state agencies are putting their own rules ar procedures in place. Many states also have enacted laws that encourage the employment of service-disa veterans, provide return-to-work assistance under workers' compensation or other benefit programs, or establish broad nondiscrimination policies that include disability status.

Other state laws support the long-standing system of work centers (formerly called sheltered workshops), facility-bas day treatment programs for people with disabilities that are allowed to pay them less than minimum wage for special jobs. Although these approaches are outside the scope of this report, they demonstrate even more ways in which sta are supporting the participation of people with disabilities in the American workforce.

The box allows you to conduct a full text search or use the dropdown menu option to select a state.

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Table 1: State Laws that Encourage Private Employers to Hire, Recruit and Retain People with Disabilities

Policy Area	State	Citation	Details
"Employment First" policies that prioritize employment (typically competitive, integrated employment) as the preferred option for working-age people with disabilities.	**Alaska**	Alaska Stat. §14.03.078; Alaska Stat. §14.30.278; Alaska Stat. §23.15.095; Alaska Stat. §39.28.055 (all sections amended by 2014 Alaska Laws Ch. 19 [House Bill 211])	Establishes that the primary objective of vocational training, vocational rehabilitation and employment placement for a person with a disability is to help the person become gainfully employed in an integrated workplace where people with disabilities work with and alongside individuals without disabilities. Establishes that the primary objective of transition services for a child with a disability who is over 15 years old as part of a special education program is to help the child become gainfully employed in an integrated workplace or enrolled in postsecondary education. Requires reports to the Alaska Mental Health Trust Authority concerning progress towards this objective.
	California	Cal. Welfare and Institutions Code §§4868 et seq.	Establishes that it is the policy of the state that opportunities for integrated, competitive employment shall be given the highest priority for working age individuals with developmental disabilities, regardless of the severity of their disabilities. Requires the State Council on Developmental Disabilities to form a standing Employment First Committee to further this goal.

Policy Area	State	Citation	Details
		Cal. Welfare and Institutions Code §4646.5	Requires that when developing an individual program plan for a transition age youth or working age adult with developmental disabilities, a planning team must consider the Employment First Policy in Cal. Welfare and Institutions Code §§4868 et seq.
		Cal. Welfare and Institutions Code §4850.3 (enacted by 2014 Cal. Stats., Chap. 431 [Senate Bill 577], effective Jan. 1, 2015)	Among other provisions, and consistent with the state's employment first policy, requires the State Department of Developmental Services to conduct a four-year demonstration project to determine whether community-based development services will increase integrated competitive employment outcomes and reduce purchase of service costs for working age adults. This section remains in effect only until Jan. 1, 2025.
	Delaware	Del. Code Ann. tit. 19, §§740 et seq.	The Employment First Act. Declares that it is the policy of the state that competitive employment in an integrated setting shall be considered its first and priority option when offering or providing services to persons with disabilities who are of working age. Requires all state agencies that provide services and support to persons with disabilities to follow this policy and ensure that it is effectively implemented in their programs and services. Establishes the Employment First Oversight Commission.
	Illinois	Ill. Ann. Stat. ch. 20, §§40/1 et seq.	The Illinois Employment First Act. Declares that it is the policy of the state that competitive and integrated employment shall be considered the first option when serving persons with disabilities of working age. Requires all state agencies to follow this policy and ensure that it is effectively implemented in their programs and services. Requires the Employment and Economic Opportunity for Persons with Disabilities Task Force to establish measurable goals and objectives for the state to ensure implementation of this act, monitor the measured progress toward its goals, and make an annual report.
	Indiana	2015 Senate Resolution 38	Urges the legislative council to assign the topic of an Employment First Program, which promotes and expands quality, community employment outcomes for all people with disabilities, to an appropriate study committee.
	Kansas	Kan. Stat. Ann. §§44-1136 et seq.	The Kansas Employment First Initiative Act. Declares that it is the policy of the state that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Requires all state agencies to follow this policy and ensure that it is effectively implemented

