

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:
64B4-6.004 Approval of Continuing Education Providers
PURPOSE AND EFFECT: The purpose of the rule amendment
is to update the language for approval of continuing education
providers.

SUBJECT AREA TO BE ADDRESSED: Rule text.
RULEMAKING AUTHORITY: 491.004(5), 491.0085(1), (3),
(4) FS.
LAW IMPLEMENTED: 491.0085 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: Janet
Hartman, 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.

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: RULE TITLE:
64B6-7.002 Guidelines for Disposition of Disciplinary
Cases

PURPOSE AND EFFECT: The proposed revisions clarify and
amend existing guidelines for disposition of disciplinary cases.
SUBJECT AREA TO BE ADDRESSED: Rule Text.
RULEMAKING AUTHORITY: 456.079 FS.
LAW IMPLEMENTED: 456.079 FS.

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THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet

Hartman, Executive Director, Board of Hearing Aid Specialists,
4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida
32399-3257.

THE PRELIMINARY TEXT OF THE PROPOSED RULE
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DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: RULE TITLE:
64B6-7.0025 Out-of-State Telehealth Discipline
PURPOSE AND EFFECT: The proposed amendments add new
guidelines for telehealth providers and health care providers
who approve emotional support animals.

SUBJECT AREA TO BE ADDRESSED: Rule Text.
RULEMAKING AUTHORITY: 456.47(4), 456.47(7) FS.
LAW IMPLEMENTED: 456.47(4) FS.

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Section II

Proposed Rules

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.: RULE TITLES:
12A-1.006 Charges by Dealers Who Adjust, Apply,
Alter, Install, Maintain, Remodel, or Repair
Tangible Personal Property
12A-1.007 Aircraft, Boats, Mobile Homes, and Motor
Vehicles
12A-1.032 Computers and Related Systems
12A-1.044 Vending Machines
12A-1.111 Department of Revenue Electronic Database
PURPOSE AND EFFECT: The purpose of the proposed
amendment to Rule 12A-1.006, F.A.C. (Charges by Dealers
Who Adjust, Apply, Alter, Install, Maintain, Remodel, or
Repair Tangible Personal Property) is to: (1) remove provisions
regarding charges for the repair and maintenance of certain
aircraft that are provided in paragraph 12A-1.007(10)(j), FA.C.,

as revised; (2) consolidate provisions for the taxability of materials used in the repair of all items of tangible personal property into a single provision, removing redundant provisions; and (3) remove the requirement to provide a certificate stating that a treaty exempts the repair of aircraft owned by foreign governments which repair is specifically exempt under s. 212.06(5)(a)1., F.S., and provided in paragraph 12A-1.007(10)(d), F.A.C.

The purpose of the proposed amendments to subsection 12A-1.007(10), F.A.C. (Aircraft), is to: (1) incorporate, by reference, 14 C.F.R. § 21.113, regarding aircraft modification services performed under authority of a supplemental type certificate issued by the Federal Aviation Administration; (2) remove the requirement for documents supporting the exemption for aircraft modifications performed under a supplemental type certificate to be provided to the Department; (3) remove provisions for the taxability of materials used in the repair of aircraft, an item of tangible personal property, redundant of the provisions of subsection 12A-1.006(1), F.A.C.; and (4) incorporate the exemptions provided in s. 212.08(7)(ee) and (rr), F.S., for replacement engines, parts, equipment, and labor charges for the repair and maintenance of aircraft of more than 2,000 pounds maximum certified takeoff weight, removing obsolete provisions.

The purpose of the proposed substantial rewording of Rule 12A-1.032, F.A.C., is to: (1) change the rule title to "Computer Software"; (2) continue to provide when modified or altered software developed as requested and specified by the customer is not subject to tax; and (3) remove unnecessary definitions and provisions for the taxability of the sale, rental, or time-share of tangible personal property related to computers and components, and to non-taxable charges for professional services using computers and related items to perform such service.

The purpose of the proposed revisions to Rule 12A-1.044, F.A.C., is to remove paragraph (5)(a), which provides that sales tax is due on the amount received by a property owner from a vending machine owner for the operation of a vending machine on the property. This rule paragraph was held invalid by the First District Court of Appeal (Case No. 1D19-0437) which affirmed the Final Order issued by the Division of Administrative Hearings in *GBR Enterprises, Inc. v. Department of Revenue* (DOAH Case No. 18-4475RX).

