

**Section I**  
**Notices of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**NONE**

**Section II**  
**Proposed Rules**

**STATE BOARD OF ADMINISTRATION**

RULE NOS.:	RULE TITLES:
19-11.001	Definitions
19-11.002	Beneficiary Designations and Distributions for FRS Investment Plan
19-11.003	Distributions from FRS Investment Plan Accounts
19-11.005	FRS Investment Plan Complaint Procedures
19-11.006	Enrollment Procedures for New Hires
19-11.007	Second Election Enrollment Procedures for the FRS Retirement Programs
19-11.011	Employer and Employee Contributions and ABO or Present Value Transfer Procedures
19-11.012	Acceptance of Rollovers by the FRS Investment Plan

**PURPOSE AND EFFECT:** To amend Rule 19-11.001, F.A.C., to provide that a “distributee” may include a non-spouse beneficiary; that an eligible retirement plan may include a Roth IRA or annuity; and that distributions consisting of after-tax employee contributions not includible in gross income may be transferred only to certain specified accounts or annuities. The definitions are being updated in response to a recently-issued Internal Revenue Service determination letter for the FRS Investment Plan. The rule also is being revised to include updated statutory citations. To amend Rule 19-11.002, F.A.C., to indicate the latest revisions of the enrollment and second election forms, and to make some minor technical revisions. To amend Rule 19-11.003, F.A.C., to provide that a distributee may elect to have any portion of an eligible rollover distribution directly paid to an eligible retirement plan. The rule as is being amended to update the dates set forth in the examples regarding invalid distributions and to indicate that documentation of a distribution made prior to August 30, 2007 will be produced for a special service charge where retrieval is possible. To amend Rule 19-11.005, F.A.C. to make a minor technical revision. To amend Rules 19-11.006, F.A.C., to provide that eligible State and Local Senior Managers that are

eligible to enroll in the Senior Manager Service Annuity Program may enroll in the FRS Investment Plan by submitting an enrollment form; and to adopt the latest versions of the enrollment forms. To amend Rule 19-11.007, F.A.C., to adopt the latest versions of the second election enrollment forms. To amend Rule 19-11.011, F.A.C., to make some technical revisions for clarification. To amend Rule 19-11.012, F.A.C., to adopt the latest versions of the rollover forms; and to make some minor technical revisions.

**SUMMARY:** To update and clarify information pertaining to rollovers as required by a recently-issued Internal Revenue Service determination letter; to make minor technical revisions; and to adopt updated forms. There are no other rules incorporating any of these proposed rules. Legislative ratification of these rule amendments is not required.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Upon review of the proposed changes to the rules as well as all incorporated materials, the State Board of Administration has determined that the rules do not meet the statutory threshold for ratification by the legislature. There will be no impact on economic growth, job creation or employment, private-sector investment, or business competitiveness, and no increase in regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 121.78; 121.4501(8) FS.

**LAW IMPLEMENTED:** 119.071, 120.569, 121.055, 121.021, 121.055, 121.091, 121.35, 121.4501(2), (3), (4), (5), (6), (8), (9), (10), (13),(14), (15), (20), 121.591, 121.71, 121.72, 121.74, 121.77, 121.78, 732.802, 1012.875(3) FS.

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):**

**DATE AND TIME:** Thursday, November 15, 2012, 9:00 a.m. – 11:00 a.m.

**PLACE:** Hermitage Room, the Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tina Joanos, Agency Clerk, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1197, tina.joanos@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ruth A. Smith, Assistant General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1182, ruth.smith@sbafla.com

THE FULL TEXT OF THE PROPOSED RULE IS:

19-11.001 Definitions.

The following words and terms shall have the following meanings for purposes of Chapters 19-11 and 19-13, F.A.C.:

(1) through (12) No change.

(13) "Distributee" means a member or former member who has taken a distribution from the FRS Investment Plan. In addition, the member's or former member's surviving spouse and the member's or former member's spouse or former spouse who is the alternate payee under a qualified domestic relations order, as defined in Code s. 414(p), are distributees with regard to the interest of the spouse or former spouse. Effective January 1, 2010, a non-spouse beneficiary is also a "distributee," but the term "eligible retirement plan" for such individual is limited to an individual retirement account described in Code s. 408(a), an individual retirement annuity described in Code s. 408(b), or a Roth individual retirement account or annuity described in Code s. 408A that is treated as an inherited individual retirement account or annuity pursuant to Code s. 402(c)(11).

(14) through (17) No change.

(18) "Eligible retirement plan" means an individual retirement account described in Code s. 408(a), an individual retirement annuity described in Code s. 408(b), an annuity plan described in Code s. 403(a), an annuity contract described in Code s. 403(b), a Roth individual retirement account or annuity described in Code s. 408A, an eligible deferred compensation plan described in Code s. 457(b) which is maintained by an eligible employer described in Code s. 457(e)(1)(A) or a qualified trust described in Code s. 401(a), that accepts the distributee's eligible rollover distribution.

(19) "Eligible rollover distribution" means any distribution of all or any portion of the balance of the member's account(s) in the FRS Investment Plan to the credit of the distributee. An eligible rollover distribution does not include any distribution which is made upon hardship of the employee; any distribution that is one of a series of

substantially equal periodic payments (not less frequently than annually) made for the life (or life expectancy) of the distributee or the joint lives (or joint life expectancies) of the distributee and the distributee's designated beneficiary, or for a specified period of ten years or more; any distribution to the extent such distribution is required under Code s. 401(a)(9); ~~the portion of any distribution that is not includible in gross income, unless transferred in accordance with the provisions of Code s. 402(e)(2) to a qualified trust which is part of a plan which is a defined contribution plan, or to an individual retirement account described in Code s. 408(a) or an individual retirement annuity described in Code s. 408(b);~~ or a deemed distribution of a loan under Code s. 72(p). Any portion of a distribution that consists of after-tax employee contributions which are not includible in gross income may be transferred only to (1)(a) a traditional individual retirement account or annuity described in Code s. 408(a) (a "traditional IRA") or (b) a Roth individual retirement account or annuity described in Code s. 408A (a "Roth IRA"); or (2) to a qualified plan or an annuity contract described in Code s. 401(a) and 403(b), respectively, that agrees to separate accounting for amounts so transferred (and earnings thereon), including separately accounting for the portion of such distribution which is includible in gross income and the portion of such distribution which is not so includible.

(20) "Employee" means an eligible employee as defined in Section 121.4501(2)(e)(4), F.S.

(21) "Employer" means an employer as defined in Section 121.4501(2)(f)(e), F.S. For purposes of the FRS Investment Plan, there are three general categories of employers: state agencies; school districts; and local employers.

(22) through (24) No change.

(25) "FRS Investment Plan Hybrid Option" or "FRS Hybrid Option" means the plan choice option within the Florida Retirement System, established in Parts II and III of Chapter 121, F.S., in which a member chooses to retain his or her accrued service benefit in the FRS Pension Plan, in accordance with Section 121.4501(3)(a)(b)1, F.S., and further chooses that all future employer and employee contributions be deposited in his or her FRS Investment Plan account.

(26) through (40) No change.

(41) "Third Party Administrator" or "TPA" shall mean the Investment Plan Administrator hired by the ~~Florida~~ State Board of Administration of Florida pursuant to Section 121.4501(8), F.S.

(42) through (43) No change.

Rulemaking Authority 121.78(3)(c), 121.4501(8) FS. Law Implemented 121.78, 121.4501 FS. History--New 12-8-02, Amended 3-9-06, 7-12-12, \_\_\_\_\_.

19-11.002 Beneficiary Designations and Distributions for FRS Investment Plan.

(1) through (3) No change.

(4)(a) If the FRS Investment Plan member enrolls in the FRS Investment Plan using the EZ Retirement Plan Enrollment Form for Regular, Special Risk and Special Risk Administrative Support Class Employees, Form ELE-1-EZ, rev. 07/12 ~~11/11~~, the General Retirement Plan Enrollment Form for Regular Special Risk and Special Risk Administrative Support Class Employees, Form ELE-1, rev. 10/12 ~~01/12~~, which are adopted and incorporated by reference in subsection 19-11.006(2), F.A.C., or the 2nd Election EZ Retirement Plan Enrollment Form, Form ELE-2-EZ, rev. 07-12 ~~07/11~~, or the 2nd Election Retirement Plan Enrollment Form, Form ELE-2, rev. 10-12 ~~01/12~~, which are adopted and incorporated by reference in subsection 19-11.007(3), F.A.C., the member agrees to the beneficiary designation contained in Section 121.4501(20), F.S., unless the member submits a beneficiary designation as provided in subsection (2) herein.

(b) through (g) No change.

(5) No change.

(6)(a) An Alternate Payee may name a beneficiary to receive the benefits which may be payable in the event of the Alternate Payee's death at any time, as outlined in paragraphs (2) and (5)(a) through (f) above, once the Alternate Payee's account has been established by the FRS Investment Plan Administrator.

(b) If the Alternate Payee does not name a beneficiary(ies), then the Alternate Payee's beneficiary(ies) will be those as described in paragraph (1).

(7) through (12) No change.

(13)(a) If the deceased member has designated a beneficiary but has not provided the designated beneficiary's social security number or address, or has provided ~~set for the~~ an incorrect social security number, then, after at least three unsuccessful attempts by the SBA or the FRS Investment Plan Administrator to locate the beneficiary, the FRS Investment Plan Administrator will advise the SBA accordingly and the account will not be distributed.

(b) The FRS Investment Plan Administrator will, with the assistance of the SBA, at the time of notification of death, make a reasonable effort to obtain the beneficiary's Social Security Number or Taxpayer Identification Number, using available search tools, including the internet, LexisNexis Accurint, ~~the Internal Revenue Service, and the Social Security Administration, or another third party vendor providing such services.~~

(c) through (d) No change.

(14)(a) Pursuant to Federal guidelines, if the deceased member's account is to be paid to the member's estate but no Estate Identification Number is provided, the account will not be paid to the Estate until the Estate Identification Number is received. In the event that no Estate Identification Number is provided within one year from the date of notification to the FRS Investment Plan Administrator of the member's death, the FRS Investment Plan Administrator will transfer the deceased

member's account to the Suspense Account indicating the name of the deceased member. If after 10 years after the date of death, the FRS Investment Plan Administrator has not received an Estate Identification Number, the deceased member's account will be transferred to the FRS Investment Plan Forfeiture Account where it will be held indicating the name of the deceased member. The transferred funds shall be invested in the FRS Select U.S. Treasury Inflation-Protected Securities Index Fund.

(b) The FRS Investment Plan Administrator will, at the time of the transfer to the Suspense Account, make a reasonable effort to obtain the Estate Identification Number. Additionally, by calendar year-end of each year following the transfer to the Suspense Account, the FRS Investment Plan Administrator will attempt to locate and obtain the Estate Identification Number.

(c) The amount will be held in the FRS Investment Plan Suspense Account until (1) the member's estate representative contacts the FRS Investment Plan; or (2) a beneficiary requests consideration as the deceased's proper beneficiary; or, (3) at the end of 10 years in the Suspense Account, the amount is transferred to the FRS Investment Plan Forfeiture Account, where it is held indicating the name of the deceased member.

(d) Should the estate's representative subsequently provide an Estate Identification Number, a check will be issued to the estate, with actual earnings while invested in the FRS Select U.S. Treasury Inflation-Protected Securities Index Fund, from the date of transfer from the member's account to the Suspense Account ~~while invested in the FRS Select U.S. Treasury Inflation Protected Securities Index Fund~~. Any subject to applicable income tax withholding, which shall be paid to the appropriate tax authorities at the time of the benefit payment to the estate.

(15) through (16) No change.

Rulemaking Authority 121.4501(8) FS. Law Implemented 121.091(5)(j), (8), 121.4501(20), 121.591(3), 732.802 FS. History—New 10-21-04, Amended 3-9-06, 11-26-07, 12-8-08, 1-7-10, 8-7-11, 7-12-12, \_\_\_\_\_.

19-11.003 Distributions from FRS Investment Plan Accounts.

(1) through (2) No change.

(3) All distributions of benefits from a member's account(s) in the Investment Plan shall begin and be made no later than as prescribed by Code s. 401(a)(9) and the regulations issued thereunder, including any proposed regulations, and shall be subject to the incidental death benefit rules of Code s. 401(a)(9)(G). A copy of the Code section can be obtained by accessing the IRS website at irs.gov and clicking on the Tax Professionals section, and then clicking on the Code, Regs. & Guidance section.

(a) Distribution of benefits to a member shall be made or commence not later than April 1 following the close of the later of the calendar year during which the member attains age 70 1/2 or retires.

(b) Any benefits payable to a beneficiary designated by the ~~Member Participant~~ shall be distributed as set forth in Rule 19-11.002, F.A.C.

(4) A member may request benefits to be distributed as a periodic or installment distribution, a partial lump-sum payment, ~~a roll-over to another qualified plan~~, various annuity options, or a lump-sum distribution. A distributee may elect to have any portion of the eligible rollover distribution paid directly to an eligible retirement plan specified by the distributee as a direct rollover. Any distribution, if applicable, will be subject to the withholding of taxes which are remitted to the Internal Revenue Service.

(5) through (8) No change.

(9) Invalid distributions.

(a) If a member or a former member of the FRS Investment Plan receives an invalid distribution, the member or former member is required to repay the entire invalid distribution within 90 days of the member's receipt of a final notification from the SBA, or in lieu of repayment, the member must terminate employment from all participating employers. If the member fails to repay the invalid distribution, or terminate employment, the employer is liable for the repayment of the invalid distribution even if the member signed a statement at the time the member was hired that no benefit had been received from the Plan.

1. If a member repays the entire distribution, the member's repayment will be deposited in the FRS Investment Plan account; the member will be returned to the Investment Plan; and all future employee and employer contributions will be deposited in the funds the member has chosen.

2. If the employer repays the entire distribution, the repayment will be deposited in the Investment Plan Trust Fund and allocated to the Investment Plan's forfeiture account to offset plan expenses. The member will be returned to the Investment Plan; and all future employee and employer contributions will be deposited in the funds the member has chosen.

3. If the member fails to repay the invalid distribution and terminates employment, the SBA will declare the member a retiree and will not pursue the repayment of the invalid distribution pursuant to paragraph (b) above. As a retiree, the member is subject to the provisions of Section 121.122, F.S., if the member is reemployed in the future with an FRS-covered employer in a regularly established position.

(b) The following are examples of scenarios that could result in invalid distributions. They are only examples and are not inclusive of all possible situations. Members and employers are encouraged to contact the FRS Investment Plan Administrator to discuss the particular situation.

1. Example 1: A member joined the FRS Investment Plan effective September 1, 2002. The member terminated all employment from his FRS-covered employer on August 24, ~~2012~~ ~~2009~~. On December 15, ~~2012~~ ~~2009~~, the member takes a partial distribution from the Investment Plan account. However, the member returned to employment with a participating employer on December 1, ~~2012~~ ~~2009~~. The member took an invalid distribution because the member was working for participating employer at the time the member received the distribution.

2. Example 2: A member joined the FRS Investment Plan effective April 1, 2004. The member terminates all FRS-covered employment on November 12, ~~2012~~ ~~2009~~. On March 1, ~~2013~~ ~~2009~~, the member takes a total distribution from his Investment Plan account. The member returns to FRS-covered employment on April 15, ~~2013~~ ~~2010~~. The March 1, ~~2013~~ ~~2010~~ distribution is invalid since the member returned to work within 6 calendar months of the retirement date.

