

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: RULE TITLE:

64B3-12.001 Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the language for disciplinary guidelines and add out-of-state telehealth discipline guidelines.

SUBJECT AREA TO BE ADDRESSED: To update the language.

RULEMAKING AUTHORITY: 456.079, 456.47(4), 456.47(7), 483.805(4) FS.

LAW IMPLEMENTED: 456.072, 456.079, 456.47(4), 483.825 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anthony B. Spivey, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed Rules

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.: RULE TITLE:

11B-14.002 General Program Provisions

PURPOSE AND EFFECT: Paragraph 11B-14.002(6)(b), F.A.C.: Incorporates the revised Higher Education for Salary Incentive Report, form CJSTC-63, to only request the last four digits of the applicant’s social security number.

SUMMARY: Incorporates the revised Higher Education for Salary Incentive Report, form CJSTC-63

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 Department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 943.03(4), 943.12(1), 943.22(2)(h) FS.

LAW IMPLEMENTED: 943.22 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, April 1, 2021, 10:00 a.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, 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: Joyce Gainous-Harris at (850)410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308. 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: Joyce Gainous-Harris at (850)410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

- 11B-14.002 General Program Provisions.
- (1) through (5) No change.
- (6) Educational Salary Incentive Payments.
- (a) No change.

(b) The employing agency is responsible for ensuring that the documents submitted for educational salary incentive payments are authentic and accurately reflect the credit given for academic courses successfully completed by the officer, and shall submit or electronically transmit to Commission staff through the Commission’s ATMS a completed Higher Education for Salary Incentive Report, form CJSTC-63, revised _____, effective ~~November 8, 2007~~, hereby incorporated _____ by _____ reference, http://www.flrules.org/Gateway/reference.asp?No=Ref-_____. Form CJSTC-63 can be obtained at the following FDLE _____ Internet _____ address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(c) through (d) No change.

(7) through (15) No change.

Rulemaking Authority 943.03(4), 943.12(1), 943.22(2)(h) FS. Law Implemented 943.22 FS. History– New 10-16-78, Amended 9-11-79, 1-13-81, 5-16-83, 1-7-85, Formerly 11B-14.02, Amended 7-13-87, 9-3-87, 5-23-88, 5-14-92, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 3-13-13, 7-29-15, 9-4-16, 7-19-17, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bureau Chief Glen Hopkins
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 29, 2020

**DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission**

RULE NO.: 11B-18.005
RULE TITLE: Establishment of Regional Training Councils

PURPOSE AND EFFECT: Subsection 11B-18.005(3), F.A.C.: Revises the description of agencies in the State Regional Law Enforcement Officer Training Council XV.

Paragraphs 11B-18.005(3)(a)-(i), F.A.C.: Removes the specific agency names to eliminate the need to revise the rule each time the State Regional Law Enforcement Officer Training Council XV changes.

SUMMARY: State Regional Law Enforcement Officer Training Council descriptions.

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 Department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 943.03(4), 943.12(1), (2) FS.
LAW IMPLEMENTED: 943.25(4) 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, April 1, 2021, 10:00 a.m.
PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joyce Gainous-Harris at (850)410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-18.005 Establishment of Regional Training Councils.
(1) through (2) No change.

(3) The State Regional Law Enforcement Officer Training Council XV shall be comprised of one representative from each of the ~~following Florida~~ following Florida state law enforcement agencies and units, and Commission-certified training schools affiliated with the state law enforcement agencies, excluding the State

Attorney’s Offices, Florida Department of Corrections, Board of Regents, and the University Police Agencies.:

- ~~(a) Department of Highway Safety and Motor Vehicles.~~
- ~~(b) Department of Law Enforcement.~~
- ~~(c) Office of the Marshal of the Supreme Court of Florida.~~
- ~~(d) Department of Business and Professional Regulation.~~
- ~~(e) Florida Fish and Wildlife Conservation Commission.~~
- ~~(f) Department of Financial Services, Division of Insurance Fraud.~~
- ~~(g) Department of Agriculture and Consumer Services.~~
- ~~(h) Department of the Lottery.~~
- ~~(i) Office of the Attorney General.~~
- (4) through (7) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.25(4) FS. History–New 1-13-81, Amended 7-28-82, 1-7-85, (7), (8) Transferred to 11B-18.051, Formerly 11B-18.05, Amended 7-13-87, 5-23-88, 10-17-90, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 3-21-07, 3-13-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bureau Chief Glen Hopkins
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 29, 2020

**DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission**

RULE NOS.: RULE TITLES:
11B-20.001 Definitions and Minimum Requirements for General Certification of Instructors
11B-20.0014 Minimum Requirements for High-Liability and Specialized Instructor Certifications
PURPOSE AND EFFECT: Sub-subparagraph 11B-20.001(3)(a)5.a., F.A.C.: Incorporates the revised Affidavit of Separation, form CJSTC-61, to amend the Oath Statement, pursuant to Section 117.05(13)(a), F.S., effective 1/1/2020.
Sub-subparagraph 11B-20.001(3)(a)5.b., F.A.C.: Incorporates the revised Internal Investigation Report, form CJSTC-78, to update the list of exceptions to limitation period for disciplinary action to include “Ongoing compliance hearing proceeding”.
Sub-paragraph 11B-20.0014(3)(b)4., F.A.C.: Incorporates the revised Speed Measurement Device Instructor Field Evaluation, form CJSTC-10, to only request the last four digits of the applicant’s social security number.
Sub-paragraph 11B-20.0014(3)(c)5., F.A.C.: Incorporates the revised Canine Team Instructor Performance Evaluation, form CJSTC-20, to only request the last four digits of the applicant’s social security number.

SUMMARY: Revised Affidavit of Separation, form CJSTC-61; Internal Investigation Report, form CJSTC-78; Speed Measurement Device Instructor Field Evaluation, form CJSTC-10; and Canine Team Instructor Performance Evaluation, form CJSTC-20.

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 Department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 943.03(4), 943.12(1), 943.14(3) FS.

LAW IMPLEMENTED: 943.12(3), (9), 943.13(6), 943.14(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, April 1, 2021, 10:00 a.m.
PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joyce Gainous-Harris at (850)410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

- 11B-20.001 Definitions and Minimum Requirements for General Certification of Instructors.
 - (1) through (2) No change.
 - (3) General Instructor Certification.

(a) Instructor applicants shall comply with the following requirements to obtain General Instructor Certification:

- 1. through 4. No change.
- 5. Instructor Separation or Change of Affiliation.

a. When an instructor requests a change of affiliation, the training center director, agency administrator, or designee shall complete an Affidavit of Separation, form CJSTC-61, revised _____, effective _____ ~~August 4, 2016 effective 7/2017~~, hereby incorporated by reference ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-08438>~~, and submit to Commission staff, or immediately transmit through the Commission’s ATMS. Form CJSTC-61 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615. A copy shall be maintained in the instructor’s file.

b. Instructor Separation. When a training center director, agency administrator, or designee separates an instructor, the training center director, agency administrator, or designee shall notify the instructor of the separation and submit form CJSTC-61 to Commission staff or electronically transmit through the Commission’s ATMS. A copy of form CJSTC-61 shall be maintained in the Instructor’s file. An instructor’s certification shall become inactive upon separation and remain inactive until the instructor is affiliated with a training school or agency. If the separation involves a violation of Section 943.13(4), F.S., or moral character violation, the training center director, agency administrator, or designee shall also complete the Internal Investigation Report form CJSTC-78, revised _____, effective _____ ~~August 10, 2017, effective 8/2018~~, hereby incorporated by reference ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-09678>~~, and form CJSTC-61, and submit to Commission staff or immediately transmit through the Commission’s ATMS. Form CJSTC-78 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

- c. No change.
- (b) through (c) No change.
- (4) through (6) No change.

Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.14(3) FS. History—New 7-21-82, Formerly 11B-20.01, Amended 10-26-88, 5-14-92, 12-8-92, 1-10-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 7-9-19, _____.

11B-20.0014 Minimum Requirements for High-Liability and Specialized Instructor Certifications.

(1) through (2) No change.

(3) Specialized Instructor Certifications. Instructor applicants who apply for a Specialized Instructor Certification shall have completed the applicable specialized instructor course within four years of the date the instructor applicant applies for certification. Instructor applicants who apply for a Specialized Instructor Certification more than four years from the date training was completed shall meet the requirements for completing an internship and demonstration of proficiency skills if applicable to the specialized topic. Instructor applicants shall meet the following requirements for each Specialized Instructor Certification requested:

- (a) No change.
- (b) Speed Measurement Instructor Certification. Instructor applicants who request certification to instruct speed measurement training courses shall:

- 1. through 3. No change.
- 4. Complete the Speed Measurement Device Instructor Field Evaluation, form CJSTC-10, revised _____, effective _____, ~~November 7, 2013. Effective 5/2014~~, hereby incorporated by reference ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-03926>~~.

Form CJSTC-10 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615

- 5. through 6. No change.
- (c) Canine Team Instructor Certification. Instructor applicants who request to obtain certification to instruct Commission-approved canine team training courses shall:

- 1. through 4. No change.
- 5. Complete the Canine Team Instructor Performance Evaluation, form CJSTC-20, revised _____, effective _____, ~~created November 7, 2013, effective 5/2014~~, hereby incorporated by reference ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-03932>~~.

Form CJSTC-20 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

- 6. through 8. No change.
- (d) No change.

Rulemaking Authority 943.03(4), 943.12(1), 943.14(3) FS. Law Implemented 943.12(3), (9), 943.13(6), 943.14(3) FS. History—New 7-29-01, Amended 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 7-9-19, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bureau Chief Glen Hopkins
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Governor and Cabinet
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: March 9, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: October 29, 2020

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.: 11B-21.005
RULE TITLE: Criminal Justice Training School
Requirements for Certification and Re-
certification

PURPOSE AND EFFECT: Paragraph 11B-21.005(10)(a),
F.A.C.: Removes unnecessary language and clarifies that the
Commission only approves one test vendor so the training
schools no longer have an option to contract with anyone else.
SUMMARY: Removes the restriction for contracting with a
vendor.

**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 Department’s economic analysis of the adverse
impact or potential regulatory costs of the proposed rule did not
exceed any of the criteria established in Section 120.541(2)(a),
Florida Statutes.

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: 943.03(4), 943.12(1), (2) FS.
LAW IMPLEMENTED: 943.12(2), (3), (8), 943.14,
943.17(1)(g) FS.

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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, April 1, 2021, 10:00 a.m.

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Justice Professionalism, 2331 Phillips Road, Tallahassee,
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THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE IS: Joyce Gainous-Harris at (850)410-
8615, or joycegainous-harris@fdle.state.fl.us, or write to
Florida Department of Law Enforcement, Criminal Justice
Professionalism, 2331 Phillips Road, Tallahassee, Florida
32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-21.005 Criminal Justice Training School
Requirements for Certification and Re-certification.

Training Schools certified by the Commission shall
comply with the following requirements:

(1) through (9) No change.

(10) Basic Abilities Testing Requirements pursuant to Rule
11B-35.0011, F.A.C., and Section 943.17(1)(g), F.S. Effective
January 1, 2002, training schools certified by the Commission
that provide Commission-approved Basic Recruit Training
Programs shall:

(a) Adopt a Commission-approved basic abilities test as an
entry requirement into a Law Enforcement or Correctional
Basic Recruit Training Program, ~~and not enter into a contract
with any testing provider for a period longer than the
Commission’s testing cycle of three years.~~ Correctional
Probation Officers are exempt from taking the basic abilities
test.

(b) through (c) No change.

(11) through (12) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law
Implemented 943.12(2), (3), (8), 943.14, 943.17(1)(g) FS. History–
New 7-21-82, Formerly 11B-21.05, Amended 1-28-86, 8-30-89, 12-
24-89, 6-3-91, 12-13-92, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02,
11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 5-21-12, 3-13-13, 5-29-
14, 9-4-16, 8-15-18,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bureau Chief Glen Hopkins

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2021
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DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NOS.: RULE TITLES:
 11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers
 11B-27.00212 Maintenance of Officer Certification
 11B-27.0022 Background Investigations
 11B-27.003 Duty to Report, Investigations, Procedures
 11B-27.005 Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: Paragraph 11B-27.002(1)(f), F.A.C.: Incorporates the revised Affidavit of Applicant, form CJSTC-68, to amend the Oath Statement, pursuant to Section 117.05(13)(a), F.S., effective 1/1/2020.

Subsection 11B-27.002(2), F.A.C.: Incorporates the revised Registration for Employment Affidavit of Compliance, form CJSTC-60, to amend the Oath Statement, pursuant to Section 117.05(13)(a), F.S., effective 1/1/2020.

Paragraph 11B-27.002(2)(a), F.A.C.: Incorporates the revised Officer Certification Application, form CJSTC-59, to amend the Oath Statement, pursuant to Section 117.05(13)(a), F.S., effective 1/1/2020; and the revised Officer Certification Deficiency Notification, form CJSTC-259, to only request the last four digits of the applicant’s social security number.

Sub-paragraph 11B-27.002(3)(a)2., F.A.C.: Incorporates the revised Employment Background Investigative Report, form CJSTC-77, to only request the last four digits of the applicant’s social security number.

Sub-paragraph 11B-27.002(3)(a)15., F.A.C.: Incorporates the revised Affidavit of Separation, form CJSTC-61, to amend the Oath Statement, pursuant to Section 117.05(13)(a), F.S., effective 1/1/2020.

Subsection 11B-27.00212(4), F.A.C.: Incorporates the revised Mandatory Retraining Report, form CJSTC-74, to only request the last four digits of the applicant’s social security number.

Paragraph 11B-27.00212(14)(e), F.A.C.: Incorporates the revised Injury or Illness Exemption for the Firearms Law Enforcement Officer Qualification Standard, form CJSTC-86B, to amend the Oath Statement, pursuant to Section 117.05(13)(a), F.S., effective 1/1/2020.

Paragraph 11B-27.0022(2)(a), F.A.C.: Incorporates the revised Authority for Release of Information (Background Investigation Waiver), form CJSTC-58, to amend the Oath

Statement, pursuant to Section 117.05(13)(a), F.S., effective 1/1/2020.

Paragraph 11B-27.003(2)(a), F.A.C.: Incorporates the revised Internal Investigation Report, form CJSTC-78, to update the list of exceptions to limitation period for disciplinary action to include “Ongoing compliance hearing proceeding”.

Subsection 11B-27.005(12), F.A.C.: Expands the rule allowing the Commission to discipline individuals who are employed on a TEA and are found to have committed an act or acts establishing a “lack of good moral character” and are terminated from employment prior to the conclusion of the Commission’s preliminary investigation or disciplinary process.

SUMMARY: Discipline individuals employed on a TEA; amended Oath Statement on specific forms; request last four digits of the applicant’s social security number on specific forms; and revised Affidavit of Applicant, form CJSTC-68; Registration for Employment Affidavit of Compliance, form CJSTC-60; Officer Certification Application, form CJSTC-59; Officer Certification Deficiency Notification, form CJSTC-259; Employment Background Investigative Report, form CJSTC-77; Affidavit of Separation, form CJSTC-61; Mandatory Retraining Report, form CJSTC-74; Injury or Illness Exemption for the Firearms Law Enforcement Officer Qualification Standard, form CJSTC-86B; Authority for Release of Information (Background Investigation Waiver), form CJSTC-58; and Internal Investigation Report, form CJSTC-78.

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 Department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 943.03(4), 943.12(1), 943.133(3) FS.