The purpose of creating Rule 12A-1.111, F.A.C., Department of Revenue Electronic Database, is to adopt Emergency Rule 12AER20-13, F.A.C., as a permanent rule and incorporate, by reference, Form DR-700023, Notification of No Change to the Address/Jurisdiction Database for Sales and Use Tax. This rule implements the provisions of s. 212.181, F.S., expanding the current Address/Jurisdiction Database established by s. 202.22(2), F.S., to allow authorized county personnel to submit

changes to the county assignment of business addresses. These submitted situs changes are for purposes of sales tax, discretionary sales surtax, and any tourist development tax required to be remitted to the Department of Revenue.

SUMMARY: The proposed amendments to Rules 12A-1.006, 12A-1.007, and 12A-1.032, F.A.C., will update current rule language. The proposed amendments to Rule 12A-1.044, F.A.C., will incorporate final orders issued by DOAH.

The creation of Rule 12A-1.111, F.A.C., will adopt provisions for local jurisdictions to update Florida's Address/Jurisdiction Database for the determination of local situsing for revenue distribution purposes.

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:) no requirement for the Statement of Economic Regulatory Costs (SERC) was triggered under Section 120.541(1), F.S.; and 2) based on past experiences regarding rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 212.0515, 212.18(2), 212.181(4), 213.06(1), FS

LAW IMPLEMENTED: 202.22(2), 212.03, 212.031, 212.05(1), 212.0515, 212.054(1), (2), (3)(l), 212.055, 212.06(1), (2), (4), (5), (7), (8), (10), (12), 212.0601, 212.07(1), (2), 7), 212.08(1), (5), (7), (8), (10), (11), 212.11(1), 212.12(2), (3), (4), (9), (12), 212.18(2), (3), 212.181, 213.35, 215.26(2), 681.104, 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:

DATE AND TIME: July 7, 2021, at 11:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1220, Tallahassee, Florida. If a meeting is requested in writing, members of the public can also attend electronically via webinar; participants will need to register for the webinar using

the following link:
<https://attendee.gotowebinar.com/register/5837836512487158539>.

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: Tonya Fulford at (850)717-6799. 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: Danielle Boudreaux, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

12A-1.006 Charges by Dealers Who Adjust, Apply, Alter, Install, Maintain, Remodel, or Repair Tangible Personal Property.

(1)(a) Where parts are furnished by the repairer, the entire charge the repairer makes to a customer for adjusting, applying, installing, maintaining, remodeling, or repairing tangible personal property is taxable, ~~except as otherwise provided in paragraph (b) of this subsection.~~

~~(b) Effective October 1, 1994, separately stated labor charges for the repair and maintenance of aircraft with a maximum certified take-off weight of more than 20,000 pounds are exempt, but the charges for parts and equipment furnished in connection with such labor charges remain taxable. If the charges for labor are not separately stated on the customer's invoice, then the entire charge for the repair or maintenance is taxable, unless the repairer (dealer) can establish by evidence in the dealer's records that the dealer furnished no parts or equipment which were incorporated into or attached to the aircraft. See paragraph 12A-1.007(10)(k), F.A.C.~~

(b) (e) No change

(2) ~~The foregoing paragraph applies to motor vehicles, boats, aircraft (as specifically provided), watches, radios, jewelry, furniture, electrical appliances, and any other articles of tangible personal property. The charges for cleaning or regulating any item of tangible personal property of any such items where lubrication occurs are taxable, except that in the case of aircraft with a maximum certified take-off weight of more than 20,000 pounds, separately stated labor charges are exempt.~~

(3) No change

~~(4) Charges Except as otherwise provided in paragraph (b) of subsection (1), charges for repairs of tangible personal property which require labor or service only are taxable unless the repairer (dealer) can establish by evidence in the dealer's records that the dealer furnished no tangible personal property which was incorporated into or attached to the repaired item. It is immaterial that the cost of the material furnished is insignificant when compared to the cost of the labor involved. For maintenance contracts covering tangible personal property, refer to Rule 12A-1.105, F.A.C.~~