3. Example 3: A member joined the FRS Investment Plan effective May 1, 2005. The member terminates all FRS-covered employment on November 12, ~~2012~~ ~~2009~~. The member has reached the normal retirement date. On January 5, ~~2013~~ ~~2010~~, the member receives the one-time distribution of up to 10 percent from the Investment Plan account. The member returns to FRS-covered employment on May 15, ~~2013~~ ~~2010~~. The January 5, ~~2013~~ ~~2010~~ distribution is invalid since the member returned to work within 6 calendar months of his retirement date.

(10) Documentation of a distribution made prior to August 30, 2007.

A member or beneficiary who requests documentation of a distribution made prior to August 30, 2007 will incur a special service charge due to the extensive resources required to retrieve and produce such documentation, if such retrieval is possible. The requestor will be advised of the amount of such charge at the time request is made. Upon payment of the charge by the requestor, the request will be promptly processed. If the document cannot be retrieved, the payment will be reimbursed to the requestor.

Rulemaking Authority 121.4501(8) FS. Law implemented 119.07(4)(d), 121.021(29), (39), 121.091(5)(j), 121.4501(20), 121.591, 121.77, 732.802 FS. History-New 3-9-06, Amended 11-26-07, 5-19-09, 1-7-10, 8-7-11, 7-12-12,\_\_\_\_\_.

19-11.005 FRS Investment Plan Complaint Procedures.

(1) Request for Intervention.

(a) through (e) No change.

~~(2)(b)~~ Request for Hearing.

(a) through (g) No change.

Rulemaking Authority 121.4501(8) FS. Law Implemented 120.569, 120.57, 120.573, 121.4501(8)(g) FS. History-New 10-21-04, Amended 3-9-06, 11-26-07, 5-19-09, 7-12-12,\_\_\_\_\_.

19-11.006 Enrollment Procedures for New Hires.

(1) General Enrollment Procedures.

(a) All newly-hired employees are initially enrolled in the FRS Pension Plan. If a newly-hired employee chooses, within the statutory election period, to enroll in the FRS Investment Plan, or the FRS Investment Plan Hybrid Option, the effective date of enrollment in the FRS Investment Plan or the FRS Investment Plan Hybrid Option is the date of hire of the employee.

(b) Eligible newly-hired employees enrolled in the regular, special risk, and special risk administrative support classes may choose to enroll in the FRS Investment Plan by submitting an enrollment form or by electronic means.

(c) Eligible newly-hired employees may enroll in the FRS Investment Hybrid Option if they have at least 5 years of FRS Pension Plan service, if enrolled in the FRS prior to July 1, 2011, or at least 8 years of FRS Pension Plan service, if initially enrolled in the FRS on or after July 1, 2011.

(d) Eligible newly-hired employees enrolled in the Elected Officers' Class or Senior Management Service Class may only enroll in the FRS Investment Plan by submitting an enrollment form.

(e) Eligible newly-hired employees eligible to enroll in the Community College Optional Retirement Program or State University System Optional Retirement Program may only enroll in the FRS Investment Plan by submitting an enrollment form.

(f) Eligible State Senior Managers and Local Senior Managers eligible to enroll in the Senior Manager Service Annuity Program may enroll in the FRS Investment Plan by submitting an enrollment form.

~~(g)~~ Enrollment forms are available in the enrollment package which is sent to an employee's address of record or by accessing [www.MyFRS.com](http://www.MyFRS.com), and clicking on Resources and then on Forms; or by calling toll-free 1(866)446-9377, or for the hearing impaired TRS 711.

(2) Specific Enrollment Procedures.

(a) through (b) No change.

(c) The SBA has designed the forms set forth below for ease of use for employees in the several membership classes of the Florida Retirement System. As an alternative, an employee not wishing to use the forms may provide the same information requested by the forms available for use for the appropriate membership class in a separate document. Employees may determine their membership class by contacting the agency's human resources office. The forms available are: an EZ Retirement Plan Enrollment Form, Form ELE-1-EZ, rev. ~~07-12~~ ~~11-11~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01829>, which is only for regular, special risk, and special risk administrative support class employees; a General Retirement Plan Enrollment Form, Form ELE-1, rev. ~~10-12~~ ~~01-12~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-01817> for regular, special risk, and special risk

administrative support class employees; an Elected Officers' Class Retirement Plan Form, Form EOC-1, rev. ~~10-12~~ ~~01-12~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01819>; a Community College Optional Retirement Program (CCORP) Enrollment Form, Form OCC-1, rev. ~~10-12~~ ~~01-12~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01820>; a State University System Optional Retirement Program (SUSORP) Retirement Plan Enrollment Form, Form ORP-16, rev. ~~10-12~~ ~~01-12~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01822>; a State Senior Management Service Employees Retirement Plan Enrollment Form, Form SMS-1, Rev. ~~10-12~~ ~~01-12~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01823>; and a Local Senior Management Service Employees Retirement Plan Enrollment Form, Form SMS-3, rev. ~~10-12~~ ~~01-12~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01824>. All of the preceding forms are hereby adopted and incorporated by this reference.

1. All enrollment forms can be obtained at the sources listed in paragraph (1)(f), above.

2. Only members of the regular, special risk, and special risk administrative support classes of employees may use the EZ form, "EZ Retirement Plan Enrollment Form for Regular, Special Risk and Special Risk Administrative Support Class Employees," Form ELE-1-EZ. If an employee chooses to use the EZ form, only limited information (i.e., name, plan choice, social security number and signature) is required. The FRS Select Moderate Balanced Fund is the only initial investment option (although that investment option may be changed by the member once the account is funded). Beneficiary designations may be made as set forth in Rule 19-11.002, F.A.C.

(d) No change.

(e) Upon receipt of the completed enrollment form by the FRS Plan Choice Administrator, the FRS Plan Choice Administrator shall enroll the employee in the indicated FRS retirement plan. Upon completion of the enrollment, but no later than two working days after enrollment, the FRS Plan Choice Administrator shall send confirmation of the effective enrollment to the employee at the employee's address of record and to the Division to inform the Division of the employee's retirement plan choice. The employer shall change its employee records to reflect the employee's plan choice, if applicable.

(f) No change.

(3) No change.

Rulemaking Authority 121.4501(3)(c)4., (8)(a) FS. Law Implemented 121.051, 121.055, 121.35, 121.4501(2), (3), (4), (5), (6), (8), (15), 121.73, 121.74, 121.78, 215.44(8)(b), 1012.875(3) FS. History—New 10-21-04, Amended 3-9-06, 10-25-07, 12-8-08, 5-19-09, 2-4-10, 7-12-12\_\_\_\_\_.

19-11.007 Second Election Enrollment Procedures for the FRS Retirement Programs.

- (1) through (2) No change.
- (3) General Procedures.

(a) All members who wish to change their FRS retirement plan using their 2nd election must use a 2nd election enrollment form or, if moving from the FRS Pension Plan to the FRS Investment Plan or FRS Investment Plan Hybrid Option, may do so online by accessing the Second Choice Service at MyFRS.com. There are two types of enrollment forms. The “2nd Election Retirement Plan Enrollment Form” Form ELE-2, rev. 10-12 ~~04-12~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01818>, which is hereby adopted and incorporated by reference. This form allows the member to select different investment fund options if the member is changing from the FRS Pension Plan to either the FRS Investment Plan or the FRS Investment Plan Hybrid Option. Alternatively, the member can complete the “2nd Election EZ Retirement Plan Enrollment Form,” Form ELE-2EZ, rev. 07-12 ~~07-11~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01830>, which is hereby adopted and incorporated by reference. By completing this form, the member is choosing to have the employer and employee contributions and any transfers from the FRS Pension Plan invested in the FRS Select Moderate Balanced Fund. The member may change the investment selection at any time after the FRS Investment Plan or the FRS Investment Plan Hybrid Option account is activated. Activation occurs when contributions are deposited to the member’s FRS Investment Plan account.

- (b) through (h) No change.
- (4) No change.

Rulemaking Authority 121.4501(8) FS. Law Implemented 121.4501(3), (4), (8), (15)(b), (20) FS. History—New 10-21-04, Amended 3-9-06, 10-25-07, 12-8-08, 5-19-09, 1-7-10, 7-12-12,\_\_\_\_\_.

19-11.011 Employer and Employee Contributions and ABO or Present Value Transfer Procedures.

- (1) Employer and Employee contributions.

(a) All state, school district, and local employers (employers) who participate in the Florida Retirement System (FRS) (~~employers~~) and each employee are responsible for making the contributions required by Chapter 121, F.S.

- (b) No change.
- (2) One Percent Penalty for Late Payroll Reporting.

(a) A one percent penalty will be applied to contributions that are late pursuant to Section 121.78(3). The portion of the one percent penalty assessed on late contributions and accompanying payroll data attributable to contributions for the FRS Investment Plan members shall be proportionally divided

and deposited into affected member accounts, using the members’ FRS Investment Plan investment allocation in effect at the time of the deposit.

(b) Any employer requesting a waiver of the delinquency fee in accordance with Section 121.78(3)(~~c~~)(~~e~~), F.S., shall make a written request, setting forth a full description of the facts and circumstances, to the Office of Defined Contribution Programs, State Board of Administration of Florida, 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308. Waiver of the fee is at the discretion of the SBA. A waiver may be granted only once for an employer in any one fiscal year. Once a delinquency fee has been paid to a member’s account, it cannot be waived.

- (3) Market loss calculation for late payroll reporting.

(a) Market loss calculations will be applied to contributions and benefit transfers that are late pursuant to Section 121.78(3). A market loss occurs when an employer fails to timely remit the monthly payroll file and accompanying employer and employee contributions to the Division by the 5th business day of the next month the payroll file and associated employer and employee contributions are due as described in subsection (1) above and the receipt of monthly payroll file and/or the employer and employee contributions are received in the month following the due date or after.

(b) The Division will notify the Administrator ~~administrator~~ of the late filing by the employer. Upon notification, the Administrator will determine market losses using the affected member’s investment allocation on record with the Administrator at the time of calculation.

- (c) through (e) No change.
- (4) Prior Period Adjustments.

(a) Employer and employee contributions paid for a prior period shall be subject to a delinquent fee of one ~~1-0~~ percent for each calendar month or part thereof that said contributions should have been paid. This includes prior period contributions due to incorrect wages and contributions for an earlier report or wages and contributions that should have been reported, but were not. If the delinquent assessment is not remitted within 30 days following the Division’s invoice date, an additional delinquent assessment of one ~~1-0~~ percent on the invoiced amount shall be assessed for each calendar month or part thereof ~~there of~~ that said invoice is delinquent. This delinquent assessment cannot be waived.

- (b) No change.
- (5) through (7) No change.
- (8) Asset Transfer and True-Up Procedures for Newly-hired Employees with Previous FRS Service.

- (a) through (f) No change.

(g) The Division shall calculate the interest owed on true-up amounts. If the re-computed ABO is greater than the original amount transferred by plus or minus \$10 or more, the member will be owed a true-up amount plus interest. Interest will be calculated pursuant to Section 121.4501(3)(b)2., F.S. If

the re-computed ABO is less than the original amount transferred by plus or minus \$10 or more, the member will owe a true-up amount plus interest and the amount will be deducted from the member's Investment Plan account. Interest will be calculated pursuant to Section 121.4501(3)(b)2., F.S.

(h) No change.

Rulemaking Authority 121.78(3)(c), 121.4501(8) FS. Law Implemented 121.71, 121.72, 121.78, 121.4501 FS. History--New 7-12-12, Amended.

19-11.012 Acceptance of Rollovers by the FRS Investment Plan.

(1) through (6) No change.

(7) Payment to the Investment Plan must be in the form of a check made payable to the "FRS Investment Plan – FBO (the member participant's name)."

(8)(a) Instructions regarding check delivery and other information relating to the processing of rollovers, including all applicable forms, may be obtained by calling the MyFRS Financial Guidance Line, which is a toll free line: 1(866)446-9377, Option 4, or, for members who are deaf, hard of hearing, or speech impaired, TRS 711, or by accessing the website at [www.MyFRS.com](http://www.MyFRS.com).

(b) Current members shall use Form IPRO-1, rev. 10-12 ~~12-09~~, "Employee Rollover Deposit Instructions and Form," <http://www.flrules.org/Gateway/reference.asp?No=Ref-01827>, which is hereby adopted and incorporated by reference, to effect rollovers described in this rule.

(c) Current DROP members planning to roll over their DROP accumulation shall use Form IP-DROP-AD-1, "DROP Accumulation Direct Rollover Form for Current DROP Members," rev. 10/12 ~~03-11~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01825>, which hereby is adopted and incorporated by reference, to effect rollovers described in this rule.

(d) Former DROP members shall use Form IP-DROP-RO-1, "DROP Direct Rollover Form for Former DROP Members," rev. 10/12 ~~03-11~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01826>, which hereby is adopted and incorporated by reference, to effect rollovers described in this rule.

(9) – (11) No change.

(12) An Investment Plan member electing to transfer to the Pension Plan and that has an excess balance remaining in the Investment Plan account after satisfying any required Pension Plan buy-in amounts, may elect to use all or part of that remaining balance to purchase service credit in the Pension Plan. The member will need to complete Form PRO-2, "Pre-tax Direct Rollover Rollover/Transfer Form," rev. 10-10, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01184>, which hereby is adopted and incorporated by reference, to effect this purchase. The completed form is to be sent to the Investment Plan Administrator.

Rulemaking Authority 121.4501(8), (5)(e) FS. Law Implemented 121.4501(4)(g)5., (5)(e), (21), 121.591 FS. History--New 7-12-12, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ron Poppell, Senior Officer, Defined Contributions Programs  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2012  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 5, 2012

**STATE BOARD OF ADMINISTRATION**

RULE NOS.:	RULE TITLES:
19-13.001	Roles and Responsibilities of the State Board of Administration of Florida
19-13.002	Roles and Responsibilities of Division of Retirement within the Department of Management Services
19-13.003	Role and Responsibilities of State, School District, and Local Employers Participating in the Florida Retirement System
19-13.004	Role and Responsibilities of Third Party Vendors

PURPOSE AND EFFECT: Amendments are being made to Rule 19-13.001, F.A.C., to update the name of the "Summary Plan Document" to the "Summary Plan Description," and to clarify that the "defined benefit plan" referred to in the rule is the "FRS Pension Plan, while the "defined contribution plan" referred to in the rule is the "FRS Investment Plan." Rule 19-13.002, F.A.C, is being amended to update a statutory reference. Minor technical revisions are being made to all of the rules in this chapter for clarification purposes.

SUMMARY: To update information, to update a statutory reference, and to make minor technical revisions for clarification purposes. There are no other rules incorporating any of these proposed rules. Legislative ratification of these rule amendments is not required.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is

required, the information expressly relied upon and described herein: . Upon review of the proposed changes to the rules as well as all incorporated materials, the State Board of Administration has determined that the rules do not meet the statutory threshold for ratification by the legislature. There will be no impact on economic growth, job creation or employment, private-sector investment, or business competitiveness, and no increase in regulatory costs.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 121.4501(8) FS.

LAW IMPLEMENTED: 112.3173, 121.091(5), 121.4501(4), (5), (8), (9), (10), (14), (15), (19), 121.71, 121.72, 121.73, 121.74, 121.76, 121.77, 121.78 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Thursday, November 15, 2012, 9:00 a.m. – 11:00 a.m.