LAW IMPLEMENTED: 943.12, 943.12(3), 943.13, 943.133, 943.13(11), 943.135, 943.139, 943.1395(3), (5), (8), 943.1395, 943.1701, 943.1715, 943.1716, 943.253 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, April 1, 2021, 10:00 a.m.
 PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, 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: Joyce Gainous-Harris at (850)410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308. 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: Joyce Gainous-Harris at (850)410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers.

(1) Certification or Reactivation of Certification. Prior to submitting an application for certification or reactivation of certification for a law enforcement, correctional, or correctional probation officer, the employing agency shall collect and verify documents establishing that an applicant has complied with the requirements of Section 943.13, F.S. Verified documents shall be maintained in the officer’s training file at the employing agency. The following documents are required for verification of an applicant’s compliance with this rule section:

(a) through (e) No change.

(f) An Affidavit of Applicant, form CJSTC-68, revised _____, effective _____ August 8, 2019, effective 4/2020, hereby incorporated by reference [https://www.flrules.org/Gateway/reference.asp?No=Ref-_____](https://www.flrules.org/Gateway/reference.asp?No=Ref-____) ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-11903>~~, executed by the applicant attesting that the applicant complies with the employment or appointment qualifications

pursuant to Sections 943.13(1)-(10), F.S. Form CJSTC-68 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(g) through (h) No change.

(2) The employing agency administrator is required, within 30 days of hire, to submit to Commission staff or electronically transmit through the Commission’s Automated Training Management System (ATMS), and maintain on file a Registration of Employment Affidavit of Compliance, form CJSTC-60, revised _____, effective _____ December 16, 2010 (effective 3/2013), hereby incorporated by reference

~~[https://www.flrules.org/Gateway/reference.asp?No=Ref-_____](https://www.flrules.org/Gateway/reference.asp?No=Ref-____)~~ ~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-02235>~~, attesting to compliance by the employing agency with the following requirements. Form CJSTC-60 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(a) For law enforcement, correctional, and correctional probation officer applicants who have not been previously certified and who have complied with the certification requirements pursuant to Sections 943.13(1)-(10), F.S., the employing agency shall certify to the Commission that the applicant is eligible for certification by submitting to Commission staff or electronically transmitting through the Commission’s Automated Training Management System (ATMS), a completed Officer Certification Application, form CJSTC-59, revised _____, effective _____ August 8, 2019, effective 4/2020, hereby incorporated by reference

~~[https://www.flrules.org/Gateway/reference.asp?No=Ref-_____](https://www.flrules.org/Gateway/reference.asp?No=Ref-____)~~ ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-11902>~~, within 30 days of the applicant’s compliance with the certification requirements, notwithstanding whether the applicant is separated from employment. Upon receipt of an Officer Certification Application Deficiency Notification, form CJSTC-259, revised _____, effective _____ August 8, 2019, effective 4/2020, hereby incorporated by reference

~~[https://www.flrules.org/Gateway/reference.asp?No=Ref-_____](https://www.flrules.org/Gateway/reference.asp?No=Ref-____)~~ ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-11906>~~, the employing agency shall maintain on file, a copy of form CJSTC-59 and any other employment documentation. Forms CJSTC-59 and CJSTC-259 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. The employing agency shall submit a copy of form CJSTC-259 and the missing or deficient documentation to Commission staff within 90 days of the date the form was signed and issued to the

agency. Failure by the employing agency to submit missing or deficient documentation within the required 90 days may result in denial of an applicant’s request for certification. An officer applicant shall not work as a sworn officer prior to meeting the requirements of Section 943.13, F.S., except as authorized pursuant to Section 943.131, F.S.

(b) No change.

(3) Employment requirements pursuant to Sections 943.13, F.S., shall be documented on an Agency New Hire Report, form CJSTC-207, revised November 8, 2007, hereby incorporated by reference. Form CJSTC-207 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(a) The files of newly hired officers are subject to an on-site inspection by Commission staff to ensure compliance with the requirements of Chapter 943, F.S., and Rule Chapter 11B-27, F.A.C. All documents collected in conjunction with the background investigation shall be available for review. The following documents shall be reviewed for completeness:

1. No change.

2. An Employment Background Investigative Report, form CJSTC-77, revised _____, effective _____, December 16, 2010 (effective 3/2013), hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref->

~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-02237>~~. Form CJSTC-77 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

3. through 14. No change.

15. An Affidavit of Separation, form CJSTC-61, revised _____, effective _____ August 4, 2016, effective 7/2017, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref->

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-08450>~~, if the officer has separated employment with the agency. Form CJSTC-61 can be obtained at the following FDLE Internet address:

<http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) No change.

(4) through (5) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.13, 943.133, 943.139, 943.1395 FS. History—New 10-6-82, Amended 4-26-84, 1-7-85, Formerly 11B-27.02, Amended 9-3-87, 3-29-89, 5-14-92, 12-13-92, 9-5-93, 1-19-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 5-

21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 9-14-17, 8-15-18, 7-9-19, 5-5-20, _____.

11B-27.00212 Maintenance of Officer Certification.

(1) through (3) No change.

(4) Continuing education or training pursuant to Section 943.135, F.S. Upon an officer’s completion of the required continuing education or training the employing agency shall submit or electronically transmit to Commission staff through the Commission’s ATMS, and maintain in file a completed Mandatory Retraining Report, form CJSTC-74, revised _____, effective _____, August 7, 2008, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref->

_____. Form CJSTC-74 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. Criminal justice agencies shall not update an officer’s mandatory training unless an officer is employed by the agency or has met the requirement for employment pursuant to subsection 11B-27.002(1), F.A.C.

(5) through (13) No change.

(14) Law Enforcement Officer Firearms Qualification Standard. Beginning July 1, 2006, a law enforcement officer shall be required to qualify on the Commission’s approved course of fire with the proficiency skills documented on the Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A, revised August 8, 2019, effective 4/2020, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-11904>, and maintained in the officer’s employment file. Form CJSTC-86A can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(a) through (d) No change.

(e) In the event a law enforcement officer is injured in the line of duty or has a chronic illness and fails to meet this standard by June 30 of a reporting year, the agency administrator or designee shall complete the Injury or Illness Exemption for the Firearms Law Enforcement Officer Qualification Standard form CJSTC-86B, revised _____, effective _____ November 5, 2015, effective 9/2016, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref->

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-07388>~~. Form CJSTC-86B can be obtained at the following FDLE Internet address:

<http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. The agency

shall submit form CJSTC-86B and the supporting medical documentation to Commission staff prior to the June 30 deadline to ensure the officer’s certificate does not become inactive on the reporting deadline for that two-year reporting cycle. An additional form CJSTC-86B shall be submitted for each subsequent reporting cycle.

(15) through (16) No change.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12, 943.13(11), 943.135, 943.1395(3), 943.1701, 943.1715, 943.1716, 943.253 FS. History–New, 11-5-02. Amended 12-3-03, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 4-16-09, 9-28-09, 6-3-10, 5-21-12, 3-13-13, 9-4-16, 8-15-18, 5-5-20, _____. Editorial Note: See 11B-27.0023, F.A.C.

11B-27.0022 Background Investigations.

(1) No change.

(2) The employing agency shall, at a minimum, use the following background investigation procedures:

(a) Obtain previous employment data from prior employers. Criminal justice agencies conducting background investigations have the option of using the Authority for Release of Information, form CJSTC-58, revised _____, effective _____ ~~December 16, 2010 (effective 3/2013)~~, hereby incorporated by reference http://www.flrules.org/Gateway/reference.asp?No=Ref-_____

~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-02322>~~, pursuant to Sections 943.134(2) and (4), F.S., hereby incorporated by reference. Form CJSTC-58 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

(b) through (d) No change.

(3) through (4) No change.

Rulemaking Authority 943.03(4) 943.12(1), 943.133(3) FS. Law Implemented 943.133, 943.139 FS. History–New 10-6-82, Amended 1-7-85, Formerly 11B-27.022, Amended 7-13-87, 10-17-90, 5-13-92, 5-14-92, 12-13-92, 9-5-93, 8-7-94, 1-2-97, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 3-13-13, 5-5-20, _____.

11B-27.003 Duty to Report, Investigations, Procedures.

(1) No change.

(2) Upon concluding the investigation:

(a) If the allegations are sustained, the employing agency shall complete an Internal Investigation Report, form CJSTC-78, revised _____, effective _____ ~~August 10, 2017, effective 8/2018~~, hereby incorporated by reference, http://www.flrules.org/Gateway/reference.asp?No=Ref-_____

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-09679>~~, regardless of whether any civil service appeal, arbitration, employment hearing, administrative, civil, or criminal action is pending or contemplated. Form CJSTC-78 can be obtained at

the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850)410-8615.

(b) through (c) No change.

Specific Authority 943.03(4), 943.12(1) FS. Law Implemented 943.1395(5) FS. History–New 10-6-82, Amended 1-7-85, Formerly 11B-27.03, Amended 12-13-92, 9-5-93, 7-7-99, 8-22-00, 11-5-02, 11-30-04, 6-9-08, 9-14-17, 8-15-18, _____.

11B-27.005 Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) through (11) No change.

(12) If an individual employed on a TEA, pursuant to Section 943.131, F.S., is found to have committed an act or acts establishing a “lack of good moral character,” defined in subsection 11B-27.0011(4), F.A.C.: becomes certified at any time during the Commission’s preliminary investigation or disciplinary process, the individual will no longer be subject to the actions of subsection (10) or (11), but will instead be subject to discipline as defined in subsection 11B-27.005, F.A.C.

Rulemaking Authority 943.03(4), 943.12(1) FS. Law Implemented 943.12(3), 943.1395(8) FS. History–New 10-6-82, Amended 1-7-85, Formerly 11B-27.05, Amended 3-29-89, 12-13-92, 2-17-93, 1-19-94, 8-7-94, 11-5-95, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 4-11-04, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 6-3-10, 5-21-12, 5-29-14, 9-4-16, 8-15-18, 5-5-20, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bureau Chief Glen Hopkins

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 09, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 29, 2020

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NOS.:	RULE TITLES:
11B-35.001	General Training Programs; Requirements and Specifications
11B-35.002	Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation
11B-35.0024	Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, Instructor Training Courses, and Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration
11B-35.006	Advanced Training Program
PURPOSE AND EFFECT: Paragraph 11B-35.001(11)(b), F.A.C.: Adds all Specialized Training Program Courses to the	

list of courses that a training school must enter in ATMS which allows all Commission-approved training courses to be entered to provide a more complete reflection of the Commission-approved training a criminal justice officer completes.

Paragraphs 11B-35.001(11)(c)-(d), F.A.C.: Removes the original paragraph 11B-35.001(11)(c), F.A.C., because the proposed change to paragraph 11B-35.001(11)(b), F.A.C., incorporates the courses listed in this subsection making it redundant.

Sub-paragraph 11B-35.001(11)(c)8., F.A.C.: Incorporates the revised Instructor Exemption, form CJSTC-82, to update the rule reference because the pre-existing paragraph 11B-35.001(11)(c), F.A.C., was removed.

Sub-paragraph 11B-35.001(11)(c)14., F.A.C.: Incorporates the revised Physician's Assessment, form CJSTC-75, to update the rule reference because the pre-existing paragraph 11B-35.001(11)(c), F.A.C., was removed.

Subsection 11B-35.002(3), F.A.C.: Clarifies that this rule applies to persons entering cross-over training and not to gain employment as an officer; and a background investigation must be completed on applicants for the cross-over training program.

Sub-paragraph 11B-35.002(3)(a)1.-4., F.A.C.: Removes unnecessary language and renumbers subparagraphs 11B-35.002(3)(a)1.-4., F.A.C.

Sub-paragraph 11B-35.002(3)(a)3., F.A.C.: Clarifies that the four year time frame applies to the cross-over training programs.

Sub-paragraph 11B-35.0024(3)(f)2., F.A.C.: Incorporates the revised First Aid Performance Evaluation, form CJSTC-5, to reflect that CPR Instructor certification is no longer a prerequisite to taking the First Aid Instructor Course.

Sub-paragraph 11B-35.0024(4)(c)2., F.A.C.: Incorporates the revised Speed Measurement Device Instructor Field Evaluation, form CJSTC-10, to only request the last four digits of the applicant's social security number.

Sub-paragraph 11B-35.0024(4)(l)2., F.A.C.: Incorporates the revised Canine Team Instructor Performance Evaluation, form CJSTC-20, to only request the last four digits of the applicant's social security number.

Subsection 11B-35.006(7), F.A.C.: Allows the entry of all Advanced Training Program Courses into ATMS and requires training schools to indicate the reason an officer is taking an Advanced Training Program course.

SUMMARY: Adds all Specialized Training Program Courses to ATMS; cross-over training applicants; request last four digits of the applicant's social security number on specific forms; deletes unnecessary language; basic recruit cross-over training program requirements; Advanced Training Program course; and revised Instructor Exemption, form CJSTC-82; Physician's Assessment, form CJSTC-75; First Aid Performance Evaluation, form CJSTC-5; Speed Measurement Device

Instructor Field Evaluation, form CJSTC-10.; and Canine Team Instructor Performance Evaluation, form CJSTC-20.

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 Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 943.03(4), 943.12(1), (2), 943.17 FS.

LAW IMPLEMENTED: 943.12, 943.12(5), 943.17, 943.17(1)(b) 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, April 1, 2021, 10:00 a.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, 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: Joyce Gainous-Harris at (850)410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308. 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: Joyce Gainous-Harris at (850)410-8615, or joycegainous-harris@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

11B-35.001 General Training Programs; Requirements and Specifications.

(1) through (10) No change.

(11) Reporting requirements for Commission-approved Basic Recruit, Advanced, Specialized, and Special Operations Forces Training Program Courses are as follows:

(a) No change.

(b) Following the completion of a Commission-approved Basic Recruit Training Program, Advanced Training Program Course, Special Operations Forces Training Program, or Specialized Training Program Course outlined in subsection 11B-35.007(1), F.A.C., Instructor Training Course, the training center director or designee shall, within thirty days of the program or course completion date, electronically transmit a completed Training Report form CJSTC-67, or transmit an updated CJSTC-67 form through the Commission’s ATMS. Submission of the Academy Physical Fitness Standards Report, form CJSTC-67A, revised August 4, 2016, effective 7/2017, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-08440>, is required for Law Enforcement, Correctional Probation, and Correctional Basic Recruit Training Programs within thirty days of the course completion. Submission of form CJSTC-67A is not required for the Law Enforcement Auxiliary and Cross-Over Basic Recruit Training Programs. Form CJSTC-67A can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

~~(c) The following Specialized Training Program Courses shall be submitted to Commission staff through the Commission’s ATMS, by transmitting a completed form CJSTC-67 within thirty days of the course completion:~~

- ~~1. Canine Team Training Course.~~
- ~~2. Breath Test Operator Course.~~
- ~~3. Breath Test Operator Renewal Course.~~
- ~~4. Agency Inspector Course.~~
- ~~5. Agency Inspector Renewal Course.~~
- ~~6. Single Officer Response to Active Threat and Shooter Incidents Course.~~
- ~~7. Crisis Intervention Training for School Resource Officers Course.~~

~~(c)(d)~~ The training center director or designee shall ensure that the records for Commission-approved Basic Recruit, Advanced, Specialized, and Special Operations Forces Training Program Courses are maintained in the course file within the training school. Each course shall be subject to audit by Commission staff. Such records shall, at a minimum, include:

1. through 7. No change.

