

## Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family  
Therapy and Mental Health Counseling**

RULE NO.:       RULE TITLE:

64B4-2.0025     Definition of "Qualified Supervisor"

PURPOSE AND EFFECT: The proposed rule amendment clarifies the requirements for becoming a qualified supervisor.

SUBJECT AREA TO BE ADDRESSED: To update rule language on qualified supervisors.

RULEMAKING AUTHORITY: 491.004(5), 491.005(1)(c), (3)(c), (4)(c) FS.

LAW IMPLEMENTED: 491.005(1)(c), (3)(c), (4)(c) 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: Kimberly Marshall, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

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 LEGAL AFFAIRS**

RULE NO.:       RULE TITLE:

2-42.001       Private Employer Vaccination Mandate  
                  Complaints

PURPOSE AND EFFECT: The rule promulgation establishes the procedure for private employer vaccination mandate complaints pursuant to 381.00317(3), and (4), Florida Statutes.

SUMMARY: Pursuant to 381.00317(3), and (4), Florida Statutes, the procedure for private employer vaccination mandate complaints will be established with the rule promulgation.

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: During discussion of the economic impact of this rule the Department, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. This proposed rulemaking will not have an adverse impact or effect regulatory costs in excess of \$1million within five years as established in Section 120.541(2)(a)1., 2., and 3., F.S.

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

RULEMAKING AUTHORITY: 381.00317(6) FS.

LAW IMPLEMENTED: 381.00317(3), and (4) 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: Edward Tellechea, Chief Assistant Attorney General, PL-01 The Capitol, Tallahassee, Florida 32399-1050, by email at Ed.Tellechea@myfloridalegal.com; or Lynette Norr, Senior Assistant Attorney General, PL-01 The Capitol, Tallahassee, Florida 32399-1050, by email at Lynette.Norr@myfloridalegal.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

2-42.001 Private Employer Vaccination Mandate Complaints.

(1) Definitions – As used in this rule and Section 381.00317, F.S.:

(a) The “department” means the Department of Legal Affairs.

(b) “Employee” means any person who receives remuneration from a private employer for the performance of any work or service occurring within this state while engaged in any employment under any appointment or contract for hire or apprenticeship, express or implied, oral, or written, whether lawfully or unlawfully employed, and includes, but is not limited to, aliens and minors. The definition of “employee” does not include someone who is an independent contractor, a volunteer, or someone who serves in a private nonprofit agency without compensation other than expenses.

(c) The term “independent contractor” as used in subsection (1)(b) of this rule means any person within this state who either:

1. meets four or more of the following:

a. maintains a separate business with his or her own work facility, truck, equipment, materials, or similar accommodations apart from the private employer;

b. holds or has applied for a federal employer identification number;

c. receives compensation for services rendered or work performed and such compensation is paid to a business, other than the private employer, rather than to an individual;

d. holds one or more bank accounts in the name of a business entity, other than the private employer for purposes of paying business expenses or other expenses related to services rendered or work performed for compensation;

e. performs work or is able to perform work for any entity in addition to or besides the private employer at his or her own election without the necessity of completing an employment application or process; or

f. receives compensation for work or services rendered on a competitive-bid basis or completion of a task or a set of tasks as defined by a contractual agreement, unless such contractual agreement expressly states that an employment relationship exists; or

2. based on the nature of the situation satisfies any of the following conditions:

a. The person performs or agrees to perform specific services or work for a specific amount of money and controls the means of performing the services or work;

b. The person incurs the principal expenses related to the service or work that he or she performs or agrees to perform;

c. The person is responsible for the satisfactory completion of the work or services that he or she performs or agrees to perform;

d. The person receives compensation for work or services performed for a commission or on a per-job basis and not on any other basis;

e. The person may realize a profit or suffer a loss in connection with performing work or services;

f. The person has continuing or recurring business liabilities or obligations;

g. The success or failure of the person’s business depends on the relationship of business receipts to expenditures.

(d) “Private employer” means any person, sole proprietorship, partnership, limited partnership, limited liability partnership, limited liability company, corporation, or any similar legal entity who employs employees within this state. The definition of “private employer” includes the legal representative of a deceased person, the receiver or trustees of any person or business entity, employment agencies, employee

leasing companies, and similar agents who provide employees to other persons. The definition of “private employer” does not include the United States, its agencies, the state or any political subdivision thereof, including the executive, legislative, and judicial branches of government, the independent establishments of the state, counties, municipalities, districts, authorities, boards, or commissions, any agencies that are subject to chapter 286 of the Florida Statutes, educational institution as defined in Florida Statutes §112.0441, or a corporation or legal entity created by act of the legislature or ordinance by a governmental entity.

(e) “Functional equivalent of termination” as used in Section 381.00317(4), F.S., shall be found when it is determined that (i) the employee resigned under duress; or (ii) the employer, through its actions, made working conditions so difficult or intolerable that a reasonable person in the employee’s position would feel compelled to resign.

(2) The department shall investigate a legally sufficient complaint alleging a violation of Section 381.00317, F.S., or any rule adopted thereunder. The complaint must be submitted on form VAX 1, titled “Private Employer Vaccination Mandate Complaint,” (12/21), which is hereby incorporated by reference and \_\_\_\_\_ available \_\_\_\_\_ at <https://www.flrules.org/Gateway/reference.asp?No=Ref-> or <http://myfloridalegal.com/vaxmandate/webform>. A complete complaint may be submitted either electronically at <http://myfloridalegal.com/vaxmandate/webform>, a paper hard copy of the complaint form may be obtained at <http://myfloridalegal.com/vaxmandate/paper> and submitted via email to: [vaxmandate@myfloridalegal.com](mailto:vaxmandate@myfloridalegal.com), or a paper hard copy may be mailed to: The Department of Legal Affairs, Private Employer Vaccine Mandate Program, PL-01, The Capitol, Tallahassee, Florida 32399-1050.

(3) Complainants who submit an incomplete complaint shall be notified in writing and will have thirty (30) days from the date of the notice of incompleteness to submit to the Department the missing information or materials. Failure to timely provide the requested missing information or materials shall result in dismissal of the complaint.

(4) A complaint is legally sufficient if it contains all the information required by the complaint form and ultimate facts that demonstrate that a violation of Section 381.00317, F.S., or any rule adopted thereunder, has occurred. In order to determine legal sufficiency, the department may require supporting information or documentation. When an investigation of any subject is undertaken, the department shall promptly furnish to the subject a copy of the complaint that resulted in the initiation of the investigation. The subject may submit a written response to the information contained in such complaint or document within twenty (20) days after service to the subject of the complaint or document. The subject’s written response shall be

considered by the department when determining if there is probable cause.

(5) When its investigation is complete and legally sufficient, the department shall prepare and submit to the Attorney General's designee the department's investigative report. The report shall contain the investigative findings and the recommendations of the department concerning the existence of probable cause. Upon review of the investigative findings and recommendations, the designee shall either find that there is probable cause that one or more violations of Section 381.00317, F.S., or any rule adopted thereunder, has occurred or that there is insufficient evidence to support a finding of probable cause and that the complaint should be dismissed. If probable cause is found, the department shall file a formal administrative complaint against the subject that complies with Rule 28-106.2015, F.A.C., and prosecute that complaint pursuant to Chapter 120, F.S., and Rule Chapter 28-106, F.A.C.

(6) An evidentiary hearing before an administrative law judge from the Division of Administrative Hearings shall be held pursuant to Section 120.57(1), F.S., if there are any disputed issues of material fact. The department shall have the burden to prove the allegations contained in the complaint by a preponderance of evidence. The administrative law judge shall issue a recommended order pursuant to Section 120.57(1), F.S., and the department shall determine and issue the final order in each case which shall constitute final agency action. The penalty set forth in the final order shall be imposed in accordance with Section 381.00317(4)(a) and (b), F.S.

(7) The department may resolve a complaint pursuant to Section 120.57(4), F.S., and impose a penalty through informal disposition by consent order.

(8) The department shall periodically notify the person who filed the complaint of the status of the investigation, indicating whether probable cause has been found and the status of the administrative proceeding or appeal. When probable cause has been found, the department shall provide to the person who filed the complaint a copy of the administrative complaint and:

(a) A written explanation of how an administrative complaint is resolved by the adjudicative process.

(b) A written explanation of how and when the person may participate in the adjudicative process.

(c) A written notice of any hearing before the Division of Administrative Hearings.

(9) When probable cause is not found, the department shall so inform the person who filed the complaint and notify that person that he or she may, within 30 days, provide any additional information to the department which may be relevant to the decision. To facilitate the provision of additional information, the person who filed the complaint may receive, upon request, a copy of the investigative report that supported

the recommendation for closure. In any administrative proceeding under Section 120.57(1), F.S., the person who filed the complaint shall have the right to present oral or written communication relating to the alleged violations or to the appropriate penalty.

Rulemaking Authority 381.00317(6) FS. Law Implemented 381.00317(3) and (4) FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Attorney General Ashley Moody

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Attorney General Ashley Moody

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 3, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 23, 2021

#### **STATE BOARD OF ADMINISTRATION**

RULE NO.: 19-9.001      RULE TITLE: Investment Policy Statement

PURPOSE AND EFFECT: To adopt the revised Investment Policy Statement approved by the Trustees on May 4, 2021 and made effective July 1, 2021 for the Florida Retirement System Investment Plan. The revised Investment Policy Statement reflects the fact that the Stable Value Fund replaces the Money Market Fund as an available investment option in Florida Retirement System Investment Plan.

SUMMARY: The most recently revised version of the Investment Policy Statement for the Florida Retirement System Investment Plan is being adopted. There are no other rules incorporating this amended rule. The proposed amendment does not have an impact on any other rules. Legislative ratification of the rule amendment is not required.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 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: Based on its analysis of the rule amendments and incorporated materials, as well as the fact that it is not a

regulatory agency, the State Board of Administration has determined that the rules do not meet the statutory threshold for ratification by the legislature. There will be no impact on economic growth, job creation or employment, private-sector investment, or business competitiveness, and no increase in regulatory costs resulting from the proposed rule amendments. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 121.4501(8), 215.52 FS.  
 LAW IMPLEMENTED: 121.4501(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15) 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: Monday, February 14, 2022, 9:00 a.m. - 11:00 a.m.  
 PLACE: Hermitage Room, the Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ruth A. Smith, Assistant General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308, (850)413-1182, ruth.smith@sbafla.com.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

19-9.001 Investment Policy Statement.

The Florida Retirement System Investment Plan Investment Policy Statement, as approved by the Trustees of the State Board of Administration on May 4, 2021 ~~December 4, 2018~~, and made effective July 1, 2021 <http://www.flrules.org/Gateway/reference.asp?No=Ref-13933> <http://www.flrules.org/Gateway/reference.asp?No=Ref-08699>, is hereby adopted and incorporated by reference. The Investment Policy Statement may be obtained by contacting: State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308; Attn.: Office of Defined Contribution Programs, or by accessing the MyFRS.com website, clicking on Investment Funds link and then clicking on Fund Policies.

Rulemaking Authority 121.4501(8), 215.52 FS. Law Implemented 121.4501(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15) FS. History—New 7-29-01, Amended 7-23-02, 5-10-05, 5-19-09, 7-12-12, 12-30-15, 2-12-18, 4-8-20, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
 Daniel Beard, Office of Defined Contribution Programs.

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Trustees of the State Board of Administration.

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 20, 2021

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** November 19, 2021, Vol. 47/225.

**STATE BOARD OF ADMINISTRATION**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
19-11.001	Definitions
19-11.002	Beneficiary Designations and Distributions for FRS Investment Plan
19-11.003	Distributions from FRS Investment Plan Accounts
19-11.004	Excessive Trading in the FRS Investment Plan
19-11.005	Florida Retirement System (FRS) State Board of Administration Complaint Procedures
19-11.006	Enrollment Procedures for New Hires
19-11.007	Second Election Enrollment Procedures for the Florida Retirement System Retirement Programs
19-11.008	Forfeitures
19-11.009	Reemployment with an FRS-Participating Employer after Retirement
19-11.011	Employer and Employee Contributions and ABO or Present Value Transfer Procedures
19-11.012	Rollovers or Plan to Plan Transfers to or from the FRS Investment Plan
19-11.013	FRS Investment Plan Self-Directed Brokerage Account

**PURPOSE AND EFFECT:** To amend Rule 19-11.001, F.A.C. to correct some typographical errors and to add definitions that are used for federal SECURE Act purposes as applied to after-death distributions of members' FRS Investment Plan accounts, as discussed in Rule 19-11.002, F.A.C.. To amend Rule 19-11.002, F.A.C. to incorporate the latest version of the on-line beneficiary designation form; to specify when a beneficiary designation form is considered "incomplete;" and to indicate how distributions of account assets will be made to beneficiaries of members dying after January 1, 2022, the effective date of the federal SECURE Act for governmental retirement plans. To amend Rule 19-11.003, F.A.C. to clarify when a member has terminated all employment for purposes of distributions of benefits; and to adopt the latest version of the Employment Termination form. To amend Rule 19-11.004, F.A.C. to adopt the latest version of the transfer request form that must be filed by excessive fund trading violators. Rule 19-11.005, F.A.C., is being amended to clarify how a member can obtain a blank petition for hearing form. To amend Rule 19-11.006 to adopt the latest versions of the applicable enrollment

forms and to make some editorial revisions. To amend Rule 19-11.007, F.A.C. to adopt the latest versions of the Second Election enrollment forms. To amend Rule 19-11.008, F.A.C. to indicate that funds placed in a suspense account will be invested in the FRS Core Plus Bond Fund. To amend Rule 19-11.009 to adopt the latest version of the Certification Form. To amend Rule 19-11.011, F.A.C. to clarify that FRS participating employers are required to file monthly retirement reports instead of monthly payroll files with the Division of Retirement. Rule 19-11.012, F.A.C., is being amended to adopt the latest versions of the rollover forms. Rule 19-11.013, F.A.C. is amended to eliminate the annual administrative fee for FRS members participating in the Self-Directed Brokerage Account

**SUMMARY:** To adopt updated forms; to clarify/correct certain information; to update definitions and provisions that are applicable to the federal SECURE Act as applied to after-death distributions to beneficiaries of FRS Investment Plan members dying on or after January 1, 2022; to remove the reference to an annual administrative fee that no longer applies to participants of the Self-Directed Brokerage Account. There are no other rules incorporating these proposed amended rules. The proposed amendments do not have an impact on any other rules.