Policy Area	State	Citation	Details
			in their programs and services. Establishes the Kansas Employment First Oversight Commission.
	Maine	Maine Rev. Stat. Ann. tit. 26, §§3401 et seq.	The Employment First Maine Act. Requires that, in carrying out its duties to provide services and supports to persons with disabilities, a state agency must include as a core component of its services and supports the opportunity for persons with disabilities to acquire integrated community-based employment or customized employment that is acquired through voluntary negotiation of the employment relationship with the employer. Requires state agencies to offer employment services that will support these types of employment as the first and preferred service or support option.
	Mississippi	2015 Miss. Laws, Chap. 469 (House Bill 836), including amendments to Miss. Code Ann. §43-30-1	Declares that it is the policy of the state that competitive employment in an integrated setting shall be, to the extent practicable, considered the first and priority option when planning or providing services and supports to persons with disabilities who are of working age. Requires all state agencies that provide services and support to persons with disabilities, or employment-related services, to follow this policy and ensure that it is effectively implemented in their programs and services, using available resources. Tasks the Mississippi Disability Resource Commission with overseeing the implementation of this policy.
	Nevada	2015 Nev. Stats., Chap. 397 (Assembly Bill 5), including amendments to Nev. Rev. Stat. §435.220 and Nev. Rev. Stat. §435.225	Requires the Aging and Disability Services Division to enter into a cooperative agreement with the Department of Employment, Training and Rehabilitation to provide long-term support to persons with intellectual disabilities or related conditions, including jobs and day training services. The agreement must include a provision stating that employment is the preferred service option for all adults of working age. Further requires the Aging and Disability Services Division to give preference to potential providers of jobs and day training services who will provide persons with intellectual disabilities or related conditions with training and experience leading to employment that is 1) comparable to employment for persons without intellectual disabilities and persons without related conditions and 2) pays at or above the state minimum wage. Any application for a certificate to provide jobs and day training services, or agreement to provide these services, must also include a provision that employment is the preferred service option for all adults of working age.
	Ohio		Declares it to be the policy of the state that employment services for individuals

Policy Area	State	Citation	Details
		Ohio Rev. Code §§5123.022 et seq.	with developmental disabilities should be directed at community employment (defined as competitive employment that takes place in an integrated setting). States that every individual with a developmental disability is presumed capable of community employment. Allows the director of developmental disabilities to establish an employment first task force to improve the coordination of the state's efforts to address the needs of individuals with developmental disabilities who seek community employment, and creates a fund for its support. Provides for the expiration of this task force on Jan. 1, 2020.
		Ohio Rev. Code §5126.05(10)	Requires each county board of developmental disabilities to implement an employment first policy that clearly identifies community employment as the desired outcome for every individual of working age who receives services from the board.
	Oklahoma	2015 Okla. Sess. Laws, Chap. 76 (House Bill 1969), to go into effect on Nov. 1, 2015	The Oklahoma Employment First Act. Requires all state agencies to coordinate efforts and collaborate within and among such agencies to ensure that state programs, policies, procedures and funding support competitive integrated employment of individuals with disabilities.
	Oregon	Or. Rev. Stat. §427.007	Among other provisions, declares that the employment of individuals with developmental disabilities in fully integrated work settings is the highest priority over unemployment, segregated employment, facility-based employment or day habilitation and that community services for people with developmental disabilities should be ultimately focused on the outcomes of independence, integration and productivity.
	Texas	Texas Government Code Ann. §§531.02447 et seq.	Declares that it is the policy of the state that earning a living wage through competitive employment in the general workforce is the priority and preferred outcome for working-age individuals with disabilities who receive public benefits. Requires the Health and Human Services Commission, the Texas Education Agency, and the Texas Workforce Commission to jointly adopt and implement an employment-first policy. Requires the executive commissioner of the Health and Human Services Commission to establish an interagency employment-first task force, or use an existing committee or task force to promote competitive employment of individuals with disabilities and the expectation that people with disabilities are able to meet the same employment standards, responsibilities and expectations as any other working-age adult.
	Utah		