PLACE: Hermitage Room, the Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Tina Joanos, Agency Clerk, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1197, tina.joanos@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ruth A. Smith, Assistant General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1182, ruth.smith@sbafla.com

THE FULL TEXT OF THE PROPOSED RULE IS:

19-13.001 Roles and Responsibilities of the State Board of Administration of Florida.

(1) The State Board of Administration of Florida (“SBA”) is responsible for establishing, implementing, and administering the ~~optional~~ defined contribution program, called the “Florida Retirement System Investment Plan” or “Investment Plan”, in accordance with Section 121.4501(1), F.S. The SBA is the Plan Sponsor. The plan documents consist of the Florida Statutes and rules adopted thereunder. The Summary Plan ~~Description Document~~ (SPD) is a summary of the plan documents for the convenience of members. The SPD

can be changed by the SBA at any time without prior notice to Florida Retirement System (FRS) members. The SBA’s primary responsibilities are set out in paragraphs (1)(a) through (1)(n), below. Each of these major responsibilities involves additional decisions which then in turn need to be implemented. Those decisions, to the extent they are not solely on a case-by-case basis, are adopted by rule. The SBA must ensure that all of the following individual responsibilities are carried out:

(a) through (h) No change.

(i) Movement of assets from the ~~FRS Pension Plan defined benefit plan~~ to the ~~FRS Investment Plan defined contribution plan~~ upon the election of a member to transfer and making such adjustments to plan accounts and member accounts as are necessary to process election reversals and prior period corrections to contributions and accompanying payroll data.

(j) through (n) No change

Rulemaking Authority 121.4501(8) FS. Law Implemented 121.4501(1), (4), (8), (9), (10), (14), (15), (19) FS. History–New 10-21-04, Amended 7-12-12, \_\_\_\_\_.

19-13.002 Roles and Responsibilities of the Division of Retirement within the Department of Management Services.

(1) The Division of Retirement (Division) within the Department of Management Services ~~is contractually obligated to~~ provides the following administrative services, in accordance with Section 121.4501(8)(~~a~~)(b)1., F.S., which:

~~(2) The administrative services referenced in subsection (1), above, are to:~~

(a) Determine membership eligibility and employer participation eligibility;

(b) Collect and process employer and employee payroll contributions and payroll-related data;

(c) Forward employer and employee payroll contributions and payroll-related data to the Investment Plan ~~Administrator~~, including date of termination and leave of absence indicators, if available;

(d) through (j) No change.

Rulemaking Authority 121.4501(8) FS. Law Implemented 112.3173, 121.091(5), 121.4501(8), (10) FS. History–New 10-21-04, Amended 10-25-07, 7-12-12, \_\_\_\_\_.

19-13.003 Role and Responsibilities of State, School District, and Local Employers Participating in the Florida Retirement System.

All state, school district, and local employers (~~employers~~) who participate in the Florida Retirement System (FRS) (~~employers~~) have the following duties and responsibilities:

(a) through (b) No change.

Rulemaking Authority 121.4501(8) FS. Law Implemented 121.4501(5), (10)(h), 121.71, 121.72, 121.73, 121.74, 121.76, 121.77, 121.78 FS. History–New 10-21-04, Amended 7-12-12, \_\_\_\_\_.



19-13.004 Role and Responsibilities of Third Party Vendors.

(1) The Administrator provides administrative services in the operation of the Investment Plan other than those provided by the Division as set forth in Rule 19-13.002, F.A.C. The Administrator also provides enrollment processing for the Florida Retirement System (FRS). Other administrative services are provided by the Division of Retirement within the Department of Management Services (Division). Those services are described in Rule 19-13.002, Florida Administrative Code. The Administrator’s primary duties and responsibilities are to:

(a) through (l) No change.

(m) Provide phone response service on a toll-free line to assist members and employers to accomplish any required responsibility; ~~and~~

(n) Provide recordkeeping for all Investment Plan data within its responsibilities, including monitoring of monetary limits imposed by the federal Internal Revenue Code; ~~and~~

(o) Administer qualified domestic relations orders (QDROs).

(2) No change.

(3) Multiple providers hired by the SBA furnish the investment options for Investment Plan members. Section 121.4501, F.S., is generally constructed as an unbundled architecture, meaning that neither the Administrator ~~TPA~~ nor the education providers are permitted to offer investment products, and as a consequence, the SBA has hired multiple institutional investment managers and providers of mutual funds. Some of the providers are unbundled institutional investment managers, which manage assets in a particular asset class and in a particular style, and which are responsible solely for money management. Other providers are bundled providers which provide mutual funds or investment options in collective trusts which are their own funds or funds contracted for or from another money management group. Some bundled providers provide solely their own funds; others provide solely other fund family’s funds; and others provide a combination. An additional investment provider has been hired to offer annuities to retiring members. Each investment manager:

(a) through (c) No change.

(4) through (5) No change.

Rulemaking Authority 121.4501(8) FS. Law Implemented 121.4501(4), (8)(b), (e)1., (9)(a), (10) FS. History—New 10-21-04, Amended 7-12-12, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ron Poppell, Senior Officer, Defined Contributions Programs  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 5, 2012

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**State Boxing Commission**

RULE NO.:	RULE TITLE:
61K1-4.001	Criteria for Approval and Denial for Amateur Sanctioning Organization in Boxing, Kickboxing, and Mixed Martial Arts
61K1-4.002	Insurance Requirements.
61K1-4.004	National Database Event Registration.
61K1-4.005	Referee ReRequirements.
61K1-4.006	Weigh-In.
61K1-4.007	Boxing Weight Classes.
61K1-4.009	Boxing Bandages and Handwraps.
61K1-4.011	Boxing Conduct Bout.
61K1-4.012	Boxing Weight Classes.
61K1-4.013	Kickboxing Apparel.
61K1-4.014	Kickboxing Bandages and Handwraps.
61K1-4.015	Kickingboxing Gloves.
61K1-4.016	Kickboxing Conduct of Bout.
61K1-4.017	Mixed Martial Arts Weight Classes.
61K1-4.018	Mixed Martial Arts Apparel.
61K1-4.019	Mixed Martial Arts Bandages and Handwraps.
61K1-4.020	Mixed Martial Arts Gloves.
61K1-4.021	Mixed Martial Arts Conduct Bout.
61K1-4.022	Notice of Suspension for Failure to Supervise or Enforce the Approved Health and Safety Standards.
61K1-4.023	Kickboxing Bandages and Handwraps; Gloves
61K1-4.024	Mixed Martial Arts Weight Classes; Weigh-In
61K1-4.025	Mixed Martial Arts Conduct of Bout; Rounds
61K1-4.026	Mixed Martial Arts Apparel
61K1-4.027	Mixed Martial Arts Bandages and Handwraps; Gloves

PURPOSE AND EFFECT: The purpose and effect of the proposed rules is to set forth the obligations of amateur licensees licensed under Chapter 548, F.S., and applicants for licensure as amateur sanctioning organizations under chapter 548, F.S. by moving the requirements to a chapter designated strictly for amateur licensees and updating the rules to match industry standards.

SUMMARY: The proposed rules set forth the obligations of amateur licensees licensed under Chapter 548, F.S., and applicants for licensure as amateur sanctioning organizations

under Chapter 548, F.S. by moving the requirements to a chapter designated strictly for amateur licensees and updating the rules to match industry standards.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Commission conducted an analysis of the proposed rule's potential economic impact and determined that it did not exceed any of the criteria established in Section 120.541(2)(a), F.S.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 120.695, 548.003(2), 548.075 FS.

LAW IMPLEMENTED: 120.695, 548.003, 548.004, 548.006, 548.0065, 548.007, 548.008, 548.011, 548.012, 548.013, 548.014, 548.017, 548.021, 548.025, 548.026, 548.028, 548.032, 548.035, 548.043, 548.046, 548.057, 548.066, 548.07, 548.071, 548.075 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: R. Kathleen Brown-Blake, Assistant General Counsel, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)717-1244

THE FULL TEXT OF THE PROPOSED RULE IS:

61K1-4.001 Amateur Sanctioning Organization Licensure. Criteria for Approval and Denial.

(1) License: Requirement, Procedure and Period. Fee.

(a) Each approved amateur sanctioning organization shall be licensed by the commission. To be licensed and obtain approval by the commission, each amateur sanctioning organization shall apply for licensure. Licensed amateur sanctioning organizations shall be given the same rights and obligations as any other licensed entities and/or individuals granted licensure by the commission.

(b) Licenses/Approvals for amateur sanctioning organizations, including any rights, privileges, responsibilities, duties, obligations, or liabilities which by their nature are entitled to or encumbered by the amateur sanctioning organization shall not be transferred, including by the use of a power of attorney.

(c) Licensure Procedure and Period.

1. Application for licensure approval as an Amateur Sanctioning Organization shall be submitted on Form DBPR-FSBC – 01, "Application for Amateur Sanctioning Organization", effective October 2010, adopted and incorporated, which may be obtained on the "Boxing, Kickboxing, & Mixed Martial Arts" link at <https://www.myfloridalicense.com/intentions2.asp>, or at \_\_\_\_\_. The application shall be accompanied by any required supplemental information and by the licensure fee.

2. Upon receipt of an application for a license, the application shall be reviewed by the commission for approval or denial and, if the application is in compliance with the requirements of Chapter 548, F.S., and the rules adopted by the commission, a license shall be issued. If it is determined that the application is not in compliance, the applicant shall be notified by way of a Notice of Intent to Deny.

3. A license issued pursuant to Chapter 548, F.S., and these rules shall be valid from the date of issuance until December 31 of the year in which the license was effective. An application for the renewal of a license shall be submitted on the same form as referenced above and all of the requirements, standards, and criteria used to approve or disapprove an application for a new or initial license shall be used to approve or disapprove the application for the renewal of a license.

4. If a licensee changes it's name or other legally identifying information, the licensee shall reapply for licensure with the commission.

(2) Criteria for Application.

(a) An amateur sanctioning organization seeking approval from the Florida State Boxing commission to sanction and supervise matches shall provide the following during the application process:

1. A completed application for licensure, clearly indicating which sport the amateur sanctioning organization will be sanctioning.

2. Applications for approval of an amateur sanctioning organization shall specify boxing, kickboxing, or mixed martial arts. Accordingly, any approval shall be limited to the sport for which the amateur sanctioning organization has applied to obtain a license. An organization seeking approval for one or more of the aforementioned sports shall submit a separate application for each sport.

3. A statement of agreement to adopt and enforce the requirements set forth in Chapter 548, F.S. and the Rules promulgated thereto.

4. A complete record of any criminal history of the officers, trustees, partners, directors, or owners in the amateur sanctioning organization. The commission shall not issue a license to any entity that has officers, trustees, partners, directors, or owners in the amateur sanctioning organization, who have been convicted of any act that constitutes a violation of Chapter 548, F.S. or any crime involving moral turpitude. Ownership includes all persons who provide financial support for the amateur sanctioning organization in an amount greater than or equal to 10% of the budget for the fiscal year.

5. A complete licensure history in Florida and any other jurisdiction, including license verification submitted from the state or other jurisdiction in which the amateur sanctioning organization is licensed.

6. A statement of agreement to adopt and enforce a requirement that in matches sanctioned and supervised by the amateur sanctioning organization all participating amateurs must undergo a pre-match physical examination by a physician licensed as an M.D. or D.O., approved by the amateur sanctioning organization according to the criteria provided in this rule.

7. A statement of agreement that the organization will not hold, promote, or sponsor a match prohibited under Chapter 548, F.S.

8. Documentation evidencing the amateur sanctioning organization has a legal existence, it is incorporated or otherwise legally recognized under the laws of its domicile and is authorized to conduct business in Florida under the Florida Department of State.

9. A copy of the organization's standards, policies, or procedures evidencing that the principals of the organization have sufficient background, training, and experience in sanctioning and supervising matches which will adequately protect the health and safety of the amateurs participating in the matches and the public. These standards are for application review for approval or denial only, and must be in compliance with the rules adopted by the commission. Modifications to an amateur sanctioning organization's rules does not negate an amateur sanctioning organization's responsibility to comply with the rules as adopted by the commission.

10. A license fee of \$100.00 fee to be submitted with each application for licensure. If the amateur sanctioning organization applies for licensure in more than one sport, the \$100.00 fee shall be provided for each application for each sport.

(b) The organization, should they be granted licensure, shall continue to abide by and enforce the rules adopted by the commission.

(3) Upon the receipt of an application for approval by the commission, the amateur sanctioning organization shall not be eligible to use the exemptions to Section 548, F.S. listed under Section 548.007, F.S.

(4) The amateur sanctioning organization shall ensure that all matches occur according to Section 548, F.S. and the rules promulgated thereto.

(5) If an amateur sanctioning organization changes its name or any other legally identifying information, it shall notify the commission within 60 days of the change.

(6) Denial of application.

(a) The application of an amateur sanctioning organization that does not meet the criteria specified by rule shall be denied by the commission, its executive director, or it's designee.

(b) The commission shall not issue a license or approval to any entity with officers, trustees, partners, directors, or owners in the applicant organization, who individually had a license or approval issued by the commission or equivalent licensing authority of another state revoked, suspended, or otherwise acted against. Ownership includes all persons who provide financial support for the amateur sanctioning organization in an amount greater than or equal to 10% of the budget for the fiscal year.

(c) The commission shall not issue a license or approval to any entity with officers, trustees, partners, directors, or owners in the applicant organization, who have been officers, trustees, partners, directors, or owners in an amateur sanctioning organization which had a license or approval issued by the commission or equivalent licensing authority of another state revoked, suspended, or otherwise acted against. Ownership includes all persons who provide financial support for the amateur sanctioning organization in an amount greater than or equal to 10% of the budget for the fiscal year.

(d) The commission, executive director, or it's designee, may deny the application for one or more of the following reasons:

1. If the information provided evidences that the principals of the amateur sanctioning organization do not have the required experience or training to safely sanction or supervise matches.

2. If any of the organizations officers, partners, officials, authorized representatives, or persons with a financial interest in the organization have criminal history evidencing fraud, theft, crimes of moral turpitude, or any crime that would constitute as a violation of Chapter 548, F.S.

3. If the application is incomplete and the organization fails to provide missing information in a timely manner.

4. If the application indicates that the organization will operate in violation of Section 548, F.S. or the rules adopted by the commission.

5. If the information provided in the application otherwise indicates that approval of the amateur sanctioning organization would pose a risk to the health, safety, or wellbeing of amateurs or the general public.

6. If the amateur sanctioning organization fails to pay the licensure fee.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003, 548.006, 548.008, 548.011, 548.012, 548.013, 548.014, 548.017, 548.021, 548.025, 548.026, 548.028, 548.032, 548.035, 548.046, 548.057, 548.066 FS. History—New \_\_\_\_\_.

61K1-4.002 Compliance Checks.

(1) Compliance checks may be conducted on each amateur sanctioning organization at least once every six (6) months unless the Department receives notice of a possible violation of Chapter 548, F.S. or the rules adopted by the commission.

(2) The Executive Director shall designate authority to perform compliance checks on the Department’s investigators and any individual designated by the Department or the Executive Director to perform a compliance check.