**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: Based on its analysis of the rule amendments and incorporated materials, as well as the fact that it is not a regulatory agency, the State Board of Administration has determined that the rules do not meet the statutory threshold for ratification by the legislature. There will be no impact on economic growth, job creation or employment, private-sector investment, or business competitiveness, and no increase in regulatory costs resulting from the proposed rule amendments. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**RULEMAKING AUTHORITY:** 121.4501(8) FS  
**LAW IMPLEMENTED:** 119.071, 120.569, 120.57, 120.573, 121.021(29), (39), 121.051, 121.055, 121.091, 121.35, 121.4501(1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (19), 121.591, 121.5912; 121.71, 121.72,

121.74, 121.77, 121.78, 215.44(8), 732.802, 744.301, 1012.875(3) FS.

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

DATE AND TIME: Monday, February 14, 2022, 9:00 a.m. - 11:00 a.m.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

19-11.001 Definitions.

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

(1) through (8). No change.

(9) “Complaint” ~~“Complaint”~~ shall mean a member’s written or verbal expression of dissatisfaction with an Investment Plan provider or one of its representatives.

(10) through (11) No change.

(12) “De Minimis ~~Minimus~~ Distribution” is an automatic distribution made when an inactive member’s account balance is \$1,000 or less. However, such a distribution will not occur until the member has been terminated from all employment with FRS-participating employers for a minimum of six (6) calendar months.

(13) through (18) No change.

(19) “Eligible Designated Beneficiary” is either the member’s surviving spouse, the member’s minor child (who is a child younger than 18 years of age), a disabled individual, a chronically ill individual or a person not more than 10 years younger than the member (and would include parents, siblings and unmarried partners of the deceased member if they are not more than 10 years younger than the member).

(19) through (20) are renumbered (20) through (21). No change.

~~(22)~~(21) “Electronic Signature” is any symbols or other data in digital form attached to an electronically transmitted document, which includes a systematic digital authentication such as a date or time stamp, as verification of the sender’s intent to sign the document. By submitting an electronic signature, a member acknowledges that the electronic signature is the same as a handwritten signature for the purposes of validity, enforceability, and admissibility.

(22) through (23) are renumbered (23) through (24). No change.

~~(25)(24)~~ “Excessive trading” means multiple occurrences of Market Timing Trades by a member. The definition of a Market Timing Trade is set forth in subsection ~~(38)~~ ~~(36)~~ herein.

(25) through (39) are renumbered (26) through (40). No change.

(41) “Non-Eligible Designated Beneficiary” is a designated beneficiary that does not fit into one of the five categories of beneficiaries that are considered to be Eligible Designated Beneficiaries, and includes look-through trusts that are compliant with IRS regulations.

(40) through (41) are renumbered (42) through (43). No change.

~~(44)(42)~~ “Required Minimum Distributions,” (“RMD”) are the annual minimum distributions that, pursuant to the Internal Revenue Code, must be taken by members who are age ~~72~~ ~~70~~ ~~4~~/~~2~~ or older from their qualified retirement plan accounts, including 401(k), 457, 403(b) plans and IRA accounts, when they terminate employment. The amount of an RMD in any year is based on account balances as of December 31st of the prior year. The member must have terminated all FRS covered employment in order for an RMD to be processed. Once the RMD has been calculated, the RMD will be paid to the member, even if the member returns to active FRS employment during the calendar year.

(43) through (50) are renumbered (45) through (52). No change.

Rulemaking Authority 121.78(3)(c), 121.4501(8) FS. Law Implemented 121.78, 121.4501 FS. History—New 12-8-02, Amended 3-9-06, 7-12-12, 12-16-12, 6-5-14, 8-18-14, 12-30-15, 4-12-17, 2-12-18, 2-19-19, \_\_\_\_\_.

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

(1) No change.

(2) Any such beneficiary designation may be made on Form IPBEN-1, FRS Investment Plan Beneficiary Designation, rev. 04-16, <http://www.flrules.org/Gateway/reference.asp?No=Ref-07364>, or through the MyFRS.com online version of the FRS Investment Plan Beneficiary Designation form, rev. 03/20, <http://www.flrules.org/Gateway/reference.asp?No=Ref-14006>, which ~~are both~~ ~~is~~ hereby adopted and incorporated by reference. ~~These forms are~~ ~~This form is~~ available in paper form and may be obtained by calling the toll-free MyFRS Financial Guidance Line at 1(866)446-9377, Option 4 (TRS 711), Monday through Friday, except holidays, 8:00 a.m. to 6:00 p.m., ~~9:00 a.m. to 8:00 p.m.~~ or by accessing the MyFRS.com website and clicking on “Forms”, or by accessing the online version ~~beneficiary form~~. ~~“Resources” and then “Forms.”~~ ~~The beneficiary designation form must be completed and received~~

~~by the Investment Plan Administrator before it becomes effective.~~ Alternatively, a beneficiary may also be designated electronically by logging on to MyFRS.com, clicking on “Investment Plan” ~~“manage investments,”~~ and then clicking on “personal info,” or by calling the Investment Plan Administrator at 1(866)446-9377, Option 4 (TRS 711). The beneficiary designation form must be completed and received by the Investment Plan Administrator before it becomes effective.

(3) A beneficiary designation shall only be effective once it is received by the Investment Plan Administrator. The most recent beneficiary designation filed with the Investment Plan Administrator shall replace any previous designation whether made before or after the member’s termination of employment or retirement. Upon receipt of the beneficiary designation, the Investment Plan Administrator will send confirmation that designation was updated. ~~After submitting the designation,~~ ~~The~~ member is responsible for confirming whether the designation has been received by the Investment Plan Administrator. The beneficiary designation is printed every quarter on the member’s quarterly statement.

(4)(a) If the member enrolls in the Investment Plan using the EZ Retirement Plan Enrollment Form for Regular, Special Risk and Special Risk Administrative Support Class Employees, Form ELE-1-EZ, rev. ~~07-21~~ ~~04-19~~, the General Retirement Plan Enrollment Form for Regular Special Risk and Special Risk Administrative Support Class Employees, Form ELE-1, rev. ~~07-21~~ ~~07-19~~, which are adopted and incorporated by reference in subsection 19-11.006(2), F.A.C., or the 2nd Election EZ Retirement Plan Enrollment Form, Form ELE-2-EZ, rev. ~~07-21~~ ~~07-19~~, or the 2nd Election Retirement Plan Enrollment Form, Form ELE-2, rev. ~~07-21~~ ~~07-19~~, which are adopted and incorporated by reference in subsection 19-11.007~~(4)~~~~(3)~~, F.A.C., the member agrees to the beneficiary designation contained in Section 121.4501(20), F.S., unless the member submits a beneficiary designation as provided in subsection (2), herein.

(b) through (f). No change.

(g) If the member submits a beneficiary form that is incomplete, it will not be processed. An incomplete form is a form which is missing the name of the member, the last four numbers of the member’s social security number, or the member’s signature, or a form indicating that the shares assigned to joint primary or contingent beneficiaries are greater ~~than~~ ~~to~~, or less than, 100%. The form will be incomplete if the member selected married for the marital status, but did not include the spouse’s name, last four numbers of the social security number, address and/or the Investment Plan Administrator does not already have the information listed. The Plan Administrator will notify the member and request that the member complete and submit a corrected form.

(h) If a beneficiary form is received without a marital status and a spouse has not been listed as a primary or contingent beneficiary, the member will be considered single. If a member should die, and it is later determined the member is married, the account will be updated accordingly and benefits will be paid based on the member being married.

(5)(a) No change.

(b) If a member is married and names a primary beneficiary(ies) and the person(s) named is (are) not the spouse of the member, then the member is required to notify the spouse that the spouse is not a primary beneficiary of the proceeds of the member's Investment Plan account(s). The spouse must acknowledge that the spouse understands that the spouse is not a primary beneficiary of the member's Investment Plan account(s) by signing the beneficiary designation form, Form IPBEN-1, rev. 04-16, in the appropriate place or submitting the FRS Investment Plan Acknowledgement of Beneficiary Designation Form, Form IPBENACK-1, rev. 03-20, <http://www.flrules.org/Gateway/reference.asp?No=Ref-14007>, which is hereby adopted and incorporated by reference.

(c) through (d). No change.

(6) No change.

(7) Per Florida Law Beneficiary Designation

(a) No change.

(b) If, upon the death of a member, a beneficiary(ies) can be identified in accordance with Florida statute, but no social security number or address of the beneficiary or beneficiaries is available, the Investment Plan Administrator will, with the assistance of the State Board of Administration (SBA), make a reasonable effort to obtain each beneficiary's Social Security Number or Taxpayer Identification Number, using available search tools, including the internet, LexisNexis Accurant, or another third party vendor providing such services. If a beneficiary can be identified and the social security number is provided, the transfer of benefits will be executed by the Investment Plan Administrator.

(c) No change.

(d) After one year from the date of the member's death, if the beneficiary cannot be located or if a beneficiary cannot be identified, the account will be transferred to the Suspense Account. By calendar year-end of each year following the transfer to the Suspense Account, the Investment Plan Administrator will attempt to locate and obtain the Social Security Number or the Taxpayer Identification Number of the beneficiary. The transferred funds shall be invested in the FRS Core Plus Bond Fund ~~FRS Intermediate Bond Fund~~. The amount will be held in the Investment Plan Suspense Account until (1) the beneficiary contacts the FRS Investment Plan; or (2) another beneficiary requests consideration as the deceased's proper beneficiary; or, (3) at the end of 10 years in the Suspense Account, the amount is transferred to the Investment Plan

Forfeiture Account, where it is held indicating the name of the deceased member and the name of the beneficiary, if known.

(e) No change.

(8) Distributions to beneficiaries on the death of a member occurring before January 1, 2022.

(a) through (b). No change.

(9) Distributions to designated or per Florida law spousal beneficiaries.

(a) No change.

(b) Spousal beneficiaries may request the following distributions:

1. through 3. No change.

4. Deferrals until a certain age, which allows the spouse to defer the receipt of benefits until a later date. However, the spouse must begin receiving the benefit payout no later than April 1 in the calendar year after the member would have attained age ~~72~~ ~~70~~ ~~1/2~~. The spouse may elect a full distribution, partial distribution or periodic payment. However, the total annual benefit payment must equal or exceed the federal Required Minimum Distribution (RMD). An additional benefit payment will be sent to the spouse in December of any year in which the total periodic payments for that year do not equal or exceed the spouse's RMD.

5. through 6. No change.

(10) through (11). No change.

(12) Distributions to Beneficiaries for members dying on or after January 1, 2022.

(a) The form and timing of distributions to a beneficiary will depend on whether the beneficiary is defined under Federal law as an Eligible Designated Beneficiary, a Non-Eligible Designated Beneficiary or a Non-Designated Beneficiary.

(b) An "Eligible Designated Beneficiary" is either the member's surviving spouse, the member's minor child (who is a child younger than 18 years of age), a disabled individual, a chronically ill individual or a person not more than 10 years younger than the member (and would include parents, siblings and unmarried partners of the deceased member if they are not more than 10 years younger than the member).

(c) Minor children enjoy Eligible Designated Beneficiary Status only until they reach the age of majority. Once they reach majority, they become Non-Eligible Designated Beneficiaries.

(d) A "Non-Eligible Designated Beneficiary" is a designated beneficiary that does not fit into one of the five categories of beneficiaries that are considered to be Eligible Designated Beneficiaries, and includes look-through trusts that are compliant with IRS regulations.

(e) A Non-Designated Beneficiary is a non-person entity, such as an estate, charity or a non-qualifying (non-look-through) trust.

(13) Distributions to Eligible Designated Beneficiaries.

(a) Surviving spouse as sole beneficiary.

1. Whether the member dies before or after his or her required beginning date for required minimum distributions (or April 1 of the year after the later of the year the member reaches age 72 or the year the member retires), a surviving spouse who is the sole eligible designated beneficiary, must decide whether to retain the account in the deceased member's name as an inherited retirement account or whether to rollover the funds to the surviving spouse's own retirement account.

2. If an election is made to do a spousal rollover, the surviving spouse may name a new beneficiary and take distributions on the surviving spouse's own required beginning date for required minimum distributions. Once the account is in the surviving spouse's name, any distributions taken before the surviving spouse reaches age 59 ½ may trigger the 10% early distribution penalty.