(5) through (8) No change

~~(9) Except as otherwise provided in paragraph (b) of subsection (1), labor and materials used in this state in the performance of repair contracts on aircraft belonging to foreign governments are taxable unless exempt by treaty. If it is contended that there is such a treaty, it will be necessary for the taxpayer to furnish the Department of Revenue with a certificate signed by the Secretary of State of the United States to the effect that such a treaty exists.~~

(10) through (14) renumbered (9) through (13) No change

~~(14) (15) The Except as otherwise provided in paragraph (b) of subsection (1), the total charges for repairing tangible personal property requiring welding or soldering, etc., are taxable.~~

(16) through (18) renumbered (15) through (17) No change
 Rulemaking Authority ~~212.17(6), 212.18(2), 213.06(1) FS. Law Implemented 212.02(4), (15), (16), (17), (20), 212.05(1), 212.06(1), (2), (5)(a)1., 212.08(7)(v), 212.21(2) FS. History—New 10-7-68, Amended 6-16-72, 12-11-74, 12-31-81, Formerly 12A-1.06, Amended 7-7-92, 10-17-94, XX-XX-XX.~~

12A-1.007 Aircraft, Boats, Mobile Homes, and Motor Vehicles.

(1) through (9) No change

(10) Aircraft.

(a) through (e) No change

(f)1. All charges for aircraft modification services, including parts, equipment, and labor furnished or installed in connection therewith, performed under authority of a supplemental type certificate issued by the Federal Aviation Administration, as provided in 14 C.F.R. Part 21, Subpart E – Supplemental Type Certificates, are exempt.

a. The aircraft modifications subject to this exemption are those which introduce a major change in type of design not great enough to require a new application for a type certificate, as provided contemplated by Aeronautics and Space, 14 C.F.R. § 21.113 (March 5, 2018), effective January 1, 2020, and hereby incorporated by reference (http://www.flrules.org/Gateway/reference.asp?No=Ref-) (1987).

b. The term “supplemental type certificate” is that certificate described in 14 C.F.R. § 21.113 (2018), Part 21.

~~2. Except as otherwise provided in subsection 12A-1.006(9), F.A.C., and paragraphs (10)(e) and (k) of this rule, all other parts, equipment, and labor not furnished or installed in connection with a major change which requires the issuance of a supplemental type certificate and the issuance of FAA Form 337 are taxable. Examples of taxable items include parts, equipment, and labor furnished or installed in connection with an air worthiness directive, major repair, alteration (not designated as a major change), rebuilding, maintenance, or preventative maintenance.~~

~~2. 3. To document this exemption, the purchaser of the The burden of proof of entitlement is on the person who claims the exemption provided in subparagraph 1. To assure that a qualifying modification and the business that performed the modification must maintain, in its books and records, is recognized by the Executive Director or the Executive Director's designee in the responsible program as exempt, copies of the FAA supplemental type certificate and FAA Form 337 containing a description of the major change, signed by a holder of an FAA inspection authorization, should be retained in the records of the business that performed it, a copy retained by the purchaser of the major change, and another copy of that form should be mailed to:~~

~~Florida Department of Revenue
General Tax Administration MS 1-2800
P.O. Box 6417
Tallahassee, Florida 32314-6417.~~

~~(g) through (i) No change~~

~~(j) Labor Effective October 1, 1994, separately stated labor charges for the repair and maintenance of aircraft with a maximum certified take-off weight that exceeds 2,000 of more than 20,000 pounds, including rotary wing aircraft, and charges for replacement engines, parts, or equipment used and installed on such aircraft being repaired or maintained in Florida are exempt. Dealers must document tax-exempt repairs or maintenance by including the maximum certified take-off weight of the aircraft on the bill of sale, invoice, or other tangible evidence of sale. , but the charges for parts and equipment furnished in connection with such labor charges remain taxable, unless exempt under paragraphs (d) or (f) above, or in subsection 12A-1.006(9), F.A.C. If the charges for labor are not separately stated on the customer's invoice, then the entire charge for the repair or maintenance is taxable, unless the repairman (dealer) can establish by evidence in the dealer's records that the dealer furnished no parts or equipment which were incorporated into or attached to the aircraft. See paragraph 12A-1.006(1)(b), F.A.C.~~