Policy Area	State	Citation	Details
		Utah Code Ann. §35A-3-103.5; Utah Code Ann. §53A-24-106.5; Utah Code Ann. §62A-5-103.3; Utah Code Ann. §62A-15-105.2	Requires an employment-first emphasis in services provided by the Division of Services for People with Disabilities and by the State Office of Rehabilitation to people with disabilities; in services provided by the Division of Substance Abuse and Mental Health to people undergoing treatment for substance abuse and people with mental illnesses and in services provided by the Department of Workforce Services to members of any of these groups. Requires each agency to set goals and develop written plans to implement this policy.
	Virginia	2012 Senate Joint Resolution 127	Relates to Employment First initiatives. Encourages the Secretary of Health and Human Resources and the Superintendent of Public Instruction to adopt and implement Employment First practices in providing and coordinating services to Virginians with disabilities.
	Wyoming	2014 Wyo. Sess. Laws, Chap. 53 (House Bill 73), including amendments to Wyo. Stat. §9-2-1002, Wyo. Stat. §9-2-1022 and Wyo. Stat. §42-4-120	Defines employment first. Declares that employment first is the policy of the state and that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment. Requires all state agencies to follow this policy and ensure that it is effectively implemented in their hiring and in all programs and services that they administer or fund. Requires the state department of health to ensure that state agencies working with home and community based waiver service providers have established employment first policies, including competitive employment in an integrated setting. Establishes a task force to develop a strategic plan to implement the employment first policy.
Tax incentives for employers that hire people with disabilities, including tax incentives for employers that make accessibility-related modifications for employees with disabilities	**Iowa**	Iowa Code Ann. §422.35; Iowa Admin. Code §701-40.21(422); Iowa Admin. Code §701-59.8 (422)	Allows small businesses to claim an income tax deduction for hiring people with disabilities, equal to 65 percent of the wages paid in the first 12 months of employment, up to $20,000 per employee. For more details, see the Iowa Department of Revenue website.
		Iowa Code Ann. §422.33	Assistive Device Tax Credit. Allows an eligible small business to claim a credit against corporate tax equal to 50 percent of the first $5,000 paid during the tax year for purchasing, renting or modifying an assistive device or making other workplace modifications for an employee with a disability.
	Kansas	Kan. Stat. Ann. §79-32,177	Allows any taxpayer who makes expenditures for the purpose of making an existing facility accessible to individuals with a disability, including making all or any portion of a facility or equipment usable for the employment of individuals with a disability, to claim an income tax credit equal to 50

Policy Area	State	Citation	Details
			percent of the expenditures or $10,000, whichever is less.
	Louisana	La. Rev. Stat. Ann. §47:315.5	Allows a nonprofit that routinely sells donated tangible personal property or items made from donated property and that spends at least 75 percent of its annual revenue on job training, job placement, the direct employment of, or other related community services or support programs for, people with workplace disabilities or disadvantages, to receive a restricted refund of state sales and use tax it collects on the sale of such donated property or related items. Requires the refund to be used exclusively in Louisiana for land acquisition, capital construction, equipment or related debt service or on job training, job placement, employment, or other related community services and support program costs.
		HB 508 (2015) (Act No. 117)	Provides a tax deduction for taxpayers that provide continuous employment to a qualified individual.
	Maryland	Md. Education Code Ann. §21-309 (as amended by 2015 Md. Laws, Chap. 423 [House Bill 473]); Md. Tax General Code Ann. §10-704.7 (state income tax and payroll tax); Md. Insurance Code Ann. §6-115 (insurance premium tax); Md. Tax General Code Ann. §8-216 (financial institution franchise tax); Md. Tax General Code Ann. §8-413 (public service company franchise tax)	Allows an eligible business to claim a credit against state income tax, insurance premium tax, financial institution franchise tax, and public service company franchise tax for wages paid and child care or transportation expenses incurred for employees with disabilities, up to certain limits. The limits were legislatively increased in 2015 to 30 percent of up to the first $9,000 in wages earned and up to $900 for employer reimbursed transportation or child care expenses, for each of the first two years of employment. Nonprofits are also eligible for the tax credit, in which case the credit is against income tax or payroll taxes.
	New York	N.Y. Tax Law §606(o) (state income tax); N.Y. Tax Law §210-B (12) (franchise tax on business corporations); N.Y. Tax Law §187-a (corporation tax); N.Y. Tax Law §1456 (franchise tax on banking corporations); N.Y. Tax Law	Workers with Disabilities Tax Credit. Allows an eligible business to claim a credit against specified state taxes of up to 35 percent of the first $6,000 in qualified first-year wages earned by each eligible employee with a disability. In cases where the employee's first-year wages are eligible for the fed-federal Work Opportunity Tax Credit, the state tax credit equals 35 percent of the first $6,000 in wages paid during their second year of employment. For more details, see the New York Department of Labor website.