3. Before the spousal rollover may be made, any required minimum distributions due as of the year of rollover first must be made, as required minimum distributions can never be rolled over. If it is the year of the deceased member's death, and deceased member had not received his or her required minimum distribution before death, that distribution must be made before the rollover. If it is any year after the year of death, the required minimum distribution due to the beneficiary must be made before a rollover can occur.

3. If an election is made to maintain the account in the deceased member's name and to take required minimum distributions under the life expectancy payout option, the surviving spouse must begin receiving distributions by the later of: December 31 of the year after the member's death; or December 31 of the year the deceased member would have reached age 72 (age 70 ½ for members whose 70<sup>th</sup> birthday occurred prior to July 1, 2019).

4. If an election is made to maintain the account in the deceased member's name but the surviving spouse fails to make an election to take a life expectancy payout option by the later of December 31 of the year after the member's death; or December 31 of the year the deceased member would have reached age 72, then the surviving spouse will be required to receive a lump-sum distribution by December 31 of the year after the year of death or to take distributions under one of the following rules:

a. If the member dies before his or her required beginning date, then distributions must be made within 10 years.

b. If the member dies on or after his or her required beginning date, then the remaining life expectancy of the member is used as the required payout period.

(b) Eligible Designated Beneficiary Other than a Surviving Spouse.

1. Whether the member died before or after his or her required beginning date, the Eligible Designated Beneficiary may make a life expectancy payout election.

2. The non-spouse Eligible Designated Beneficiary may wish to directly rollover the inherited retirement plan account of a direct trustee-to-trustee transfer to a new retirement plan account not already owned by the beneficiary and that is titled in the name of the deceased member for the benefit of the beneficiary.

3. The life expectancy election must be made by December 31 of the year after the year of the member's death.

4. If the election is not timely made, the non-spouse Eligible Designated Beneficiary will be required to receive a lump-sum distribution by December 31 of the year after the year of the member's death or to take distributions under one of the following rules:

a. If the member dies before his or her required beginning date, then distribution must be made within 10 years.

b. If the member died on or after his or her required beginning date, then the remaining life expectancy of the member is used as the required payout period.

c. If the plan account is payable to multiple eligible designated beneficiaries, payouts to all beneficiaries must be made using the life expectancy of the oldest beneficiary.

d. In the case of multiple beneficiaries, unless all of the beneficiaries are individuals as of the determination date (i.e., September 30<sup>th</sup> of the year after the member's year of death, none of the individuals are designated beneficiaries.)

(c) Non-Eligible Designated Beneficiaries.

1. Whether the member dies before or after his or her required beginning date, the deceased member's account must be distributed by December 31 of the 10<sup>th</sup> year following the member's death.

2. A Non-Eligible Designated Beneficiary may elect to take distributions ratably throughout the 10 year period or take the total account at the deadline, or elect some distribution combination in between.

(d) No Designated Beneficiary.

1. If the member died before his or her required beginning date, the member's entire account must be paid by the end of the fifth calendar following the member's death.

2. If the member died on or after his or her required beginning date, distributions must be made over the remaining life expectancy of the deceased member.

(14) ~~(12)~~ Procedures for dDistributions to beneficiaries who are minors.

(a) No change.

(b) When a minor child or children is/are the designated beneficiaries of the member, whether the member is the minor's or ~~minor's minors'~~ parent, grandparent, sibling, other relative or any other person, a copy of the birth certificate of each minor child and the social security number for each minor child must be provided to the FRS Investment Plan Administrator, and must be received prior to any payout, regardless of the amount.

(c) through (f). No change.

~~(15)(13)~~ A beneficiary, whether designated or pursuant to Florida law, of a deceased member who, by a verdict of a jury or by a court trying the case without a jury, is found guilty, or who has entered a plea of guilty or nolo contendere, of unlawfully and intentionally killing or procuring the death of such member shall forfeit all rights to the deceased member's retirement benefits. Any benefits will be paid as if such beneficiary had predeceased the deceased member. No benefits will be paid until there is a final resolution of such charges against the beneficiary.

~~(16)(14)~~(a) If the deceased member has designated a beneficiary but has not provided the designated beneficiary's social security number or address, or has provided an incorrect social security number, then, after at least three unsuccessful attempts by the SBA or the Investment Plan Administrator to locate the beneficiary, the Investment Plan Administrator will advise the SBA accordingly and the account will not be distributed.

(b) No change.

(c) After one year from the date of the member's death, if the beneficiary cannot be located, the account will be transferred to the Suspense Account. No later than calendar year-end, of each year following the transfer to the Suspense Account, the Investment Plan Administrator will attempt to locate and obtain the Social Security Number or the Taxpayer Identification Number of the beneficiary. The transferred funds shall be invested in the FRS Core Plus Intermediate Bond Fund. The amount will be held in the FRS Investment Plan Suspense Account until (1) the beneficiary contacts the Investment Plan; or (2) another beneficiary requests consideration as the deceased's proper beneficiary; or, (3) at the end of 10 years in the Suspense Account, the amount is transferred to the Investment Plan Forfeiture Account, and the Administrator will maintain a record of the name of the deceased member and the name of the beneficiary, if known.

(d) No change.

~~(17)(15)~~(a) Pursuant to Federal guidelines, if the deceased member's account is to be paid to the member's estate but no Estate Identification Number is provided, the account will not be paid to the Estate until the Estate Identification Number is received. In the event that no Estate Identification Number is provided within one year from the date of notification to the Investment Plan Administrator of the member's death, the Investment Plan Administrator will transfer the deceased member's account to the Suspense Account indicating the name of the deceased member. If after 10 years after the date of death, the Investment Plan Administrator has not received an Estate Identification Number, the deceased member's account will be transferred to the Investment Plan Forfeiture Account and the Administrator will maintain a record of the name of the

deceased member. The transferred funds shall be invested in the FRS Core Plus Intermediate Bond Fund.

(b) through (c). No change.

(d) Should the estate's representative subsequently provide an Estate Identification Number, a check will be issued to the estate, with actual earnings while invested in the FRS Core Plus Intermediate Bond Fund, from the date of transfer from the member's account to the Suspense Account and/or Forfeiture Account. Any applicable income tax withholding shall be paid to the appropriate tax authorities at the time of the benefit payment to the estate.

~~(18)(16)~~ If the social security number and date of birth of a beneficiary are known, an account will be established in the beneficiary's name and funds will be transferred thereto. If any other beneficiaries are named, accounts also will be established in their names, provided their social security numbers and dates of birth are made known to the Investment Plan Administrator. However, no distribution will be made to any beneficiary until a certified copy of the member's death certificate has been received. In the meantime, the beneficiary will have control over any investment elections/allocations for the account. The beneficiary will be notified of the establishment of the account and will receive a PIN to access information pertaining to the account.

~~(19)(17)~~(a) A designated beneficiary may disclaim any monetary interest as provided in chapter 739, F.S., and Internal Revenue Code s. 2518. A beneficiary can make a partial disclaimer or disclaim the entire interest. When a beneficiary makes a disclaimer, the beneficiary is considered to have predeceased the member, and the other beneficiaries designated by the member may then accept or disclaim any interest to which they are entitled.

(b) through (c). No change.

Rulemaking Authority 121.4501(8) FS. Law Implemented 121.091(5)(j), (8), 121.4501(20), 121.591(3), 732.802 FS. History—New 10-21-04, Amended 3-9-06, 11-26-07, 12-8-08, 1-7-10, 8-7-11, 7-12-12, 12-16-12, 10-15-13, 1-28-14, 12-30-15, 2-9-17, 2-12-18, 4-8-20, \_\_\_\_\_.

19-11.003 Distributions from FRS Investment Plan Accounts.

(1) No change.

(2) Distributions are available after the member terminates all employment with all FRS-participating employers.

(a) An Investment Plan member shall not be entitled to an account distribution until the member has terminated and no longer providing services, in paid or unpaid arrangements, with all FRS-participating employers for three (3) full calendar months following the month of termination, except as provided in paragraph (d), below. This includes but not limited to, employment in any regularly established position, full-time or part-time employment, temporary employment, employment

through third-parties providing services to an FRS employer, Other Personal Services (OPS), election pole employment, or substitute or adjunct teaching. ~~An Investment Plan member shall not be entitled to an account distribution until the member has terminated employment from all FRS-participating employers, temporary, part time, Other Personal Services (OPS), and any regularly established position with an FRS-participating employer, for three (3) full calendar months following the month of termination, except as provided in paragraph (d), below.~~ Example: If a member terminates on May 15, the three full calendar months are June, July, and August. Therefore, the member cannot request a distribution until September.

(b) If the member's termination date has not been submitted by the employer on the monthly retirement report ~~via the monthly payroll file~~ within the three (3) calendar months, the employer can complete and return the "Employment Termination Form," Form ETF-2, rev. ~~06-19~~ 04/17, 0, <http://www.flrules.org/Gateway/reference.asp?No=Ref-14010>, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08687>, which is hereby adopted and incorporated by this reference. The termination form can be obtained by accessing the ~~MyFRS~~ website at ~~MyFRS.com~~, ~~clicking on Resources~~, and then clicking on Forms or by calling the MyFRS Financial Guidance Line at 1(866)446-9377, Option 4 or, for members who are deaf, hard of hearing, or speech impaired, TRS 711. This form has instructions and a section for the employer to provide the member's date of termination. Alternatively, the employer can log onto the employer page at MyFRS.com and go to Online Retirement Reporting Payroll and submit the termination date electronically.

(c) Upon the expiration of the three (3) calendar months after termination of all employment from all FRS-participating employment, the member may request a distribution from the Investment Plan Administrator, by calling the toll free MyFRS Financial Guidance Line at 1(866)446-9377, Option 4 (TRS 711), or by logging on to the MyFRS.com website, accessing his or her personal account information, and then requesting the distribution through the online services.

(d) A member who has reached his or her normal retirement date, as provided in Section 121.021(29), F.S., and has terminated all employment from all FRS-participating employers for one (1) calendar month may request a one-time distribution of up to 10 percent (10%) of the vested account balance. For example, if such a member terminates on May 15, the one calendar month is June. The member can request a one-time distribution of up to 10 percent (10%) in July.

(e) A member who transfers to the Pension Plan from the Investment Plan and leaves a balance in the member's Investment Plan account is a member of the Pension Plan and, as such, the member cannot take a distribution of the surplus

Investment Plan funds until the member begins receiving their monthly Pension Plan benefit s.

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

(a) Distribution of benefits to a member shall be made or commence not later than April 1 following the close of the calendar year during which the member attains age 72 ~~70 1/2~~ and has terminated employment from all FRS-participating employers.

(b) No change.

(4) through (5). No change.

(6) Distributions to Alternate Payees as a result of a Qualified Domestic Relations Order (QDRO).

(a) No change.

(b) Upon receipt of the PIN, the alternate payee may request a distribution by calling the toll free MyFRS Financial Guidance Line at 1(866)446-9377, Option 4 or by logging on to MyFRS.com, going to "Investment Plan" Manage Investments," accessing his or her personal account information, and then requesting the distribution through the online services.

(7) ~~De Minimis Minimus~~ Distributions.

(a) through (c). No change.

(8) Required Minimum Distributions ("RMD").

(a) Members, age 72 ~~70 1/2~~ or older, must begin taking an annual minimum distribution from their Investment Plan accounts if they have terminated all employment with FRS-participating employers.

(b) through (d). No change.

(9) Pending Distributions.

(a) through (b). No change.

(c) A member who returns to employment with an FRS-participating employer in any capacity during the pending distribution period must notify the Investment Plan Administrator to cancel the distribution.

(d) through (e). No change.

(10) Invalid distributions.

(a) If a member or a former member of the Investment Plan receives an invalid distribution, the member or former member is required to repay the entire invalid distribution within ninety (90) days of the member's receipt of a final notification from the SBA, or in lieu of repayment, the member must terminate all employment from all FRS-participating employers. If the member fails to repay the invalid distribution, or terminate

employment, the employer is liable for the repayment of the invalid distribution even if the member signed a statement at the time the member was hired that no benefit had been received from the Plan.

1. through 3. No change.

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

1. through 3. No change.

4. Example 4: A member joined the Investment Plan effective December 1, 2010. The member is terminated by his FRS-participating employer on April 3, 2014, for violating standards of employee conduct. The member files a grievance against the employer and requests to be reinstated with full back pay. On February 15, 2015, the member requests a total distribution from their ~~the~~ Investment Plan account. On September 22, 2015, the member’s grievance is granted, the member’s termination is negated and the member is reinstated to employment as of April 3, 2014 with full back pay through September 22, 2015. The member’s employment records are corrected to show the member had an employee/employer relationship from April 3, 2014 through September 22, 2015. The member’s February 15, 2015, distribution is invalid since the member was not terminated from employment with an FRS-participating employer at the time the member received the distribution.

(11) No change.

Rulemaking Authority 121.4501(8) FS. Law implemented 119.07(4)(d), 121.021(29), (39), 121.091(5)(j), 121.4501(20), 121.591, 121.77, 732.802 FS. History-New 3-9-06, Amended 11-26-07, 5-19-09, 1-7-10, 8-7-11, 7-12-12, 12-16-12, 12-30-15, 4-12-17, 2-12-18,\_\_\_\_\_.

19-11.004 Excessive Trading in the FRS Investment Plan.

(1) No change.

(2) Limitations.

(a) No change.

(b) All authorized investment funds, except for money market funds, stable value funds, and funds within the SDBA, are subject to the following controls:

1. Members who engage in Market Timing Trades (as defined in rule 19-11.001, F.A.C.) in authorized primary funds will receive a warning letter sent by U.S. mail. The warning letter shall notify the member that excessive trades have been identified in the member’s accounts and any additional violations will result in a direction letter and restrictions.