~~(11) through (28) No change~~

~~Rulemaking Authority 212.05(1), 212.18(2), 213.06(1) FS. Law Implemented 212.03, 212.05(1), 212.06(1), (2), (4), (5), (7), (8), (10), (12), 212.0601, 212.07(2), (7), 212.08(5)(i), (7)(t), (aa), (ee), (rr), (10),~~

~~(11), 212.12(2), (12), 213.255(2), (3), 213.35, 215.26(2), 681.104 FS. History—New 10-7-68, Amended 1-7-70, 1-17-71, 6-16-72, 8-18-73, 12-11-74, 6-9-76, 2-21-77, 5-10-77, 9-26-77, 9-28-78, 3-16-80, 12-31-81, 7-20-82, 10-13-83, Formerly 12A-1.07, Amended 1-2-89, 12-11-89, 3-17-93, 10-17-94, 3-20-96, 4-2-00, 6-19-01, 8-1-02, 8-1-02, 4-17-03, 4-17-03 9-28-04, 1-11-16, 1-8-19, 12-31-20, XX-XX-XX.~~

Substantial rewording of Rule 12A-1.032 follows. See Florida Administrative Code for present text.

12A-1.032 Computer Software, Computers and Related Systems.

The charge for a customized software package is construed to be a service and is not subject to tax. Retail sales of prepackaged software sold in a tangible form, where the programs are fully useable by the customer without modifications, are taxable as sales of tangible personal property. However, where the vendor, at the customer's request, modifies or alters a prepackaged program to the customer's specification and charges the customer for a single transaction, the charge is for a customized software package and is not subject to tax.

Rulemaking Authority 212.18(2), 213.06(1) FS. Law Implemented 212.02(15), (16), 212.05(1)(a) (3), (4), 212.08(7)(v) FS. History—New 12-11-74, Amended 5-10-77, 6-29-80, Formerly 12A-1.32. Amended XX-XX-XX.

12A-1.044 Vending Machines.

(1) through (3) No change

(4) Purchases or leases of vending machines.

(a) through (c) No change

~~(5) Lease or license to use real property; direct pay authority.~~

~~(a) If the machine owner is also the operator and the operator places the machine at another person's location, the arrangement between the machine operator and location owner is a lease or license to use real property. The location owner shall collect the tax from the machine operator on the amount the location owner receives for the lease or license to use the real property. The tax must be separately stated from the amount of the lease or license payment.~~

~~(d) (b) The purchase of machines, machine parts and repairs, and replacements thereof that become a component part of the machine, by the machine owner operator (owner) is taxable. The machine operator should pay the sales tax to the seller of these items at the time of purchase.~~

~~(5) (e) No change; renumbered from (5)(c) to (5)~~

~~(6) through (7) No change~~

Rulemaking Authority 212.0515, 212.18(2), 213.06(1) FS. Law Implemented 212.02(10)(g), (14), (15), (16), (19), (24), 212.031, 212.05(1)(h), 212.0515, 212.054(1), (2), (3)(l), 212.055, 212.07(1), (2), 212.08(1), (7), (8), 212.11(1), 212.12(2), (3), (4), (9), 212.18(2), (3) FS. History—New 10-7-68, Amended 6-16-72, 1-10-78, 7-20-82, Formerly 12A-1.44, Amended 12-13-88, 5-11-92, 3-17-93, 9-14-93, 12-13-94, 3-20-96, 7-1-99, 6-19-01, 11-1-05, 1-12-11, 5-9-13, 1-17-18, XX-XX-XX.

12A-1.111 Department of Revenue Electronic Database(1) Florida's Address/Jurisdiction Database.

(a) The Department maintains an electronic database that assigns addresses to counties in a format that satisfies the requirements of Section 212.181, F.S. The electronic database, referred to as Florida's Address/Jurisdiction Database, is maintained on the Department's website at pointmatch.floridarevenue.com.

1. For each certificate of registration issued by the Department, the place of business will be assigned to a county based on the location address provided by the business at the time of registration or when the Department is notified of a change in a business location address.

2. Submissions made by counties that impose a tourist development tax in a subcounty special district, which is then remitted to the Department, must identify the subcounty special district addresses to which the tourist development tax applies.