Policy Area	State	Citation	Details
		§1511 (franchise tax on insurance corporations)	
		N.Y. Labor Law §25-b; N.Y. Tax Law §210-B(48) (franchise tax on business corporations)	Workers with Developmental Disabilities Tax Credit. Allows an eligible business to claim a tax credit of up to $5,000 for a full-time qualifying employee with developmental disabilities (30 hours or more per week), based on 15 percent of an individual's wages paid after Jan. 1, 2015, for a period of employment of no less than six months; or up to $2,500 for a part-time qualifying employee with developmental disabilities (between 8 and 30 hours per week), based on 10 percent of the individual's wages paid after Jan. 1, 2015 for a period of employment of no less than six months. Limits the program to employees who are working in a sheltered workshop or who were unemployed for at least three months before Jan. 1, 2015. Provides that this tax credit expires on Jan. 1, 2020. For more details, see the New York Department of Labor website.
	Tennesse	Tenn. Code Ann. §67-4-2109(f)(2)	Allows an eligible business to claim a one-time credit against franchise and excise liability tax for hiring people with disabilities who are receiving state services directly related to their disabilities. Allows a credit of $5,000 for each net new full-time job created, and $2,000 for each net new part-time job created. Limits the program to employers that participate in existing state employment incentive programs for people with disabilities. For more details, see the Tennessee Department of Labor and Workforce Development website.
State procurement preferences or goals for contracting with businesses owned by persons with disabilities (also known as "disability-owned businesses").	**Arkansas**	Alaska Stat. §36.30.321, especially subsection (b); Alaska Stat. §36.30.990(12); Alaska Stat. §36.30.311; Alaska Stat. §36.30.170; Alaska Admin. Code tit. 2, §12.050	Employment Program Preference. Provides that if a qualified Alaska bidder or offeror offers services through a qualifying employment program, a 15 percent preference shall be applied to their price in the bid or proposal. Defines "employment program" as a nonprofit program to increase employment opportunities for individuals with physical or mental disabilities that constitute substantial barriers to employment. Requires the chief procurement officer to use a list of eligible vendors maintained by the Division of Vocational Rehabilitation in the Department of Labor and Workforce Development. Prohibits a vendor from claiming more than one disability-related preference for the same bid or offer. For more details, see the Division of Vocational Rehabilitation's guidelines.
		Alaska Stat. §36.30.321, especially subsection (d);	Alaskans with Disabilities Preference. Provides that if a qualified Alaska bidder or offeror is a business owner with a disability, a 10 percent preference shall be applied to their

Policy Area	State	Citation	Details
		Alaska Stat. §36.30.170	price in the bid or proposal. Defines what qualifies as disability-owned for a sole proprietorship, partnership, limited liability company, corporation or joint venture. Requires that to qualify for this preference, the vendor must be on a list maintained by the Division of Vocational Rehabilitation in the Department of Labor and Workforce Development at the time the bid or proposal is opened. Prohibits a vendor from claiming more than one disability-related preference for the same bid or offer. For more details, see the Division of Vocational Rehabilitation's guidelines.
	Connecticut	Conn. Gen. Stat. Ann. §4a-60g	Requires state agencies and political subdivisions of the state other than municipalities that have annual contracting budgets of more than $10,000 to set aside at least 25 percent of their budgets each fiscal year for small contractors. Of this set-aside, 25 percent must be reserved for awards to minority business enterprises, including disability-owned businesses. Requires the Commissioner of Administrative Services to establish a process for certification of small contractors and minority business enterprises as eligible for set-aside contracts.
	Iowa	Iowa Code Ann. §15.102; Iowa Code Ann. §§73.15 et seq.; Iowa Code Ann. §10A.104(8); Iowa Code Ann. §8A.111(7); Iowa Admin. Code §§481-25.1 et seq.	Defines targeted small businesses as Iowa for-profits with average annual gross incomes of less than $4 million that are owned, operated and actively managed by minorities, women, service-disabled veterans or persons with a qualifying disability. Establishes a certification program for targeted small businesses. Requires all state agencies and departments to set annual procurement goals from certified targeted small businesses; requires community colleges, area education agencies and school districts to establish a procurement goal from such businesses of at least 10 percent of their annual procurement budget, including construction but not utility services. Of these total procurement goals, an additional goal must be set to procure at least 40 percent from service-disabled veteran-owned businesses. Requires reports. See also under "special state assistance for businesses owned by persons with disabilities" in this table, below.
	Illinois	Ill. Ann. Stat. ch. 30, §§575/0.01 et seq.	Business Enterprise for Minorities, Females, and Persons with Disabilities Act. Sets a procurement goal of awarding not less than 20 percent of the total dollar amount of state contracts each fiscal year to certified business enterprises owned by minorities, females and persons with disabilities, including at least 2 percent to disability-owned businesses. Exempts state construction contracts from the goal relating to disability-owned businesses. Requires compliance plans and annual reports.