2. Members who engage in Market Timing Trades in authorized primary funds and who have previously received a warning letter described in subparagraph 1., above, will be sent

a direction letter delivered by courier. The direction letter shall require that the member shall not have access to automated online trade instructions for at least one full calendar month following the date of the direction letter for all trades involving the primary funds. The member shall be required to conduct trades involving primary funds via telephone by contacting the Investment Plan Administrator for at least one full calendar month. “One full calendar month,” in this context, means the full calendar month following the month in the member engaged in a market timing trade ~~which the direction letter is received~~.

3. No change.

4. Members who engage in Market Timing Trades and who have previously received a direction letter as described in subparagraph 3., above, will be sent another direction letter, delivered by courier. The direction letter will advise the member that the member will only be permitted to conduct trades involving primary funds via paper trading forms for at least three full calendar months following the date of the direction letter. The form to be used by the member in conducting the trades is the “Transfer Request Form, Excessive Fund Trading Violators,” Form EFTPV-1, rev. ~~06-18 08-17~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-14012>, ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-08700>~~, which hereby is adopted and incorporated by this reference. The form will be sent to the member by the Plan Administrator with the direction letter. This form must be notarized and returned to the Office of Defined Contribution Programs, via U.S. mail, certified\return receipt requested. This form cannot be used to trade in, out or within the SDBA.

5. Members who engage in Market Timing Trades and who have previously received a direction letter as described in subparagraph 4., above, will be sent another direction letter, delivered by courier. The direction letter shall require that the member shall only be permitted to conduct trades involving primary funds via paper trading forms for at least twelve full calendar months following the date of the direction letter. The form to be used by the member in conducting the trades is the “Transfer Request Form, Excessive Fund Trading Violators,” Form EFTPV-1, rev. ~~06-18 08-17~~. This form must be notarized and returned to the Office of Defined Contribution Programs, via U.S. mail, certified\return receipt requested.

6. Members who engage in Market Timing Trades and who have previously received a direction letter as described in subparagraph 5., above, will be sent another direction letter, delivered by courier. The direction letter will advise the member that the member will only be permitted to conduct trades involving primary funds via paper trading forms for the remainder of any time that any balance exists in the member’s Investment Plan account following the date of the direction letter. The form to be used by the member in conducting the

trades is the “Transfer Request Form, Excessive Fund Trading Violators,” Form EFTPV-1, rev. ~~06-18~~ 08-17. This form must be notarized and returned to the Office of Defined Contribution Programs, via U.S. mail, certified/return receipt requested.

7. through 8. No change.

(3) through (4). No change.

Rulemaking Authority 121.4501(8) FS. Law Implemented 121.4501(13), (14), (15) FS. History—New 10-21-04, Amended 3-9-06, 10-25-07, 12-8-08, 1-7-10, 7-12-12, 6-5-14, 8-18-14, 12-30-15, 4-12-17, 2-12-18, 2-19-19,\_\_\_\_\_.

19-11.005 Florida Retirement System (FRS) State Board of Administration Complaint Procedures.

(1) Request for Intervention.

(a) No change

(b) The member may use “Florida Retirement System Investment Plan Request for Intervention,” Form SBA-RFI 01/2019, contained in the FRS Investment Plan Complaint Procedures package,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-10206>, which is hereby adopted and incorporated by reference. The form may be obtained by calling the toll free number at 1(866)446-9377, Option 4, (TRS 711), and requesting that the form be mailed to the member or by accessing the MyFRS.com website ~~and~~, clicking ~~Resources~~, ~~and then clicking~~ on Forms. By using this form or any other written request, the member grants permission to the SBA to obtain any personally identifiable information shared with or generated by any services provider to the FRS, including the MyFRS Financial Guidance Program. The member must provide all information requested by the form.

(c) No change.

(d) Upon receipt of the completed Request for Intervention, an acknowledgment will be sent to the address provided on the form by either regular U.S. mail or emailed to the member.

(e) through (f). No change.

(2) Request for Hearing.

(a) If the member is not satisfied with the proposed resolution as set out in the final agency action letter and the member wishes to protest the determination, the member may file a fully-completed Petition for Hearing, “Investment Plan Petition for Hearing,” Form SBA-PFH 01/2019, contained in the Florida Retirement System Investment Plan Complaint Procedures package,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-10207>, which is hereby adopted and incorporated by reference, with the SBA. The Petition for Hearing is routinely attached to the final agency action letter and may also be obtained by calling the toll free number at 1(866)446-9377, Option 4, (TRS 711), and requesting that it be sent to the member or by accessing the MyFRS.com website, ~~and clicking on Resources~~ then clicking on Forms. The Petition for Hearing must be received within 21

days of the member’s receipt of the agency action letter or it will be rejected as untimely and the member will have waived the right to a hearing.

(b) through (e). No change.

(f) The balance of the hearing process shall conform to the requirements of ~~Chapter~~ chapter 120, F.S.

(g) No change.

Rulemaking Authority 121.4501(8) FS. Law Implemented 120.569, 120.57, 120.573, 121.4501(8)(g) FS. History—New 10-21-04, Amended 3-9-06, 11-26-07, 5-19-09, 7-12-12, 12-16-12, 6-5-14, 12-30-15, 4-12-17, 2-19-19,\_\_\_\_\_.

19-11.006 Enrollment Procedures for New Hires.

(1) General Enrollment Procedures.

(a) through (c). No change.

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

(e) No change.

(f) Enrollment forms for eligible newly-hired employees enrolled in the Regular, Special Risk and Special Risk Administrative Support classes are available by accessing MyFRS.com, and clicking ~~on Resources and then~~ on Forms; or by calling toll-free 1(866)446-9377, Option 2, or for the hearing impaired TRS 711. Enrollment forms for newly hired employees in the EOC, SMSC and newly-hired employees eligible to enroll in the SCCSORP are available by accessing MyFRS.com, and ~~then clicking on Resources and then~~ on Forms; or by calling toll-free 1(866)446-9377, Option 2, or, for the hearing impaired, TRS 711.

(2) Specific Enrollment Procedures.

(a) All newly-hired employees enrolled in the Regular, Special Risk Administrative Support, EOC or SMSC classes may enroll in the Investment Plan no later than 4:00 p.m. (Eastern Time) the last business day of the 8th month following the employee’s month of hire or may elect to remain in the Pension Plan. Example: If an employee is hired on January 15, the employee must complete a plan choice no later than 4:00 p.m. (Eastern Time) the last business day of September. If no plan choice is filed by 4:00 p.m. (Eastern Time) on the last business day of September, the employee will default to the Investment Plan and will be considered the employee’s initial plan choice or first election. The amount of the employee and employer contributions paid through the date of default to the Investment Plan will be transferred to the Investment Plan and placed in an age appropriate retirement date fund. The investment option may be changed by the employee once the account is funded.

(b) All newly-hired employees enrolled in the Special Risk class may enroll in the Investment Plan no later than 4:00 p.m. (Eastern Time) the last business day of the 8th month following

the employee's month of hire or may elect to remain in the Pension Plan. Example: If an employee is hired on January 15, the employee must complete a plan choice no later than 4:00 p.m. (Eastern Time) the last business day of September. If no plan choice is filed by 4:00 p.m. (Eastern Time) on the last business day of September, the employee will default to the Pension Plan and will be considered the employee's initial plan choice or first election.

(c) through (d). No change.

(e) The State Board of Administration (SBA) has designed the forms set forth below for ease of use for employees in the several membership classes of the FRS. As an alternative, an employee not wishing to use the forms may provide the same information requested by the forms available for use for the appropriate membership class in a separate document. Employees may determine their membership class by contacting the agency's human resources office. The forms available are: an EZ Retirement Plan Enrollment Form, Form ELE-1-EZ, rev. 07-21 ~~04-19~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-14014> <http://www.flrules.org/Gateway/reference.asp?No=Ref-11602>, which is only for regular, special risk, and special risk administrative support class employees; a General Retirement Plan Enrollment Form, Form ELE-1, rev. 07-21 ~~07-19~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-14013>, <http://www.flrules.org/Gateway/reference.asp?No=Ref-11603> for regular, special risk, and special risk administrative support class employees; an Elected Officers' Class Retirement Plan Form, Form EOC-1, rev. 07-21 ~~07-19~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-14015> <http://www.flrules.org/Gateway/reference.asp?No=Ref-11604>; a State Community College System Optional Retirement Program (SCCSORP) Enrollment Form, Form OCC-1, rev. 07-21 ~~07-19~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-14016> <http://www.flrules.org/Gateway/reference.asp?No=Ref-11605>; and a Local Senior Management Service Employees Retirement Plan Enrollment Form, Form SMS-3, rev. 07-21 ~~07-19~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-14017> <http://www.flrules.org/Gateway/reference.asp?No=Ref-11606>. All of the preceding forms are hereby adopted and incorporated by reference.

1. through 2. No change.

(f) No change.

(g) Upon receipt of the completed enrollment form by the Plan Choice Administrator, the Plan Choice Administrator shall enroll the employee in the indicated FRS retirement plan. Upon completion of the enrollment, but no later than two working days after enrollment, the Plan Choice Administrator shall send confirmation of the effective enrollment to the employee at the employee's address of record or electronically if the member

has consented to electronic delivery of documents through the MyFRS.com website. The Administrator will also inform the Division of Retirement (Division) and to the Division to inform the Division of the employee's retirement plan choice. The employer shall change its employee records to reflect the employee's plan choice, if applicable.

(3) Grace Period.

(a) No change.

(b) If the request to reverse the election is made timely and the SBA finds that the election was made in error or grants the request for reconsideration, the member will be required to sign a release and return it to the SBA by the designated due date no later than 4:00 p.m. (Eastern Time). Failure to return a signed release by the requested due date will result in the member remaining in the elected retirement plan. on the last business day of the election effective month prior to the election's being officially reversed. The member will acknowledge that failure to return a signed release by the requested due date will result in the original election being reinstated.

(c) through (d). No change.

Rulemaking Authority 121.4501(3)(c)4., (8)(a) FS. Law Implemented 121.051, 121.055, 121.35, 121.4501(2), (3), (4), (5), (6), (8), (15), 121.73, 121.74, 121.78, 1012.875(3) FS. History—New 10-21-04, Amended 3-9-06, 10-25-07, 12-8-08, 5-19-09, 2-4-10, 7-12-12, 12-16-12, 1-28-14, 8-18-14, 12-30-15, 4-12-17, 2-12-18, 2-19-19, 4-8-20, \_\_\_\_\_.

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

(1) This rule includes procedures for members who used their first or initial election enroll in initially chose the Florida Retirement System (FRS) Investment Plan, Investment Plan Hybrid Option or defaulted into the Investment Plan to use their 2nd election to transfer to the Pension Plan; and for members who used their first or initial election to enroll in the Pension Plan chose or defaulted into the Pension Plan to use their 2nd election to transfer to the Investment Plan or the Investment Plan Hybrid Option. This rule also includes procedures for members who elected to participate in the State Community College System Optional Retirement Program (SCCSORP), in lieu of the FRS membership and want to transfer to the FRS Pension Plan or participate prospectively in the FRS Investment Plan.

(2) A member may make a valid ~~2nd~~ election only if the ~~2nd~~ election is made and processed by the Plan Choice Administrator during the month in which the member is actively employed and earning salary and service credit in an employer-employee relationship consistent with the requirements of Section 121.021(17)(b), F.S. Members on an unpaid leave of absence or terminated members cannot use their ~~2nd~~ election until they return to FRS-covered employment. Employees of an educational institution on summer break

cannot use their ~~2nd~~ election during the full calendar months of their summer break. For example, if the last day of the school term is May 21st and the first day of the new school term is August 17th, the employee may not file a 2nd election in the calendar months of June or July. The beginning of the school term is determined by the employer. In general terms, this means that the ~~2nd~~ election can only be made and processed during the month in which the member is actively working and being paid for that work. An election received after a member's date of death will be considered invalid, even if the member signed the election form prior to their date of death. It is the responsibility of the member to assure that the ~~2nd~~ election is received by the Plan Choice Administrator no later than 4:00 p.m. (Eastern Time) on the last business day of the month the member is actively employed and earning salary and service credit.

(a) The following are examples of scenarios that could result in an invalid ~~2nd~~ election. ~~These~~ ~~They~~ are only examples and are not inclusive of all possible situations. Members and employers are encouraged to contact the MyFRS Financial Guidance Line to discuss their particular situation.

1. through 3. No Change.

(3) An active SCCSORP participant can, at his or her discretion within the terms of his or her SCCSORP contract, exercise a one-time opportunity to transfer to the FRS Pension Plan or participate prospectively in the FRS Investment Plan.

(4) ~~(3)~~ General Procedures.

(a) All members who wish to change their FRS retirement plan using their 2<sup>nd</sup> election, or a SCCSORP member who wants to switch to the FRS, must submit an election to the Plan Choice Administrator.