(b) An updated Address/Jurisdiction Database is posted to the Department's website 90 days prior to adoption of the Address/Jurisdiction Database. The updated Address/Jurisdiction Database is adopted and becomes effective every January 1 or July 1. References to the effective Address/Jurisdiction Database refer to the official database that is available on the website, which was adopted the previous January 1 or July 1. The effective Address/Jurisdiction Database is available for downloading and does not include the information contained in the pending files described in subparagraph (1)(b)1.

1. When a change to the Address/Jurisdiction Database has been approved, the approved pending address additions and approved pending address deletions are stored in separate files until they are included in the next scheduled update of the database. These pending files include all changes since the most recent update, including changes to jurisdictional boundaries.

2. The single address lookup feature permits any person to enter an address to identify the county to which it is assigned. The individual address lookup feature in the electronic database searches within the current database, as well as the pending files, and may reflect information not yet incorporated into the database available for download. In such cases, the individual address lookup page displays a statement indicating the page reflects a pending change to the database.

3. Each update of the Address/Jurisdiction Database is posted on the Department's website at least 90 days prior to publication and is also available for download. The updated Address/Jurisdiction Database incorporates the corrections of any errors discovered since the previous update, as well as changes in addresses or county assignments based on information provided by counties.

(c) To fulfill its statutory responsibility to maintain the database, when the Department notices apparent errors, the Department will initiate an objection to the database in accordance with the provisions of subsection (4) and will process the objection in the same manner in which other objections are processed.

(2) Updating Florida's Address/Jurisdiction Database.

(a) Counties contribute to maintaining the Address/Jurisdiction Database by providing the Department with updated information, such as changes in addresses or address ranges along with the county assignment and any other changes, using Form DR-700022, Notification of Changes to the Address/Jurisdiction Database (incorporated by reference in Rule 12A-19.100, F.A.C.). Counties must provide to the Department the names of the county officers or employees authorized to act as contact persons regarding database matters. Counties may provide updated contact information as frequently as necessary to ensure that the appropriate contact person can be reached regarding database matters.

(b) Counties may submit a change request to the Address/Jurisdiction Database electronically, using instructions in Form DR-700002, User's Guide for the Address/Jurisdiction Database (incorporated by reference in Rule 12A-19.071, F.A.C.), available at pointmatch.floridarevenue.com. Any requested changes or additions to the Address/Jurisdiction Database must be supported by competent evidence as outlined in subsection (3).

(c) If a county does not have address updates, the county may indicate no changes by submitting Form DR-700023, Notification of No Change to the Address/Jurisdiction Database for Sales and Use Tax, effective 8/20; hereby incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref->); copies of this form can be downloaded from the Department's website at floridarevenue.com/forms.

(d)1. The county must specify the effective date, either January 1 or July 1, of any information to be incorporated in the Address/Jurisdiction Database. For a January 1 effective date, changes must be submitted no later than September 3, and for a July 1 effective date, changes must be submitted no later than March 3.

2. Counties may not submit changes between September 4 to October 3 and March 4 to April 2. The Department completes its review of pending submissions for the next database update during these periods and is unable to process new submissions. Submissions of new information during these time periods will be denied and must be submitted after the review period.

3. The Department will review the information provided in the requests for change and store the approved changes in the approved pending files.

(3) Competent Evidence.

(a) Competent evidence to support a change to the Address/Jurisdiction Database is documentation establishing that the addresses affected by the requested change or addition are located in the county indicated. Examples of competent evidence include articles of incorporation of a new municipality, the plat filed for a newly approved subdivision, or the enhanced 911 Master Street Address Guide (MSAG) database information relating to local law enforcement responders. Competent evidence must clearly identify the affected addresses or address ranges.

(b) If a requested change is to move an address from one county or jurisdiction to another county or jurisdiction, competent evidence includes the consent of the county or jurisdiction that did not request the change.

1. To facilitate processing the change, the county requesting the change should attempt to obtain written consent from an authorized contact person of the nonrequesting county or jurisdiction. Form DR-700022 contains an authorization statement that will serve as the written consent of the nonrequesting county or jurisdiction when signed by that county's or jurisdiction's authorized contact person. The Department will consider the receipt of Form DR-700022, containing the signatures of both authorized contact persons of the requesting and nonrequesting county or jurisdiction, to be sufficient competent evidence. In such instances, the Department will make the change based upon the submitted form.