Policy Area	State	Citation	Details
			Provides that the act will be repealed on June 30, 2016.
	Kansas	Kan. Stat. Ann. §75-3740, especially subsection (b)	Provides that a contract shall be awarded to a certified, responsible bidder for which at least 10 percent of its employees are Kansas residents with disabilities or that is owned by a disabled veteran, whose total bid cost is not more than 10 percent higher than the lowest competitive bid. Sets conditions, including that the bidder cannot be paying sub-minimum wages under 29 U.S. Code §214(c) and that the contract must contain a promise that the bidder will maintain the percentage of its employees that have disabilities throughout the contract term. For more details, see the Kansas Department of Administration website.
		Kan. Stat. Ann. §75-3740, especially subsection (c)(1)(A); Kan. Stat. Ann. §§75-3317 et seq.	Establishes a dollar-for-dollar bidder preference, for a deduction of up to 10 percent from their original bid, for purchases made from the state use vendor program or a certified business in the previous fiscal year. Defines a qualified vendor in the state use program as a nonprofit that has the primary purpose of providing employment for people who are blind or have other severe disabilities. For more details, see the Kansas Department of Administration website.
	Michigan	Mich. Comp. Laws Ann. §450.793	Establishes a goal of awarding at least 3 percent of annual state contracts to businesses owned by people with disabilities. Requires an annual report.
	Minnesota	Minn. Stat. Ann. §§16C.16 et seq.; Minn. Admin. Code §§1230.1400 et seq.	Requires the commissioner of administration to establish a program for purchasing goods and services from "targeted group businesses," including those that are majority owned and operated by women, persons with a substantial physical disability or specific minorities. Requires a certification process. Allows the commissioner to award up to a 6 percent preference in the amount bid by such businesses for specified goods or services. Provides that three responses are likely to be obtained from certified small targeted group businesses, a solicitation may be set aside for responses only from those businesses.
	Ohio	Ohio Rev. Code Ann. §§123.152 et seq.; Ohio Admin. Code §§123:2-16-01 et seq.	Establishes the Encouraging Diversity, Growth and Equity (EDGE) Program for businesses that demonstrate both social disadvantage (including being disability-owned) and economic disadvantage (based on the wealth of the business and its owners). Requires the Department of Administrative Services to establish certification processes, set yearly procurement goals for contracting with EDGE business enterprises, and submit an annual progress report. See also under "special state assistance for businesses

Policy Area	State	Citation	Details
			owned by persons with disabilities" in this table, below.
Special state assistance for businesses owned by persons with disabilities (also known as "disability-owned businesses")	**Iowa**	Iowa Code Ann. §15.102; Iowa Code Ann. §73.16; Iowa Code Ann. §73.18; Iowa Code Ann. §10A.104(8); Iowa Admin. Code §§481-25.1 et seq.	Defines targeted small businesses as Iowa for-profits with average annual gross incomes of less than $4 million that are owned, operated and actively managed by minorities, women, service-disabled veterans or persons with a qualifying disability. Provides for a directory of certified targeted small businesses. Requires electronic bid notices to be distributed to targeted small businesses 48 hours before the issuance of all bid notices. Notes that certified targeted small businesses are eligible for financial and technical assistance; the Targeted Small Business Certification Website indicates that this can include microloans of up to $50,000 through the Iowa Center for Economic Success.
	Illinois	Ill. Admin. Code tit. 40, §§570.10 et seq., with reference to Ill. Ann. Stat. ch. 30, §750/9-4.2	Allows eligible businesses owned by minorities, women and people with disabilities to access loans through the state Participation Loan Program. For more details, see the Illinois Participation Loan Program website.
	North Carolina	N.C. Gen. Stat. §143-48.4; N.C. Gen. Stat. §143-128.4; N.C. Admin. Code tit. 1, §§44A.0101 et seq.	Provides for a statewide, uniform certification process for historically underutilized businesses, which are defined as businesses owned by minorities, women, people with disabilities and people who are otherwise socially and economically disadvantaged. Requires the Secretary of Administration to create and maintain a database of these businesses. The state Office for Historically Underutilized Businesses' objectives include encouraging participation in the state procurement process through the database and other assistance. For more details, see the HUB office's website.
	Ohio	Ohio Rev. Code Ann. §§123.152 et seq.; Ohio Rev. Code Ann. §122.041	Establishes the Encouraging Diversity, Growth and Equity (EDGE) Program for businesses that demonstrate both social disadvantage (including being disability-owned) and economic disadvantage (based on the wealth of the business and its owners). Requires the Development Services Agency to provide assistance and mentoring opportunities to EDGE business enterprises. See also under "state procurement preferences or goals for contracting with businesses owned by persons with disabilities" in this table, above.
	Rhode Island	R.I. Gen. Laws §§37-2.2-1 et seq.; R.I. Admin. Code §§18-1-10:I et seq. (alternatively cited as R.I.	Disability Business Enterprises Act. States that the purpose of the act and associated regulations is to carry out the state's policy of supporting the fullest possible participation of disability-owned small businesses in state contracts and purchases, including assisting them throughout the