8. List of course instructor(s) to include full name and a copy of the instructor’s current ATMS Global Profile Sheet filed alphabetically in a master file, or maintained in the course file, or completion of Instructor Exemption, form CJSTC-82, revised _____, effective _____ ~~August 10, 2017, effective 8/2018~~, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-09681>, if applicable. Form CJSTC-82 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

9. through 13. No change.

14. For Basic Recruit Training Programs, proof of compliance with Sections 943.13(2), 943.14(7) and 943.17(1)(g), F.S., and paragraph 11B-35.001(13) (b), F.A.C., which includes a completed Physician’s Assessment, form CJSTC-75, revised _____, effective _____, ~~August 4, 2016, effective 7/2017~~, hereby incorporated by reference <http://www.flrules.org/Gateway/reference.asp?No=Ref-08442>. Form CJSTC-75 can be obtained at the following FDLE Internet address: <http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615.

15. through 16. No change.

(12) through (16) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2), 943.17 FS. Law Implemented 943.12, 943.17 FS. History—New 12-13-92, Amended 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 7-9-19, 5-5-20, _____.

11B-35.002 Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation.

(1) through (2) No change.

(3) The Commission has established basic recruit cross-over training programs to provide lateral movement of officers between criminal justice disciplines. Officers requesting cross-over training employment in another discipline must comply with Sections 943.14(7) and 943.17(1)(g), F.S.

(a) To be eligible to attend a cross-over training program the applicant shall:

~~1. Comply with the employment requirements of Section 943.1395(3), F.S., and subsections 11B-27.002(4) and 11B-35.002(2), F.A.C.; and~~

~~1.2.~~ Be an active certified officer in the discipline the officer is moving from; or

~~2.3.~~ Have not been separated from employment in the discipline the officer is moving from for more than four years; or

~~3.4.~~ Within four years of the beginning date of the Commission-approved Basic Recruit Training Program for the discipline the officer is moving from, have successfully completed the Commission-approved Basic Recruit Training Program, ~~and~~ passed the State Officer Certification Examination (SOCE), ~~and started the basic recruit cross-over training program.~~

(4) through (6) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2), 943.17 FS. Law Implemented 943.12, 943.17 FS. History—New 12-13-92, Amended 1-10-94, 8-7-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 5-21-12, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 8-15-18, 5-5-20, _____.

11B-35.0024 Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, Instructor Training Courses, and Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration.

(1) through (2) No change.

(3) Successful completion and demonstration of proficiency skills is required for each of the following high-liability courses: Criminal Justice Defensive Tactics Course, Defensive Tactics Instructor Course, Criminal Justice Firearms Course, Firearms Instructor Course, Safe Handling of Firearms course, Law Enforcement Vehicle Operations Course, Vehicle Operations Instructor Course, First Aid for Criminal Justice Officers Course, and First Aid Instructor Course.

(a) through (e) No change.

(f) First Aid for Criminal Justice Officers Course.

1. No change.

2. A basic recruit student shall achieve a score of no less than 80% on the required written end-of-course examination and demonstrate the required First Aid High-Liability Proficiency Skills at 100%, with the results recorded on the required First Aid Performance Evaluation, form CJSTC-5, revised _____, effective ~~November 5, 2015, effective 9/2016,~~ hereby incorporated by reference http://www.flrules.org/Gateway/reference.asp?No=Ref-_____

~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 07367>.~~ Form CJSTC-5 can be obtained at the following FDLE Internet address:

<http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. Form CJSTC-5 shall be maintained in the student or course file.

(g) through (i) No change.

(4) Successful completion and demonstration of proficiency skills is required for each of the following basic recruit, advanced, specialized instructor, or specialized training program courses: DUI Traffic Stops, Speed Measurement Course, Speed Measurement Instructor Course, Breath Test

Instructor Course, Breath Test Instructor Renewal Course, Breath Test Operator Course, Breath Test Operator Renewal Course, Agency Inspector Course, Agency Inspector Renewal Course, Underwater Police Science and Technology course, Canine Team Training Course, and Canine Team Training Instructor Course.

(a) through (b) No change.

(c) Speed Measurement Instructor Course, number 1159.

1. No change.

2. An instructor student shall achieve a score of no less than 85% on the required written end-of-course examination and demonstrate the required proficiency skills at 100%, with the results recorded on the required Speed Measurement Device Instructor Field Evaluation form CJSTC-10, revised _____, effective _____ ~~November 7, 2013, effective 5/2014,~~ hereby incorporated by reference

~~http://www.flrules.org/Gateway/reference.asp?No=Ref-_____~~
~~<http://www.flrules.org/Gateway/reference.asp?No=Ref 03927>.~~

Form CJSTC-10 can be obtained at the following FDLE Internet address:

<http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. A copy of the completed form CJSTC-10 shall be provided to the student and the original form CJSTC-10 shall be maintained in the student or course file.

(d) through (k) No change.

(l) Canine Team Training Instructor Course number 1199.

1. No change.

2. An instructor student shall achieve a score of no less than 85% on the required written end-of-course examination, demonstrate instruction of one classroom topic from the Canine Team Training Course number 1198, and demonstrate instructing field exercises in obedience, criminal apprehension, building search, area search, and tracking and trailing from the Canine Team Training Course number 1198, with the results recorded on the required performance evaluation form. A copy of the completed Canine Team Instructor Performance Evaluation form CJSTC-20, revised _____, ~~November 6, 2014, effective _____ 7/2015,~~ hereby incorporated by reference

http://www.flrules.org/Gateway/reference.asp?No=Ref-_____
~~<https://www.flrules.org/Gateway/reference.asp?No=Ref 05626>,~~ shall be provided to the student and the original form

CJSTC-20 maintained in the instructor student course file. Form CJSTC-20 can be obtained at the following FDLE Internet address:

<http://www.fdle.state.fl.us/CJSTC/Publications/Forms.aspx>, or by contacting Commission staff at (850) 410-8615. A copy of

the completed form shall be provided to the student and the original maintained in the course file.

(m) No change.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12, 943.17 FS. History—New 2-17-93, Amended 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 3-13-13, 5-29-14, 7-29-15, 9-4-16, 7-19-17, 5-5-20, _____.

11B-35.006 Advanced Training Program.

(1) through (6) No change.

(7) Training schools shall report the successful completion of Advanced Training Program Courses for officers pursuant to paragraph 11B-35.001(11)(b), F.A.C., ~~if they have received written or electronic authorization from the officer's respective agency for salary incentive credit.~~ Training schools shall indicate if the officers are authorized by their employing agency to receive salary incentive credit or mandatory retraining credit.

Rulemaking Authority 943.03(4), 943.12(1), (2) FS. Law Implemented 943.12(5), 943.17(1)(b) FS. History—New 12-13-92, Amended 1-10-94, 1-2-97, 7-7-99, 8-22-00, 7-29-01, 11-5-02, 11-30-04, 3-27-06, 3-21-07, 6-9-08, 9-28-09, 6-3-10, 3-13-13, 9-4-16, 8-15-18, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bureau Chief Glen Hopkins

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 29, 2021

DEPARTMENT OF LAW ENFORCEMENT

Division of Criminal Justice Information Systems

RULE NOS.:	RULE TITLES:
11C-7.006	Procedures on Court-Ordered Expunctions
11C-7.007	Procedures on Court-Ordered Sealings
11C-7.009	Procedures on Juvenile Diversion Expunctions
11C-7.010	Procedures on Early Juvenile Expunction
11C-7.012	Procedures on Lawful Self Defense Expunctions

PURPOSE AND EFFECT: 11C-7.006: The revision makes a change to allow authorized providers to perform fingerprinting services in addition to law enforcement agencies. The current rule only allows law enforcement agencies to perform this service.

11C-7.007: The revision makes a change to allow authorized providers to perform fingerprinting services in addition to law enforcement agencies. The current rule only allows law enforcement agencies to perform this service.

11C-7.009: The revision makes a change to allow authorized providers to perform fingerprinting services in addition to law enforcement agencies. The current rule only allows law enforcement agencies to perform this service.

11C-7.010: The revision makes a change to allow authorized providers to perform fingerprinting services in addition to law enforcement agencies. The current rule only allows law enforcement agencies to perform this service. Corrects a typographical error.

11C-7.012 The revision makes a change to allow authorized providers to perform fingerprinting services in addition to law enforcement agencies. The current rule only allows law enforcement agencies to perform this service. Corrects a typographical error.

SUMMARY: Amending rules to allow authorized providers to perform fingerprinting services in addition to law enforcement agencies. The current rule only allows law enforcement agencies to perform this service. With COVID-19 and reduction of law enforcement agencies providing fingerprint services to the public, this change in rule is necessary to allow other entities to provide fingerprinting services for the purpose of submitting seal and expunge applications.

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 Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 11C-7.006: 943.03(4), 943.058(2), FS; 11C-7.007: 943.03(4), 943.059(2), FS; 11C-7.009: 943.0582, FS; 11C-7.010: 943.0515(1), FS; 11C-7.012: 943.03(4), 943.0578 FS

LAW IMPLEMENTED: 11C-7.006: 943.0585, FS; 11C-7.007: 943.059, FS; 11C-7.009: 943.0582, 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, April 1, 2021, 10:00 a.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, 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: Rachel Truxell at (850)410-7100, or racheltruxell@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308. 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: Rachel Truxell at (850)410-7100, or racheltruxell@fdle.state.fl.us, or write to Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

11C-7.006 Procedures on Court-Ordered Expunctions.

(1) Prior to petitioning the court to expunge a criminal history record, the subject must apply to the Department for a certificate of eligibility for expunction. The application packet for the certificate of eligibility must include:

(a) A money order, cashier's check, certified check, personal check or business check for \$75.00 made payable to the Florida Department of Law Enforcement. This processing fee is non-refundable, regardless of the results of the certification review. A fee waiver may be granted by the Executive Director of the Department upon submission of a written request and in his determination that the waiver is in the best interests of criminal justice.

(b) A completed Application for Certification of Eligibility. The subject must complete section A of the application. The Application for Certification of Eligibility (form number FDLE 40-021, rev. October 2019), which is hereby incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-11937>, may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us

Telephone Number: (850)410-7870

Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(c) The appropriate state attorney or statewide prosecutor may provide the required written certified statement by completing section B of the Application for Certification of Eligibility.

(d) A legible set of fingerprints recorded on an FBI Applicant Fingerprint Card (FD-258, rev. 03/10) or FDLE fingerprint sheet. Fingerprints may not be submitted to FDLE by electronic means. The fingerprinting must be ~~done~~ taken by a law enforcement agency or by a vendor engaged in the business of providing electronic fingerprint submissions which has an agreement in place with FDLE pursuant to 943.053(13), Florida Statutes. The subject must pay any fees required by the law enforcement agency or vendor for providing this service. If a copy of the Applicant Fingerprint Card or FDLE fingerprint sheet is needed, it may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870

Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(e) A certified copy of the disposition of the charge(s) to which the Application for Certificate of Eligibility to expunge pertains. The subject should obtain this document from the Clerk of the Court in the appropriate jurisdiction. The subject must pay any fees required by the Clerk of the Court for providing this service.

(2) through (4) No change.

(5) The Department will send the subject a Certificate of Eligibility (form number FDLE 40-023, rev. October 2019), if the specified criminal history record meets the requirements for expunction. If the specified criminal history record does not meet the requirements for expunction, the Department will send the subject a letter stating the reason for ineligibility with an explanation of appeal rights.

(6) No change.

Rulemaking Authority 943.03(4), 943.0585(2) FS. Law Implemented 943.0585 FS. History—New 8-5-92, Amended 7-7-99, 8-22-00, 6-9-08, 6-3-10, 7-29-15, 7-9-19, 5-5-20, _____.

11C-7.007 Procedures on Court-Ordered Sealings.

(1) Prior to petitioning the court to seal a criminal history record, the subject must apply to the Department for a certificate of eligibility for sealing. The application packet for the certificate of eligibility must include:

(a) A money order, cashier's check, certified check, personal check or business check for \$75.00 made payable to the Florida Department of Law Enforcement. This processing fee is non-refundable, regardless of the results of the certification review. A fee waiver may be granted by the Executive Director of the Department upon submission of a written request and in his determination that the waiver is in the best interests of criminal justice.

(b) A completed Application for Certification of Eligibility. The subject must complete section A of the application. The Application for Certification of Eligibility (form number FDLE 40-021, rev. October 2019 and incorporated by reference) <http://www.flrules.org/Gateway/reference.asp?No=Ref-11937>, may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870
Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(c) A legible set of fingerprints recorded on an FBI Applicant Fingerprint Card (FD-258, rev. 03/10) or FDLE fingerprint sheet. Fingerprints may not be submitted to FDLE by electronic means. The fingerprinting must be ~~done~~ taken by a law enforcement agency or by a vendor engaged in the business of providing electronic fingerprint submissions which has an agreement in place with FDLE pursuant to 943.053(13), Florida Statutes. The subject must pay any fees required by the law enforcement agency or vendor for providing this service. If a copy of the Applicant Fingerprint Card or FDLE fingerprint sheet is needed, it may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870
Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(d) A certified copy of the disposition of the charge or charges to which the Application for Certificate of Eligibility to seal pertains. The subject should obtain this document from the Clerk of the Court in the appropriate jurisdiction. The subject must pay any fees required by the Clerk of the Court for providing this service.

(2) through (6) No change.

Rulemaking Authority 943.03(4), 943.059(2) FS. Law Implemented 943.059 FS. History—New 8-5-92, Amended 7-7-99, 8-22-00, 6-9-08, 6-3-10, 7-9-19, 5-5-20, _____.

11C-7.009 Procedures on Juvenile Diversion Expunctions.

(1) A minor who has successfully completed a diversion program as authorized by Section 985.125, F.S., which program satisfies the requirements found at Section 943.0582, F.S., may apply directly to the Department for expunction of the minor's juvenile nonjudicial arrest record. The application packet for the Juvenile Diversion Expunction must include:

(a) A completed Application for Juvenile Diversion Expunction. The subject must complete section A of the application. The Application for Juvenile Diversion Expunction, form number FDLE 40-025 (rev. October 2019), hereby incorporated by reference, <http://www.flrules.org/Gateway/reference.asp?No=Ref-11935>, may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870
Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(b) The state attorney must provide the required written certification statement by completing section B of the Application for Juvenile Diversion Expunction.

(c) A legible set of fingerprints recorded on an FBI Applicant Fingerprint Card (FD-258, rev. 03/10) or FDLE fingerprint sheet. Fingerprints may not be submitted to FDLE by electronic means. The fingerprinting must be ~~done~~ taken by a law enforcement agency or by a vendor engaged in the business of providing electronic fingerprint submissions which has an agreement in place with FDLE pursuant to 943.053(13), Florida Statutes. The subject must pay any fees required by the law enforcement agency or vendor for providing this service. If a copy of the Applicant Fingerprint Card or FDLE fingerprint sheet is needed, it may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870
Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(2) through (6) No change.

Rulemaking Authority 943.0582 FS. Law Implemented 943.0582 FS. History—New 11-5-02, Amended 6-9-08, 5-29-14, 7-20-17, 7-9-19, 5-5-20, _____.

11C-7.010 Procedures on Early Juvenile Expunction.