2. If the requesting county or jurisdiction has not obtained the written consent of the nonrequesting county or jurisdiction, the Department will contact the nonrequesting county or jurisdiction before making the change. Based upon the response of the nonrequesting county or jurisdiction, the Department will take one of the following actions in regard to the requested change:

a. If the nonrequesting county or jurisdiction provides written consent to the Department, then the Department will process the change.

b. If the nonrequesting county or jurisdiction objects in writing, the Department will treat the requested change as one that must be resolved by the counties and jurisdictions involved as provided in paragraph (4)(d).

c. If the nonrequesting county or jurisdiction fails to either consent or object in writing within 20 days after the date on which the Department notified that county or jurisdiction of the requested change, the Department will accept and process the change. This will not prevent the nonrequesting county or jurisdiction from subsequently submitting requests to change the new address assignments after they have been processed.

3. A county or jurisdiction that objects to proposed changes should use Form DR-700022 to change the address information and, unless the affected county or jurisdiction signs the form,

the Department will treat the request as one that must be resolved by the counties involved as provided in paragraph (4)(d).

(c) If a requested change affects only the requesting county and does not affect another county or jurisdiction, the Department will consider receipt of an affidavit signed by the authorized contact person, identifying the addresses or address ranges and stating that the change affects only the requesting county, to be sufficient competent evidence. The use of an affidavit is not required but, at the option of the requesting county or jurisdiction, may be used instead of providing other documentation. In such instances, the Department will make the change based upon the representations on the form and the affidavit.

(d) Example. A county approves the plat and grants the permits necessary for development of a new outdoor mall on February 1, 2021. The plat indicates street names, but address numbers have not yet been assigned. In order for the addresses to be added to the electronic database effective the following July 1, the county must file Form DR-700022 with a copy of the approved outdoor mall plat or an affidavit indicating that the change affects only the requesting county and submit online address change information by March 3, 2021. If that deadline is not met, the earliest date on which the new service addresses can be added to the database is January 1, 2022. In order to meet the deadline and be certain that the actual address numbers are included, the contact person for the county may request the addition of a range of numbers that is certain to include the actual numbers. Because the development of the outdoor mall affects only the requesting county, no consent from any other county is required.

(4) Objection to Address Assignment in Florida's Address/Jurisdiction Database.

(a) Any substantially affected party, may object to information contained in the Address/Jurisdiction Database by submitting Form DR-700025, Objection to Address Assignment in the Address/Jurisdiction Database (incorporated by reference in Rule 12A-19.100, F.A.C.), along with competent evidence to support the party's objection. Examples of substantially affected parties include individuals who purchase taxable items and pay local discretionary sales surtax, dealers who are required to collect sales tax and surtax, dealers who are required to collect tourist development taxes, and the Department of Revenue.

1. Only objections to the effective Address/Jurisdiction Database will be considered; objections to the pending Address/Jurisdiction Database will be denied.

2. Before submitting an objection, a person should check the effective Address/Jurisdiction Database to determine whether the contemplated objection is necessary.

(b) Examples of competent evidence are stated in paragraph (3)(a). The Department will notify the substantially affected party of any deficiencies in the objection or competent evidence.

(c) When the Department believes that addresses or address ranges have been assigned to an incorrect county or jurisdiction, the Department will initiate the change by using Form DR-700025. The Department will use any information at its disposal, including enhanced 911 MSAG database address information and information supplied by any dealer, as a basis for initiating an objection; however, in no event will the Department change any address assignment without providing notice to the affected counties and jurisdictions in the manner provided in paragraph (3)(b). If the change is approved, it will be included in the pending files with other approved changes for inclusion in the next update of the database.

(d) Upon receipt of a completed Form DR-700025, including competent evidence to support the objection, the Department will forward copies of the form, along with the associated documentation, to the database contact person in each affected county or jurisdiction.

1. The Department will provide Form DR-700026, Local Government Authorization for Address Changes Described on Form DR-700025 (incorporated by reference in Rule 12A-19.100, F.A.C.), so the affected counties or jurisdictions may agree, disagree, or partially agree with the address county changes proposed by the completed Form DR-700025.