Policy Area	State	Citation	Details
		Admin. Code 41 030 011)	life of contracts in which they participate. Exempts road and highway construction from the purposes of the act. Creates a Disability Business Enterprise Committee within the Governor's Commission on Disabilities, which is responsible for certifying disability-owned small businesses and setting formulas for awarding contracts to them. Requires state agencies and the Division of Purchasing to periodically conduct meetings with such businesses, as appropriate, to inform them of procurement opportunities. Requires the Division of Purchasing to submit an annual report.
Policies that help provide accessible work transportation for people with disabilities.	**Maine**	Me. Rev. Stat. Ann. tit. 10, §377; Me. Admin. Code 94-178 chap. 501, §11	Allows the Kim Wallace Adaptive Equipment Loan Program to award loans for the purpose of assisting persons with disabilities to purchase used vehicles necessary to obtain or retain employment or employment training, subject to certain limitations. See also under "other approaches that encourage private employers to hire, recruit and retain people with disabilities"
	Washington	2015 Wash. Laws, Chap. 10 (House Bill 1299)	Transportation appropriations bill for the 2015–2017 biennium. Includes $7.5 million for the state's Paratransit/Special Needs Grant Program, which awards funds to nonprofits to improve transit services for people who can't provide their own transportation due to age, disability or income; program goals include enhanced access to employment. For more details, see the state Department of Transportation's most recent public transportation consolidated grant application.
		Wash. Rev. Code Ann. §82.44.015	Under the state's Commute Trip Reduction program, exempts passenger vehicles used mainly for carpools or vanpools for people with special transportation needs (for at least three straight years after purchase) from the motor vehicle excise tax.
Other approaches that encourage private employers to hire, recruit and retain people with disabilities	**Arizona**	2015 House Concurrent Resolution 2029	Expresses that the legislature supports the employment of persons with disabilities and encourages Arizona businesses to hire persons with disabilities.
	California	Cal. Government Code §§12803.6 et seq.	Requires the Health and Human Services Agencycy and the Labor and Workforce Development Agency, using existing resources, to create "a sustainable, comcomprehensive strategy to accomplish various goals aimed at bringing persons with disabilities into employment," including directing the Governor's Committee on Employment of People with Disabilities to work toward overall higher employ-employment levels for adults with disabilities within the state. Directs the

Policy Area	State	Citation	Details
			governor's committee, in conjunction with the Department of Rehabilitation, to make grants available to counties and local workforce investment boards for local and regional programs that support the employment of people with disabilities.
		Cal. Unemployment Insurance Code §§18000 et seq.	Requires each local workforce investment board to establish at least one comprehensive one-stop career center that includes accessible services for people with disabilities.
		Cal. Welfare and Institutions Code §12300; Cal. Welfare and Institutions Code §14132.955	Provides that Medi-Cal personal care services include services in the recipient's place of employment, under specified conditions.
	Georgia	2015 House Resolution 642	Creates the Joint Study Committee on Postsecondary Education and Employment Options for Individuals with Intellectual and Developmental Disabilities.
	Maryland	Md. Health General Code Ann. §15-138; Md. Admin. Code §§10.09.41.01 et seq.	Employed Persons with Disabilities Program. Creates a program to make medical assistance coverage available to eligible employed individuals with disabilities, with the purpose of encouraging people with disabilities to seek or maintain employment.
	Maine	Me. Rev. Stat. Ann. tit. 26, §§1415 et seq.	Provides assistance to people with severe physical disabilities and insufficient income from other sources, to enable them to work. Allows qualifying persons who are employed for 20 or more hours per week to claim a subsidy from the Bureau of Rehabilitation Services for personal care assistance services that are needed for their employment. Requires creation of a sliding scale for recipients' financial participation, based on income and disability-related expenses.
		Me. Rev. Stat. Ann. tit. 10, §§371 et seq.; Me. Admin. Code 94-178 chap. 501, §§1 et seq.; 1997 Me. Laws, Chap. 58 ($10 million legislatively-referred bond issue, voter-approved on 1997 ballot); bill number unknown ($5 million legislatively-referred bond issue, voter-approved on 1988 ballot)	Establishes the Kim Wallace Adaptive Equipment Loan Program Fund to provide funding for loans to qualified borrowers to acquire adaptive equipment. Notes that both individuals and business entities are eligible for loans. Provides bond issue for support of the program. For more details, see the Finance Authority of Maine website.