(1) A person who has not been committed to a juvenile correctional facility or juvenile prison under Chapter 985, F.S., may apply directly to the Department to have his or her juvenile criminal history record expunged, provided he or she is at least 18 years of age but less than 21 years of age. To be eligible for this form of expunction, the applicant must not have been charged by the state attorney with or found to have committed any criminal offense within the 5-year period before the application date. The application for the Early Juvenile Expunction must include:

(a) A money order, cashier’s check, certified check, personal check, or business check for \$75.00 made payable to the Florida Department of Law Enforcement. This processing fee is non-refundable, regardless of whether the application for expunction is granted. A fee waiver may be granted by the Executive Director of the Department, upon submission of a written request, and in his or her determination that the waiver is in the best interests of criminal justice.

(b) A completed Application for Early Juvenile Expunction. The subject must complete section A of the application. The Application for Early Juvenile Expunction, (form number FDLE 40-028, rev. October 2019), hereby incorporated by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-11934>, may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870
Website: <http://www.fdle.state.fl.us/ems/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(c) The state attorney for the circuit having jurisdiction over the arrest may provide the required written certified statement by completing section B of the Application for Early Juvenile Expunction.

(d) A legible set of fingerprints recorded on an FBI Applicant Fingerprint Card (FD-258, rev. 03/10) or FDLE fingerprint sheet. Fingerprints may not be submitted to FDLE by electronic means. The fingerprinting must be ~~done~~ taken by a law enforcement agency or by a vendor engaged in the business of providing electronic fingerprint submissions which has an agreement in place with FDLE pursuant to 943.053(13), Florida Statutes. The subject must pay any fees required by the

law enforcement agency or vendor for providing this service. If a copy of the Applicant Fingerprint Card or FDLE fingerprint sheet is needed, it may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870
Website: <http://www.fdle.state.fl.us/ems/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(e) A sworn, written statement from the applicant that he or she is no longer under court supervision applicable to the disposition of the arrest or alleged criminal activity to which the application pertains, and that he or she has not been charged with or found to have committed a criminal offense, in any jurisdiction of the state or within the United States, within the 5-year period before the application date.

(f) A certified copy of the disposition of the charge or charges to which the Application for Early Juvenile Expunction pertains. The subject should obtain this document from the Clerk of the Court in the appropriate jurisdiction. The subject must pay any fees required by the Clerk of the Court for providing this service.

(2) through (5) No change.

Rulemaking Authority 943.0515(1) FS. Law Implemented 943.0515(1) FS. History—New 7-20-17, Amended 7-9-19, 5-5-20, _____.

11C-7.012 Procedures on Lawful Self-Defense Expunctions.

(1) Prior to petitioning the court for an expunction of a criminal history record, the subject must apply to the Department for a certificate of eligibility for expunction. The application for the certificate of eligibility must include:

(a) A money order, cashier’s check, certified check, personal check or business check in the amount of \$75.00 made payable to the Florida Department of Law Enforcement. This processing fee is non-refundable, regardless of the results of the certification review. A fee waiver may be granted by the Executive Director of the Department upon submission of a written request and in his determination that the waiver is in the best interests of criminal justice.

(b) A completed Application for a Certification of Eligibility for Lawful Self-Defense Expunction. The subject must complete section A of the application. The Application for Certification of Eligibility for Lawful Self-Defense Expunction under Section 943.0578 F.S. (form number FDLE 40-026, rev. October 2019), are hereby incorporated by reference,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-11936>, may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870
Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(c) The appropriate state attorney or statewide prosecutor must provide the required written certified statement by completing section B of the Application for Certification of Eligibility.

(d) A legible set of fingerprints recorded on an FBI Applicant Fingerprint Card (FD-258, rev. 03/10) or FDLE fingerprint sheet. Fingerprints may not be submitted to FDLE by electronic means. The fingerprinting must be ~~done~~ taken by a law enforcement agency or by a vendor engaged in the business of providing electronic fingerprint submissions which has an agreement in place with FDLE pursuant to 943.053(13), Florida Statutes. The subject must pay any fees required by the law enforcement agency or vendor for providing this service. If a copy of the Applicant Fingerprint Card or FDLE fingerprint sheet is needed, it may be obtained from:

1. The Clerk of the Court, or
2. Florida Department of Law Enforcement
Seal and Expunge Section
Post Office Box 1489
Tallahassee, Florida 32302-1489
Email: SEINFO@fdle.state.fl.us
Telephone Number: (850)410-7870
Website: <http://www.fdle.state.fl.us/Seal-and-Expunge-Process/Seal-and-Expunge-Home>

(e) A certified copy of the disposition of the charge or charges to which the application to expunge pertains. The subject should obtain this document from the Clerk of the Court in the appropriate jurisdiction. The subject must pay any fees required by the Clerk of the Court for providing this service.

(2) through (3) No change.

(4) If the application packet is complete, the Department will review the submitted applicant and written certified statement from the appropriate state attorney or statewide prosecutor, to determine if the applicant meets the requirements for a lawful self-defense expungement, which are listed in Section 943.05787, F.S. Questions regarding the status of a review should be directed to the Seal and Expunge Section at (850)410-7870.

(5) through (6) No change.

Rulemaking Authority 943.03(4), 943.0578(5) FS. Law Implemented 943.0578 FS. History—New 5-5-20, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Director Charles Shaffer
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 29, 2020

DEPARTMENT OF LAW ENFORCEMENT
Division of Local Law Enforcement Assistance

RULE NOS.: RULE TITLES:
11D-11.001 Definitions
11D-11.002 Procedures
PURPOSE AND EFFECT: Amend definition section and incorporate form.
SUMMARY: Amend definition section and incorporate form.
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 Department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 943.03(4), 943.0433(4) FS.
LAW IMPLEMENTED: 943.0433 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, April 1, 2021, 10:00 a.m.
PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism, 2331 Phillips Road, 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: Assistant General Counsel Chris Bufano at (850)410-7676, or christopherbufano@fdle.state.fl.us, or write to Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308.. 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: Assistant General Counsel Chris Bufano at (850)410-7676, or christopherbufano@fdle.state.fl.us, or write to Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308.

THE FULL TEXT OF THE PROPOSED RULE IS:

11D-11.001 Definitions

(1) For implementation of this rule chapter the term “subsequently committed” as provided in s. 943.0433(2)(a) F.S. shall mean: having been found guilty as a result of a trial or having entered a plea of guilty or nolo contendere, regardless of whether adjudication is withheld.

(2) For implementation of this rule chapter the term “full legal name” as provided in s. 943.0433(3)(a) F.S. shall mean the full name as recorded in the criminal history record provided by the clerk of court pursuant to s. 796.07(5)(e) F.S.

(3) For implementation of this rule chapter the term “last known address” as provided in s. 943.0433(3)(b) F.S. shall mean the last known address as recorded in the criminal history record provided by the clerk of court pursuant to s. 796.07(5)(e) F.S.

(4) For implementation of this rule chapter the term “color photograph” as provided in s. 943.0433(3)(c) F.S. shall mean a photograph of the individual as contained in the criminal history or booking record of the individual record provided by the clerk of court pursuant to s. 796.07(5)(e) F.S., if applicable.

~~(5) For implementation of this rule chapter the term “offense for which he or she was convicted” as provided in s. 943.0433(3)(d) F.S. shall mean the offence(s) for which the clerk of court found met the criteria for submission to the Department pursuant to s. 796.07(5)(e) F.S.~~

Rulemaking Authority 943.03(4), 943.0433(4) FS. Law Implemented 943.0433 FS. History—New, 05-05-2020. Amended, _____.

11D-11.002 Procedures

(1) Upon receipt of a criminal history record that the clerk of court has determined to meet the requirements of s. 796.07(5)(e), F.S. for inclusion on the Soliciting for Prostitution Database, the Department shall add such record to the database as required by s. 943.0433(1), F.S.

(2) The Department shall remove a criminal history record from the database only upon satisfaction of the requirements in s. 943.0433(2), F.S. Petitioners seeking removal from the database shall submit a completed Petition for Removal from the Solicitation for Prostitution Database, form FDLE/SFPDB-01, revised _____, effective _____, hereby incorporated _____ by _____ reference, <https://www.fdle.state.fl.us/SFPDB.aspx>.

Rulemaking Authority 943.03(4), 943.0433(4) FS. Law Implemented 943.0433 FS. History—New, 05-05-2020. Amended, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Assistant General Counsel Chris Bufano
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 9, 2021
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 29, 2020

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-3.248 Pediatric Cardiac Programs

PURPOSE AND EFFECT: The Agency proposes to create a section in hospital rules to align with recently revised statutory requirements. Section 395.1055, FS. directs the Agency to establish standards for pediatric cardiac programs, including pediatric cardiac catheterization services and pediatric cardiovascular surgery based on the recommendations from the pediatric cardiac technical advisory panel.

SUMMARY: The proposed rule provides requirements for pediatric cardiac catheterization and pediatric cardiovascular surgery programs in hospitals. The proposed rule will address quality of care, personnel, physical plant, equipment, emergency transportation, data reporting, operating hours, outcome standards, and timeframes for mobilization of emergency procedures.

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: A SERC has not been prepared by the agency. For rules

listed where no SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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: 395.1055, FS.

LAW IMPLEMENTED: 395.1055, FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Thursday, April 8, 2021, 2:30 - 4:00 pm

PLACE: No public face-to-face meeting. This hearing will be conducted via teleconference. Participate by dialing the Open Voice conference line, 1(888)585-9008, then enter the conference room number followed by the pound sign, 476-211-242#. The agenda and related materials can also be found on the web

at: https://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Rulemaking.shtml.

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 3 days before the workshop/meeting by contacting: Angel Stock, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4362. 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: Jessica Munn at (850)412-4359 or email at hospitals@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-3.248 Pediatric Cardiac Programs

(1) Licensure. No hospital may provide pediatric cardiac services without first obtaining a license pursuant to this rule, and Chapters 395, Part I, and 408, Part II, F.S.

(a) A hospital authorized to provide pediatric cardiac catheterization and angioplasty, and pediatric open heart surgery prior to July 1, 2019 shall be licensed to provide pediatric cardiac services as of the effective date of this rule and must meet all provisions of this rule within one year from the effective date.

(b) Initial. A hospital seeking to provide pediatric cardiac services must submit a hospital licensure application for Agency approval as specified in rule 59A-3.066(2), F.A.C., which includes:

1. Approval from the Agency's Office of Plans and Construction pursuant to rule 59A-3.080, F.A.C., of the hospital's operating rooms and cardiac catheterization laboratories to be used for pediatric cardiac services; and

2. Affirmation that the hospital meets the requirements of this rule.

(c) Renewal. The hospital's chief executive officer or designee must attest as part of the biennial licensure renewal application as specified in rule 59A-3.066(2), F.A.C., that the requirements of this rule, including minimum volume requirements, continue to be met.

(2) Quality of Care.

(a) A hospital providing pediatric cardiac services must:

1. Ensure all staff participating as members of a catheterization team or cardiovascular surgery team, including physicians, nurses, and technical staff, participate in a 24-hours per day, 7 days per week call schedule capable of rapid mobilization of the team(s) such that all on-call team members are present in the facility and ready to provide services and care within 30 minutes for emergency catheterization procedures or cardiovascular surgery;

2. Develop a quality assurance and improvement program, including a risk adjustment surgical procedure protocol following the guidelines established by the Society of Thoracic Surgeons, to monitor processes and outcomes, analyze data, and identify system improvements for each component of pediatric cardiac services, and integrate the program into the hospital-wide quality improvement program as required by rule 59A-3.271, F.A.C.;

3. Have a dedicated intensive care unit or component within a unit for pediatric acquired or congenital heart disease patients with personnel specially trained as provided in subsection (3) of this rule;

4. Have a neonatal intensive care unit capable of providing comprehensive care for infants born less than 32 weeks gestation, weighing less than 1500 grams, or having a critical illness, including pre- and post-operative care of complex congenital or acquired conditions;

5. Have written policies and procedures for the transition of care from pediatric to adult congenital services, including providing information on recommendations on endocarditis prophylaxis, anticoagulation therapy, diet, weight control, contraception, pregnancy risk with referral to maternal-fetal medicine physicians as appropriate, and exercise limitations;

6. Provide adult congenital heart disease patients contraception, pre-pregnancy, and genetic counseling, and fetal echocardiography studies, as appropriate; and

7. Participate in national registries as specified in subsection (7) of this rule.

(b) As a condition for biennial licensure renewal, a hospital providing pediatric cardiac services must meet or exceed

minimum volume requirements for pediatric cardiac and adult congenital procedures. Hospitals providing pediatric cardiac services may include adult congenital heart disease patients to meet volume requirements.

1. At least 100 cardiac catheterization procedures annually, averaged over a 2-year period, of which 50 procedures must be interventional, excluding myocardial biopsies. Reportable cardiac catheterization procedures are defined as single sessions with a patient in the hospital's cardiac catheterization procedure room(s), irrespective of the number of specific procedures performed during the session.

2. At least 30 electrophysiology procedures annually, averaged over a 2-year period, of which 18 are ablations.

3. At least 50 stress tests annually, averaged over a 2-year period.

4. At least 100 cardiac surgical procedures annually, averaged over a 2-year period. Reportable cardiac surgical procedures are index procedures, defined as single sessions with a patient in the hospital's cardiovascular operating suite(s), irrespective of the number of specific procedures performed during the session, and may include permanent epicardial lead placement.

(c) Each hospital must have the capability to provide:

1. Immediate endocardiac catheter pacemaking in cases of cardiac arrest;

2. Pressure recording for monitoring and evaluation of all cardiovascular parameters;

3. Repair or replacement of heart valves;

4. Repair of congenital heart defects;

5. Emergency cardiac catheterization for interventions, including septostomy;

6. Repair or reconstruction of intrathoracic vessels, and

7. Treatment of penetrating and blunt force cardiac injury.

(d) Ambulatory care clinics serving pediatric cardiac conditions and adult congenital heart disease patients must:

1. Meet the requirements for ambulatory care services as described in rule 59A-3.244(1), F.A.C.;

2. Have an exercise physiology laboratory providing arrhythmia (holter) monitoring, implanted electronic device monitoring, exercise and metabolic stress testing, imaging, and pulmonary function testing to meet the needs of pediatric and adult congenital heart disease patients;

3. Have a board certified pediatric cardiologist immediately available whenever a stress test is being performed;

4. Have a licensed APRN or PA to coordinate care for adult congenital heart disease patients;

5. Conduct stress testing with at least one staff who is Pediatric Advanced Life Support or Advanced Cardiac Life Support certified in the room at all times with the patient during the test; and

6. Have at least one Basic Life Support certified cardiology technologist or respiratory care practitioner immediately available whenever a stress test is being performed.

(e) Hospitals providing birthing services must have a neonatal screening program using pulse oximetry to detect critical congenital heart disease.

(f) Each hospital must have policies and procedures for accommodating a parent, relative or guardian of a pediatric patient to reside overnight with the patient.

(3) Personnel.

(a) Medical Director. Pediatric cardiac services must be under the direction of one or more physician members of the hospital's organized medical staff.

1. The pediatric cardiac catheterization laboratory and ambulatory care cardiac clinic must be under the direction of a physician board certified or eligible by the Sub-Board of Pediatric Cardiology of the American Board of Pediatrics.

2. Electrophysiology services must be under the direction of a pediatric electrophysiologist board certified by the Sub-Board of Pediatric Cardiology of the American Board of Pediatrics and by the International Board of Heart Rhythm Examiners.

3. Adult congenital cardiac services must be under the direction of a physician board certified in Adult Congenital Heart Disease, American Board of Internal Medicine.

4. The pediatric intensive care unit must be under the direction of a board certified pediatric intensivist or a board certified pediatric cardiologist with demonstrated expertise in critical cardiac congenital care.