(3) For the purposes of this rule, the Executive Director may designate any of the following individuals to assist during compliance checks:

1. Referees currently or formerly licensed under Chapter 548, F.S.;
2. Judges currently or formerly licensed under Chapter 548, F.S.;
3. Timekeepers currently or formerly licensed under Chapter 548, F.S.;
4. Inspectors currently or formerly licensed under Chapter 548, F.S.;
5. Ringside physicians currently or formerly licensed under Chapter 548, F.S.;
6. Commission staff;
7. Commission legal counsel;
8. Department legal counsel;
9. Commissioners.
10. Chief inspectors.

(4) Amateur sanctioning organizations shall allow any individuals designated by the Executive Director to conduct compliance checks full access to the site of an event or match, including dressing rooms.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003, 548.006(3) FS. History—New \_\_\_\_\_.

61K1-4.004 Emergency Medical Equipment: Other Requirements

(1) Emergency Medical Equipment and Services.

(a) It shall be the responsibility of the amateur sanctioning organization to ensure the following emergency medical equipment is available and present at each amateur match:

1. A portable resuscitator with all additional equipment necessary for its operation;
2. A clean backboard, a neck-brace, and clean blanket, to be located along with the ambulance attendants at ringside.
3. One portable oxygen supply shall be present at ringside;

(b) No match shall begin or continue unless such equipment is on the premises, in a state of readiness and in a pre-designated readily accessible location known to the referee, physicians and the amateur sanctioning organization supervisor.

(2) Other Equipment and Services.

(a) It shall be the responsibility of the amateur sanctioning organization to ensure the presence of a person or persons capable of making emergency repairs, corrections and adjustments to the ring, lights and other necessary fixtures at all times during the progress of a program of matches.

(b) The amateur sanctioning organization shall ensure that all food and beverages around the ring are dispensed in paper or plastic plates or cups and that only plastic utensils are provided.

(c) All advertising must make it clear that the event is an amateur competition.

(d) If locker rooms are provided, an amateur sanctioning organization representative shall supervise all locker-room activity according to the following minimum protocols:

1. Only water and approved electrolyte drinks in their sealed original container are permitted in the locker room. No food, vitamins, or supplements of any kind are permitted in the locker room, with the exception of produce.

2. The presence of any alcohol, “energy” drinks, controlled substances or any illegal enhancing substance in the possession of amateurs, any representative of the amateurs or any representative of the amateur sanctioning organization is grounds for suspension of the amateur sanctioning organization’s license and immediate cancellation of the match.

3. Only amateurs scheduled to compete, individuals working their corners, and amateur sanctioning organization representatives working the event are permitted in locker room. Exceptions require prior permission of the sanctioning organization supervisor.

4. Amateur sanctioning organizations shall ensure that amateurs are provided separate dressing rooms for male and female amateurs.

Rulemaking Authority 548.003 FS. Law Implemented 548.003, 548.006, 548.032, 548.046, 548.057 FS. History—New \_\_\_\_\_.

61K1-4.005 Arena Equipment Requirements: Ring Requirements; and Fenced Area Requirements.

(1) Ring Requirements:

(a) The ring shall be not less than 18 feet nor more than 22 feet square inside the ropes.

(b) The ring floor or apron shall extend beyond the ropes not less than 18 inches.

(c) The ring shall be formed of four posts and at least four ropes for boxing and kickboxing, except for San Shou or Sanda style kickboxing. The ring shall be formed of four posts and at least five ropes for San Shou or Sanda style kickboxing and

mixed martial arts. The ropes shall extend in parallel lines 18, 30, 42, and 54 inches in height above the ring floor. The top three ropes shall be not less than 1 inch in diameter, and the lowest rope shall be not less than 1 1/2 inches in diameter. The lowest rope must be no higher than twelve inches from the ring floor. All ropes shall be wrapped in velvet or other similarly soft material. Ropes shall be properly adjusted and sufficiently taut to inhibit the amateurs from falling between the ropes. All five ring ropes must be secured to each other in no less than two places on all four sides of the ring. The juncture of the ropes at each corner shall be padded with at least an inch and one half of foam rubber or other similar padding.

(d) Ring posts shall be not less than 3 inches in diameter and shall extend from the floor of the ring to a height of no more than 58 inches.

(e) The ring platform shall not be more than 4 feet above the surrounding floor and shall be provided with steps for use of the amateur in each amateur's corner. Steps shall also be provided in a neutral corner for use by the announcer, referee, round card carrier and physicians.

(f) The ring platform shall not be less than twelve (12) feet below the surrounding ceiling.

(g) The ring floor, both inside and outside the ropes, shall be padded to a thickness of at least 1 inch and the padding shall consist of a soft material such as "Ensolite Ring Pad" or similar material applied over a 1-inch base of Celotex building board number two or a material which has similar impact absorbing characteristics. There shall be a top covering of canvas, duck, or equivalent material tightly stretched and laced to the ring platform.

(h) If the match or program of matches is being held outdoors, the ring, apron and seating for all officials shall be protected from inclement weather by use of a heavy duty weatherproof tarpaulin or cover of similar material. The covering shall be erected in such a manner as to ensure that the ring, apron and seating do not become wet. Under no circumstances will the referee, amateur sanctioning organization representative, or the commission representative allow a match to continue if the condition of the ring floor deteriorates such that its condition poses a hazard to the amateurs or the referee.

(i) The amateur sanctioning organization shall insure that the front row of spectator seating is no closer than six (6) feet from the back of the officials' seats.

(2) Kickboxing and Mixed Martial Arts Fenced Area Requirements:

(a) The fenced area shall not be less than 18 feet wide nor more than 32 feet wide inside the fencing:

(b) The fenced area within the fencing must be padded with Ensolite or another similar closed-cell foam with at least a 1 inch layer of foam padding:

(c) The fenced area padding must be covered with canvas, duck or similar material tightly stretched and laced to the platform. Any covering that is slippery or deemed by the amateur sanctioning organization representative or any commission representative as unsafe will not be allowed. Material that tends to gather in lumps or ridges must not be used:

(d) The fenced area platform must not be more than 4 feet above the surrounding floor and shall be provided with steps for use of the amateurs. In addition to the amateurs' steps, a neutral set of steps shall also be provided for use by the announcer, referee, round card carrier and physicians:

(e) Ring posts shall be made of metal with dimensions of not less than 3 inches nor more than 6 inches in diameter and shall extend from the floor of the building to a height of no less than 60 inches nor more than 84 inches above the floor of the fenced area. Ring posts must be properly padded in a manner approved by the commission. Ring posts padding shall not include abrasive, sharp or potentially injuring materials:

(f) Fencing must be made of a material that will prevent an amateur from falling out of the fenced area or breaking through the fenced area onto the floor of the building or onto the spectators, including, without limitation, chain link fence coated with vinyl:

(g) Any metal portion of the fenced area must be covered and padded in a manner approved by the amateur sanctioning organization representative and must not be abrasive to the amateurs:

(h) When the fenced area is comprised of equal sections or panels of fencing, metal tubing or pipes are permissible along the outer dimensions or perimeter of the panels for structural purposes. No metal tubing or pipes are allowed within each individual panel running horizontally or vertically from one panel perimeter to another. Each panel should have four sides with no metal tubing or pipes within each individual square:

(i) There must not be an obstruction on any part of the fence surrounding the fenced area in which the amateurs are competing.

(j) Each door must be secured by a latch and pin mechanism or another approved dual locking system.

Rulemaking Authority 548.003 FS. Law Implemented 548.003(2), 548.006, 548.032, 548.046, 548.057 FS. History—New \_\_\_\_\_.

#### 61K1-4.007 Insurance Requirements.

(1) Amateur sanctioning organizations are required to ensure that each event promoter has secured the following:

(a) Health and Accidental Death Benefit Policy for Athletes of \$10,000 minimum.

(b) General liability insurance policy naming sanctioning body as co-insured of \$1 million per claim/\$2 million aggregate minimum.

(2) Claim forms with the promoter information and policy numbers already written on them shall be provided to the ringside physician prior to the start of the event.

(3) Amateur sanctioning organizations are required to ensure that insurance is valid through the duration of the match.

(4) Amateur Sanctioning organizations shall provide proof of insurance to commission representatives if requested.

(5) The amateur sanctioning organization representative or commission representative shall prevent any match from beginning if the amateur sanctioning organization does not possess proof of insurance at the start of any event.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003, 548.006, 548.006, FS. History–New \_\_\_\_\_.

#### 61K1-4.009 Post-Match Physical of Amateur

(1) Following each match, each amateur shall be examined by a physician licensed as an M.D. or D.O. The physician shall certify in writing the amateur's physical condition and a professional assessment as to whether or not the amateur may need further medical treatment at a hospital.

(2) Ringside physicians shall have a suitable place or room in which to make their examinations after each match.

(3) The examination given all amateurs shall address the following:

(a) Any injuries sustained during the match;

(b) Dehydration;

(c) Signs or symptoms of concussion;

(d) Vision.

(e) The need to prepare a suspension form, suspending the amateur from participating in future matches until cleared by a physician.

Rulemaking Authority 548.003 FS. Law Implemented 548.006, 548.043, 548.046, 548.071, 548.075 FS. History–New \_\_\_\_\_.

#### 61K1-4.011 Unprofessional or Unethical Conduct

Unprofessional or unethical conduct, for amateur sanctioning organizations, as described in Section 548.071(4), FS, shall include:

(1) Making a misleading, deceptive, or fraudulent representation in or related to the practice of the licensee's profession;

(2) Misappropriating, misallocating, or mismanaging funds in relation to the practice of the licensee's profession;

(3) Delegating or contracting for the performance of professional responsibility by a person when the licensee delegating or contracting for performance of such responsibilities knows, or has reason to know, such person is not qualified by training, experience, and authorization when required to perform them;

(4) Falsifying or altering of records, applications, contracts, or other documents in the practice of the licensee's profession;

(5) Practicing or offering to practice beyond the scope permitted by law or accepting and performing the professional responsibilities the licensee knows, or has reason to know, the licensee is not competent and/or properly licensed to perform;

(6) Discriminating on the basis of race, creed, religion, sex, age, or national origin, in the in the practice of a licensee's profession as it relates to human rights and dignity of the individuals;

(7) Exercising influence on any person in the practice of a licensee's profession for the purpose of financial gain of the licensee or a third party;

(8) Failing to report in writing to the commission or to the department within 30 days after any officers, trustees, partners, directors, or owners is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction. A licensee must report the conviction, finding of guilt, plea, or adjudication entered before the effective date of this paragraph within 30 days after the effective date of this paragraph.

(9) Impersonating another licensed practitioner, or permitting another person to use his or her license;

(10) Providing false or incorrect information regarding the status of the license;

(11) Failing to perform any statutory or legal obligation or attempting to violate any statutory or legal requirement placed upon a licensee;

(12) Aiding, assisting, procuring, employing, or advising any unlicensed person or entity to practice a profession contrary to the chapter regulating the profession, or the Rules of the department or the commission;

(13) Attempting to obtain, obtaining, or renewing a licensee to practice a profession by bribery, by fraudulent misrepresentation, or through an error of the department or the commission;

(14) Violating any rule adopted by the commission or the department;

(15) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding;

(16) Repeatedly violating health and safety standards as laid out in these rules, or permitting other licensees or other individuals to repeatedly violate health and safety standards as laid out in these rules;

(17) Refusing access to an event or program, or full access to the site of an event or match, including dressing rooms to any individuals designated by the Department or executive director to conduct compliance checks or investigations;

(18) Having a license or the authority to practice a profession revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of

any jurisdiction, including its agencies or subdivisions, for a violation that would constitute a violation under Florida law. The licensing authority's acceptance of a relinquishment of licensure, stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of charges against the license, shall be construed as action against the license;

(19) Failing to report a change of address or other legally identifiable information to the Department within thirty (30) days of the date that the address or information was changed.

Rulemaking Authority 548.003 FS. Law Implemented 548.003(2), 548.071 FS. History—New \_\_\_\_\_.

#### 61K1-4.012 Citations.

(1) Definitions. As used in this rule:

(a) "Citation" means an instrument which is served upon a subject for the purpose of assessing a penalty in an amount established by this rule;

(b) "Subject" means the licensee, applicant, person, partnership, corporation, or other entity alleged to have committed a violation designated in this rule.

(2) In lieu of the disciplinary procedures contained in Section 548.071, F.S., the Department is hereby authorized to dispose of any violation designated herein by issuing a citation to the subject within six months after the filing of the complaint which is the basis for the citation.

(3) Citations shall be issued for the first offense violations only unless otherwise specified.

(4) The commission hereby designates possession of improper equipment or apparel, and/or failure to have the proper equipment or apparel as a citation violation for amateur sanctioning organizations, which shall result in a penalty of twenty-five dollars (\$25.00).

(5) The commission hereby designates the unlicensed practice of sanctioning or supervising an amateur match governed by Chapter 548, F.S. as a citable violation that carries a penalty of a fine of \$1,000, and costs of the investigation for first offense.

(6) The commission hereby designates the unlicensed practice of sanctioning or supervising an amateur match governed by Chapter 548, F.S. as a citable violation that carries a penalty of a fine of \$2,500, and costs of the investigation for the second offense.

Rulemaking Authority 548.003, 548.075 FS. Law Implemented 548.003(2), 548.07, 548.075 FS. History—New \_\_\_\_\_.

#### 61K1-4.013 Notices of Non-Compliance.

(1) In accordance with Section 120.695(1), F.S., the agency shall provide a licensee with a notice of non-compliance for an initial offense of a minor violation. Failure of a licensee to take action in correcting the violation within 15

days after notice may result in the institution of regular disciplinary proceedings. "Minor violations" as used in Section 120.695(1), F.S., are defined as follows:

(a) Apparel violations that do not constitute a safety risk to amateurs;

(b) Equipment violations that do not constitute a safety risk to amateurs;

(c) Sanitation violations that do not constitute a safety risk to amateurs;

(d) Locker room/Cage-side protocol violations that do not constitute a safety risk to amateurs.

Rulemaking Authority 120.695 FS. Law Implemented 120.695 FS. History—New \_\_\_\_\_.

#### 61K1-4.014 Records.

(1) All licensees shall maintain a full, true, and accurate set of books and records in connection with all licensed activities.

(a) The records shall be made at or near the time of the occurrence recorded by a person with knowledge of the matters recorded.

(b) These records and any other documents required by statute or commission rule shall be kept for at least five years and shall be open to inspection and audit by representatives of the department or commission upon reasonable notice.

(2) The following is a list that includes records that must be maintained by amateur sanctioning organizations holding matches:

(a) Amateur medical records related to weigh-in and pre-match physical requirements as set forth in Rule 61K1-7.007, F.A.C., that the amateurs submits to the amateur sanctioning organization prior to participating in matches;

(b) Bout cards;

(c) Weigh-in documentation;

(d) All documentation submitted to the commission for licensure and permit approval;

(e) HIPAA Medical Records Release obtained from amateurs related to medical records obtained prior to participating in matches;

(f) Documentation evidencing referees' and physicians' qualifications.

(3) The following is a list that includes records that must be maintained by non-profit schools of amateur boxing, kickboxing, and martial arts as described under Section 548.007(1), F.S.:

(a) Documentation supporting instruction schedules and locations;

(b) Documentation related to each student illustrating hours of instruction each student has obtained prior to participating in matches, including receipts of payment for instruction;

(c) Students' medical records provided prior to matches;

(d) Documentation evidencing non-profit status from the Internal Revenue Service

(e) This documentation is necessary to establish the school's exemption from Chapter 548, F.S.