1. A 2nd election can be made ~~This can be done by form, or on MyFRS.com~~ by accessing the online Second Election Choice Service or online by completing the "2nd Election EZ Retirement Plan Enrollment Form." There are two types of enrollment forms. The "2nd Election Retirement Plan Enrollment Form," Form ELE-2, rev. ~~07-21~~ ~~07-19~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-14018>, <http://www.flrules.org/Gateway/reference.asp?No=Ref-11607>, which is hereby adopted and incorporated by reference. This form allows the member to select different investment fund options if the member is changing from the Pension Plan to either the Investment Plan or the Investment Plan Hybrid Option. Alternatively, the member can complete the "2nd Election EZ Retirement Plan Enrollment Form," Form ELE-2EZ, rev. ~~07-21~~ ~~04-19~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-14019>, <http://www.flrules.org/Gateway/reference.asp?No=Ref-11608>, which is hereby adopted and incorporated by reference. By completing this form, the member is choosing to have the employer and employee contributions and any transfers from

the Pension Plan invested in an age appropriate retirement date fund as provided under the Plan provisions. The member may change the investment selection at any time after the Investment Plan or the Investment Plan Hybrid Option account is activated. Activation occurs when contributions are deposited to the member's Investment Plan account.

2. Members who want to exercise their one-time opportunity to transfer from SCCSORP to the FRS Pension Plan or participate prospectively in the FRS Investment Plan must complete the State Community College Optional Retirement Program (SCCSORP) Retirement Plan Conversion form, Form OCC-2, rev. 07/2021, <http://www.flrules.org/Gateway/reference.asp?No=Ref-14020>, which is hereby adopted and incorporated by reference.

(b) Election ~~Both~~ forms are available by calling the toll-free number for the MyFRS Financial Guidance Line: 1(866)446-9377, Option 4 or for members who are deaf, hard of hearing, or speech-impaired: TRS 711; or by using the MyFRS.com website and clicking ~~on Resources and then on~~ Forms.

(c) Elections made by form must be mailed to the Plan Choice Administrator, P.O. Box 785027, Orlando, Florida 32878-5027; or faxed toll-free to the number provided on the form. It is the responsibility of the member to ensure that the ~~2nd~~ election form is received by the Plan Choice Administrator.

(d) No Change.

(e) For members transferring to the Pension Plan, if the member's Investment Plan or SCCSORP account balance was less than the calculated amount required to buy back into the Pension Plan, the election will require a personal payment. The member will receive notification and proper instructions from the Division of Retirement (Division) detailing where and in what form to send any personal payments. Such payment, if necessary, must be received by the date determined by the Division. If the required amount is not received by the Division by the date due, the election will be voided.

(f) No Change.

(g) The member should carefully review the form and be sure that it is signed, dated, and sets forth the member's ~~second~~ election ~~plan choice~~. A copy of the form should be retained for the member's records.

(h) The Plan Choice Administrator shall determine that the employee's enrollment ~~in the Investment Plan~~ is complete and the employee's election is clearly indicated. If the Plan Choice Administrator determines that the enrollment is incomplete, the employee will be required to resubmit a completed enrollment. An incomplete enrollment is an enrollment which is missing the name of the member, sets forth a spelling of the member's name or reflects a date of birth that does not match the information present in the Plan Choice Administrator's database, ~~or is~~ missing the last four digits of the member's social security

number, plan selection, signature, or one on which the investment elections total greater than or less than 100%. The member will be required to resubmit a completed ~~2nd election~~ enrollment form. If the form is incomplete only because the member has made no investment selection, the form will be processed and the member will be defaulted into an age appropriate retirement date fund as provided under the Plan provisions for investing the member's accumulated benefit obligation and all future contributions. Note that this default selection may be changed by the member at any time once the account is activated.

(i) The ~~second~~ election will become final at 4:00 p.m. (Eastern Time) on the day it is received by the Plan Choice Administrator. Elections received after 4:00 p.m. (Eastern Time) will be considered as being received on the next business day. Elections received on a Saturday, Sunday or holiday will be considered as being received on the next business day.

~~(5)~~(4) Grace Period.

(a) No Change.

(b) If the request to reverse the election is made timely and the SBA finds the election was made in error or grants the request for reconsideration, the member will be required to sign a release and return it to the SBA by the designated due date no later than 4:00 p.m. (Eastern Time). Failure to return a signed release by the requested due date will result in the member remaining in the elected retirement plan, on the last business day of the election effective month prior to the election's being officially reversed. Upon receipt of the release, the Division and the Plan Choice Administrator will be directed to take the necessary steps to reverse the election and to correct the member's records to reflect the election reversal.

(c) through (d). No change.

Rulemaking Authority 121.4501(8) FS. Law Implemented 121.4501(3), (4), (8), (15)(b), (20) FS. History—New 10-21-04, Amended 3-9-06, 10-25-07, 12-8-08, 5-19-09, 1-7-10, 7-12-12, 12-16-12, 12-28-14, 8-18-14, 12-30-15, 4-12-17, 2-12-18, 2-19-19, 4-8-20, \_\_\_\_\_.

19-11.008 Forfeitures.

(1) Forfeitures after Separation or Retirement from Florida Retirement System (FRS) Investment Plan.

(a) If a member terminates or is no longer working in an FRS-covered position employment before vesting in an Investment Plan benefit or any transferred Pension Plan benefit, the member will not be entitled to any benefit, other than employee contributions, which are immediately vested. In such case, the unvested account balance will be placed in a suspense account for a period not to exceed five (5) years from the date of the member's termination or the effective date of non-FRS eligibility. The suspense account shall be invested in the FRS Core Plus Intermediate Bond Fund, where it will accrue actual investment earnings or losses.

(b) If the member returns to work for an FRS-participating employer in an FRS-covered position within the five (5) years from the date of termination, the member will be returned to the Investment Plan and the unvested account balance, reflecting any earnings or losses while invested in the FRS Core Plus Intermediate Bond Fund, will be returned to the member's account, together with the associated service credit. Any additional service credit earned will be applied towards vesting of the member's benefit.

(c) If the member never returns to work for an FRS-participating employer in an FRS-covered position or if the member returns to FRS covered employment five (5) or more years after the date of termination or the effective date of non-FRS eligibility, the member will forfeit the unvested account balance and the associated service credit.

(d) No change.

(e) If the member does not take a self-initiated distribution of any vested Investment Plan benefit after terminating from all FRS-participating employers or the effective date of non-FRS eligibility, the unvested Pension Plan benefit will be transferred six (6) months following the termination or the effective date of non-FRS eligibility to a suspense account. The suspense account is invested in the FRS Core Plus Intermediate Bond Fund, where it will accrue actual investment earnings or losses. If the member returns to FRS-covered employment within five (5) years from the date of termination or the effective date of non-FRS eligibility, the member's benefit, reflecting any earnings or losses while invested in the FRS Core Plus Intermediate Bond Fund, will be returned to the member's account, together with the associated service credit. Any additional service credit earned will be applied towards the vesting of the member's benefit.

(f) If an Investment Plan Hybrid Option member leaves FRS-covered employment after vesting in the Investment Plan benefit, but before vesting in the Pension Plan benefit, the member shall only be entitled to receive the vested Investment Plan benefit. However, if the member takes any self-initiated distribution of the vested Investment Plan benefit, the unvested Pension Plan benefit will be forfeited along with the associated service credit. If the member does not take a distribution from the Investment Plan and later returns to work for a FRS-participating employer in an FRS-covered position covered employer, the member will be returned to the Investment Plan Hybrid Option and the service credit for the existing Pension Plan and Investment Plan service, combined with any future service credit, will be applied towards vesting of the member's account.

(g) If a member is required to receive a required minimum distribution (RMD), any the unvested Pension Plan benefit and the associated service credit, will not be forfeited.

(h) No change.

(2) Forfeitures of Investment Plan accounts Due to Criminal Activity.

(a) through (b). No change.

(c) If the charges against the member are not pursued ~~and are dropped by law enforcement officials~~, the hold on the member's account will be released ~~upon receipt of notification from the proper law enforcement agency~~.

(d) through (f). No change.

(g) If a member receives a pardon for any crime applicable to any FRS employment, the member shall have all benefits previously forfeited returned to his or her Investment Plan account reflecting any earnings or losses while invested in the FRS ~~Core Plus Intermediate~~ Bond Fund.

(3) through (4). No change.

Rulemaking Authority 121.4501(8) FS. Law implemented 112.3173, 121.021(29), (39), 121.091(5), 121.4501(6), (13), 121.591, 732.802 FS. History—New 11-26-07, Amended 12-8-08, 7-12-12, 8-18-14, 12-30-15, 4-12-17, 2-12-18,\_\_\_\_\_.

19-11009 Reemployment with an FRS-Participating Employer after Retirement.

(1) Reemployment.

(a) through (b). No change.

(c) To prevent hiring an ineligible retiree, the employer should obtain a written statement from each prospective employee as to the employee's retirement status. The written statement can be set forth on the "Certification Form," Form CERT, rev. 06-21 ~~01-19~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-14021> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-08695>~~, which is hereby adopted and incorporated by reference. The form can be found on the MyFRS.com website. This form should be retained in the employee's personnel file.

(d) No change.

(2) No change.

Rulemaking Authority 121.4501(8) FS. Law Implemented 121.021(29), (39), 121.091(9)(b), (c), 121.4501(2)(j), 121.591(1)(a)4. FS. History—New 11-26-07, Amended 12-8-08, 8-7-11, 7-12-12, 4-12-17, 2-12-18, 2-19-19, 4-8-20,\_\_\_\_\_.

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

(1) Employer and Employee contributions.

(a) No change.

(b) Employers shall submit, to the Division of Retirement (Division), a monthly ~~retirement payroll~~—report and accompanying employer and employee contributions by the fifth (5th) business day following the month in which the salary was paid. For example, if the salary is paid in March, the monthly ~~retirement payroll~~ report and contributions are due to the Division by the 5th business day of April.

(2) One Percent Penalty for Late Payroll Reporting.

(a) A one percent penalty will be applied to contributions that are late pursuant to section 121.78(3), F.S. The portion of the one percent penalty assessed on late contributions and accompanying payroll data attributable to contributions for the Investment Plan members shall be proportionally divided and deposited into affected member accounts, using the member's members' Investment Plan investment allocation in effect at the time of the deposit.

(b) No change.

(3) Market loss calculation for late payroll reporting.

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

(b) No change.

(c) The Administrator will perform the market value calculation using a period certain which is the 15th of the month in which the ~~retirement report payroll~~ is due, or the next succeeding business day if the day falls on a weekend or legal holiday, in which contributions would have been processed, and ending on the date the ~~contributions are payroll~~ is received by the Administrator.

(d) If contributions and accompanying ~~retirement report payroll~~ data are not received within the calendar month they are due, but that lateness does not result in market losses to members, only the one percent late assessment will apply to the employer.

(e) The Administrator will not perform the market loss calculation until a covered ~~retirement report payroll~~ and accompanying ~~payroll~~ data is received and processed by the Administrator.

(4) Prior Period Adjustments.

(a) No change.

(b) When an employer requests an adjustment to retirement contributions or accompanying ~~retirement report payroll~~ data for prior periods for Investment Plan members, the adjustment will be processed to the extent administratively possible. Under no circumstance shall the SBA, the FRS Investment Plan Trust Fund, or the Florida Retirement System Trust Fund incur any loss or gain as a result of an employer's adjustments for an Investment Plan member or a former member.

(5) No change.

(6) If an agency fails to pay the required retirement contributions timely, the SBA or Division may be begin

collection actions as provided in s. 121.061, F.S. ~~total amount due within 120 calendar days from the date of the Division's invoice, the procedures outlined in the Division's subsection 60S 3.011(5), F.A.C., shall be applicable.~~

(7) Federally Mandated Monitoring of Contributions and Annual Salary.

(a) The Investment Plan Administrator will be responsible for monitoring federally mandated contribution limits pursuant to Internal Revenue Code s. 415(c) ("Section 415(c) limitation"). The monitoring of federally mandated contribution limits will only be conducted if the employer has properly reported the applicable annual salary and contributions on the retirement payroll reports submitted each month. The Investment Plan Administrator, the Division or SBA will not be held responsible for a failure to monitor the limits due to the employers' inability or failure to report the necessary data.

(b) through (e). No change.

(f) Employers shall be responsible for providing all financial and retirement payroll data which the Investment Plan Administrator or its agent must use to determine whether or not the 415(c) limitation has been exceeded.

(g) through (k). No change.

(8) through (9). No change.

(10) Asset Transfer and True-Up Procedures for Newly-hired Employees with Previous FRS Service.

(a) For members who elect to enroll in the FRS Investment Plan who have prior FRS credible service, the Division shall calculate the amount of the member's ABO or present value of the Pension Plan benefit. This amount shall be transferred to the member's Investment Plan account and shall be allocated to each investment product selected by the member or and if no allocations were provided by the member, then to an age-appropriate retirement date fund.

(b) through (h). No change.

Rulemaking Authority 121.78(3)(c), 121.4501(8) FS. Law Implemented 121.71, 121.72, 121.78, 121.4501 FS. History—New 7-12-12, Amended 12-16-12, 12-30-15, 4-12-17, 2-19-19,\_\_\_\_\_.

19-11.012 Rollovers or Plan to Plan Transfers to or from the FRS Investment Plan

(1) No change.

(2) A member may not rollover assets into the Investment Plan from the following:

(a) through (b). No change.

(c) Required Minimum Distributions required to be paid to a member who has reached age 72 70 1/2;

(d) through (e). No change.

(3) through (7). No change.

(8)(a). No change.

(b) Current members shall use Form IPRO-1, rev. 07/21 07-19, "Employee Rollover Deposit Instructions and Form,"

<http://www.flrules.org/Gateway/reference.asp?No=Ref-14022>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-08698>, which is hereby adopted and incorporated by reference, to effect rollovers described in this rule.