Policy Area	State	Citation	Details
	New Hampshire	2015 N.H. Laws, Chap. 40 (Senate Bill 47), including amendments to N.H. Rev. Stat. Ann. §279:22	Prohibits employers from employing individuals with disabilities at an hourly rate lower than the federal minimum wage except for practical experience or training programs and family businesses. Repeals a previous special exemption for sheltered workshops. This bill was a request of a committee that was established by 2014 N.H. Laws, Chap. 50 (House Bill 1174) to study the payment of sub-minimum wages to persons with disabilities.
	North Carolina	N.C. Gen. Stat. §143-48	Requires state agencies and certain state-funded entities to submit annual reports that include what percentage of their contract purchases were from disabled-owned businesses, disabled business enterprises and nonprofit work centers for the blind and the severely disabled.
	Washington	Wash. Rev. Code Ann. §71A.12.290	Provides that clients with developmental disabilities who are receiving employment services must be offered the choice to transition to a community access program after nine months of enrollment in an employment program, and the option to transition from a community access program to an employment program at any time.

The box allows you to conduct a full text search or use the dropdown menu option to select a state.

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Table 2: State Laws That Help States Be Model Employers of People with Disabilities

Policy Area	State	Statutory Citation	Details
Policies that direct the state to be a model employer, including those that direct state officials to facilitate the hiring of individuals with disabilities in state government	**California**	Cal. Government Code §§12803.6 et seq., especially §§12803(a)(3)	Requires the California Department of Health and Human Services Agencycy and the Labor and Workforce Development Agency, using existing resources, to create "a sustainable, comcomprehensive strategy to accomplish various goals aimed at bringing persons with disabilities into employment," including ensuring that state government is a model employer of individuals with disabilities. See also under "other approaches that encourage private employers to hire, recruit and retain people with disabilities."
	Colorado	Colo. Rev. Stat. Ann. §§27-10.5-901 et seq.	Declares legislative intent to encourage and provide incentives for state agencies to give meaningful employment opportunities to such persons and to improve the state's practices in employing, supervising and supporting them. Directs the Department of Human Services to design and implement a state employment program for persons with developmental disabilities.
	Illinois		Requires the Department of Central Management Services, in cooperation with the

Policy Area	State	Statutory Citation	Details
		Ill. Ann. Stat. ch. 20, §405/405-122	Department of Human Services, the Department of Employment Security, and other state agencies, to develop and implement programs to increase the number of qualified employees with disabilities working in "the state" (clarified by the original bill summary as meaning "in state government"). Requires these programs to include provisions to increase the number of people with a disability hired for positions with specific job titles for which they have been assessed and awarded a passing grade. Requires an annual report. For details about state programs that were created to meet this mandate, see the Work 4 Illinois website.
		Ill. Ann. Stat. ch. 775, §5/2-105	Requires every state department, agency, board, commission and instrumentality to establish, maintain and carry out a continuing affirmative action plan that includes a numerical hiring goal for the employment of qualified persons with disabilities.
	Maine	Me. Rev. Stat. Ann. tit. 29, §23001	Directs state departments and agencies as well as instrumentalities of the state to review their hiring, placement and advancement of people with disabilities; make an annual plan to increase the number of their employees with disabilities; increase outreach activities to people with disabilities about job openings; and increase efforts to accommodate individuals with disabilities. Requires reports.
	Minnesota	Minn. Stat. Ann. §43A.02; Minn. Stat. Ann. §43A.09; Minn. Stat. Ann. §43A.10; Minn. Stat. Ann. §43A.19; Minn. Stat. Ann. §43A.191	Requires the Commissioner of Management and Budget, in cooperation with appointing authorities of all state agencies, to place special emphasis to the recruitment of protected group members, including people with disabilities, into state service employment. Establishes a statewide affirmative action program, with goals for each protected group. Requires state agencies to create affirmative action plans that include plans for providing reasonable accommodation in the hiring and promotion of qualified people with disabilities. Requires that, upon request, the commissioner or the appointing authority must provide selection process accommodations to an applicant with a disability that does not prevent performance of the duties of the position, which provides an opportunity to fairly assess the applicant's ability to perform the duties of the position notwithstanding the disability but preserves, to the extent feasible, the validity of the selection process and equitable comparison of results with those of competitors without disabilities. Allows up to 50 full-time positions within state agencies to be selected for inclusion for a supported work program for people with severe disabilities. Requires audits and reports.
	Washington	2015 Wash. Laws, Chap. 204 (House Bill 1636)	The State Disability Employment Parity Act. Declares intent to increase the hiring of persons with disabilities in the state workforce. Requires state agencies with 100 or more employees to submit an annual report that includes disability employment statistics.
	Guam	Guam Stat. tit. 17, §41210	Requires government departments and agencies of Guam to adopt rules and