Rulemaking Authority 548.003 FS. Law Implemented 548.003(2), 548.004, 548.006, 548.007, 548.011 FS. History—New \_\_\_\_\_.

61K1-4.015 Disciplinary Guidelines.

(1) The commission shall act in accordance with the following guidelines when it finds the enumerated violations in disciplinary cases. The commission shall impose a penalty

<u>FIRST OFFENSE</u>	<u>MINIMUM</u> <u>\$250 fine</u>	<u>MAXIMUM</u> <u>denial of licensure or</u> <u>\$5000 fine and</u> <u>suspension</u> <u>to be followed by a term</u> <u>of probation</u>
<u>SECOND OFFENSE</u>	<u>\$500 fine and probation</u>	<u>denial of licensure or</u> <u>revocation</u>

(b) Having committed fraud or deceit in securing any license or permit. (Section 548.071(2), F.S.)

<u>FIRST OFFENSE</u>	<u>MINIMUM</u> <u>\$1000 fine and probation</u>	<u>MAXIMUM</u> <u>denial of licensure or</u> <u>\$5000 fine and</u> <u>suspension</u> <u>to be followed by a term</u> <u>of probation</u>
<u>SECOND OFFENSE</u>	<u>\$5000 fine and suspension</u>	<u>denial of licensure</u> <u>or \$5000 fine and</u> <u>revocation</u>

(c) Having an officer, trustee, partner, director, or owner who has been convicted of, having pleaded guilty to, or having entered a plea of nolo contendere to, or having been found

within the range of each applicable disciplinary violation set forth below unless the commission finds an aggravating or mitigating circumstance, in which case the commission may deviate from the guideline penalty. The following disciplinary guidelines shall be followed by the commission in imposing disciplinary penalties upon licensees for violation of the noted statutes and rules:

(a) Being guilty of violating Chapter 548, F.S. or the rules of the commission. (Section 548.071(1), F.S.)

guilty of a crime involving moral turpitude in any jurisdiction within 10 years preceding the suspension or revocation. (Section 548.071(3), F.S.)

<u>FIRST OFFENSE</u>	<u>MINIMUM</u> <u>\$500 fine and probation</u>	<u>MAXIMUM</u> <u>denial of licensure or</u> <u>\$5000 fine and</u> <u>suspension</u> <u>to be followed by a term</u> <u>of probation</u>
<u>SECOND OFFENSE</u>	<u>\$1000 fine and suspension</u>	<u>denial of licensure</u> <u>or \$5000 fine and</u> <u>revocation</u>

(d) Being guilty of unprofessional or unethical conduct. (Section 548.071(4), F.S.)



<u>FIRST OFFENSE</u>	<u>MINIMUM</u> <u>\$250 fine</u>	<u>MAXIMUM</u> <u>denial of licensure or</u> <u>\$5000 fine and</u> <u>suspension</u> <u>to be followed by a term</u> <u>of probation</u>
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<u>SECOND OFFENSE</u>	<u>\$500 fine and probation</u>	<u>denial of licensure or</u> <u>\$5000 fine and</u> <u>revocation</u>
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(e) Having made a misstatement of a material fact, fraudulently concealed a material fact, or induced or aided another person in misstating or concealing any material fact in any application or other proceeding under Chapter 548, F.S. (Section 548.071(5), F.S.)

<u>FIRST OFFENSE</u>	<u>MINIMUM</u> <u>\$1000 fine</u>	<u>MAXIMUM</u> <u>denial of licensure or</u> <u>\$5000 fine and</u> <u>suspension</u> <u>to be followed by a term</u> <u>of probation</u>
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<u>SECOND OFFENSE</u>	<u>\$2000 fine and probation</u>	<u>denial of licensure or</u> <u>\$5000 fine and</u> <u>revocation</u>
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(f) Having loaned her or his license or permit to another person or having borrowed or used the license or permit of another. (Section 548.071(9), F.S.)

<u>FIRST OFFENSE</u>	<u>MINIMUM</u> <u>\$1000 fine and probation</u>	<u>MAXIMUM</u> <u>denial of licensure or</u> <u>\$2000 fine and</u> <u>suspension</u> <u>to be followed by a term</u> <u>of probation</u>
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<u>SECOND OFFENSE</u>	<u>\$300 fine and suspension</u>	<u>denial of licensure or</u> <u>\$5000 fine and</u> <u>revocation</u>
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(g) Having employed a person who does not hold a license or permit as required by law. (Section 548.071(10), F.S.)

<u>FIRST OFFENSE</u>	<u>MINIMUM</u> <u>\$500 fine</u>	<u>MAXIMUM</u> <u>denial of licensure or</u> <u>\$1000 fine and</u> <u>suspension</u>
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to be followed by a term of probation

SECOND OFFENSE

\$3000 fine and probation

denial of licensure or \$5000 fine and revocation

(h) Having been disciplined by the commission or similar agency or body of any jurisdiction. (Section 548.071(12), F.S.)

FIRST OFFENSE

MINIMUM \$1000 fine and same penalty imposed by the other jurisdiction

MAXIMUM denial of licensure or \$5000 fine and suspension to be followed by a term of probation or revocation

SECOND OFFENSE

\$3000 fine and same penalty imposed by the other jurisdiction

denial of licensure or \$5000 fine and revocation

(i) Having failed to pay a fine imposed under Chapter 548, F.S. (Section 548.071(13), F.S.)

FIRST OFFENSE

MINIMUM \$1000 fine

MAXIMUM denial of licensure or \$3000 fine and suspension to be followed by a term of probation or revocation

SECOND OFFENSE

\$5000 fine and probation

denial of licensure or \$5000 fine and revocation

(2) Based upon consideration of the following factors, the commission may impose disciplinary action other than the penalties recommended above:

- (a) The danger to the public;
- (b) The length of time since date of violation;
- (c) The number of complaints filed against the licensee;
- (d) The length of time licensee or registrant has practiced;
- (e) The actual damage, physical or otherwise, caused by the violation;
- (f) The deterrent effect of the penalty imposed;
- (g) The effect of the penalty upon the licensee's or registrant's livelihood;
- (h) Any efforts for rehabilitation;
- (i) The actual knowledge of the licensee or registrant pertaining to the violation;
- (j) Attempts by licensee or registrant to correct or stop violations or refusal by licensee or registrant to correct or stop violations;

(k) Related violations against a licensee or registrant in another state including findings of guilt or innocence, penalties imposed and penalties served;

(l) Actual negligence of the licensee or registrant pertaining to any violations;

(m) Any other mitigating or aggravating circumstances.

(3) The provisions of subsections (1) and (2) above shall not be construed so as to prohibit civil action or criminal prosecution, and the provisions of subsections (1) and (2) above shall not be construed so as to limit the ability of the commission to enter into binding stipulations with accused parties as per Section 120.57(3), F.S.

(4) In every case the commission imposes a monetary fine, it shall also suspend the Respondent's license(s). However, to enable the Respondent to pay the fine, the suspension shall be stayed for the time period specified in the commission's final order. If the fine is paid within that time period, the suspension shall not take effect; if the fine is not paid within that time

period, then the stay shall expire and the suspension shall take effect. Thereafter, upon payment of the fine, the suspension shall be lifted.

Rulemaking Authority 548.003 FS. Law Implemented 548.071, 548.075 FS. History—New \_\_\_\_\_.

61K1-4.016 Boxing Weight Classes: Weigh-In.

(1) Weight Classes

(a) Bantam Class

1. No boxing match shall be permitted when there is a difference of weight between the bantam class amateurs that is greater than 5 pounds.

(b) The following weight classes and differentials apply to amateurs in the Junior Class, Intermediate Class, and Senior Class, including all amateurs ages sixteen (16) years and younger:

Name	Weight (lbs)
Pinweight	100 or less
Light Flyweight	101 to 106
Flyweight	106 to 110
Light Bantamweight	110 to 114
Bantamweight	114 to 119
Featherweight	119 to 125
Lightweight	125 to 132
Light Welterweight	132 to 138
Welterweight	138 to 145
Light Middleweight	145 to 154
Middleweight	154 to 165
Light Heavyweight	165 to 176
Heavyweight	176 to 198
Super Heavyweight	198 and above

1. No boxing match shall be permitted when there is a difference of weight between the junior class, intermediate class, and senior class amateurs that is greater than 5 pounds.

(c) The following weight classes and differentials apply to amateurs in the Adult class and Master class, including all amateurs ages seventeen (17) and older:

Name	Weight (lbs)	Weight Differential (lbs)
Light Flyweight	Less than 108	
Flyweight	109 to 114	6
Bantamweight	115 to 123	8
Lightweight	124 to 132	8
Light Welterweight	133 to 141	8
Welterweight	142 to 152	10
Middleweight	153 to 165	12
Light Heavyweight	166 to 179	13
Heavyweight	180 to 201	22
Super Heavyweight	202 and above	unlimited

(2) The commission may approve weight classes outside of these ranges on a case by case basis for tournaments, qualifying for the Junior Olympics or the Olympics or for participating in the Junior Olympics or Olympics. Requests for approval shall be submitted to the commission office no less than 30 days prior to the event for review.

(3) Additional Weight Class restrictions:

(a) Amateur sanctioning organizations shall not permit amateurs to participate outside of the weight spread permitted in the weight class of the lightest amateur.

(b) When matches involve amateurs with a crossover of age classes, the weight difference allowed between the amateurs will be that of the younger aged amateur's class.

(4) Weigh-in.

(a) Amateurs shall be weighed within 28 hours of the scheduled match, at a time and place designated by the amateur sanctioning organization, in the presence of the amateur sanctioning organization supervisor on scales approved by the amateur sanctioning organization.

(b) All weights shall be taken with the amateurs stripped of clothing and other weight bearing objects.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003, 548.006 FS. History—New \_\_\_\_\_.

61K1-4.017 Boxing Conduct of Bout; Rounds.

(1) All matches are to be designated as amateur.

(a) If advertising is conducted, the advertising shall clearly indicate the matches are amateur.

(b) No event shall have both amateur and professional matches.

(2) Conduct of Bout for all age groups.

(a) Matches between a male amateur and female amateur are not permitted.

(b) Any individual who has competed anywhere in the world as a professional in combat sports, including, but not limited to boxing, mixed martial arts, Tough-Man competitions, kickboxing, and cage fighting, is prohibited from competing in amateur boxing, kickboxing, and mixed martial arts in the State of Florida.

(c) All amateurs must enter and compete in all matches under their own names. The use of a ring name or nickname is strictly prohibited.

(d) Matches between a minor (16 years and younger) and an adult (18 years and older) are prohibited. Amateur sanctioning organizations are responsible for verifying age prior to permitting amateurs to compete.

(e) Excessive coaching from corner is prohibited. Cornermen must remain seated in the designated chairs throughout the entire round.

(f) When a amateur is knocked out or injured by submission, no one is allowed in the ring until authorized by a referee or physician.

(g) In the event that a fighter is knocked down, the referee will send the standing fighter to the furthest neutral corner and count over the downed fighter. The referee is required to reach the count of eight prior to allowing the bout to continue. A knock down is anytime a part of the amateur's body other than

the soles of the feet touch the ground or would have touched the ground if the fighter had not grabbed the ropes or his opponent, as the result of a legal strike.

(h) In the event that a fighter is hurt, but not knocked down, and the referee is not in position to immediately determine if the bout should be stopped, he may stop the action and send the undamaged fighter to the furthest neutral corner and evaluate the damaged fighter while administering an eight count.

(i) Amateur sanctioning organizations shall not permit more than two amateurs to participate in any match.

(j) No one under the age of 8 years old shall be permitted to participate in amateur boxing.

(k) When matches involve a crossover of age classes, the length of the rounds will be that for the younger-aged amateur's class.

(l) Amateurs may compete against amateurs from one age class above or below their age class. Amateurs under the age of sixteen (16) may not compete against amateurs with more than a 24 month difference in age, based on the amateurs' actual birthdates.

(m) Advance notices for all amateur boxing events shall be filed by the amateur sanctioning organization, with the commission at least the (10) days before the date of each match.

(3) Conduct of Bout for Bantam Class:

(a) Amateurs aged eight (8), nine (9), and ten (10) are in the Bantam Class:

(b) Eight (8) year olds can only box eight (8) and nine (9) year olds:

(c) Nine (9) year olds can only box eight (8), nine (9) and ten (10) year olds:

(d) Ten (10) year olds can only box nine (9) and ten (10) year olds:

(e) The rounds shall consist of three one (1) minute rounds, with one minute between each round.

(4) Conduct of Bout for Junior Class:

(a) Amateurs aged eleven (11) and twelve (12) are in the Junior Class:

(b) The rounds shall consist of three one (1) minute rounds, with one minute between each round.

(5) Conduct of Bout for Intermediate Class:

(a) Amateurs aged thirteen (13) and fourteen (14) are in the Intermediate Class:

(b) The rounds shall consist of three one-and-a-half (1.5) minute rounds, with one minute between each round.

(6) Conduct of Bout for Senior Class:

(a) Amateurs aged fifteen (15) and sixteen (16) are in the Senior Class:

(b) The rounds shall consist of three two (2) minute rounds, with one minute between each round.

(7) Conduct of Bout for Adult Class:

(a) Amateurs aged seventeen (17) through thirty-four (34) are in the Adult Class:

(b) The rounds shall consist of three one-minute rounds, with one minute between each round.

(8) Conduct of Bout for Master Class:

(a) Amateurs aged thirty-five (35) and up are in the Master Class:

(b) The rounds shall consist of three one-minute rounds, with one minute between each round.

(9) Fouls generally for all age groups include but are not limited to:

(a) All illegal techniques qualify as fouls, and shall be called by the referee and stopped immediately upon the referee calling the foul. Referees shall not permit amateurs to continue to foul opponents.

(b) A referee having any reason to believe that a foul has been committed, which said referee did not witness, may consult the judges and will make an appropriate decision according to the majority of the judges who saw the blow.

(10) Illegal Techniques (fouls) for all age classes:

(a) Hitting below the belt, holding, tripping, kicking and head butting:

(b) Hits or blows with head, shoulder, forearm, elbow, throttling of the opponent, pressing with arm or elbow in opponent's face, pressing the head of the opponent back over the ropes:

(c) Hitting with open glove, the inside of the glove, wrist or side of the hand:

(d) Hits landing on the back of the opponent, and especially any blow on the back of the neck or head and kidney punch:

(e) Hitting while holding the ropes or making any unfair use of the ropes:

(f) Lying on, wrestling, and throwing in the clinch:

(g) Hitting an opponent who is down or who is in the act of rising:

(h) Holding:

(i) Holding and hitting or pulling and hitting:

(j) Holding, or locking, of the opponent's arm or head, or pushing an arm underneath the arm of the opponent:

(k) Ducking below the belt of the opponent in a dangerous manner:

(l) Completely passive defense by means of double cover and intentionally failing to avoid a blow:

(m) Not stepping back when ordered to break:

(n) Attempting to strike opponent immediately after the referee has order, "break" and before taking a step back:

(o) Assaulting or behaving in an aggressive manner toward a referee at any time:

(p) Spitting out mouthpiece:

(q) Pushing, shoving:

(11) Rounds.

(a) No amateur shall be permitted to participate in any amateur match on more than one day in any seven. Exceptions may be made by the executive director or his designee for regularly sanctioned tournaments held in the same venue requiring two or more days to compete, so long as the matches are held within a reasonable time. Requests for approval shall be made to the commission office no later than 10 days prior to the matches.