(c) Current DROP members planning to roll over their DROP accumulation shall use Form IP-DROP-AD-1, "FRS Investment Plan DROP Accumulation Direct Rollover Form for Current DROP Members," rev. 07/21 07-19, <http://www.flrules.org/Gateway/reference.asp?No=Ref-14023>  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-08696>, which hereby is adopted and incorporated by reference, to effect rollovers described in this rule.

(d) Former DROP members shall use Form IP-DROP-RO-1, "DROP Direct Rollover Form for Former DROP Members," rev. 07/21 07-19, <http://www.flrules.org/Gateway/reference.asp?No=Ref-14024>,  
<http://www.flrules.org/Gateway/reference.asp?No=Ref-08697>, which hereby is adopted and incorporated by reference, to effect rollovers described in this rule.

(e) No change.

(9) through (12). No change.

(13)(a) An Investment Plan member electing to transfer to the Pension Plan and who has an excess balance remaining in the Investment Plan account after satisfying any required Pension Plan buy-in amounts, may elect to use all or part of that remaining balance to purchase service credit in the Pension Plan. The member will need to complete Form PRO-2, "Pre-tax Direct Rollover/Transfer Form," rev. 10-10, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01184>, which hereby is adopted and incorporated by reference, to effect this purchase. This form is available in paper form and may be obtained by calling the toll-free MyFRS Financial Guidance Line at 1(866)446-9377, Option 4 (TRS 711), Monday through Friday, except holidays, 8:00 9:00 a.m. to 6:00 8:00 p.m. (Eastern Time), except holidays.

(b) through (e). No change.

Rulemaking Authority 121.4501(8), (5)(e) FS. Law Implemented 121.4501(4)(g)5., (5)(e), (21), 121.591 FS. History—New 7-12-12, Amended 12-16-12, 10-15-13, 1-28-14, 8-18-14, 12-30-15, 4-12-17, 2-12-18, 2-19-19,\_\_\_\_\_.

19-11.013 FRS Investment Plan Self-Directed Brokerage Account.

(1) An Investment Plan member meeting certain criteria may transfer assets from the member's Investment Plan primary investment account to a self-directed brokerage account ("SDBA") in order to be able to access additional investment opportunities beyond the primary investment funds offered under the Investment Plan.

(a) through (d). No change.

(e) The member is subject to the following fees, transaction changes, expenses:

~~1. An annual administrative fee of \$25.00 (\$6.25 quarterly) for participating in the SDBA. This fee will be deducted from the member's primary investment account for each quarter the member maintains a balance in the SDBA. This fee is in addition to all applicable commissions, sales charges and transaction fees. This fee is deducted pro rata across the member's Investment Plan primary funds.~~

2. through 3. are renumbered. 1. through 2. No change.

(2)(a) The investment options offered through the SDBA have not been reviewed by the State Board of Administration (SBA) for suitability for the member. The member is solely responsible for determining the appropriateness of any investments in the SDBA.

(b) through (f). No Change.

(g) Investment options not permitted within the SDBA include the following:

1. through 7. No Change.

8. Master Limited Partnerships (MLPs)

9. Commodity ETFs (subject to UBIT)

8. through 11. are renumbered. 10. through 12. No Change.

(3) through (6). No Change.

Rulemaking Authority 121.4501(8), (5)(e) FS. Law Implemented 121.4501(8), (9), (10), (11), (12), (13), (14), (15) FS. History—New 6-5-14, 12-30-15, 4-12-17, 2-12-18, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Daniel Beard, Office of Defined Contribution Programs.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 19, 2021, Vol. 47/225.

**STATE BOARD OF ADMINISTRATION**

RULE NOS.:	RULE TITLES:
19-13.002	Roles and Responsibilities of Division of Retirement within the Department of Management Services
19-13.004	Role and Responsibilities of Third Party Vendors

PURPOSE AND EFFECT: To indicate that the Division of Retirement will handle the collection and processing of employee retirement contributions and data, instead of payroll contributions and data; to indicate third party vendors will rebalance retirement date funds and multi-manager funds; to indicate that third party vendors also will provide a read-only website so that Investment Plan members can access check advices and print copies of their IRS Forms 1099-R; and to state that third party vendors will provide data breach response

SUMMARY: To make editorial revisions for clarification; to update the services provided by the Division of Management Services and Third Party Vendors. There are no other rules incorporating this amended rule. The proposed amendment does not have an impact on any other rules. Legislative ratification of the rule amendment is not required.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on its analysis of the rule amendments and incorporated materials, as well as the fact that it is not a regulatory agency, the State Board of Administration has determined that the rules do not meet the statutory threshold for ratification by the legislature. There will be no impact on economic growth, job creation or employment, private-sector investment, or business competitiveness, and no increase in regulatory costs resulting from the proposed rule amendments. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 121.4501(8), 215.52 FS.

LAW IMPLEMENTED: 112.3173, 121.091(5), 121.4501(4), (8), (9), (10) 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: Monday, February 14, 2022, 9:00 a.m. - 11:00 a.m.

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

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

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

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

- (a) No change.
- (b) Collect and process employer and employee retirement payroll contributions and retirement payroll-related data, including monitoring salary limits imposed by the Internal Revenue Service;
- (c) Forward employer and employee retirement payroll contributions and retirement payroll-related data to the Investment Plan Administrator, including date of termination and leave of absence indicators, if available;
- (d) Calculate members' Pension Plan benefits benefit, calculate the accumulated benefit obligation and calculate any buy-back amount for those members who elected the Investment Plan but subsequently elect to return to the Pension Plan;

(e) through (j). No change.  
(2) This rule is in effect for five years from its effective date.

Rulemaking Authority 121.4501(8) FS. Law Implemented 112.3173, 121.091(5), 121.4501(8), (10) FS. History--New 10-21-04, Amended 10-25-07, 7-12-12, 12-16-12, 1-18-17, 2-12-18\_\_\_\_\_.

19-13.004 Role and Responsibilities of Third Party Vendors.

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

- (a) No change.
- (b) Process new employee enrollments into the Pension Plan or Investment Plan and to process existing employee enrollments, ~~via the exercise~~ of the employees' 2nd Election,

~~pursuant to Section 121.4501(4)(c), F.S., into either FRS plan,~~  
pursuant to Section 121.4501(4):

- (c) through (j). No change.
- (k) Provide quarterly or annual statements to Investment Plan members;
- (l) through (p). No change.
- (2) Multiple providers furnish educational services.

(a) Financial information and guidance will be provided by a vendor via internet. One internet will furnish providers will furnishes internet financial information and guidance. More specifically, this provider posts technical education content and provide the following services digitally on the internet:

- (1) through (4). No change.
- (b) An Another education provider will furnish furnishes one-on-one employee and employer education and counseling. More specifically, the provider:

- (1) through (3). No change
- (c) No change.
- (d) An Another education provider will focus focuses on the MyFRS.com MyFRS website. This provider coordinates software application integration and the design and content of the MyFRS.com MyFRS website among the other educational service providers, the Administrator, the Division, and the SBA.

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

- (a) through (c). No change.
- (4) No Change.
- (5) The custodian, hired by the SBA pursuant to Section 121.4501(8), F.S., is required to do the following:
  - (a) through (g). No change.
  - (h) Determine the value of assets; ~~and,~~
  - (i) Calculate rates of return of investment products; ~~;~~
  - (j) Automatically re-balance the retirement date funds and multi-manager funds as directed by the SBA; and

(k) Provide a read-only website for Investment Plan members to access check advices and print copies of their 1099R forms.

(6) Miscellaneous consultants have been hired by the SBA to assist the SBA in the operations of the Investment Plan. Their responsibilities may include, but are not limited to, the following:

(a) through (f). No Change.

(g) Assisting in developing and implementing investment product manager monitoring guidelines; ~~and~~,

(h) Making recommendations for retention and termination of investment product providers; and

(i) Provide breach response services to the Investment Plan.

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

Rulemaking Authority 121.4501(8) FS. Law Implemented 121.4501(4), (8)(b), (e)1., (9)(a), (10) FS. History—New 10-21-04, Amended 7-12-12, 12-16-12, 12-30-15, 1-18-17, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Daniel Beard, Office of Defined Contribution Programs.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 19, 2021, Vol. 47/225.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Pilot Commissioners**

RULE NO.: RULE TITLE:

61G14-22.012 Determination of Disputed Issues of Material Fact; Formal or Informal Hearings

PURPOSE AND EFFECT: The rule was invalidated in DOAH Case No. 14-5036, therefore, it is being repealed.

SUMMARY: The rule is being repealed.

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: During discussion of the economic impact of this rule at its Board meeting, the Board determined that there was no reason to believe the amendment would increase costs and that a Statement of Estimated Regulatory Costs (SERC) was not

necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 310.151(1)(c) FS.

LAW IMPLEMENTED: 310.151, 120.57 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: Amanda Ackerman, Executive Director, Board of Pilot Commissioners, 2601 Blair Stone Road, Tallahassee, FL 32399-0790.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-22.012 Determination of Disputed Issues of Material Fact; Formal or Informal Hearings.

Rulemaking Authority 310.151(1)(c) FS. Law Implemented 310.151, 120.57 FS. History—New 8-8-95, Amended 10-14-97, Formerly 61E13-2.012, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pilotage Rate Review Committee

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pilotage Rate Review Committee

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2016

**Section III  
Notice of Changes, Corrections and  
Withdrawals**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Alcoholic Beverages and Tobacco**

RULE NO.: RULE TITLE:

61A-4.009 Monthly Reports  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 47 No. 198, October 12, 2021 issue of the Florida Administrative Register.

61A-4.009 Monthly Reports.

(1) No change.

(2) The required monthly reports listed in subsection (1) above and the appropriate excise taxes shall be deemed to be filed in a timely manner when the Division receives the report

and remittance are received in the Division's Electronic Data Submission (EDS) System by 11:59PM on the 10th day of the month, or in those cases where the 10th falls on a Saturday, Sunday or legal holiday, monthly reports and remittances shall be accepted as timely filed if submitted to the Division on or before 11:59PM on the following business day which is neither a Saturday, Sunday or legal holiday. As used in this rule, the term "legal holiday" refers to the same days designated in Section 110.117, F.S.

(3) No change.

Rulemaking Authority 561.11, 563.09(10), 564.06(9), 565.03(8), 565.12(4) FS. Law Implemented 561.111, 561.221(3)(b), 561.49, 561.50, 561.55, ~~561.111~~ 562.15, 563.05, 563.07, 563.09(6), 564.06, 565.03(5), 565.12, 565.13 FS. History—Repromulgated 12-19-74, Formerly 7A-4.09, Amended 8-20-87, Formerly 7A-4.009, Amended MM-DD-YY.

Summary of changes to forms:

Transaction drop down list options shown on page 4 of Form DBPR ABT 4000A-100, Alcoholic Beverage Distributor's Monthly Report

Form effective date updated to date of rule adoption, new final page added describing process to submit excise taxes to the following forms:

Form DBPR ABT 4000A-100, Alcoholic Beverage Distributor's Monthly Report

Form DBPR ABT 4000A-110, Liquor Distiller's and Rectifier's Monthly Report

Form DBPR ABT 4000A-110CD, Craft Distillery Monthly Report

Form DBPR ABT 4000A-125, Beverages Shipped To/Within Florida Monthly Report

Form DBPR ABT 4000A-130, Vendor's Malt Manufacturing Monthly Report

Form DBPR ABT 4000A-135, Beer Manufacturer's Monthly Report

Form DBPR ABT 4000A-140DW, Domestic Wine Manufacturer's Monthly Report

Form DBPR ABT 4000A-140IW, Imported Wine Manufacturer's Monthly Report

To view the updated forms that include the changes described above see the "Notices of Development of Rulemaking and Notice of Meeting/Workshop Hearing" tab here:

<http://www.myfloridalicense.com/DBPR/alcoholic-beverages-and-tobacco/news-and-notices/#1494269355377-e59e63d4-8831>

## 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 January 20, 2022, the Southwest Florida Water Management District has issued an order granting a variance.

Petitioner's Name: River Plantation Homeowners Association, Inc.- File Tracking No. 22-4344

Date Petition Filed: November 6, 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 November 16, 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: Talia Paolillo, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481 x. 6117, [water.variances@watermatters.org](mailto:water.variances@watermatters.org). (T2021050-2).

### DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit

NOTICE IS HEREBY GIVEN that on January 18, 2022, the Public Employees Relations Commission, received a petition for variance from Rule 60CC-4.002, F.A.C., filed by Nelly Henjes, Nancy Velardi, the Pinellas Classroom Teachers Association, and the Pinellas Educational Support Personnel Association, FTP-NEA, to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2022-002. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850) 488-9704.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to [Barry.Dunn@perc.myflorida.com](mailto:Barry.Dunn@perc.myflorida.com).

DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit

NOTICE IS HEREBY GIVEN that on January 18, 2022, the Public Employees Relations Commission, received a petition for variance from Rule 60CC-4.002, F.A.C., filed by Carlos Crispin and the Association of Non-Instructional Personnel of Seminole County Board of Public Instruction, Inc., to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2022-003. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850) 488-9704.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to Barry.Dunn@perc.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002: Ratification by Members of Bargaining Unit

NOTICE IS HEREBY GIVEN that on January 18, 2022, the Public Employees Relations Commission, received a petition for variance from Rule 60CC-4.002, F.A.C., filed by Dan Smith and the Seminole Education Association, Inc., to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2022-004. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850) 488-9704.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to Barry.Dunn@perc.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit

NOTICE IS HEREBY GIVEN that on January 18, 2022, the Public Employees Relations Commission, received a petition for variance from Rule 60CC-4.002, F.A.C., filed by Rosie Guerrero and the Seminole Education Clerical Association to conduct all aspects of a ratification election electronically. The

petition was assigned Case No. MS-2022-005. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850) 488-9704.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to Barry.Dunn@perc.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit

NOTICE IS HEREBY GIVEN that on January 18, 2022, the Public Employees Relations Commission, received a petition for variance from Rule 60CC-4.002, F.A.C., filed by Chonta Henderson and the Seminole County School Bus Drivers Association, Inc., to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2022-006. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850) 488-9704.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to Barry.Dunn@perc.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit

NOTICE IS HEREBY GIVEN that on January 19, 2022, the Public Employees Relations Commission, received a petition for variance from Rule 60CC-4.002, F.A.C., filed by Kathy Smith and Lake County Education Association to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2022-007. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850) 488-9704.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to Barry.Dunn@perc.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

NOTICE IS HEREBY GIVEN that on January 10, 2022, the Board of Accountancy, received a petition for variance or waiver filed by Lai Truong. Petitioner seeks a permanent variance or waiver of paragraph 61H1-28.0052(1)(b), F.A.C., regarding the timeframes with respect to the CPA Examination, which requires that candidates must pass all four sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. In the event all four test sections of the CPA Examination are not passed within the rolling eighteen-month period, credit for any test section(s) passed outside the eighteen-month period will expire and that test section(s) must be retaken. Petitioner is seeking a permanent waiver of paragraph 61H1-28.0052(1)(b), F.A.C. and extend the eighteen-month period to December 17, 2021. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, (850)487-1395 or by email Roger.Scarborough@myfloralicense.com.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

NOTICE IS HEREBY GIVEN that on January 11, 2022, the Board of Podiatric Medicine, received a petition for variance or waiver filed by Dr. Allen Lazerson, DPM, FACFAS. Petitioner seeks a permanent variance or waiver of Rule 64B18-17.005, F.A.C., which requires that during the first biennium or within 24 months of initial licensure, whichever ends later, practitioners are required to obtain five (5) hours of continuing education in the subject area of risk management by attending one full day of a meeting of the Board of Podiatric Medicine at which disciplinary hearings are conducted. The practitioner is then exempt from any other continuing education requirements for his or her first renewal except for a 1-hour course on human trafficking and the hours mandated for prevention of medical errors and HIV/AIDS. Petitioner also seeks a waiver from the

rule requirement due to the fact that the Florida Board of Podiatric Medicine currently lacks a quorum and no such disciplinary hearing are being conducted.

Comments on this petition should be filed with the Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Janet Hartman, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708, or by electronic mail-Janet.Hartman@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

NOTICE IS HEREBY GIVEN that on January 11, 2022, the Board of Podiatric Medicine, received a petition for variance or waiver filed by Tamara Nemeroff. Petitioner seeks a variance or waiver of Rule 64B18-17.005, F.A.C., which requires that during the first biennium or within 24 months of initial licensure, whichever ends later, practitioners are required to obtain five (5) hours of continuing education in the subject area of risk management by attending one full day of a meeting of the Board of Podiatric Medicine at which disciplinary hearings are conducted. The practitioner is then exempt from any other continuing education requirements for his or her first renewal except for a 1-hour course on human trafficking and the hours mandated for prevention of medical errors and HIV/AIDS. Petitioner also seeks a waiver for the in-person meeting with the Board due to the current health crisis with Covid-19 and the variants.

Comments on this petition should be filed with the Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Janet Hartman, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708, or by electronic mail-Janet.Hartman@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The Services and Resources Committee of the Statewide Council on Human Trafficking announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 24, 2022, 10:30 a.m. until conclusion

PLACE: MEETING IS NOW VIA TELECONFERENCE (Notice of Meeting originally published on 01/05/2022 in the F.A.R.), CONFERENCE LINE: (850)666-4692, code 708192082#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Business

A copy of the agenda may be obtained by contacting: Ned Hance at Ned.Hance@myfloridalegal.com or by accessing the board's website at: http://myfloridalegal.com/\_85256CC5006DFCC3.nsf/0/8AE A5858B1253D0D85257D34005AFA72?Open&Highlight=0,s tatewide,council,meeting

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: The Office of the Attorney General Ashley Moody at (850)414-3300. 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: Ned Hance at Ned.Hance@myfloridalegal.com by telephone at 1(813)287-7900.

DEPARTMENT OF LEGAL AFFAIRS

The Legislative and Special Initiatives Committee of the Statewide Council on Human Trafficking announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 27, 2022, 10:30 a.m. until conclusion

PLACE: Teleconference Click here to join the meeting

DIAL-IN INFORMATION: 1(888)585-9008, PARTICIPANT PASSCODE: 340-556-387

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Business

A copy of the agenda may be obtained by contacting: Ned Hance at Ned.Hance@myfloridalegal.com or by accessing the board's website at: http://myfloridalegal.com/\_85256CC5006DFCC3.nsf/0/8AE A5858B1253D0D85257D34005AFA72?Open&Highlight=0,s tatewide,council,meeting

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: The Office of the Attorney General Ashley Moody

at (850)414-3300. 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: Ned Hance at Ned.Hance@myfloridalegal.com by telephone at 1(813)287-7900.

DEPARTMENT OF TRANSPORTATION

Florida Seaport Transportation and Economic Development Council

The Florida Seaport Transportation and Economic Development Council (FSTED) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 2, 2022, 9:30 a.m. – 11:30 a.m.

PLACE: Cypress Ballroom, Hotel Indigo, 826 W. Gaines Street, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business

A copy of the agenda may be obtained by contacting: Emily Fisher in the Florida Ports Council offices at (850)222-8028 or emily.fisher@flaports.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 48 hours before the workshop/meeting by contacting: Emily Fisher in the Florida Ports Council offices at (850)222-8028 or emily.fisher@flaports.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: Emily Fisher in the Florida Ports Council offices at (850)222-8028 or emily.fisher@flaports.org.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 31, 2022, 11:00 a.m.

Loxahatchee River Management Coordinating Council Tour

PLACE: Starting location - Jupiter Inlet Lighthouse & Museum, 500 Captain Armours Way Hwy., Jupiter, FL 33469  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Members of the public interested in attending the tour should contact Kathy LaMartina at 772-678-9872, or klamart@sfwmd.gov. The location of the tour may change due to inclement weather or other unforeseen circumstances. Notice of such change will be available by contacting Kathy LaMartina at 772-678-9872.

A copy of the agenda may be obtained by contacting: Kathy LaMartina, 772-678-9872, or klamart@sfwmd.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 seven days before the workshop/meeting by contacting: Rosie Byrd, District Clerk, at rbyrd@sfwmd.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: Kathy LaMartina, 772-678-9872, or klamart@sfwmd.gov.

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 31, 2022, 2:00 p.m.

Loxahatchee River Management Coordinating Council Meeting

PLACE: River Center – 805 N. US Highway 1, Jupiter, FL 33477

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a public meeting of the Loxahatchee River Management Coordinating Council to discuss the goals and objectives regarding the management of the Wild and Scenic portion of the Loxahatchee River.

The public and stakeholders are invited to participate and will have an opportunity to provide comment during the meeting.

A copy of the agenda may be obtained by contacting: Kathy LaMartina, 772-678-9872, or klamart@sfwmd.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 seven days before the workshop/meeting by contacting: Rosie Byrd, District Clerk, at rbyrd@sfwmd.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: Kathy LaMartina, 772-678-9872, or klamart@sfwmd.gov.

**DEPARTMENT OF MANAGEMENT SERVICES**

The Florida E911 Board announces a public meeting to which all persons are invited.

DATE AND TIME: February 16, 2022, 9:00 a.m.

PLACE: Teleconference number: 1(877)309-2073, Conference room: 931-659-037

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Business.

A copy of the agenda may be obtained by contacting: Leon Simmonds, (850)921-0041.

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: Leon Simmonds, (850)921-0041. 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: Leon Simmonds, (850)921-0041.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Pilot Commissioners

The Board of Pilot Commissioners announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 31, 2022, 10:00 a.m.

PLACE: 1(888)585-9008, participant code: 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 Road, 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 Road, 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 Road, Tallahassee, FL 32399, (850)717-1982.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Accountancy

The Education Advisory Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 8, 2022, 3:00 p.m.

PLACE: Teleconference

Dial-In-Number: 888-585-9008

Conference Room Number: 624-410-563

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Education Advisory Committee meets to consider items relating to the education requirements.

A copy of the agenda may be obtained by contacting: Karan Lee, 240 NW 76th Drive, Suite A, Gainesville, Florida 32607.

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: Karan Lee. 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: Karan Lee.

**DEPARTMENT OF CHILDREN AND FAMILIES**

Refugee Services

The Tampa Bay Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 22, 2022, 1:30 p.m. – 3:30 p.m.

PLACE: Meeting will take place via the Microsoft Teams platform. Use the below link to connect to the meeting:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NTNjMTU2ZjYtZTkWMS00NzFjLWE1NTUtMTE0OTM4MzRhN2Y3%40thread.v2/0?context=%7b%22tid%22%3a%22f70dba48-b283-4c57-8831-cb411445a94c%22%2c%22oid%22%3a%224c7ac74e-0835-4242-a8cf-f26976fc1c32%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NTNjMTU2ZjYtZTkWMS00NzFjLWE1NTUtMTE0OTM4MzRhN2Y3%40thread.v2/0?context=%7b%22tid%22%3a%22f70dba48-b283-4c57-8831-cb411445a94c%22%2c%22oid%22%3a%224c7ac74e-0835-4242-a8cf-f26976fc1c32%22%7d)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Tampa Bay Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build

collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Janet Blair at (813) 545-1716 or David Draper at (407) 317-7335.

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: Janet Blair at (813) 545-1716 or David Draper at (407) 317-7335. 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: Janet Blair at (813) 545-1716 or David Draper at (407) 317-7335.

**FLORIDA INDEPENDENT LIVING COUNCIL**

The Florida Independent Living Council, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, January 27, 2022, 10:00 a.m. – 11:00 a.m., SPIL Evaluation Committee

PLACE: Join Zoom Meeting:  
<https://us06web.zoom.us/j/83704340956?pwd=VVJNSXhTREl1kMjRZb3VlSVFZemZ5Zz09>, Meeting ID: 837 0434 0956, Passcode: 519270

One tap mobile:

+19292056099,,83704340956#,,, \*519270# US (New York)  
 +13017158592,,83704340956#,,, \*519270# US (Washington DC)

Dial by your location:

(929)205-6099, 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: 837 0434 0956, Passcode: 519270

Find your local number:

<https://us06web.zoom.us/j/83704340956?pwd=VVJNSXhTREl1kMjRZb3VlSVFZemZ5Zz09>

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Business of the Committees or Business of the Council  
 Persons who want to be notified of such meetings may submit a request by contacting the Florida Independent Living Council, Inc., 1882 Capital Circle NE, Suite 202, Tallahassee, Florida 32308, (850)488-5624 or Toll Free 1(877)822-1993 or email [info@floridasilc.org](mailto:info@floridasilc.org).

A copy of the agenda may be obtained by contacting: Florida Independent Living Council.

Pursuant to the Americans with Disabilities Act, accommodations for persons with disabilities are available

upon request. If you have a disability and require a reasonable accommodation to fully participate in this event, please contact Beth Meyer, PA, ADA at beth@floridasilc.org, or (850)488-5624 to discuss your accessibility needs. Please allow five business days' notification to process: last minute requests will be accepted, but may not be possible to fulfill.

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

NONE

**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**

**INVITATION TO BID (ITB)**  
**MDX PROCUREMENT/CONTRACT NO.: ITB-22-02**  
**MDX WORK PROGRAM NO.: 40045.060**  
**MDX PROJECT/SERVICE TITLE: CONSTRUCTION**  
**SERVICES FOR THE WRONG WAY SAFETY PROGRAM**  
 This Procurement Process is subject to the Cone of Silence in accordance with MDX's Procurement Policy.  
 A Pre-Bid Conference is scheduled at 10:00 a.m. Eastern Time on February 8, 2022.  
 The deadline for submitting a Bid Package is March 9, 2022 by 2:00 p.m. Eastern Time.  
 For detailed information, please visit the MDX Procurement Department website at <http://www.mdxway.com/solicitations>, or call the MDX Procurement Department at (305)637-3277 for assistance.

**FLORIDA ASSOCIATION OF COURT CLERKS**  
**Request for Information (RFI) For Clerk Training and**  
**Certification Programs**  
**Request for Information (RFI)**  
**For**  
**Clerk Training and Certification Programs**  
**Issued January 18, 2022**  
**Responses must be received no later than**  
**February 7, 2022, at 5:00 p.m., ET.**  
**Florida Association of Court Clerks, Inc. d/b/a Florida Court**  
**Clerks & Comptrollers (FCCC)**

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1- Introduction  
 A. Purpose- The purpose of the Florida Court Clerks and Comptrollers (FCCC) issuing this Request for Information (RFI) is to determine the cost and feasibility of providing training and/or certification programs for employees of county Court Clerk and Comptroller offices in the State of Florida.