(b) Medical Staff. The medical director(s) must ensure trained and qualified physician members of the organized medical staff are available at all times to meet the needs of patients.

1. The physician-in-charge of a cardiac catheterization procedure must be board certified or eligible by the Sub-Board of Pediatric Cardiology of the American Board of Pediatrics.

2. The physician-in-charge of an electrophysiology procedure must be a pediatric electrophysiologist board certified by the Sub-Board of Pediatric Cardiology of the American Board of Pediatrics.

3. At least one pediatric cardiovascular surgeon must be board certified or eligible by the American Board of Thoracic Surgery, specialty certification in congenital cardiac surgery.

4. Board eligible physicians must be board certified within 5 years of becoming eligible.

5. A physician who is not board certified, or who is not eligible due to foreign training or similar circumstances—may provide pediatric cardiac services upon documentation of education, training, or alternative certification acceptable to the medical director and hospital's governing board or designated credentialing committee.

6. A cardiovascular surgery team, including an anesthesiologist and thoracic surgeon must be immediately available during interventional and electrophysiology cardiac catheterizations.

7. The organized medical staff membership must contain a complement of physicians with training and experience with pediatric cardiac patients to be available for consultation including:

a. Pediatric cardiologists;

b. Pediatric sub-specialists with expertise in hematology, nephrology, neurology, infectious disease, critical care, genetics, gastroenterology and pulmonology;

c. Pediatric radiologists;

d. Pediatric anesthesiologists;

e. Pediatric intensivists; and

f. Pathologists with skills and training in cardiovascular pathology.

8. All physicians caring for adult congenital heart disease patients must be Advanced Cardiac Life Support certified.

(c) Nursing Staff. Each hospital unit in which pediatric cardiac services are provided must have registered nurses on duty at all times sufficient to ensure immediate availability to any patient when needed.

1. The cardiac catheterization, electrophysiology and cardiovascular surgical services must have registered nurses with special training in cardiovascular techniques in the care of pediatric and adult congenital heart disease patients and have skills in the pre- and post-procedure evaluations and provision of instruction to the patient and their family members, including intensive care and convalescent care.

2. Registered nurses providing care in the cardiac catheterization and electrophysiology laboratories must be trained in cardiovascular implantable electronic device management and be certified in Basic Life Support and Pediatric Advanced Life Support.

3. Registered nurses providing care in the cardiac intensive care unit must have training with validated competencies in caring for congenital heart patients.

(d) Additional Staff. Each hospital providing pediatric cardiac services must have perfusionists, cardiovascular technologists, respiratory therapists, radiologic technicians, clinical laboratory personnel, and social workers available at all times sufficient to meet the needs of any patient.

1. Cardiovascular technologists must be credentialed as a Registered Cardiovascular Invasive Specialist or Registered Cardiac Electrophysiology Specialist or must complete a hospital-based education and training program acceptable to the medical director.

2. Cardiovascular technologists serving as the cardiovascular recorder must have no other duties during a procedure.

(4) Physical Plant Requirements.

The Florida Building Code contains the physical plant requirements for cardiac catheterization laboratories and operating suites for cardiac surgery operated by a licensed hospital. The addition or renovation of cardiac catheterization laboratories and operating suites are subject to the Florida Building Code applicable at the time of construction or renovation, and are reviewed by the Agency as required by section 395.0163, F.S.

(5) Equipment.

(a) Each hospital must have policies and procedures for the selection, procurement, use, and maintenance of age- and size-appropriate equipment used for pediatric cardiac services, and must document preventive and daily maintenance activities following manufacturer's directions.

(b) Each hospital unit in which pediatric cardiac services are provided must have:

1. A protocol for handling emergency conditions related to the breakdown of essential equipment, including the immediate availability of personnel trained in equipment repair and maintenance.

2. A crash cart containing the necessary medication and age- and size-appropriate equipment for ventilatory support. A listing of all crash cart contents must be readily available. At the beginning of each shift, the crash cart must be checked for an intact lock; the defibrillator and corresponding equipment must be checked for function and operational capacity. A log must be maintained indicating the review.

3. A quality improvement program for radiographic imaging systems must include measures of image quality, dynamic range and modulation transfer function.

(c) Each hospital must have age- and size-appropriate equipment available for patients receiving pediatric cardiac services, including:

1. Multi-dimensional imaging equipment for magnetic resonance imaging/magnetic resonance angiography (MRI/MRA), computed tomography, echocardiography, and scintigraphy;

2. A special procedure x-ray room with diagnostic x-ray examination table;

3. X-ray equipment with the capability in cineangiography, or equipment with similar capabilities;

4. An automatic injector;

5. An electrocardiograph;

6. A multi-channel electrophysiology recording system;

7. A cardiopulmonary monitoring system;

8. Emergency equipment, including temporary pacemaker units with catheters, ventilatory assistance devices, and a DC defibrillator;

9. Biplane angiography, with framing rates of 30-60 fps and injection rates of up to 40 mL/s;

10. Extracorporeal Membrane Oxygenation machine;

11. Treadmill or cycle ergometer;

12. Blood pressure cuffs; and

13. Oxygen saturation monitors.

(d) Cardiac MRI scanners must:

1. Be accredited by a national accrediting organization that is approved by the Centers for Medicare and Medicaid Services for magnetic resonance imaging and advanced diagnostic imaging services;

2. Have field strength of not less than 1.5 Tesla and equipped with localized multichannel radiofrequency surface coil and ECG gating capable of prospective triggering, retrospective gating, and triggered retrogating;

3. Have an MRI-compatible power injector for performing myocardial perfusion MR imaging or any MR angiographic methods;

4. Be capable of fast 3-D gradient-echo imaging, steady-state imaging with free precession, phase-contrast flow quantification, fast multi-slice myocardial perfusion imaging, and late contrast-enhanced myocardial imaging. Parallel imaging and half-Fourier capabilities are desirable to permit shortened breath-hold requirements.

(e) Each hospital must have a pediatric echocardiography laboratory accredited by the Intersocietal Accreditation Commission for pediatric echocardiography in order to perform Transthoracic Echoes, Transesophageal Echoes, and Fetal Echoes.

(f) In addition to the requirements in rule 59A-3.270, F.A.C., each hospital must maintain a complete database of patients with devices to include all device models and ID numbers, and Lead models and ID numbers.

(6) Emergency Transportation.

Each hospital must have policies and procedures to effectuate the rapid transport of pediatric and adult congenital heart disease patients. The policies and procedures must consider factors affecting inter- and intra- facility transport, including:

(a) Providing emergency transportation directly or by contract;

(b) Age and size of the patient;

(c) Ground or air transport;

(d) Weather conditions; and

(e) Distance.

(7) Data Reporting.

(a) Each hospital must submit data to the Society of Thoracic Surgeons Congenital Heart Surgery Database (National Database), including the Anesthesia Model in the manner set forth herein. Each hospital must be deemed to have certified that the data submitted for each time period is accurate, complete and verifiable. Data must be submitted in accordance

with the timetables and procedures established by the Society of Thoracic Surgeons National Database, and:

1. All data must be reported using the specific data elements, definitions and transmission format as set forth by the Society of Thoracic Surgeons;

2. Maintain participation in the Society of Thoracic Surgeons National Database;

3. Release the data reported by the Society of Thoracic Surgeons National Database to the Agency upon request;

4. Except for programs with less than the requisite number of years of data for publication, publish cardiac surgical outcomes to the public on the Society of Thoracic Surgeons website <https://publicreporting.sts.org> and maintain an overall risk-adjusted observed to expected operative mortality ratio whose lower limit of the 95% confidence interval is less than or equal to 1;

5. Use the Society of Thoracic Surgeons National Database and use software approved by the Society of Thoracic Surgeons for data reporting;

6. Ensure that software formats are established and maintained in a manner that meets Society of Thoracic Surgeons transmission specifications and encryption requirements. If necessary, each hospital must contract with a vendor approved by the Society of Thoracic Surgeons National Database for software and hardware required for data collection and reporting;

7. Implement procedures to transmit data via a secure website or other means necessary to protect patient privacy as required by the Society of Thoracic Surgeons National Database;

8. Ensure that all appropriate data is submitted on every patient who receives medical care and is eligible for inclusion in the Society of Thoracic Surgeons National Database;

9. Maintain an updated and current institutional profile with the Society of Thoracic Surgeons National Database;

10. Ensure that data collection and reporting will only be performed by trained, competent staff and that such staff must adhere to Society of Thoracic Surgeons National Database standards;

11. Submit corrections to any data submitted to the Society of Thoracic Surgeons National Database as discovered by the hospital or by the Society of Thoracic Surgeons National Database. Such corrections must be submitted within thirty days of discovery of the need for a correction or within such other time frame as set forth by the Society of Thoracic Surgeons National Database;

12. Designate a Society of Thoracic Surgeons National Database site manager that will serve as the primary contact between the hospital and the Society of Thoracic Surgeons National Database with regard to data reporting; and

13. Compile quality assurance data annually from their Society of Thoracic Surgeons Congenital Heart Surgery Database Report and provide for Agency review upon request which includes:

a. Number of patients/operations submitted and an analysis of operative mortality, and complexity information, by year;

b. Number of patient/operations in analysis, operative mortality, and complexity information, by age group;

c. Primary Procedure Operative Mortality;

d. Society of Thoracic Surgeons - European Association of Cardio-Thoracic Surgery Mortality Category Operative Mortality, by year; and

e. Society of Thoracic Surgeons - European Association of Cardio-Thoracic Surgery Mortality Category Operative Mortality, by age group.

(b). Report to the American College of Cardiology IMPACT Data Registry in accordance with the timetables and procedures established by the Registry, and:

1. Submit reports using the specific data elements, definitions, timetables, transmission format, required software, and procedures established and in accordance with the Registry criteria;

2. Ensure that software formats are established and maintained in a manner that meets transmission specifications and encryption requirements necessary to protect patient privacy;

3. Maintain an updated and current institutional profile with the Registry; and

4. Maintain participation in the Registry.

(c) Each hospital must register with the Adult Congenital Heart Association and submit data as required by the Adult Congenital Heart Association in order to maintain a current registration.

(d) Each hospital must participate in two or more quality metrics defined by the American College of Cardiology, Adult Congenital & Pediatric Cardiology Quality Network. Data submitted for each quality metric must be in a format provided by the Adult Congenital & Pediatric Cardiology Quality Network.

(8) Enforcement.

Enforcement of these rules shall follow procedures established in rule 59A-3.253, F.A.C., and Chapters 395, Part I, 408, Part II, F.S., including suspension, revocation or denial of the pediatric cardiac program license.

(9) This rule is in effect for five years from its effective date.

Rulemaking Authority 395.1055, 408.036, 408.0361 FS. Law Implemented 395.1055, 408.0361 FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jack Plagge

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Simone Marstiller

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 02, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 31, 2018

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.: RULE TITLES:

61D-3.001 Procedures for Stewards' Hearings.

61D-3.0015 Jai Alai Game Infractions

61D-3.002 Appeal Procedures

61D-3.003 Stay of Stewards'/Judge's Penalty

61D-3.004 Payment of Fines

PURPOSE AND EFFECT: The purpose of this rule amendment is to update procedures for hearings before stewards with the goal of streamlining certain enforcement actions, including equine drug positive cases, against licensees. The rule amendment is also intended to provide clarity to procedures related to stewards' hearings. Rules 61D-3.002, 3.003, and 3.004, F.A.C., will be repealed. This proposed rule is a continuation of the rulemaking began on November 23, 2020 with a Rule Development and continued with a Proposed Rule, regarding which a hearing was held on December 16, 2020. The comments from that rulemaking record and the related hearing transcript have been taken into account when preparing to propose these rules; and they are hereby made part of the record of this Proposed Rule and the subsequent rule promulgation process directed toward Rule Adoption.

SUMMARY: Guidelines surrounding Board of Stewards procedures will be encapsulated in Rule 61D-3.001, F.A.C. Guidelines surrounding Jai Alai Game Infractions will be encapsulated in Rule 61D-3.0015, F.A.C.

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 economic review conducted by the Agency.

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: 120.80(4)(a), 550.0251(3), 550.2415(3),(12) FS.

LAW IMPLEMENTED: 120.80(4)(a), 550.0251, 550.1155, 550.2415 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: Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761

THE FULL TEXT OF THE PROPOSED RULE IS

Substantial Rewording of Rule 61D-3.001 Follows. See Florida Administrative Code for Present Text.

61D-3.001 Procedures for Stewards' Hearings

(1) Hearings Conducted by a Board of Stewards:

(a) All proceedings for alleged violations indicated in subsection (1)(b) of this rule shall be heard by a Board of Stewards unless the division indicates in its administrative complaint that it is seeking revocation of a licensee's pari-mutuel license or the Board of Stewards relinquishes jurisdiction as required by the Florida Administrative Code and/or Florida Statutes.

(b) Allegations of the following violations shall be heard by a Board of Stewards:

1. Horse riding and harness riding actions in violation of Chapter 550, F.S.

2. Application and usage of drugs and medication to horses in violation of Chapter 550, F.S.

3. Maintaining or possessing any device which could be used for the injection or other infusion of a prohibited drug to horses in violation of Chapter 550, F.S.

4. Suspensions under reciprocity agreements between the Division of Pari-Mutuel Wagering and regulatory agencies of other states involving horse racing.

5. Assault or other crimes of violence on premises licensed for horse racing.

6. Prearranging the outcome of any pari-mutuel horse racing event.

(c) Board of Stewards Composition: Prior to each steward's hearing for an alleged violation of Florida Statutes and/or Florida Administrative Code, the division shall select three stewards to serve as the Board of Stewards. At least one steward on each Board of Stewards shall be a steward the division employs. Each horseracing permitholder shall designate at least two stewards they employ as eligible to serve on the Board of Stewards. If one or more of a permitholder's designated stewards are unavailable for a hearing, the division

shall fill any vacancy on the Board of Stewards with a steward the division employs.

(d) Conflict of Interest: The permitholder shall not employ a steward in any other capacity or assign duties of other employees to a steward.

(2) Procedures Applicable to Hearings by a Board of Stewards:

(a) Service of an Administrative Complaint: Service of an administrative complaint by the division marks the commencement of the administrative action. Service of an administrative complaint shall be made by either personal service on the respondent, certified mail to the respondent's last known address of record with the division, or electronic mail to the respondent's last known email address of record with the division. Each licensee of the division is responsible for notifying the division in writing of any changes to the licensee's mailing address and electronic mailing address within ten days.

(b) Service of Notices of Stewards' Hearing:

1. The time and place for a stewards' hearing shall be included in a document titled "Notice of Stewards' Hearing," which shall be served on all named parties at least five business days prior to the hearing, unless otherwise agreed to by the named parties.

2. Each Notice of Stewards' Hearing shall contain: a file number; the name and address of the respondent; a statement of any statute and/or rule alleged to have been violated; the date and time of the hearing; and the physical address or instructions for telephone conference or video conference attendance at the hearing. The division steward shall determine whether a stewards' hearing is to be held in person, by telephone, or by video conference.

3. Any interested person who fails to attend a duly noticed hearing, either in person or through representation, waives their right to contest the outcome of the hearing.

(c) Conduct of Hearings Before a Board of Stewards

1. The division shall have an opportunity to present to the Board of Stewards the undisputed facts of the alleged violation and any evidence of mitigation or aggravation for purposes of deciding a penalty.

2. All parties shall have an opportunity to present evidence and witnesses regarding mitigation for purposes of deciding a penalty. All witnesses shall be sworn in by a member of the Board of Stewards and are subject to examination, cross-examination, and questioning by any member of the Board of Stewards.