(b) The duration of each round of a men's boxing match shall be 3 minutes with 1-minute rest intervals between rounds.

(c) The duration of each round of a women's boxing match shall be 2 minutes with 1-minute rest intervals between rounds.

(d) A boxing match may be scheduled for no more than five rounds.

(12) Participation in subsequent matches:

(a) Any amateur who loses by way of a TKO shall not participate in any match for a minimum of thirty (30) days, unless cleared by a neurologist to return sooner.

(b) Any amateur who loses by way of KO shall not participate in any match for a minimum of sixty (60) days.

(c) Amateurs shall receive a mandatory seven-day rest period after competing in a match. Day 1 of the mandatory rest period shall commence on the first day following the event.

(d) If the physician suspends an amateur based on a post-match physical, the amateur shall comply with all the stipulations listed by the physician in the suspension, including clearance by a physician licensed as an M.D. or D.O., prior participating in further matches.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003, 548.006, 548.057 FS. History—New \_\_\_\_\_.

61K1-4.018 Boxing Apparel.

(1) Each male amateur shall wear the following:

(a) Traditional boxing trunks must be worn, the belt of which shall not extend above the waistline;

(b) A protective cup or groin protector as approved by the amateur sanctioning organization representative;

(c) An abdominal guard of standard type which provides sufficient protection to withstand any low blow without inhibiting an opponent's ability to land a legal blow;

(d) Shoes made for the purpose of boxing;

(e) A sleeveless athletic shirt of a different color from the waistband of the trunks;

(f) Competitive headgear made to USA Boxing, AIBA, or the Amateur Boxing Federation specifications. The inner casing of the headgear shall be lined with 1 1/2 – ounce tanned, unfinished leather;

(g) Ear protection with 1/2 inch flat foam rubber on the outside, fitted in a semi-circle.

(2) Each female amateur shall wear the following in addition to those items listed in subsection (1) above:

(a) A protective cup or protective pelvic girdle to cover the pubic area, ovaries, coccyx and sides of the hips is optional;

(b) Shoes made for the purpose of boxing;

(c) A sleeveless athletic shirt of a different color from the waistband of the trunks;

(d) Competitive headgear made to USA Boxing, AIBA, or the Amateur Boxing Federation specifications. The inner casing of the headgear shall be lined with 1 1/2 – ounce tanned, unfinished leather;

(e) Ear protection with 1/2 inch flat foam rubber on the outside, fitted in a semi-circle.

(3) For female amateurs, breast protectors are optional

(4) An individually fitted mouthpiece, which mouthpiece shall be in the amateur's mouth at all times during the match period of each round as provided by these rules;

(5) Illegal apparel:

(a) Eyeglasses;

(b) Shoes with spikes, tassels, cleats, or heels;

(c) Any type of apparel with metal straps, buckles, necklaces or any other type of jewelry.

(6) Amateurs may wear soft contact lenses. Hard contact lenses are forbidden.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003, 548.006, 548.006 FS. History—New \_\_\_\_\_.

61K1-4.019 Boxing Bandages; Handwraps; Gloves.

(1) Bandages and Handwraps:

(a) All amateurs shall wear hand wraps that are made of cotton gauze, or soft surgical gauze, or velpeau.

(b) Cotton/soft surgical gauze: 15 yards of 2-inch gauze and a minimum of 3 feet, and a maximum of 6 feet of 1-inch adhesive tape per hand. The tape must be applied 1 inch behind the knuckles. Only 3/4 inch tape may be applied between fingers and may not cover the striking surface of the hand.

(c) Velpeau: An amateur electing to use velpeau is allowed to use a minimum of 3 feet and a maximum of 6 feet of 1-inch adhesive tape per hand.

(d) The amateur sanctioning organization representative must inspect all handwraps, and must sign across the knuckles of the hand wrappings before the gloves are secured on the hands. The amateur sanctioning organization is responsible for the amateurs' compliance with the bandages and handwraps requirements.

(2) Gloves

(a) When the heavier of the two amateurs weighs 152 pounds or less, both amateurs shall use 10 ounce gloves. When the heavier of the two amateurs weighs more than 152 pounds, both amateurs shall use 12 ounce gloves.

(b) Amateurs 35 years and older shall use approved 16 oz gloves, regardless of their weight.

(c) Both amateurs shall use the same manufacturer of gloves.

(d) Prior to the beginning of each match each glove of each amateur shall be examined and approved or disapproved by the amateur sanctioning organization representative and referee. Any glove intended to be used by a amateur in a match shall be whole, clean, in sanitary condition and shall have the thumb attached. Gloves shall be in good condition. If the padding in a glove is found to be misplaced or lumpy, or if the glove shows evidence of breaking, roughing or twisting, the glove shall be disapproved and shall not be used. The match shall not begin or continue unless an approved glove has been substituted for the disapproved glove.

(e) Laces of gloves shall be knotted on the back of the wrist and tape shall be applied over the laces so as to prevent injury to the opponent. Velcro shall be located on the back of the wrist and tape shall be applied over the Velcro.

(f) Gloves shall be adjusted under the supervision of the amateur sanctioning organization representative.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003, 548.006, 548.006, FS. History—New \_\_\_\_\_.

61K1-4.020 Kickboxing Weight Classes; Weigh-In.  
(1) Weight Classes:

<u>Name</u>	<u>Weight (lbs)</u>	<u>Weight Differential (lbs)</u>
<u>Atomweight</u>	<u>Less than 108</u>	<u>4</u>
<u>Super Atomweight</u>	<u>109 to 111</u>	<u>4</u>
<u>Flyweight</u>	<u>112 to 114</u>	<u>4</u>
<u>Super Flyweight</u>	<u>115-117</u>	<u>4</u>
<u>Bantamweight</u>	<u>118-120</u>	<u>5</u>
<u>Super Bantamweight</u>	<u>121-124</u>	<u>5</u>
<u>Featherweight</u>	<u>125-128</u>	<u>5</u>
<u>Lightweight</u>	<u>129-132</u>	<u>6</u>
<u>Super Lightweight</u>	<u>133-137</u>	<u>6</u>
<u>Light Welterweight</u>	<u>138-142</u>	<u>6</u>
<u>Welterweight</u>	<u>143-147</u>	<u>7</u>
<u>Super Welterweight</u>	<u>148-153</u>	<u>7</u>
<u>Light Middleweight</u>	<u>154-159</u>	<u>7</u>
<u>Middleweight</u>	<u>160-165</u>	<u>8</u>
<u>Super Middleweight</u>	<u>166-172</u>	<u>8</u>
<u>Light Heavyweight</u>	<u>173-179</u>	<u>8</u>
<u>Light Cruiserweight</u>	<u>180-186</u>	<u>9</u>
<u>Cruiserweight</u>	<u>187-194</u>	<u>9</u>
<u>Super Cruiserweight</u>	<u>195-207</u>	<u>12</u>
<u>Heavyweight</u>	<u>208-223</u>	<u>15</u>
<u>Super Heavyweight</u>	<u>224 and above</u>	<u>unlimited</u>

(2) Additional Weight Class restrictions:

(a) Amateur sanctioning organizations shall not permit amateurs to participate outside of the weight spread permitted in the weight class of the lightest amateur.

(b) No kickboxing match shall be permitted with a weight difference greater than the weight differentials listed above.

(3) Weigh-in.

(a) Amateurs shall be weighed within 28 hours of the scheduled match, at a time and place designated by the amateur sanctioning organization, in the presence of the amateur sanctioning organization supervisor on scales approved by the amateur sanctioning organization.

(b) All weights shall be taken with the amateurs stripped of clothing and other weight bearing objects.

(c) An amateur is not permitted to lose more than 3 percent of the initial body weight, as recorded by the amateur sanctioning organization for the amateur's first weight taken during the weigh-in, to make weight.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003, 548.006, FS. History—New \_\_\_\_\_.

61K1-4.021 Kickboxing Conduct of Bout; Rounds.

(1) All matches are to be designated as amateur.

(a) If advertising is conducted, the advertising shall clearly indicate the matches are amateur.

(b) No event shall have both amateur and professional matches.

(2) Conduct of Bout for all age groups:

(a) Any individual who has competed anywhere in the world as a professional in combat sports, including, but not limited to boxing, mixed martial arts, Tough-Man competitions, kickboxing, and cage fighting, is prohibited from competing in amateur boxing, kickboxing, and mixed martial arts in the State of Florida.

(b) All amateurs must enter and compete in all matches under their own names. The use of a ring name or nickname is strictly prohibited.

(c) Matches between a male amateur and female amateur are not permitted.

(d) Matches between an amateur who is under the age of eighteen (18) and an adult (18 years and older) are prohibited.

(e) No individual under the age of 16 years old shall be permitted to participate in amateur kickboxing. Amateur sanctioning organizations are responsible for ensuring that amateurs are 16 years or older. All amateurs must provide proof of age upon request, such as a notarized copy of their birth certificate or a government issued form of identification.

(f) Excessive coaching from the corner is prohibited. Cornermen must remain seated in the designed chairs throughout the entire round. Only one cornerman will be allowed in the ring during the rest periods.

(g) When an amateur is knocked out or injured, no one is allowed in the cage/ring until authorized by a referee or physician.

(h) Amateur sanctioning organizations shall not permit more than two amateurs to participate in any match.

(i) In the event that a fighter is knocked down, the referee will send the standing fighter to the furthest neutral corner and count over the downed fighter. The referee is required to reach the count of eight prior to allowing the bout to continue. A knock down is anytime a part of the amateur's body other than the soles of the feet touch the ground or would have touched the ground if the fighter had not grabbed the ropes or his opponent, as the result of a legal strike.

(j) In the event that a fighter is hurt, but not knocked down, and the referee is not in position to immediately determine if the bout should be stopped, he may stop the action and send the undamaged fighter to the furthest neutral corner and evaluate the damaged fighter while administering an eight count.

(k) Advance notices for all amateur kickboxing events shall be filed by the amateur sanctioning organization, with the commission at least the (10) days prior to the date of each match.

(3) Fouls Generally for all age groups:

(a) All illegal techniques qualify as fouls, and shall be called by the referee and stopped immediately upon the referee calling the foul. Referees shall not permit amateurs to continue to foul opponents.

(b) A referee having any reason to believe that a foul has been committed, which said referee did not witness, may consult the judges and will make an appropriate decision according to the majority of the judges who saw the blow.

(4) Fouls:

(a) Head butting;

(b) Striking with the elbow to any target;

(c) Striking with the knee to the head;

(d) Striking or kicking to the groin;

(e) Intentional striking or kicking to the back of the head, the neck, or to the throat;

(f) Striking the spine;

(g) Punching or kicking an amateur when he is down. An amateur is considered down when any part of his body other than his feet touches the floor. If an amateur is on his way to the floor, his opponent may continue to attack until he has touched the floor with any part of his body other than his feet;

(h) Take downs, other than legal sweeps (Exception for Muay Thai and San Shou);

(i) Intentionally pushing, shoving or wrestling an opponent out of the ring with any part of the body;

(j) Attacking on the break when both amateurs have been instructed to take a step back by the referee;

(k) Attacking after the bell has sounded to end the round;

(l) Holding and hitting; such as holding with one hand, especially behind the neck, and hitting with the other hand;

(m) Holding the ropes with one hand while striking or defending with the other hand or the legs;

(n) Hitting or flicking with an open glove or thumb, or striking with the inside, or bottom of the glove;

(o) Clinching – holding or otherwise tying-up an opponent's arm to prohibit him from punching.

(5) Rounds.

(a) No amateur shall be permitted to participate in any match on more than one day in any seven. Exceptions may be made by the executive director or his designee for regularly sanctioned tournaments held in the same venue requiring two or more days to compete, so long as the matches are held within a reasonable time. Requests for approval shall be made to the commission office no later than 10 days prior to the matches.

(b) For junior participants (aged 16 and 17), the rounds shall be no more than three two (2) minute rounds with one minute between each round.

(c) For adult participants, the rounds shall be no more than five two (2) minute rounds with one minute between each round.

(d) An amateur kickboxing match shall be scheduled for not more than five rounds.

(6) Participation in subsequent matches:

(a) Any amateur who loses by way of a TKO shall not participate in any match for a minimum of thirty (30) days, unless cleared by a neurologist to return sooner.

(b) Any amateur who loses by way of KO (Knock out) shall not participate in any match for a minimum of sixty (60) days.

(c) Amateurs shall receive a mandatory ten-day rest period after competing in a match. Day 1 of the mandatory rest period shall commence on the first day following the event.

(d) If the physician suspends an amateur based on a post-match physical, the amateur shall comply with all the stipulations listed by the physician in the suspension, including clearance by a physician licensed as an M.D. or D.O., prior to participating in further matches.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003, 548.006, 548.0065 FS. History—New \_\_\_\_\_.

61K1-4.022 Kickboxing Apparel.

(1) Each male amateur shall wear the following:

(a) Traditional boxing trunks or Thai boxing shorts must be worn, the belt of which shall not extend above the waistline. Long paints with an elastic waistband may be worn in Full Contact/American Style kickboxing matches;

(b) A protective cup or groin protector as approved by the amateur sanctioning organization representative;

(c) Shin and instep protective pads, provided by the promoter, approved of by amateur sanctioning organization's representative.

(2) Each female amateur shall wear the following:

(a) Traditional boxing trunks or Thai boxing shorts must be worn, the belt of which shall not extend above the waistline. Long paints with an elastic waistband may be worn in Full Contact/American Style kickboxing matches;

(b) A close fitting tank or halter type top;

(c) Shin and instep protective pads, provided by the promoter, approved of by amateur sanctioning organization's representative;

(d) A protective cup or protective pelvic girdle to cover the pubic area, ovaries, coccyx and sides of the hips is optional;

(e) Breast protectors are optional.

(3) All amateurs shall wear an individually fitted mouthpiece, which shall be in the amateur's mouth at all times during the matches.

(4) Prohibited apparel:

(a) Eyeglasses;

(b) Shoes;

(c) Any type of apparel with metal straps, buckles, necklaces or any other type of jewelry.

(5) Every amateur shall wear a headgear that is approved by the amateur sanctioning organization, during the match.

(6) Amateurs may wear soft contact lenses. Hard contact lenses are forbidden.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003, 548.006, 548.006 FS. History—New \_\_\_\_\_.

61K1-4.023 Kickboxing Bandages; Handwraps; Gloves.

(1) Bandages and Handwraps:

(a) The wrapping of hands is not mandatory. Amateurs who wish to wrap their hands shall be responsible for their own gauze and tape or approved commercial hand wraps.

(b) Gauze shall be of the soft or soft-stretch type, and shall not exceed 2 inches in width. Tape shall be of the soft adhesive type and shall not exceed 1.5 inches in width. One ten yard roll of gauze, and not more than two yards of tape, are the maximum allowable amounts for each hand.

(c) Gauze shall be for the protection of the hand only. Tape shall be present only to hold the gauze in place, with NO TAPE allowed over the front of the knuckles (striking surface) and only 1 strip between the fingers not to exceed 1/4 in width and 4" in length.

(d) The amateur sanctioning organization representative must inspect all handwraps, and must sign across the knuckles of the hand wrappings before the gloves are secured on the hands. The amateur sanctioning organization is responsible for the amateur's compliance with the bandages and handwraps requirements.