Policy Area	State	Statutory Citation	Details
			regulations for the hiring of individuals with severe disabilities. Requires such departments and agencies to employ at least 2 percent of the workforce with severe disabilities. Allows this goal to be met either through direct employment or through contracting with nonprofit organizations employing people with disabilities. Provides that departments and agencies should provide reasonable accommodations to people with severe disabilities, and prohibits them from using standards, criteria or other methods of administration that have the effect of discrimination on the basis of disability, or employment tests or other selection criteria that tend to screen out individuals with disabilities unless the test is related to the job and consistent with government needs.
"Fast track" provisions to recruit and appoint qualified people with disabilities into state jobs using alternative hiring practices	**Alaska**	Alaska Stat. §39.25.150(21); 2 Alaska Admin. Code §07.235 (g); 2 Alaska Admin. Code §07.270(a)	Requires state personnel rules to provide for the granting of employment preference to individuals with severe disabilities. This includes the right to provisional appointment without competitive assessment for periods of up to four months and the granting of eligibility to an individual with a severe disability provisionally appointed under the rules who demonstrates ability to perform the job for permanent appointment without competitive assessment. States that such provisional employment may not exceed four months during a 12-month period. For more details about the provisional hire program, see the Alaska Department of Administration "Workplace Alaska" website.
	New York	N.Y. Civil Service Law §55-b	Allows the State Civil Service Commission to determine up to 1,200 state positions that can be performed by qualified people with disabilities. Upon such determination, provides for these positions to be classified in the noncompetitive class and filled only by a certified person with a disability. Requires employees hired under this program to be afforded the same opportunity to take promotional examinations as employees in the competitive class.
	Oklahoma	Okla. Stat. Ann. tit. 74, §840-4.12; Okla. Admin. Code §260:25-9-100	Relates to employment in state government. Waives written entrance examinations and certain other hiring procedures for persons who are certified as having a severe disability and meet minimum job qualifications. Requires people hired under this program to be appointed to a probationary period. For more details, see the Optional Program for Hiring Applicants with Disabilities website.
	Utah	Utah Code Ann. §67-19-15(2)(b); Utah Code Ann. §67-19-16(3)	Establishes a program that allows a qualified person with a disability (or a veteran) to be appointed to a state job through a department-approved, on-the-job examination. Requires the executive director to make rules establishing standards for the development, approval, and implementation of examining processes, including establishing a department-approved, on-the-job examination to appoint a qualified person with a disability. For more details, see the Utah Alternative State Application Program website.

Policy Area	State	Statutory Citation	Details
Hiring preferences for people with disabilities	**Montana**	Mont. Code Ann. §§39-30-101 et seq.	Persons with Disabilities Employment Preference. Provides that in an initial hiring for a state, city or county government position, if an eligible job applicant with a disability claims a hiring preference, a public employer shall hire the applicant over any other applicant with substantially equal qualifications who is not a preference-eligible applicant. Provides that the employer shall provide the hiring preference first to a disabled veteran, then a person with a disability, then to other eligible groups in the order defined by law.
	Guam	Guam Stat. tit. 17, §41210; Guam Stat. tit. 4, §4104	Requires government departments and agencies of Guam to adopt rules and regulations for the hiring of individuals with severe disabilities, including the granting of preference credits. States that residents of Guam with disabilities who are able to perform efficiently and safely the duties of the job being applied for shall receive a preferential credit of 5 points that shall be added to their competitive examination score if they receive a minimum passing score or higher. Provides that if two applicants for government service are equally qualified for the position to be filled, and only one is a beneficiary of this preference, that applicant shall be given the first offer of position.
Other approaches that help states be model employers of people with disabilities	**West Virginia**	W. Va. Code §5A-1-11	Continues within the Department of Administration the position of the State Americans with Disabilities Coordinator, whose duties include advising the state Director of Personnel concerning a statewide ADA compliance program, advising the governor and agency heads on Americans with disability issues, and consulting with state equal employment opportunity officers on the hiring of persons with disabilities.

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