3. All parties shall have an opportunity to present legal arguments to the Board of Stewards, including interpretation of applicable division rules and statutes.

(d) General Provisions:

1. Hearings and Records: All hearings before a Board of Stewards shall be conducted in person, by telephone, or by

video conference. The division steward(s) shall assure that a record of the proceedings is preserved. Any named party to a hearing may, at his/her own expense, provide a certified court reporter. Any named party who wishes to make a written transcript of the recorded testimony shall request a copy of the recorded testimony and transcribe the same at his/her own expense.

2. Continuances: The division steward shall grant a continuance of a hearing for good cause shown. Requests for continuance shall be made by motion.

3. Computation of Time: In computing any period of time allowed by this rule chapter, the day of the act from which the period of time begins to run shall not be included. The last day of the period shall be included unless it is a Saturday, Sunday, or legal holiday, in which event the period shall run until the end of the next day which is not a Saturday, Sunday, or legal holiday. When the period of time allowed is less than 7 days, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation. As used in these rules, legal holiday means those days designated in Section 110.117, F.S.

4. Motions: All requests for relief following service of an administrative complaint shall be by motion. All motions shall be in writing unless made on the record during a hearing, and shall fully state the action requested and the grounds relied upon. The original written motion shall be filed with the Board of Stewards, unless otherwise indicated by this rule. On matters pending before it, the Board of Stewards shall conduct such proceedings deemed necessary to dispose of issues raised by the motion. The division steward, with input from the other stewards comprising the Board of Stewards, shall issue orders resolving pending motions before the Board of Stewards.

5. Disqualification: Unless good cause is shown, all motions for disqualification of stewards shall be received by the division director in writing at least three days prior to the date scheduled for hearing. The division director shall grant a disqualification of a steward for good cause shown.

6. Authority to Negotiate Settlement: Stewards are authorized to discuss cases of which they have jurisdiction with trainers and trainers' legal representatives in an effort to negotiate a settlement between the parties.

7. Permitholder Rule Violations: A steward employed by the division shall not sit in judgment of a matter pending before the permitholders' stewards that is based solely upon any rule of the permitholder.

8. Documents: Upon request to the Board of Stewards, any named party shall be entitled to obtain copies of all exhibits or materials any other party plans to rely upon during the hearing. A named party requesting production shall pay the actual cost of production of such material. A named party shall also be entitled to the names and addresses of all witnesses and

investigators with information relevant to an alleged violation to be heard by the stewards.

9. Representation: A named party in any proceeding before the Board of Stewards may be represented by an attorney admitted to practice law in Florida or by any qualified representative as defined in Rule 28-106.106, F.A.C., who agrees to comply with the requirements of Rule 28-106.107, F.A.C. Rule 28-106.106, F.A.C. is incorporated herein by reference and can be located at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. Rule 28-106.107, F.A.C. is incorporated herein by reference and can be located at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The division steward, with input from the other stewards comprising the Board of Stewards, shall determine if an individual is able to serve as a qualified representative pursuant to the criteria identified in Rule 28-106.106, F.A.C., and disqualify an individual from serving as a qualified representative if such individual engages in conduct described in Rule 28-107.107(3), F.A.C. After written notice of appearance that a named party is being represented by an attorney or qualified representative, all communications concerning the case shall be made to the attorney or qualified representative, and the attorney or qualified representative shall be entitled to exercise the rights granted to the party under these rules.

10. Presentation of Evidence:

a. After commencement of a proceeding, named parties may obtain relevant discovery regarding mitigation and/or aggravation through the means and in the manner provided in Rules 1.280 through 1.410, Florida Rules of Civil Procedure.

b. Each named party shall have the right to present evidence relevant to the issues; to cross-examine opposing witnesses; to impeach any witness regardless of which party first called him to testify; and to rebut the evidence presented against it.

c. Any relevant evidence shall be admitted if it is the sort of evidence on which reasonably prudent persons are accustomed to rely on in the conduct of their affairs. Irrelevant and unduly repetitious evidence shall be excluded.

11. Waiver of Hearing: At any time prior to a hearing, a respondent may waive their right to a hearing in writing. If a respondent and all named intervenors waive their right to a hearing, the division steward shall enter a recommended order based on the allegations in the administrative complaint and all applicable Florida rules and statutes.

(e) Division Counsel: The division is a party to a proceeding before the Board of Stewards pursuant to this rule and will be allowed to be represented by counsel.

(3) Resolution of Proceedings:

(a) Recommended Orders:

1. The division steward, with input from the other stewards comprising the Board of Stewards, shall issue a determination in the form of a recommended order.

2. A recommended order shall be entered within 14 days after the hearing or within 14 days of a waiver of hearing by the respondent and all named intervenors. The order shall include: a caption; the time and place of any hearing that was held; findings of fact; a statement of any rule or statute violated; any mitigating or aggravating factors considered; and the details of the penalty recommended, including the length of any suspension, the amount of any fine imposed for each violation, and any other penalty recommended.

3. The penalty recommended shall be determined by the members of the Board of Stewards selected to hear the alleged violation. Although a division steward may receive input from the permitholder's stewards, a division steward holds final decision-making authority as it relates to determining violations of the division's rules and the penalty recommended.

4. Any party may file written objections to a Board of Stewards' recommended order within 10 days of a recommended order being filed. Written objections shall be filed with the division. Objections shall identify the disputed portion of the recommended order by page number or paragraph and shall identify the legal basis for the objection.

(b) Imposition of a Final Order: The division shall enter a final order within 45 days of a recommended order if no party files an objection or within 90 days of a recommended order if there are any filed objections. When rejecting or modifying a conclusion of law or interpretation of administrative rule, the division must state with particularity its reasons for rejecting or modifying such conclusion of law or interpretation of administrative rule and must make a finding that its substituted conclusion of law or interpretation of administrative rule is as or more reasonable than that which was rejected or modified. Rejection or modification of conclusions of law may not form the basis for rejection or modification of findings of fact. The division may not reject or modify the findings of fact unless the division first determines from a review of the entire record, and states with particularity in the order, that the findings of fact were not based upon competent substantial evidence or that the proceedings on which the findings were based did not comply with essential requirements of law. The division may accept the recommended penalty in a recommended order, but may not reduce or increase it without a review of the complete record and without stating with particularity its reasons therefor in the order.

(c) Consent Order: If all named parties agree, the division steward may attempt to resolve the case by facilitating a settlement agreement between the parties in the form of a consent order signed by the parties. Such a consent order does not become a final order of the division unless signed by the

director of the division. If the division director rejects a proposed consent order, the proceeding shall continue with the process identified in Rule 61D-3.001(3), F.A.C.

(4) Disputes of Material Fact: The Board of Stewards does not have jurisdiction to hear cases involving genuine issues of material fact. For purposes of this rule, a material fact is a fact that is essential to the determination of whether the respondent committed the alleged violation. Once a disputed issue of material fact is presented, the Board of Stewards must relinquish jurisdiction over the proceeding back to the division to be governed by Section 120.57(1), F.S., and referred to the Division of Administrative Hearings.

(5) Payment of Penalties and Appeals:

(a) Payment of Penalties: All administrative fines imposed by final order pursuant to this rule must be paid within 30 days of the issuance of the final order unless the final order indicates a longer time frame or an appeal has been filed by a named party. All administrative fines pursuant to this rule must be paid within 15 days of the resolution of the appeal.

(b) All administrative fines imposed as a result of a proceeding conducted pursuant to this rule shall be deposited into a Board of Relief fund established by a pari-mutuel permitholder.

(c) Appellate Rights: A named party has the right to judicial review as specified in Section 120.68, F.S., following the imposition of a final order by the division.

(6) Return of Purse:

(a) In order for the return of a purse to be ordered by the division upon the finding of a violation of Section 550.2415, F.S., the division shall state in the administrative complaint that such a penalty may be imposed. The division shall also provide notice to interested persons as required in subsection (2) below.

(b) Rights of Interested Persons or Entities:

1. For purposes of this rule, "interested persons" means any "person," as defined by Sections 120.52(14) and 1.01(3), F.S., whose substantial interests will be affected by the proposed agency action.

2. Notice of a Proceeding to Interested Persons: Notice of a violation of Section 550.2415, F.S., where return of a purse has been identified in the administrative complaint as a potential penalty, shall be publicly posted at <http://www.myfloridalicense.com/DBPR/pari-mutuel-wagering/notice-of-proceeding/>. Such notice shall include, at a minimum, the following:

a. The name of the horse that is the subject of the administrative complaint;

b. The date of the race that the alleged violation occurred;

c. The number of the race and performance which the alleged violation occurred;

d. The racetrack where the alleged violation occurred;

e. A link to the copy of the filed administrative complaint at issue; and

f. The date which the information was publicly posted on the website.

(c) In a proceeding where the division has followed the requirements in subsections (1) and (2) above, the recommended order issued shall provide a recommendation to the division regarding whether the return of a purse shall be imposed.

(d) Notice of Hearing to Owners: Prior to a stewards' hearing for an alleged violation of Section 550.2415, F.S., where return of a purse has been identified in the administrative complaint as a potential penalty, the stewards shall give at least five business days' notice to each owner listed in the racing program on the date of the race who may be adversely affected of the date, time, and location of the hearing. Such notice shall be mailed to the owners' last known address on record with the division and sent by electronic mail to any known electronic mail addresses on file.

(e) The return of a purse shall be imposed in accordance with the recommended penalties for licensed owners in the Classification and Penalty Guidelines incorporated by reference in Rule 61D-6.011, F.A.C. If any aggravating or mitigating factors listed in Rule 61D-6.011(5), F.A.C. are found, the recommended penalty may be adjusted accordingly. A recommended order shall identify any facts found to provide evidence of aggravating or mitigating factors which supported an adjustment to the recommended penalty. Any party may file written objections to a recommended order that recommends redistribution of a purse within 10 days of a recommended order being filed. Written objections shall be filed with the division. Objections shall identify the disputed portion of the recommended order by page number or paragraph and shall identify the legal basis for the objection. When rejecting or modifying a conclusion of law or interpretation of administrative rule, the division must state with particularity its reasons for rejecting or modifying such conclusion of law or interpretation of administrative rule and must make a finding that its substituted conclusion of law or interpretation of administrative rule is as or more reasonable than that which was rejected or modified. Rejection or modification of conclusions of law may not form the basis for rejection or modification of findings of fact. The division may not reject or modify the findings of fact unless the division first determines from a review of the entire record, and states with particularity in the order, that the findings of fact were not based upon competent substantial evidence or that the proceedings on which the findings were based did not comply with essential requirements of law. The division may accept the recommended penalty in a recommended order, but may not reduce or increase it without

a review of the complete record and without stating with particularity its reasons therefor in the order.

(f) At any time in a proceeding prior to a final hearing, an interested person may move to intervene as directed and authorized by Chapter 120, F.S. and Rule 28-106.205, F.A.C. A motion to intervene shall be ruled on by the division steward in accordance with Chapter 120, F.S. and Rule 28-106.205, F.A.C. Rule 28-106.205, F.A.C. is incorporated herein by reference and can be located at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. An interested person that successfully intervenes in a proceeding shall have all of the rights of a named party in a proceeding.

(g) In the event an administrative complaint has been filed alleging a violation of Section 550.2415, F.S., where return of the purse may be ordered, any purse money which has not been disbursed in connection with the horse identified in the administrative complaint shall be placed on account with the permitholder's comptroller until resolution of all proceedings.

(h) In the event the division orders redistribution of a purse, the division shall order such purse be returned to the awarding permitholder for redistribution to the remaining eligible race participants pursuant to the permitholder's internal regulations.

(i) A permitholder shall have written rules, which may be reviewed upon request by any member of the public or employee of the division, regarding the process for redistributing purses returned to the permitholder.

Rulemaking Authority 120.80(4)(a), 550.0251(3), 550.2415(3), (12) FS. Law Implemented 120.80(4)(a), 550.0251, 550.1155, 550.2415 FS. History—New 10-20-96, Amended 12-15-97, 4-12-06, 6-26-11, _____.

61D-3.0015 Jai Alai Game Infractions

Jai Alai game infractions shall be decided by the court judges pursuant to a permitholder's house rules. Any alleged violation of Chapter 550, F.S., at a jai alai fronton will be governed by Sections 120.569 and 120.57, F.S.

Rulemaking Authority 120.80(4)(a), 550.0251(3) FS. Law Implemented 120.80(4)(a), 550.0251 FS. History—New _____.

61D-3.002 Appeal Procedures

Rulemaking Authority 120.80(4)(a), 550.0251(3), 550.2415(12) FS. Law Implemented 120.80(4)(a), 550.0251, 550.054, 550.1155 FS. History—New 10-20-96, Amended 1-5-98, 4-12-06, 6-26-11, Repealed _____.

61D-3.003 Stay of Stewards'/Judges' Penalty

Rulemaking Authority 120.80(4)(a), 550.0251(3) FS. Law Implemented 120.80(4)(a), 550.0251, 550.1155 FS. History—New 10-20-96, Amended 1-5-98, 4-12-06, 6-26-11, Repealed _____.

61D-3.004 Payment of Fines

Rulemaking Authority 120.80(4)(a), 550.0251(3), 550.2415(12) FS. Law Implemented 120.80(4)(a), 550.0251, 550.054, 550.1155, 550.2415 FS. History—New 10-20-96, Amended 1-5-98, 4-12-06, 6-26-11, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bryan Barber, Division of Pari-Mutuel Wagering, bryan.barber@myfloridalicense.com, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1761

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julie I. Brown, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 25, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 9, 2021

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.: RULE TITLE:
68D-24.017 Palm Beach County Boating Restricted Areas

PURPOSE AND EFFECT: This rule amendment will establish a slow speed, minimum wake boating restricted area in Jupiter Narrows adjacent to Coral Cove Park on weekends during high use boating season for public safety.

SUMMARY: The proposed amended rule would create a slow speed minimum wake boating restricted area that would be in effect during weekends and holidays (specified in the rule) in and adjacent to a portion of the Florida Intracoastal Waterway in Palm Beach County, specifically, from shoreline to shoreline in the area from 300 feet north of the SR 707 bridge to 4290 feet north of the SR 707 bridge (an area referred to as the Jupiter Narrows).

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: 327.04, FS.

LAW IMPLEMENTED: 327.46, 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: Major Rob Beaton, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399, rob.beaton@myfwc.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

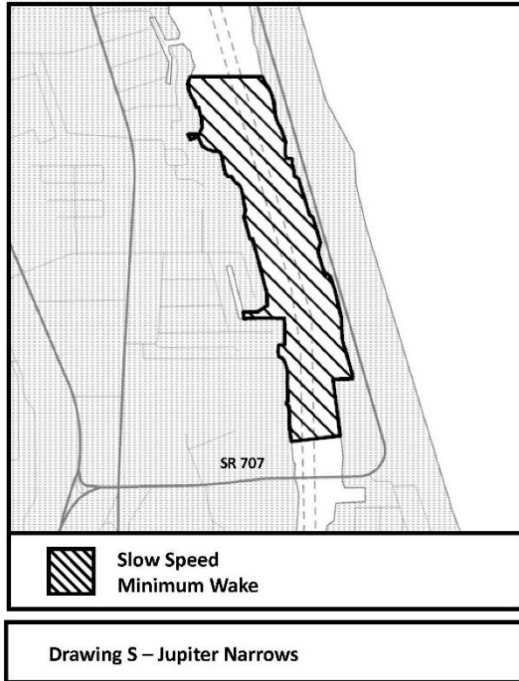
68D-24.017 Palm Beach County Boating Restricted Areas.