(e) A single elastic or neoprene style supportive sleeve may be worn on each foot and around each knee as long as it has no padding, braces, hinges, or anything that could injure the wearer or his opponent or create an advantage of any kind. These sleeves shall be of the size that does not extend beyond a point necessary to support the ankle or knee subject to the approval of the amateur sanctioning organization supervisor.

(2) Gloves

(a) When the lighter of the two amateurs weighs 152 pounds or less, both amateurs shall use 10 ounce gloves. When the lighter of the two amateurs weighs more than 152 pounds, both amateurs shall use 12 ounce gloves.

(b) Both amateurs shall use the same manufacturer of gloves.

(c) Prior to the beginning of each match each glove of each amateur shall be examined and approved or disapproved by the amateur sanctioning organization representative and the referee. Any glove intended to be used by a amateur in a match shall be whole, clean, in sanitary condition and shall have the thumb attached. Gloves shall be in good condition. If the padding in a glove is found to be misplaced or lumpy, or if the glove shows evidence of breaking, roughing or twisting, the glove shall be disapproved and shall not be used. The match shall not begin or continue unless an approved glove has been substituted for the disapproved glove.

(d) Laces of gloves shall be knotted on the back of the wrist and tape shall be applied over the laces so as to prevent injury to the opponent.

(e) Gloves shall be adjusted under the supervision of the amateur sanctioning organization representative.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003, 548.006, 548.006 FS. History—New \_\_\_\_\_.

61K1-4.024 Mixed Martial Arts Weight Classes: Weigh-In.

(1) Weight Classes



<u>Name</u>	<u>Weight (lbs)</u>	<u>Weight Differential (lbs)</u>
<u>Flyweight</u>	<u>125 and under</u>	<u>5</u>
<u>Bantam weight</u>	<u>126-135</u>	<u>5</u>
<u>Featherweight</u>	<u>136-145</u>	<u>6</u>
<u>Lightweight</u>	<u>146-155</u>	<u>6</u>
<u>Welterweight</u>	<u>156-170</u>	<u>7</u>
<u>Middleweight</u>	<u>171-185</u>	<u>8</u>
<u>Light Heavyweight</u>	<u>186-205</u>	<u>10</u>
<u>Cruiser heavyweight</u>	<u>206-230</u>	<u>15</u>
<u>Heavyweight</u>	<u>231-265</u>	<u>15</u>
<u>Super Heavyweight</u>	<u>Over 266</u>	<u>Unlimited</u>

(2) Amateur sanctioning organizations shall not permit amateurs to participate outside of the weight spread permitted in the weight class of the lightest amateur.

(3) Weigh-in.

(a) Amateurs shall be weighed within 28 hours of the scheduled match, at a time and place designated by the amateur sanctioning organization, in the presence of the amateur sanctioning organization supervisor on scales approved by the amateur sanctioning organization.

(b) All weights shall be taken with the amateurs stripped of clothing and other weight bearing objects.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003, 548.006, 548.006 FS. History—New \_\_\_\_\_.

61K1-4.025 Mixed Martial Arts Conduct of Bout: Rounds.

(1) All matches are to be designated as amateur.

(a) If advertising is conducted, the advertising shall clearly indicate the matches are amateur.

(b) No event shall have both amateur and professional matches.

(2) Any individual who has competed anywhere in the world as a professional in combat sports, including, but not limited to boxing, mixed martial arts, Tough-Man competitions, kickboxing, and cage fighting, is prohibited from competing in amateur boxing, kickboxing, and mixed martial arts in the State of Florida.

(3) All amateurs must enter and compete in all matches under their own names. The use of a ring name or nickname is strictly prohibited.

(4) No one under the age of 18 years old shall be permitted to participate in amateur mixed martial arts. Amateur sanctioning organizations are responsible for ensuring that amateurs are 18 years or older. All amateurs must provide proof of age upon request, such as a notarized copy of their birth certificate or a government issued form of identification.

(5) Matches between a male amateur and female amateur are not permitted.

(6) Excessive coaching from the corner is prohibited. Cornermen must remain seated in the designated chairs throughout the entire round. If the match is held in a ring, only

one cornerman will be allowed in the ring during the rest period. If the match is held in a cage, then two cornermen will be allowed in the cage during the rest period.

(7) When a amateur is knocked out or injured by submission, no one is allowed in the cage/ring until authorized by a referee or physician.

(8) The referee, the physician, or the amateur may stop the match at any point. The referee or the physician shall have the power to stop a bout at any point during the bout, if he sees that either amateur is in such condition that to continue might subject him or her to serious injury.

(9) If both amateurs have gone to the ground and neither is actively working to improve his position then they shall be separated and stood up by the referee. The referee shall immediately restart the bout from the standing position.

(10) If one amateur has gone to the ground and the other amateur refuses to pursue his opponent to the ground and fails to administer legal strikes from the standing position, the referee shall “stand up” the downed amateur and re-engage the bout.

(11) Amateur sanctioning organization shall not permit more than two amateurs to participate in any match.

(12) Advance notices for all amateur mixed martial arts events shall be filed by the amateur sanctioning organization, with the commission at least ten (10) days before the date of each match.

(13) Fouls Generally:

(a) All illegal techniques qualify as fouls, and shall be called by the referee and stopped immediately upon the referee calling the foul. Referees shall not permit amateurs to continue to foul opponents.

(b) A referee having any reason to believe that a foul has been committed, which said referee did not witness, may consult the judges and will make an appropriate decision according to the majority of the judges who saw the blow.

(14) Fouls listed:

(a) Fouls/Illegal Techniques while Standing or on the Ground include:

1. Head butting;
2. Eye gouging;
3. Biting;

- 4. Hair pulling;
- 5. Fish-hooking;
- 6. Groin attacks of any kind;
- 7. Putting a finger into an orifice or into a cut;
- 8. Small joint manipulation / finger locks;
- 9. Striking the spine or the back of the head;
- 10. Striking with the elbow, forearm, or triceps;
- 11. Knee strikes to the head;
- 12. Linear kicks to the legs;
- 13. Heel hooks;
- 14. Spine locks;
- 15. Neck cranks;
- 16. Excessive slamming;
- 17. Throws against a joint;
- 18. Throat strikes or grabbing the trachea;
- 19. Clawing, twisting or pinching the flesh;
- 20. Grabbing the clavicle;
- 21. Striking the head of a grounded or downed opponent;
- 22. Striking an opponent who has been downed by a damaging strike;
- 23. Stomping a grounded opponent;
- 24. Striking the kidney;
- 25. Spiking an opponent to the canvas on his head or neck;
- 26. Pushing or throwing an opponent out of the ring;
- 27. Holding the shorts or gloves of an opponent;
- 28. Spitting;
- 29. Engaging in any unsportsmanlike conduct that causes an injury;
- 30. Holding the fence;
- 31. Attacking on the break;
- 32. Attacking your opponent while he's under the care of the referee;
- 33. Attacking after the bell;
- 34. Flagrantly disregarding the instructions of the referee;
- 35. Timidity, including avoiding contact, losing you mouthpiece, faking injury;
- 36. Interference from the cornerman.
- (b) In addition to the aforementioned fouls, fouls/illegal techniques while on the ground include:
  - 1. Forearm, elbow or triceps strikes;
  - 2. Neck cranks;
  - 3. Any submission attacking the legs ankles or feet other than a straight knee bar (Heel hooks or any angled leg locks);
  - 4. Choking with hand on throat;
  - 5. Smothering (hand over mouth);
  - 6. Spine locks;
  - 7. Hammer locks;
  - 8. Fish-hooks;
  - 9. Groin strikes;
  - 10. Spine strikes;

- 11. Throwing out of competition area;
- 12. Pinching, biting, gouging, and anything that might be considered "dirty fighting";

13. Grabbing or holding the uniform or protective padding.

(15) Rounds

(a) The duration of each round of an amateur mixed martial arts event shall not exceed 3 minutes with no less than 1 minute rest intervals between rounds.

(b) An amateur mixed martial arts match shall not exceed 3 rounds.

(c) No amateur shall be permitted to participate in any match on more than one day in any ten. Exceptions may be made by the executive director or his designee for regularly sanctioned tournaments held in the same venue requiring two or more days to compete, so long as the matches are held within a reasonable time. Requests for approval shall be made to the commission office no later than 10 days prior to the matches.

(d) No amateur will be allowed to compete more than once per calendar day and in no case, sooner than 12 hours from their previous bout if the amateur is cleared by the physician to participate.

(16) Participation in subsequent matches:

(a) Any amateur who loses by way of a TKO or by way of submission due to strikes shall not participate in any match for a minimum of thirty (30) days.

(b) Any amateur who loses by way of KO (Knock out) shall not participate in any match for a minimum of sixty (60) days.

(c) Amateurs shall receive a mandatory ten-day rest period after competing in a match. Day 1 of the mandatory rest period shall commence on the first day following the event.

(d) If the physician suspends an amateur based on a post-match physical, the amateur shall comply with all the stipulations listed by the physician in the suspension, including clearance by a physician licensed as an M.D. or D.O., prior to participating in further matches.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003, 548.006, 548.0065, 548.043, 548.057 FS. History—New \_\_\_\_\_.

61K1-4.026 Mixed Martial Arts Apparel.

(1) Amateurs shall wear:

(a) Shorts approved by the amateur sanctioning organization representative;

(b) A protective cup or groin protector as approved by the amateur sanctioning organization representative;

(c) Shin and instep protective pads, provided by the promoter, approved of by amateur sanctioning organization's representative.

(2) Amateurs may use knee or ankle support that are form-fitting with no rigid structural, abrasive materials, or padding. A single sleeve-like support may be worn on each ankle and each knee.

(3) Illegal apparel:

(a) Eyeglasses:

(b) Footgear, shoes or any padding on the feet during the match, other than the required instep protection:

(c) Any type of apparel with metal straps or buckles:

(d) Necklaces or any other type of jewelry:

(e) Any piercings:

(f) Shorts with a grip panel.

(4) Hair shall be short enough to avoid interference with vision. If hair ties are required, they should be soft in nature:

(5) All amateurs shall wear an individually fitted mouthpiece, which shall be in the amateur's mouth at all times during the matches.

(6) Amateurs may wear soft contact lenses. Hard contact lenses are forbidden.

(7) Amateurs are permitted to use only a light coat of Vaseline on the face applied at cageside under the supervision of the referee or amateur sanctioning organization representative. Vaseline will not be permitted elsewhere on the body. No other products of any kind may be applied at any time to any part of the amateurs' face or body.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003, 548.006, 548.006, FS. History--New \_\_\_\_\_.

61K1-4.027 Mixed Martial Arts Bandages, Handwraps; Gloves.

(1) Bandages and Handwraps.

(a) The wrapping of hands is not mandatory. Amateurs who wish to wrap their hands shall be responsible for their own gauze and tape or commercial hand wraps approved of by the amateur sanctioning organization.

(b) Gauze shall be of the soft or soft-stretch type, and shall not exceed 2 inches in width. Tape shall be of the soft adhesive type and shall not exceed 1.5 inches in width. One ten yard roll of gauze, and not more than two yards of tape, are the maximum allowable amounts for each hand. No other materials, including pre-made hand wraps, shall be allowed; nor shall any amounts exceeding those listed be allowed under any circumstances. Tape shall be present only to hold the gauze in place, and no more than one layer of tape be allowed on the striking surface of the hand and only 1 strip between the fingers not to exceed 1/4 in width and 4" in length.

(d) The amateur sanctioning organization representative must inspect all handwraps, and must sign across the knuckles of the hand wrappings before the gloves are secured on the hands. The amateur sanctioning organization is responsible for the amateurs' compliance with the bandages and handwraps requirements.

(2) Gloves.

(a) Gloves shall weigh no less than 7 ounces; both amateurs shall wear the same weight gloves and use the same manufacturer of gloves as provided by the promoter unless both amateurs agree to use different manufacturers of gloves.

(b) Prior to the beginning of each match each glove of each amateur shall be examined and approved or disapproved by the amateur sanctioning organization representative and the referee. Any glove intended to be used by a amateur in a match shall be whole, clean, in sanitary condition. Gloves shall be in good condition. If the padding in a glove is found to be misplaced or lumpy, or if the glove shows evidence of breaking, roughing or twisting, the glove shall be disapproved and shall not be used. The match shall not begin or continue unless an approved glove has been substituted for the disapproved glove.

(c) If laces are present, laces of gloves shall be knotted on the back of the wrist and tape shall be applied over the laces so as to prevent injury to the opponent. If velcro is present, the amateur sanctioning organization representative may require the use of tape to prevent injury or to prevent loosening of the gloves during the match. Whenever the representative decides to require tape, both corners must be subject to the same requirement.

(d) Gloves shall be adjusted in the ring under the supervision of the amateur sanctioning organization or referee.

Rulemaking Authority 548.003(2) FS. Law Implemented 548.003, 548.006, 548.006 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida State Boxing Commission  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida State Boxing Commission  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 9, 2012 and October 11, 2012  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 27, 2012 and August 31, 2012

Section III  
Notices of Changes, Corrections and  
Withdrawals

NONE

Section IV  
Emergency Rules

NONE

## Section V Petitions and Dispositions Regarding Rule Variance or Waiver

### DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on October 19, 2012, the Board of Medicine, received a petition for waiver or variance filed by William J. Conforti, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joy A. Tootle, Executive Director, Board of Medicine, at the above address, or telephone (850) 245-4131.

## Section VI Notices of Meetings, Workshops and Public Hearings

### DEPARTMENT OF CITRUS

The Florida Department of Citrus announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 18, 2012, 2:00 p.m.

PLACE: 605 E. Main Street, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Citrus called an emergency meeting in order to approve emergency rule 20ER12-1 regarding lowering minimum anhydrous acid standard from .4% to .36%, as allowed by statute, on navel and ambersweet oranges. Notice of this meeting was sent through email to all interested parties and the press corps.

A copy of the agenda may be obtained by contacting: As this meeting dealt only with the emergency rulemaking, no agenda was available.

For more information, you may contact: Alice Wiggins, Administrative Assistant-Legal, at [awiggins@citrus.state.fl.us](mailto:awiggins@citrus.state.fl.us)

### FLORIDA PAROLE COMMISSION

The Florida Parole Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 7, 2012; November 14, 2012; and November 20, 2012 at 8:30 a.m.

NOTE: If not completed, meeting will continue on Thursday, November 8, 2012; and November 15, 2012 at 8:30 a.m.

PLACE: Florida Parole Commission, 4070 Esplanade Way, Tallahassee, FL 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission (850)488-1293.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Parole Commission at [ada@fpc.state.fl.us](mailto:ada@fpc.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

### EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Gubernatorial Fellows Board of Directors announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 31, 2012, 9:30 a.m.

PLACE: Conference call: phone number 1-888-670-3525, passcode 1281908283

GENERAL SUBJECT MATTER TO BE CONSIDERED: Memorandum of Understanding between the State of Florida Executive Office of the Governor and the State Universities of Florida

A copy of the agenda may be obtained by contacting: Ted Stratton at [ted.stratton@eog.myflorida.com](mailto:ted.stratton@eog.myflorida.com)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Ted Stratton at [ted.stratton@eog.myflorida.com](mailto:ted.stratton@eog.myflorida.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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For more information, you may contact: Ted Stratton at [ted.stratton@eog.myflorida.com](mailto:ted.stratton@eog.myflorida.com)

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REGIONAL PLANNING COUNCILS

Central Florida Regional Planning Council

The Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2012, 9:30 a.m.