EXPRESSWAY AUTHORITIES  
 Miami-Dade Expressway Authority "MDX"

An organization will be responsible for the administration of the following certification programs and curriculum development and training, if indicated:

1. Leadership Program
  - a. Curriculum development and training provided and managed by selected organization.
  - b. Intended Audience: supervisors, managers or directors, and executives.
  - c. Parameters for certification.
2. Certified Clerk Staff
  - a. Curriculum Development based on current FCCC education program.
    - i. Best practices.
    - ii. A “specialty track”

of electives specific to job duties.

b. Parameters for certification.

B. Background- FCCC is a non-for-profit, professional association chartered pursuant to Florida Statutes and incorporated in 1969. Originally formed to represent the 68 Clerks and Comptrollers and their staff through professional training, information sharing, technical assistance, and idea interchange in order to serve the public more effectively, the FCCC also represents its members in the legislative process. Membership is composed of Florida’s elected Clerks of the Circuit Court and Comptrollers.

Among the services FCCC provides to its Clerk and Comptroller members are education and training programs for both Clerks and Clerk office staff. With the guidance of the Education Committee, FCCC is responsible for the design and administration of the education programs that will offer continuing professional education credits (CPEs) for the 68 Clerks of Court and Comptrollers and their staff annually. The annual education program offered by FCCC begins July 1 and ends June 30.

2- RFI Response Expectations

A. Basic Organizational Information

1. Name and contact information of each organization.
2. Type of organization (e.g. non-profit, government agency, education institution, for profit).
3. Physical location(s) of organization (Address).
4. Geographic areas organization offers services.
5. Relevant staff resources for this project.

B. Service Information

1. The organization is expected to have the experience and ability to provide the following services:
  - i. Curriculum design and content management for both in-person and online e-learning.
  - ii. Ability to leverage existing FCCC education program or external education partners.
  - iii. Different modalities (in-person, hybrid, online).

- iv. Learning Management Systems (LMS) experience.
  - v. Certification requirements and management.
2. Mechanisms for evaluation, assessments, and providing evidence of completion (credentialing).
  3. Capacity for organization to provide instructors or develop leadership training on behalf of FCCC to ensure curriculum is tailored to the Clerk and Comptroller’s unique role with the courts and county.
  4. Typical organizational approach to developing a training curriculum implementation plan (i.e.. How to assess a client’s training needs).
  5. General overview of affordability and pricing.

3- RFI Response Process

A. Who May Respond to this RFI

FCCC is soliciting responses from an accredited Florida-based institution or public administration program or any qualified organization with knowledge and experience in training curriculum design, of e-learning, and Learning Management Systems (LMS). Organizations must be prepared to provide information on their ability to provide services across the State of Florida.

B. How to Respond to this RFI

All RFI’s must be submitted via PDF file to the email addresses below:

- Kristin Frank, [kfrank@flclerks.com](mailto:kfrank@flclerks.com)

Subject: RFI Training & Certification

Responses received after February 7, 2022, at 5:00 p.m., ET., may not be reviewed by FCCC.

C. Format of RFI Responses

Respondents should include:

1. Cover Letter- the cover letter should include a brief summary of your response as well as an indication of any areas of your response you particularly wish to highlight.
2. Proposal- please follow the questions in order in sections 2A and 2B above. FCCC does not limit the font, formatting, nor page number of responses to RFIs. However, organizations are asked to use their best judgement in their responses and limit it to no more than approximately 15 to 20 pages. If you have pre-printed brochure or marketing materials which are relevant, you may include those in addition to the proposal.

D. Reimbursement

FCCC will not reimburse submitters for any costs associated with an organization’s response to this RFI.

E. Questions Regarding this RFI

Any questions related to this RFI should be emailed to Kristin Frank, [kfrank@flclerks.com](mailto:kfrank@flclerks.com) on or before January 26, 2022. FCCC will post questions and their responses on their website with other procurement information

(<https://www.flclerks.com/page/PublicDocuments>) by January 31, 2022.

**F. Review Process**

FCCC’s RFI is intended to survey the industry to obtain information and guidance which will be used in determining how to go forward with its education and certification programs. If FCCC determines that it wishes to pursue the education programs as outlined in the RFIs received, it may either contact organizations directly based on the RFI or issue a subsequent RFP. This will depend primarily on how responses align with FCCC’s purchasing policy guidelines. There is no guarantee that a contract will result from this RFI process.

To fully comprehend the information contained within the RFI responses, the reviewing group may seek further clarification on any or all responses. Clarifications may be requested by email.

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**TOWN OF SOUTHWEST RANCHES**

**Notice of Receipt and Acceptance of an Unsolicited Proposal for Qualifying Project and Intent to Enter Into a Comprehensive Agreement for the Project and Acceptance of Alternative Proposals**

**Notice of Receipt and Acceptance of an Unsolicited Proposal for a Qualifying Project and Intent to Enter Into a Comprehensive Agreement for the Project and Acceptance of Alternative Proposals for the Qualifying Project**

**OTHER AGENCIES AND ORGANIZATIONS**

**Town of Southwest Ranches**

RFP 22-007 Notice of an Unsolicited Proposal for a Public Private Partnership Opportunity for the former Corrections Corporation of America’s (“CCA”) Property in the Town of Southwest Ranches.

**NOTICE OF AN UNSOLICITED PROPOSAL FOR PUBLIC PRIVATE PARTNERSHIP OPPORTUNITY FOR THE FORMER CCA PROPERTY**

The Town of Southwest Ranches is soliciting alternative proposals from qualified parties to acquire, and to develop three (3) parcels of land, containing approximately 24.3622 +/- acres owned by the Town, with a continued percentage participation in the gross rental revenue once the development has been completed.

The Property is located generally west of NW 196th Avenue, north of Sheridan Street, and east of SW 202nd Avenue, in the West Broward Industrial Park. The three parcels that comprise the Property are zoned Manufacturing (M) and are identified by the Broward County Property Appraiser with ID numbers: 5139 02 04 0510; 5139 02 04 0500; and 5139 02 04 0490 (hereinafter “Former CCA Property”)

The Town of Southwest Ranches, Florida (the “Town”), has received an unsolicited proposal submitted under the provisions of Section 255.065, Florida Statutes, Public-Private

Partnerships, relating to the Former CCA Property. The proposal seeks to acquire the subject property and to develop, to construct, and to operate a rental industrial warehouse/distribution facility on the property, which will give the Town a continued percentage of the gross rental revenue once the development has been completed. . . The Former CCA Property is currently vacant.

Under Florida’s P3 Statutes Section 255.065, the Town is required to publish notice of its receipt and acceptance of an unsolicited proposal for a qualifying project, its intent to enter into a comprehensive agreement for the project, and its desire to seek alternative proposals for the qualifying project.

A copy of the Town’s Public Private Partnership Request may be reviewed on the Town’s website at [www.southwestranches.org](http://www.southwestranches.org) or by requesting it on DemandStar at [www.demandstar.com](http://www.demandstar.com). A copy of the Public Private Partnership Request is also available at the Town Hall located at 13400 Griffin Road, Southwest Ranches, Florida 33330.

The Town has determined this unsolicited proposal is sufficient for consideration on a preliminary basis and will accept other proposals for the same project during this notification period. No final decision has been made relative to accepting this or any proposal for this project.

Anyone that has an interest in submitting a competing proposal under the provisions of Section 255.065, Florida Statutes, is hereby invited to submit a proposal in compliance with the provisions of subsection of 255.065(5), Florida Statutes. The submitted proposal shall include ten hard copies and one electronic copy, and shall be submitted no later than 4:00 p.m. on February 18, 2022 to: Town of Southwest Ranches, Office of the Town Clerk, 13400 Griffin Road, Southwest Ranches, Florida 33330. Proposals received after 4:00 p.m. on February 18, 2022 will be rejected.

Dated this 21st day of January, 2022.

Russell Muniz, MMC, Assistant Town Administrator/Town Clerk

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**EARLY LEARNING COALITION OF NORTH FLORIDA**

**Request for Qualifications #2022-01 for External Auditing Services**

Request for Qualifications #2022-01 for external auditing. The Early Learning Coalition of North Florida, Inc. is requesting qualifications for external auditing. The potential auditing firm will be responsible for providing a high level of service for a reasonable cost to the Coalition. The intent of the RFQ is to select an independent auditing firm, preferably with at least two years of Florida Early Learning Coalition auditing experience (within the previous two years), to provide basic auditing services for the Coalition’s total annual budget of approximately \$46 million. The Request for Qualifications released March 10, 2022 may be obtained at

www.elcnorthflorida.org. The deadline for receipt of written questions is April 8, 2022. The deadline for receipt of proposals (no exceptions) is April 22, 2022 by 4:00 p.m. eastern standard time. Official notice of award will be posted to the Coalition’s website and mailed to all proposers. Certified Minority Business Enterprises are encouraged to submit a proposal. Only written correspondence and/or inquiries directed to the Coalition’s Procurement Manager (who is the sole point of contact with the Coalition for purposes of this RFQ) will be accepted. The Procurement Manager’s name and contact information is: Tajaro Dixon, Early Learning Coalition of North Florida, Inc., 2450 Old Moultrie Road, Suite 103, St. Augustine, FL 32086, tdixon@elcnorthflorida.org. The Coalition will not participate in any inquiries by phone. Only e-mail inquiries will be responded to and only during the scheduled Question and Answer time frame. Information obtained from any other source is not official and should not be relied upon.

After the release of this RFQ, if any solicitation revisions become necessary or appropriate, as determined by the Coalition, the Coalition will electronically post the addenda to the Coalition’s website, www.elcnorthflorida.org. Proposers are responsible for checking the Coalition website and contacting the Coalition’s Point of Contact for this solicitation before the RFQ deadline to ascertain whether any addenda have been issued.

The Early Learning Coalition of North Florida, Inc. reserves the right to reject any and all solicitations or ignore or correct minor irregularities when it is in the best interest of the Coalition.

Funding Sources: The services described in this RFQ and the resulting Contract will be funded by the General Revenue from the State of Florida and Federal funds. The State of Florida Voluntary Pre-Kindergarten Program is 100% state funded. And per the May 6, 2021 DEL School Readiness Notice of Award for the ELC of North Florida, the School Readiness Program is approximately 79.06% federally funded and 20.94% state funded.

Sponsored by: the Early Learning Coalition of North Florida, Inc. and the State of Florida, Division of Early Learning.

**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., Friday, January 14, 2022 and 3:00 p.m., Thursday, January 20, 2022.

Rule No.	File Date	Effective Date
2-5.002	1/20/2022	2/9/2022
19-8.029	1/18/2022	2/7/2022
59G-1.060	1/20/2022	2/9/2022
62-304.415	1/19/2022	2/8/2022
62-304.515	1/19/2022	2/8/2022
64B1-4.001	1/19/2022	2/8/2022
64B19-12.006	1/19/2022	2/8/2022
64B19-17.002	1/19/2022	2/8/2022
68A-25.002	1/18/2022	2/7/2022
68B-45.002	1/20/2022	3/1/2022
68B-45.004	1/20/2022	3/1/2022
68D-24.0035	1/18/2022	2/7/2022
68D-24.021	1/18/2022	2/7/2022

**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
5K-4.020	12/10/2021	**/**/****
5K-4.035	12/10/2021	**/**/****
5K-4.045	12/10/2021	**/**/****
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	12/8/2021	**/**/****
60P2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
62-600.405	11/16/2021	**/**/****
62-600.705	11/16/2021	**/**/****
62-600.720	11/16/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	10/22/2021	**/**/****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Custom Cart Connection, LLC, line-make TOMB

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Columbia Vehicle Group, Inc., intends to allow the establishment of Custom Cart Connection, LLC, as a dealership for the sale of low-speed vehicles manufactured by Columbia Vehicle Group, Inc. (line-make TOMB) at 1708 South Congress Avenue, West Palm Beach, (Palm Beach County), Florida 33406, on or after February 20, 2022.

The name and address of the dealer operator(s) and principal investor(s) of Custom Cart Connection, LLC are dealer operator(s): Christopher Maass, 1708 South Congress Avenue, West Palm Beach, Florida 33406; principal investor(s): Christopher Maass, 1708 South Congress Avenue, West Palm Beach, Florida 33406, Katrina Maass, 1708 South Congress Avenue, West Palm Beach, Florida 33406.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Sondra L. Howard, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jacquelyn Holguin, Columbia Vehicle Group, Inc., 1115 Commercial Avenue, Reedsburg, Wisconsin 53959.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF MANAGEMENT SERVICES

2022 911 State Grant Program

E911 Board has approved an 911 State Grant program. The program is available to any Board of County Commissioners in the State of Florida. The purpose is to assist counties with the

installation of Enhanced 911 (911), Phase II and Next Generation 911 systems as defined by sub-subparagraph 365.172(6)(a)3.b and paragraph 365.173 (2)(h), Florida Statutes.

911 State Grant Program will operate on the following schedule:

1. Counties submit applications: by April 22, 2022
2. E911 Board evaluates applications: within two months of the submission date;
3. E911 Board votes on applications at regularly scheduled meeting: within three months of the submission date;
4. E911 Board sends notification letter to awards approved for funding to the counties: within four months of the submission date;
5. Grant Term: minimum of two years from the receipt of award notification letter;
6. Grant Extension: Time extensions shall be limited to a maximum of one additional year when approved by the E911 Board.

Additional information is in the E911 State County Grant Application, revised July 2021 W Form 3A, or the latest revision incorporated by reference in Rule 60FF1-5.003, Florida Administrative Code, E911 State.

**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.