(1) For the purpose of regulating speed and operation of vessel traffic on the Intracoastal Waterway within Palm Beach County, Florida, the following boating restricted areas are established:

(s) Jupiter Narrows

300 feet north of the SR 707 Bridge to 4290 feet north of the SR 707 Bridge. A slow speed, minimum wake zone to be in effect from 7:00 a.m. until 9:00 p.m. on Saturdays, Sundays, and those holidays identified in Rule 68D-23.103, in and adjacent to the Florida Intracoastal Waterway, shoreline to shoreline, bounded on the south by a line drawn perpendicular to the centerline of the waterway 300 feet north of the centerline of the SR 707 (Gomez Road) Bridge, and bounded on the north by a line drawn perpendicular to the centerline of the waterway 4290 feet north of the SR 707 (Gomez Road) Bridge as depicted in drawing S.

Drawings A through R No change.



Rulemaking Authority 327.04, 327.302, 327.46 FS. Law Implemented 327.302, 327.46 FS. History—New 10-6-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Major Rob Beaton, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399, rob.beaton@myfwc.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 25, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 4, 2020

Section III
Notice of Changes, Corrections and Withdrawals

NONE

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice: that on March 9th, 2021, the Southwest Florida Water Management District has issued an order granting a variance.

Petitioner's Name: SLCW Master Association- File Tracking No. 21-4330

Date Petition Filed: January 13, 2021

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought: Lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: January 22, 2021

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting: Michael Bench, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481 x. 2298, water.variances@watermatters.org. (T2021003).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:

61J2-3.008 Pre-licensing Education for Broker and Sales Associate Applicants

NOTICE IS HEREBY GIVEN that on March 2, 2021, the Florida Real Estate Commission, received a petition for variance or waiver submitted by B. David Jarashow regarding subsection 61J2-3.008(8), F.A.C., which exempts any active member in good standing with The Florida Bar who is otherwise qualified under the real estate license law from the Commission-prescribed prerequisite education course for licensure as a real estate sales associate. Petitioner, a member of another state Bar, is requesting that he be allowed to sit for the Real Estate Sales person's exam without requiring the prelicensing education, as if he were licensed in Florida. Comments on the petition should be filed with the Florida Real Estate Commission, 400 West Robinson Street, Suite N801, Orlando, FL 32801, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Giovanna Corona, Executive Director, Florida

Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, FL 32801, Giuvanna.Corona@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-28.009 Required Continuing Education for Massage Therapists

NOTICE IS HEREBY GIVEN that on March 8, 2021, the Board of Massage Therapy, received a petition for variance and waiver filed by Jessica Pomales. The Petitioner is seeking a variance or waiver of paragraph 64B7-28.009(4)(e), F.A.C., which requires that during each subsequent biennial renewal cycle, the licensee shall complete: twelve classroom hours, taught in an in-person setting, which must include hands-on instruction or demonstration, and must have stated learner objectives which are relevant to and focused on massage therapy techniques, skills, and protocols as defined in subsection 480.033(3), F.S. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, at the above listed address, (850)245-4162, or by electronic mail - kama.monroe@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

State Board of Education

The Department of Education announces a public meeting to which all persons are invited.

DATE AND TIME: March 17, 2021, 9:00 a.m.

PLACE: Tallahassee Community College, Student Union Ballroom, 444 Appleyard Dr., Tallahassee, Florida 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Board of Education will be conducting this meeting in accordance with local requirements regarding the wearing of face coverings and requests that attendees do the same. The meeting agenda will consist of the approval of the January 13, 2021 meeting minutes. Updates on the 2021-2021 School Year; Progress Monitoring and Early Learning Deserts; Superintendent Smith on behalf of the Florida Association of District School Superintendents; President Falconetti on behalf of the Council of Presidents, and Teacher Salary Increase Allocation. Additional items for consideration include action relating to the following: Adoption of the Governor’s Florida Leads Budget as the State Board’s 2021-22 Amended

Education Operating and Fixed Capital Outlay Budget Request; Revised Turnaround Plans; Statewide Reverse Transfer Articulation Agreement; Amendment to Rule 6A-1.09441, F.A.C., Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation; Amendment to Rule 6M-4.610, F.A.C., Statewide Provider Contract for the School Readiness Program; Amendment to Rules 6M-4.740, F.A.C., Program Assessment Requirements for the School Readiness Program and 6M-4.741, F.A.C., Program Assessment Threshold Requirements for the School Readiness Program; Amendment to Rule 6M-8.301, F.A.C., Standard Statewide Provider Contract for the VPK Program; Appointments to the Education Practices Commission (EPC); and Adoption of a Resolution Requesting the Issuance and Sale of Not Exceeding \$65,000,000 State of Florida, State Board of Education Lottery Revenue Refunding Bonds Series (to be determined).

A copy of the agenda may be obtained by contacting: Chris Emerson at (850)245-9601 or Christian.Emerson@fldoe.org or by visiting the Department’s website at <http://www.fldoe.org/policy/state-board-of-edu/meetings>.

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 five days before the workshop/meeting by contacting: Chris Emerson at (850)245-9601 or Christian.Emerson@fldoe.org. 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).

For more information, you may contact: For more information, you may contact: Chris Emerson at (850)245-9601 or Christian.Emerson@fldoe.org.

DEPARTMENT OF TRANSPORTATION

The Florida Transportation Commission announces a telephone conference call to which all persons are invited.

DATES AND TIMES: March 18, 2021, 10:00 a.m. ET; April 1, 2021, 10:00 a.m. ET; April 15, 2021, 10:00 a.m. ET

PLACE: These meetings will be held via Microsoft TEAMS. Use the links provided to join. March 18, 2021: <https://bit.ly/FTCMAR18> or call-in (audio only): (850)739-5589, Conference ID: 364 465 055#; April 1, 2021: <https://bit.ly/FTCAPR01> or call-in (audio only): (850)739-5589, Conference ID: 510 936 52#; April 15, 2021: <https://bit.ly/FTCAPR15> or call-in (audio only): (850)739-5589, Conference ID: 303 548 785#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General FTC issues/business

A copy of the agenda may be obtained by contacting: the Florida Transportation Commission, 605 Suwannee Street, Tallahassee Florida 32399, (850)414-4105.

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 Florida Transportation Commission, 605 Suwannee Street, Tallahassee Florida 32399, (850)414-4105. 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).

For more information, you may contact: the Florida Transportation Commission, 605 Suwannee Street, Tallahassee Florida 32399, (850)414-4105.

FLORIDA COMMISSION ON OFFENDER REVIEW

RULE NO.: RULE TITLE:

23-21.002 Definitions

The Florida Commission on Offender Review announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 22, 2021, 9:00 a.m. – 10:00 a.m.

PLACE: There will be no in person Commission meeting. The meeting will be held via conference call. To participate in the meeting, call United States (Toll Free): 1(877)309-2073 or United States: (571)317-3129 and dial access code 337-350-165. For questions and correspondence from inmate supporters, please email inmatessupporter@fcor.state.fl.us. For questions and correspondence regarding victims' rights, please email victimquestions@fcor.state.fl.us.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed changes to FCOR rules 23-15, 23-20, 23-21, 23-22, 23-23, 23-24, and 23-25.

A copy of the agenda may be obtained by contacting: Lisa Martin, Florida Commission on Offender Review, at lisamartin@fcor.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: Lisa Martin, Florida Commission on Offender Review, at lisamartin@fcor.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.

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

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

DATE AND TIME: March 18, 2021, 2:30 p.m., Northeast Florida Economic Resilience Taskforce

PLACE: Virtual meeting via Zoom. Visit www.nefrc.org for joining information.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Economic Resiliency.

A copy of the agenda may be obtained by contacting: Sean Lahav at slahav@nefrc.org.

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 hours before the workshop/meeting by contacting: (904)279-0880. 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).

SPACE FLORIDA

The Space Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 17, 2021, 4:00 p.m.

PLACE: TELECONFERENCE: Dial: 1(866)528-2256, Access Code: 4875556

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Board of Directors Meeting

A copy of the agenda may be obtained by contacting: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241.

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 2 days before the workshop/meeting by contacting: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241. 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: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241.

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

The Florida Commission on Human Relations announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 31, 2021, 10:00 a.m. ET

PLACE: Call 1(888)585-9008, and when prompted enter conference room number 772425480, followed by the # key.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for the Commission to vote on the disposition of cases, and a petition for a declaratory statement, pending before it for decision.

A copy of the agenda may be obtained by contacting: John Scotese at (850)907-6823 or John.Scotese@fchr.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

The Board of Pilot Commissioners Deputy Pilot Advancement Committee announces a public meeting to which all persons are invited.

DATE AND TIME: March 31, 2021, 10:00 a.m. ET

PLACE: 1(888)585-9008, participant passcode: 491089625

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancements.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

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: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982. 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: Board of Pilot Commissioners, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1982.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Engineers Management Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: April 7, 2021, 9:00 a.m. or soon thereafter

PLACE: via video conference or telephone

GENERAL SUBJECT MATTER TO BE CONSIDERED: <https://us02web.zoom.us/j/81879893869>

Meeting ID: 818 7989 3869

Dial by your location:

(929)436-2866, US (New York)

(301)715-8592, US (Washington DC)

(312)626-6799, US (Chicago)

(669)900-6833, US (San Jose)

(253)215-8782, US (Tacoma)

(346)248-7799, US (Houston)

Meeting ID: 818 7989 3869, Passcode: 829857

Find your local number: <https://us02web.zoom.us/j/kyZqcY0TO>

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

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 10 days before the workshop/meeting by contacting: Rebecca Sammons, rsammons@fbpe.org. 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers announces a public meeting to which all persons are invited.

DATES AND TIMES: April 7, 2021, 1:00 p.m. or soon thereafter; April 8, 2021, 8:30 a.m. or soon thereafter

PLACE: via video conference or via telephone

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the board.

April 7, 2021, 1:00 p.m., <https://us02web.zoom.us/j/87276161676>, Meeting ID: 872 7616 1676

Dial by your location:

(301)715-8592, US (Washington DC)

(312)626-6799, US (Chicago)

(929)436-2866, US (New York)

(253)215-8782, US (Tacoma)

(346)248-7799, US (Houston)

(669)900-6833, US (San Jose)

Meeting ID: 872 7616 1676, Passcode: 238172

Find your local number: <https://us02web.zoom.us/j/kcweP8uKCP>

April 8, 2021, 8:30 a.m.,
<https://us02web.zoom.us/j/89237680072>, Meeting ID: 892 3768 0072

Dial by your location:

(929)436-2866, US (New York)

(301)715-8592, US (Washington DC)

(312)626-6799, US (Chicago)

(669)900-6833, US (San Jose)

(253)215-8782, US (Tacoma)

(346)248-7799, US (Houston)

Meeting ID: 892 3768 0072, Passcode: 979912

Find your local number: <https://us02web.zoom.us/j/89237680072>

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

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 10 days before the workshop/meeting by contacting: Rebecca Sammons, rsammons@fbpe.org. 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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Hurricane Research Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: March 22, 2021, 1:00 p.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar: Join the meeting at <https://global.gotomeeting.com/join/533378925>. Join the conference call: United States (toll-free): 1(866)899-4679, Meeting ID/Access Code: 533-378-925; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and accept the interim draft reports for the following research projects:

- Wind-Induced Loads on Roof Overhangs
- Updating the Statewide Extreme Rainfall Projections

To review and discuss proposed research topics and make determination regarding which research topic meets the criteria for funding

Other Committee Business on the agenda.

A copy of the agenda may be obtained by contacting: Thomas Campbell, as set forth below or on the Commission website.

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: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. 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: Thomas Campbell, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, call (850)487-1824 or access the Commission website: <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-6.002 Commission Approval and Accreditation of Advanced Building Code Training Courses

The Florida Building Commission, Education Program Oversight Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 1, 2021, 9:00 a.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar. Join the meeting at <https://global.gotomeeting.com/join/533378925>. Join the conference call: United States (toll-free) 1(866)899-4679, meeting ID/access code: 533-378-925, public point of access 2601 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review pending accretor applications for recommendation to the Commission. Review pending advanced accredited courses for recommendation to the Commission.

Rule Workshop: Rule 61G20-6.002

Other Committee Business on the agenda.

A copy of the agenda may be obtained by contacting: Thomas Campbell, as set forth below or on the Commission website.

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: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, (850)487-1824 or fax: (850)414-8436. 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: Thomas Campbell, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, call (850)487-1824 or access the Commission website: <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

The Board of Accountancy announces a public meeting to which all persons are invited.

DATE AND TIME: April 16, 2021, 9:00 a.m. ET

PLACE: Best Western Gateway Grand Hotel and Conference Center; 4200 NW 97th Boulevard; Gainesville, FL 32606

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to conduct a training session and to entertain reports from Board Staff.

A copy of the agenda may be obtained by contacting: Kevin Brown, (352)333-2505.

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 2 days before the workshop/meeting by contacting: Kevin Brown, (352)333-2505. 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: Kevin Brown, (352)333-2505.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Child Abuse Death Review Circuit 4 Committee - Duval announces a public meeting to which all persons are invited.

DATE AND TIME: April 30, 2021, 9:00 a.m. – 12:30 p.m.

PLACE: Children’s Medical Services, 2nd Floor Conference Room, 910 North Jefferson Street, Jacksonville, FL 32209

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by paragraph 383.412(3)(a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: Vicki Whitfield: Vicki.Whitfield@flhealth.gov.

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: Vicki Whitfield: Vicki.Whitfield@flhealth.gov. 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).

For more information, you may contact: Vicki Whitfield: Vicki.Whitfield@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Children's Medical Services/ Newborn Screening Follow-up Program announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 29, 2021, 9:00 a.m.

PLACE: Go To Meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Genetics and Newborn Screening Advisory Council (GNSAC) Task Force will be conducting a conference call to discuss establishing minimum standards for Newborn Screening Genetic Centers.

Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/148927389>

You can also dial in using your phone. United States (Toll Free): 1(877)568-4106, United States: (646)749-3129

A copy of the agenda may be obtained by contacting: Caitlin.Roberts@flhealth.gov.

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: 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: Caitlin.Roberts@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families, Division of Purchasing announces a public meeting to which all persons are invited.

DATE AND TIME: March 23, 2021, 2:00 p.m. Eastern Time

PLACE: Virtual Meeting: Join video meeting through <https://global.gotomeeting.com/join/387910757> or by phone at: 1(866)899-4679 (Toll Free) or (571)317-3116, Access Code: 387-910-757

GENERAL SUBJECT MATTER TO BE CONSIDERED: Change to FAR post 24262239

The purpose of the Reply Opening is to open parcels or emails containing replies in response to DCF ITN 2021 005. The Department encourages all prospective Vendors to participate in the Reply Opening, during which Vendors will be given an opportunity to speak. DCF ITN 2021 005, Community-Based Care Lead Agency for Circuit 12's solicitation advertisement can be accessed on the Vendor Bid System (VBS), accessible at http://vbs.dms.state.fl.us/vbs/main_menu

A copy of the agenda may be obtained by contacting: Amy.Hammett@myflfamilies.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 3 days before the workshop/meeting by contacting: Amy.Hammett@myflfamilies.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).

For more information, you may contact: Amy.Hammett@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families, Division of Purchasing announces a public meeting to which all persons are invited.