PLACE: Grasslands Country Club, 1600 Grasslands Boulevard, Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Central Florida Regional Planning Council and/or its Executive Committee to consider Oakbridge Development of Regional Impact at a Public Hearing to begin at 9:30 a.m.

A copy of the agenda may be obtained by contacting: Patricia M. Steed, Executive Director

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 1, 2012 at 11:00 a.m.

PLACE: Southwest Florida Regional Planning Council - 2nd Floor Meeting Room at 1926 Victoria Avenue in Fort Myers

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members of the SWFRPC will be discussing crime, education and social services throughout the region.

A copy of the agenda may be obtained by contacting: Ms. Margaret Wuerstle at [mwuerstle@swfrpc.org](mailto:mwuerstle@swfrpc.org) or (239) 338-2550 #222

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: SWFRPC's Offices at (239) 338-2550. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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For more information, you may contact: Ms. Nichole Gwinnett at [ngwinnett@swfrpc.org](mailto:ngwinnett@swfrpc.org) or (239) 338-2550 #232

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REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 26, 2012 at 3:00 p.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954) 985-4416

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review the Revolving Loan Fund loan applications. A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954) 985-4416 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: . If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Cheryl Cook at (954) 985-4416 or [cherylc@sfrpc.com](mailto:cherylc@sfrpc.com).

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WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The North Florida Southeast Georgia (NFSEG) regional groundwater flow model Steering and Technical Teams are made up of area stakeholders, the St. Johns River Water Management District staff and the Suwannee River Water Management District staff, to work collectively on the development of the next generation regional-scale groundwater flow model for North Florida. The Technical Team announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 7, 2012, 9:30 a.m. – 12:30 p.m.

PLACE: St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177.

GENERAL SUBJECT MATTER TO BE CONSIDERED: : This is a meeting of the Technical Team described above. The purpose of the meeting is to continue the discussion of the conceptual model to be used in the development of the NFSEG regional groundwater flow model. An opportunity for public comment will be provided near the end of the meeting.

NOTE: One or more members of the Governing Board from each of the water management districts named above may attend the meeting.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Kristi Cushman, 4049 Reid Street, Palatka, FL 32177, (386) 329-4308, email: kcushman@sjrwmd.com or by visiting the North Florida Regional Water Supply Partnership website at www.northfloridawater.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386) 329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, November 13, 2012, 10:00 a.m. or soon thereafter.

PLACE: Conference Call: 1(888)670.3525, Conference Code: 2938723619.

GENERAL SUBJECT MATTER TO BE CONSIDERED: CE/Exams/Public Awareness committee meeting of the board.

A copy of the agenda may be obtained by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

The Construction Industry Licensing Board announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 14, 2012, 12:00 Noon; Thursday, November 15, 2012, 8:00 a.m.; Friday, November 16, 2012, 8:00 a.m. or soon thereafter.

PLACE: Embassy Suites Tampa/USF, 3705 Spectrum Blvd., Tampa, FL 33612.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business, disciplinary and committee meetings of the board.

A copy of the agenda may be obtained by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

The Department of Business and Professional Regulation, Board of Employee Leasing Companies announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 28, 2012 at 1:00 p.m. and Thursday, November 29, 2012 at 9:00 a.m. or soon thereafter

PLACE: Holiday Inn Resort Orlando - The Castle, 8629 International Drive, Orlando, Florida 32819; 1-800-952-2785

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Board

A copy of the agenda may be obtained by contacting: : the Department of Business and Professional Regulation, Board of Employee Leasing Companies at 1940 North Monroe Street, Tallahassee, Florida, 32399-0767, or by calling their office at (850) 487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the board office at (850) 487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: the Florida Board of Employee Leasing Companies at 1940 North Monroe Street, Tallahassee, Florida 32399-0767

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Board of Professional Engineers

The Florida Board of Professional Engineers Nominating Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 1, 2012 at 2 p.m. (EST) or soon thereafter.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303. Telephone Conference #: 888-392-4560; Passcode: 1188973

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the committee including nominations for chair and vice for 2013. Telephone Conference #: 888-392-4560; Passcode: 1188973

A copy of the agenda may be obtained by contacting: Rebecca Sammons

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Rebecca Sammons. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Florida Real Estate Appraisal Board

The Probable Cause Panel of the Real Estate Appraisal Board announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 7, 2012, 9:00 a.m. (Eastern Time)

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson St., Suite N801, Orlando, FL 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Bureau of Assessment and Restoration Support, announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 1, 2012, 1:00 p.m. – 3:00 p.m.

PLACE: Webinar: <https://www2.gotomeeting.com/register/986139050>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida Water Resources Monitoring Council Monitoring Catalog Workgroup to discuss the metadata elements to be included in the monitoring catalog.

A copy of the agenda may be obtained by contacting: Ms. Stephanie Sunderman, Watershed Monitoring Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3525, Tallahassee, Florida 32399, e-mail: Stephanie.Sunderman@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting: Ms. Stephanie Sunderman at (850)245-8478 or via email at Stephanie.Sunderman@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Department of Environmental Protection, Bureau of Assessment and Restoration Support, announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, November 7, 2012, 1:00 p.m. – 3:00 p.m.

**PLACE:** Webinar: <https://www2.gotomeeting.com/register/250147482>.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the Florida Water Resources Monitoring Council Salinity Network Workgroup to discuss development of indices for groundwater levels and groundwater quality.

A copy of the agenda may be obtained by contacting: Ms. Stephanie Sunderman, Watershed Monitoring Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3525, Tallahassee, Florida 32399, e-mail: Stephanie.Sunderman@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ms. Stephanie Sunderman at (850)245-8478 or via email at Stephanie.Sunderman@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**FISH AND WILDLIFE CONSERVATION COMMISSION**

Freshwater Fish and Wildlife

The Florida Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, October 30, 2012, 7:00 p.m.

**PLACE:** Kennedy Multi-Purpose Room, 1000 Kennedy Blvd., Brooksville, FL 34601

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** **PURPOSE:** To receive public comment regarding considerations for FWC’s ten-year Management Plan for the Chinsegut Wildlife and Environmental Area (CWEA).

This hearing is being held EXCLUSIVELY for discussion of the DRAFT Chinsegut WEA Management Plan. This meeting is not being held to discuss area hunting or fishing regulations. For more information on the process for FWC rule and

regulation development go online to: myfwc.com/about/rules-regulations/rule-changes/ or call (850)487-1764.

A copy of the agenda may be obtained by contacting: A Management Prospectus for Chinsegut WEA and copy of the agenda is available upon request from the Florida Fish and Wildlife Conservation Commission, Land Conservation and Planning Group, 620 South Meridian Street, Tallahassee, Florida 32399-1600. Telephone: (850)487-9982 or (850) 487-9767 or by e-mail at Rebecca.Shelton@MyFWC.com.

**THE CUNNINGHAM GROUP**

The Florida Department of Transportation (FDOT) announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, November 13, 2012 at 6:30 p.m.

**PLACE:** Peacock Education Center within the Knight Concert Hall of the Adrienne Arsht Center, 1300 Biscayne Boulevard

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Public Information Meeting for the State Road (SR) 836/I-395 Roadway Project from NE 1 Avenue to Biscayne Bay, FIN No. 251688-3-52-01

A copy of the agenda may be obtained by contacting: Public Information Specialist Heather Leslie at (305) 640-7462 or via e-mail at Heather.Leslie@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Brian Rick by telephone at (305) 470-5349 or by writing to him at the FDOT Public Information Office, 1000 NW 111 Ave., Miami, FL 33172, or via e-mail at Brian.Rick@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Building Commission

**RULE NO. RULE TITLE:**

61G20-1.001 Florida Building Code Adopted

**NOTICE IS HEREBY GIVEN** that the Florida Building Commission has declined to rule on the petition for declaratory statement filed by Baltimore Aircoil Company on July 11, 2012. The following is a summary of the agency's declination of the petition:



The petition for declaratory statement was denied because more specific information regarding the structural design of the cooling tower at issue is needed in order to answer the question posed by Petitioner.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203.

Please refer all comments to: April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.                      RULE TITLE:  
61G20-1.001                  Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Jose L. Diaz on behalf of MSA Architects, Inc. The petition seeks the agency's opinion as to the applicability of Sections 233 and 233.3 of the 2010 Florida Accessibility Code as it applies to the petitioner.

Petitioner seeks clarification as to whether the requirements of Sections 233 and 233.3 of the 2010 Florida Accessibility Code applies to a privately funded multi-family apartment complex project.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203.

Please refer all comments to: Mo Madani, CBO Manager, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from St. Petersburg Fire and Rescue, filed on October 3, 2012. The petition seeks the agency's opinion as to the applicability of Florida Statutes Chapter 633 as it applies to the petitioner.

This petition for declaratory statement is referring to an apartment complex with existing guard rails that are 42 inches high with intermediate spacing at 6 inches. The Petitioner has presented the following questions as to whether Florida Fire Prevention Code 101.7.2.2.4.5.3 applies: 1) According to FFPC is the current code requirement of 4 inch intermediate spacing apply to existing guards; and 2) Does an existing guardrail fall under the presumption that they are approved according to the definition stated in chapter 3 of 101?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Linje Rivers, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850) 413-3110; fax number (850) 488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to [Linje.Rivers@myfloridacfo.com](mailto:Linje.Rivers@myfloridacfo.com).

Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX**  
**Notices of Petitions and Dispositions**  
**Regarding Non-rule Policy Challenges**

**NONE**

**Section X**  
**Announcements and Objection Reports of**  
**the Joint Administrative Procedures**  
**Committee**

**NONE**

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

DEPARTMENT OF MANAGEMENT SERVICES  
MSFM-11003400 – Roofing  
ADVERTISEMENT TO BID CONSTRUCTION  
STATE OF FLORIDA DEPARTMENT OF MANAGEMENT  
SERVICES  
DIVISION OF REAL ESTATE DEVELOPMENT AND  
MANAGEMENT  
PUBLIC ANNOUNCEMENT REQUESTING BIDS  
FROM QUALIFIED ROOFING CONTRACTORS  
November 2, 2012  
PROPOSALS ARE REQUESTED FROM QUALIFIED  
ROOFING CONTRACTORS BY THE DEPARTMENT OF  
MANAGEMENT SERVICES.  
PROJECT NUMBER: MSFM-11003400  
PROJECT NAME: Roof Replacement, FDLE Crime Lab,  
Hurston Regional Service Center, 32801  
PROJECT LOCATION: 400 West Robinson Street, Orlando,  
Florida

MANDATORY PRE-BID MEETING: November 13, 2012 at  
1:30 p.m.

BID OPENING: December 5, 2012 at 2:00 p.m.

ESTIMATED BASE BID CONSTRUCTION BUDGET:  
\$903,000.00

PREQUALIFIED BIDDERS: Refer to DMS website (below)  
for further details.

The award will be made in accordance with Section 255.29,  
F.S., and the procedures and criteria of the Departments  
Division of Real Estate Development and Management.

Please visit the Department’s website  
[http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu)  
and click on “Search Advertisements” – “Division of Real  
Estate Development and Management” Look for  
“Opportunities for Design and Construction Firms” and click  
on link.

**Section XII**  
**Miscellaneous**

**AGENCY FOR HEALTH CARE ADMINISTRATION**

Certificate of Need

EXEMPTIONS

The Agency for Health Care Administration authorized  
the following exemptions pursuant to Section 408.036(3),  
Florida Statutes:

County: Orange District: 7

ID# E120012 Decision: A Issue Date: 10/23/2012

Facility/Project: University Behavioral Center

Applicant: University Behavioral, LLC

Project Description: Establish a 28-bed adult inpatient  
psychiatric unit (amended from 24 beds) by delicensing 28  
(originally 24)child/adolescent inpatient psychiatric beds

Proposed Project Cost: \$683,676.00

County: Orange District: 7

ID #E120016 Decision: A Issue Date: 10/23/2012

Facility/Project: University Behavioral Center

Applicant: UniversityBehavioral, LLC  
 Project Description: Establish a 20-bed adult inpatient substance abuse unit by delicensing 20 child/adolescent inpatient psychiatric beds  
 Proposed Project Cost: \$488,340.00

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Siting Coordination Office  
 NOTICE OF INTENT TO ISSUE PROPOSED  
 MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Power Plant Conditions of Certification (COC) issued pursuant to the Florida Electrical Power Plant Siting Act, Chapter 403.501 *et seq.*, Florida Statutes (F.S.), concerning: North Broward Resource Recovery Facility, Power Plant Siting Application No. PA86-22K, OGC Case No. 12-1215. Pursuant to Section 403.516(1)(c), Florida Statutes, (F.S.), the Department proposes to modify North Broward Resource Recovery Facility from Wheelabrator North Broward, Inc.'s COCs to remove all references and conditions associated with repealed rule 62-702, F.A. C. as requested by applicant, and to incorporate a uniform set of general conditions consistent with recent site certifications. A copy of the proposed modification may be obtained by contacting Cindy Mulkey, Administrator, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.516(1)(c)2., F.S., parties to the certification hearing have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification hearing and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth

Boulevard, M.S. 35, Tallahassee, Florida, 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement cannot be subsequently reached, then pursuant to Section 403.516(1)(c)3, F.S., and Rule 62-17.211, Florida Administrative Code (F.A.C.), PEF or the Department may file a request for a hearing with the Department and the Division of Administrative Hearings on those portions of the request for modification to which written objections were timely filed. The request for hearing will be handled pursuant to Chapter 120, F.S., and in accordance with Section 403.516(1)(c)4, F.S., and Rule 62-17.211(1)(b)7, F.A.C. Mediation is not available in this proceeding.

DEPARTMENT OF HEALTH  
 Board of Nursing  
 Notice of Emergency Action

On October 22, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Suzan Kay Hale Hills, R.N., License # RN #856832. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. (2011) The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH  
 Board of Nursing

Notice of Emergency Action

On October 22, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Melisa S. Cabler, R.N., License # RN #9299627. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. (2011)

The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On October 23, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Michael David Rooney, R.N., License # RN #9168306. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes. (2011) The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice of Emergency Action

On October 22, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Ahmad H. Alhaddad, R.Ph., License # PS 25397. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice of Emergency Action

On October 22, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the registration of Carrie Ann Ivey, R.P.T., Registration # RPT 13274. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FINANCIAL SERVICES COMMISSION

FSC § Financial Institution Regulation

Financial Institutions

NOTICE OF FILINGS

Financial Services Commission

Office of Financial Regulation

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile

OR

By Hand Delivery

Agency Clerk  
Office of Financial Regulation  
P.O. Box 8050  
Tallahassee, Florida 32314-8050  
Phone (850) 410-9800  
Fax: (850) 410-9548

Agency Clerk  
Office of Financial Regulation  
General Counsel's Office  
The Fletcher Building, Suite 118  
101 East Gaines Street,  
Tallahassee, Florida 32399-0379  
Phone: (850) 410-9889

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., November 13, 2012):

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: Legacy Bank of Florida, Boca Raton, Florida

Proposed Purchasers: Martin D. Alvarez, Mexico D.F.; Mr. Alejandro R. Blanco, Key Biscayne, Florida and Mr. Miguel A. Capriles Lopez, Caracas Miranda, Venezuela

Received: October 18, 2012

Section XIII  
Index to Rules Filed During Preceding Week

**NOTE: The above section will be published on Tuesday beginning October 2, 2012.**

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