DATE AND TIME: March 24, 2021, 1:00 p.m. Eastern Time

PLACE: Virtual Meeting: Join video meeting through <https://global.gotomeeting.com/join/545759557> or by phone at: 1(866)899-4679 (Toll Free) or (646)749-3117, Access Code: 545-759-557

GENERAL SUBJECT MATTER TO BE CONSIDERED: (UPDATE to FAR 24275043: the originally scheduled Reply Opening for March 16, 2021, published March 8, 2021, in volume 47/45 has been CANCELLED and is rescheduled).

The purpose of the Reply Opening is to open parcels or emails containing replies in response to DCF ITN 2021 007. The Department encourages all prospective Vendors to participate in the Reply Opening, during which Vendors will be given an opportunity to speak. DCF ITN 2021 007, Community-Based Care Lead Agency for Circuit 5's solicitation advertisement can be accessed on the Vendor Bid System (VBS), accessible at http://vbs.dms.state.fl.us/vbs/main_menu.

The Department will post notice of any changes or additional meetings within the VBS.

A copy of the agenda may be obtained by contacting: Danette.Brewer@myflfamilies.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: Danette.Brewer@myflfamilies.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).

For more information, you may contact: Danette.Brewer@myflfamilies.com.

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families, Division of Purchasing announces a public meeting to which all persons are invited.

DATE AND TIME: March 25, 2021, 12:00 Noon Eastern Time

PLACE: Virtual Meeting: Join video meeting through <https://global.gotomeeting.com/join/804100173> or by phone: 1(877)309-2073 and (571)317-3129, Access Code: 804-100-173

GENERAL SUBJECT MATTER TO BE CONSIDERED: (UPDATE to FAR 24262821: the originally scheduled Reply Opening for March 16, 2021, published March 3, 2021, in volume 47/42 has been CANCELLED and is rescheduled).

The purpose of the Reply Opening is to open parcels or emails containing replies in response to DCF ITN 2021 006. The Department encourages all prospective Vendors to participate in the Reply Opening, during which Vendors will be given an opportunity to speak. DCF ITN 2021 006, Community-Based Care Lead Agency for Circuit 7 solicitation advertisement can

be accessed on the Vendor Bid System (VBS), accessible at http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Kimberly.McMahon@myflfamilies.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: Kimberly.McMahon@myflfamilies.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).

For more information, you may contact: Kimberly.McMahon@myflfamilies.com.

DEPARTMENT OF FINANCIAL SERVICES

The Department of Financial Services announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 24, 2021, 2:00 p.m. – 4:00 p.m. Eastern Time

PLACE: GoToMeeting virtual meeting. See agenda for GoToMeeting details.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida PALM Executive Steering Committee will meet to discuss the status of the Florida PALM Project.

A copy of the agenda may be obtained by contacting: the Florida PALM Project website <https://www.myfloridacfo.com/floridapalm/governance/>.

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: Jenifer Hartsfield at (850)410-9025 or FloridaPALM@myfloridacfo.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).

For more information, you may contact: or would like to submit public comment regarding the Florida PALM Executive Steering Committee, please email FloridaPALM@myfloridacfo.com.

CHIPOLA COLLEGE

The Region II Trust Fund Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: April 1, 2021, 10:00 a.m.

PLACE: Chipola College Public Service Building

GENERAL SUBJECT MATTER TO BE CONSIDERED: Semi-Annual Region II Trust Fund Meeting

A copy of the agenda may be obtained by contacting: NA
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 2 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: Chairman Ronald J. McAllister.

POLK REGIONAL WATER COOPERATIVE

The Polk Regional Water Cooperative announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 17, 2021, 2:00 p.m.

PLACE: Nora Mayo Hall, 500 3rd Street NW, Winter Haven, Florida 33881

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors and the Project Board of the Polk Regional Water Cooperative (“Cooperative”) will meet to hold a regularly scheduled meeting to address subjects dealing with organization, budgeting, water conservation, and project selection, funding, planning, and development, all as provided within the Interlocal Agreement creating the Cooperative. The meeting is open to the public.

Members of the public desiring to provide comment may do so in person or through submission of written comments before the meeting via mail at Polk Regional Water Cooperative, c/o Executive Director, Attn: Tabitha Alpers, P.O. Box 9005, Drawer CA01, Bartow, Florida, 33831-9005, or email to TabithaAlpers@polk-county.net. To assure consideration of written public comments, written comments should be received at least forty-eight hours prior to the public meeting. Public comments offered in writing shall be afforded equal consideration, regardless of the method of communication. The meeting may be remotely viewed via Zoom, a media technology free for the public to use. A link will be provided on the Cooperative’s website at www.prcwater.org with instructions regarding viewing of the meeting.

A copy of the agenda may be obtained by contacting: Copies of the meeting agenda are available in the Documents & Agendas section of the Cooperative’s website, www.prcwater.org, or may be obtained by writing the Polk Regional Water Cooperative, c/o Executive Director, Attn: Tabitha Alpers, P.O. Box 9005, Drawer CA01, Bartow, Florida, 33831-9005 or by calling Tabitha Alpers at 1(863)534-6444.

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: Polk County Communications Office, Polk County Administration Building, 330 West Church Street in Bartow, Florida 33831, Telephone: 1(863)534-6090, TDD 1(863)534-7777. 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: For more information, you may contact: Ryan Taylor, Executive Director, Polk Regional Water Cooperative, by telephone at 1(863)534-6444 or by email at RyanTaylor@PRWCwater.org.

MRGMIAMI

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

DATE AND TIME: Thursday, March 18, 2021, 5:30 p.m.

PLACE: To register for the virtual workshop and receive the link to join virtually, use the following link: <https://bit.ly/3pSmIuE>

If you prefer to dial in by phone, call (631)992-3221, Access Code: 441-221-846

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Four, will be hosting a Virtual Public Information Workshop for the Design Project for the I-95 from Commercial Boulevard to Cypress Creek Road Segments 2 and 6.

A copy of the agenda may be obtained by contacting: Mr. Kenzot Jasmin, P.E., Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4462 (Telephone), or toll free at 1(800)336-8435 ext. 4462 or via email at Kenzot.Jasmin@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: Mr. Kenzot Jasmin, P.E., Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4462 (Telephone), or toll free at 1(800)336-8435 ext. 4462 or via email at Kenzot.Jasmin@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).

For more information, you may contact: Mr. Kenzot Jasmin, P.E., Project Manager, Florida Department of Transportation

District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4462 (Telephone), or toll free at 1(800)336-8435 ext. 4462 or via email at Kenzot.Jasmin@dot.state.fl.us.

HDR ENGINEERING, INC. - PENSACOLA

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

DATE AND TIME: Tuesday, April 6, 2021, 5:30 p.m. Central Time

PLACE: In-person: Pine Forest Methodist Church, 2800 Wilde Lake Blvd, Pensacola, Florida 32526. Online: <https://nwflroads.com/virtualmeetings>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation will hold a virtual (online) and in-person public hearing to present information and gather feedback concerning the I-10 Project Development and Environment Study, Tuesday, April 6, 2021, 5:30 p.m. CT; 5:30 p.m., Informal Open House; 6:00 p.m., Formal Presentation, Comment Period

Virtual (Online): Access via computer, tablet, smartphone.

Register using the link below: <https://nwflroads.com/virtualmeetings>

In-Person: Those who are unable to participate virtually may attend in-person at Pine Forest Methodist Church, 2800 Wilde Lake Boulevard, Pensacola.

Participants may also dial (562)247-8422, access code 436-463-655 (listen-only mode).

FDOT requires advance registration online to help ensure attendees are accommodated safely in accordance with current Centers for Disease Control and Prevention Covid-19 Guidelines. Both virtual and in-person attendees MUST register online in order to participate in the public hearing.

The intent of this study is to widen I-10 from four to six lanes from east of the Alabama state line to west of U.S. 29, a distance of approximately 10 miles, and reconstruct the interchanges at Nine Mile and Pine Forest roads as Diverging Diamond Interchanges. The PD&E study for the I-10 at Beulah Road interchange (FPID 433113-1) falls within this study's limits. However, this hearing will focus only on the limits from just east of Beulah Road to west of U.S. 29. FDOT representatives will be available to discuss proposed improvements, answer questions, and receive comments. Changes in Access Management, and floodplain and wetland impacts will be disclosed at the Hearing.

Maps, drawings and other project information will be available for review online at 12:00 Noon, March 9, 2021, at <https://nwflroads.com/virtualmeetings>.

If you wish to participate in the hearing in person, FDOT requires advance registration to help ensure attendees are accommodated safely in accordance with current Centers for

Disease Control and Prevention Covid-19 Guidelines. Please visit the project website at <https://nwflroads.com/virtualmeetings>, or contact: Nikole Arrant, P.E, Project Manager at (850)415-9017, via email at narrant@hntb.com, or by mail at 1282 Office Park Drive, Chipley, Florida 32428 to register for the in-person option. FDOT representatives will be available to discuss proposed improvements, answer questions, and receive comments. The environmental review, consultation, and other actions required by applicable federal environmental laws for these projects are being, or have been, carried out by the FDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated December 14, 2016, and executed by the Federal Highway Administration and FDOT. A copy of the agenda may be obtained by contacting: The Project Manager using the information provided above. Persons wishing to submit written or verbal comments may do so at the hearing or may contact Nikole Arrant, P.E., Project Manager, at (850)415-9017, via email at narrant@hntb.com, or by mail at 1282 Office Park Drive, Chipley, FL 32428. All statements provided, or postmarked, on or before Tuesday, April 20, 2021 will become a part of the official record. Draft project documents are available for public review through Tuesday, April 20, 2021 by appointment only at HDR Engineering located at 25 West Cedar Street, Suite 200, Pensacola, FL 32502, Monday through Friday from 8:00 a.m. – 5:00 p.m. Call (850)429-8900 to schedule an appointment. Draft project documents are also available for public review on nwflroads.com and will be available at the in-person location. Public participation is held without regard to race, color, national origin, age, sex, religion, disability, or family status. 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: Nikole Arrant, P.E, Project Manager at (850)415-9017, via email at narrant@hntb.com, or by mail at 1282 Office Park Drive, Chipley, Florida 32428. 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). For more information, you may contact: Ian Satter, FDOT District Three Public Information Director, at 1(888)638-0250, extension 1205 or via email at ian.satter@dot.state.fl.us.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF MANAGEMENT SERVICES
NOTICE IS HEREBY GIVEN that FLORIDA DEPARTMENT OF MANAGEMENT SERVICES has declined to rule on the petition for declaratory statement filed by CITY OF BOCA RATON, FLORIDA on December 9, 2020. The following is a summary of the agency's declination of the petition: The petition was denied because the Petitioner requested a declaratory statement from the Department regarding conduct which has already occurred. The petition was also denied because the issue involved a dispute between the Petitioner and a third party. The Final Order was filed on March 8, 2021. A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: The Department of Management Services, Kristy Peltier, (850)487-1082, Kristy.Peltier@dms.fl.gov. Please refer all comments to: Kristy Peltier, (850)487-1082, Kristy.Peltier@dms.fl.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Florida Real Estate Commission
RULE NO.: RULE TITLE:
61J2-10.026 Team or Group Advertising
NOTICE IS HEREBY GIVEN that Florida Real Estate Commission has received the petition for declaratory statement from Hoss Pratt of Hoss Pratt International on behalf of Tarek El Moussa and The Agency. The petition seeks the agency's opinion as to the applicability of Rule 61J2-10.026., F.A.C., as it applies to the petitioner. Petitioner's petition, filed on March 2, 2021, ask whether the logo provided is acceptable for team or group advertising. Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice. A copy of the Petition for Declaratory Statement may be obtained by contacting: Giuvanna Corona, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, FL 32801, Giuvanna.Corona@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES
Finance
NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from CLTS Technologies Ltd. The petition seeks the agency's opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

On 3/5/2021, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from CLTS Technologies Ltd. The petition seeks a declaratory statement from the Office on whether its business model (to provide a smart order routing technology and algorithmic trading solution that connects its clients to optimal liquidity. Once a client is onboarded, they deposit USD or CAD into their Aquanow account, the client can purchase their desired cryptocurrency. The transaction takes place between Aquanow and the client; there are no third-party transmissions involved.) falls under the Florida Money Transmitter Statute, Chapter 560, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com.

Section VIII

Notice 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 has been filed with the Division of Administrative Hearings on the following rules:

NONE

Section IX

Notice 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 JUVENILE JUSTICE

“RFP 10696 – Public Meetings”

RFP 10696- The Department is procuring a forty-four (44) bed co-located Residential Program for boys who are appropriate for nonsecure residential placement [a thirty-two (32) bed program for boys ages of thirteen (13) to seventeen (17) and a twelve (12) bed program for boys ages ten to thirteen (13)]. The programs shall include innovations in delinquency programming and treatment services. The program(s) shall also include funding for thirty-two (32) filled slots for boys in need of intensive mental health treatment services and twelve (12) filled slots for boys in need of mental health overly services. The programs shall be in a Respondent-owned/leased building located in Florida.

All public meetings for this RFP are advertised on the Vendor Bid System at: https://www.myflorida.com/apps/vbs/vbs_www.ad_r2.view_ad?advertisement_key_num=157203.

EARLY LEARNING COALITION OF NORTHWEST FLORIDA, INC.

REQUEST FOR PROPOSALS (“RFP”)-OUTDOOR LEARNING ENVIRONMENTS #ELCNWF OK 2021-01
 REQUEST FOR PROPOSALS (“RFP”)-OUTDOOR LEARNING RESTORATION AND MATERIALS #ELCNWF OK 2021-01

The Early Learning Coalition of Northwest Florida, Inc. (“Coalition”), is announcing its interest in procuring a contract for Outdoor Learning Environment Restoration and Materials. The Request for Proposals (RFP) package will be available by March 10, 2021 on the Coalition’s website, www.elcnwf.org. This RFP Sponsored by the Early Learning Coalition of Northwest Florida and the State of Florida, Office of Early Learning, 100% funded by the U.S. Health and Human Services Child Care Disaster Fund.

Section XII

Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday, March 3, 2021 and 3:00 p.m., Tuesday, March 9, 2021.

Rule No.	File Date	Effective Date
5KER21-1	3/4/2021	3/4/2021
29D-7.001	3/9/2021	3/29/2021
61C-5.001	3/3/2021	3/23/2021
61DER21-2	3/4/2021	3/4/2021
61E14-3.002	3/4/2021	3/24/2021
61G15-35.0021	3/8/2021	3/28/2021
64B10-13.200	3/9/2021	3/29/2021
64B19-11.001	3/8/2021	3/28/2021
64B19-11.010	3/8/2021	3/28/2021
64B19-11.011	3/8/2021	3/28/2021
64B19-11.012	3/8/2021	3/28/2021
66B-2.003	3/5/2021	3/25/2021
66B-2.005	3/5/2021	3/25/2021
66B-2.0061	3/5/2021	3/25/2021
66B-2.008	3/5/2021	3/25/2021
66B-2.014	3/5/2021	3/25/2021
66B-2.015	3/5/2021	3/25/2021
66B-3.002	3/5/2021	3/25/2021
66B-3.005	3/5/2021	3/25/2021
66B-3.007	3/5/2021	3/25/2021
66B-3.008	3/5/2021	3/25/2021
66B-3.009	3/5/2021	3/25/2021
66B-3.013	3/5/2021	3/25/2021
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****

64B8-10.003	12/9/2015	**/**/****
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Section XIII
Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