2. The Department will provide Form DR-700027, Local Government Authorization for Omission of Address or Incorrect Address Identification (incorporated by reference in Rule 12A-19.100, F.A.C.), so the affected counties or jurisdictions may agree or disagree with the inclusion of an address or address range or with changing nonjurisdictional information about an address or address range proposed by the completed Form DR-700025.

3. In case the forms become separated, the Department will include on the bottom portion of each form the same tracking number and date to identify which forms belong together. The Department will, when practicable, provide the information electronically for review by the counties or jurisdictions. These forms will not be sent to the counties or jurisdictions between February 1 and April 2 or between August 4 and October 3 due to the inability of counties or jurisdictions to make online changes during the updating and posting of the next effective Address/Jurisdiction Database.

4. The counties or jurisdictions should review the specific address(es) at issue as well as the address range(s) that will be impacted by the change to ensure that each county or jurisdiction retains all of the addresses it believes are within its county or jurisdictional boundaries.

5. The Department will instruct each county or jurisdiction to indicate, in writing, its determination in regard to the objection by completing the provided authorization form (either Form DR-700026 or Form DR-700027) and filing the form with the Department. If the affected counties or jurisdictions both indicate agreement with the objection, the Department will revise the electronic database accordingly.

6. If a county or jurisdiction fails to respond within a reasonable time, which shall be no less than 30 days, such county or jurisdiction shall be deemed to have indicated agreement with the objection. If either the affected county or jurisdiction notifies the Department in writing that it does not agree with the objection, the Department will not change the address in the database.

7. The address will be reassigned to a county or jurisdiction when one of the following events occurs:

a. The Department receives written notification from the county or jurisdiction that did not agree with the change requested in the objection that such county or jurisdiction has subsequently determined that the change should be made.

b. The Department receives written notification from the party that filed the Form DR-700025 that the objection was erroneous and the assignment in the database was correct.

c. The Department is provided with a copy of a final order, judgment, or other binding written determination resolving the county or jurisdictional assignment of the contested address. Rulemaking Authority 212.181(4), 213.06(1) FS. Law Implemented 202.22(2), 212.181 FS. History-New XX-XX-XX.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Danielle Boudreaux

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 15, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 5, 2021

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NOS.: RULE TITLES:

12A-19.071 Department of Revenue Electronic Database
12A-19.100 Public Use Forms

PURPOSE AND EFFECT: The purpose of the proposed revisions to Rule 12A-19.071, F.A.C., Department of Revenue Electronic Database, is to adopt Emergency Rule 12AER20-14, F.A.C., as a permanent rule. The proposed revisions reflect changes to existing forms resulting from the creation of Rule 12A-1.111, F.A.C., remove obsolete language (e.g., downloading the database to magnetic computer tapes), and update processes related to the submission of changes to Florida's Address/Jurisdiction Database.

The purpose of the proposed revisions to Rule 12A-19.100, F.A.C., Public Use Forms, is to incorporate, by reference, revised forms. The following forms have been revised to accommodate the creation of Rule 12A-1.111, F.A.C.: Form DR-700022, Notification of Changes to the Address/Jurisdiction Database; Form DR-700025, Objection to Address Assignment in the Address/Jurisdiction Database; Form DR-700027, Local Government Authorization for Omission of Address or Incorrect Address Identification. Form DR-700016, Florida Communications Services Tax Return, which has been updated to reflect the Florida Supreme Court decision which struck down the 1% transportation discretionary sales surtax that was adopted in an initiative election by Hillsborough County voters in November 2018. [Robert Emerson, et al. v. Hillsborough County, Florida, etc., et al., No. SC2019-1250 (Fla.)]

SUMMARY: The proposed rules will adopt provisions for local jurisdictions to update Florida's Address/Jurisdiction Database for the determination of local siting for revenue distribution purposes, in addition to reflecting changes to Hillsborough County's discretionary sales surtax rates.

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: 1) no requirement for the Statement of Economic Regulatory Costs (SERC) was triggered under Section 120.541(1), F.S.; and 2) based on past experiences regarding rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 175.1015(5), 185.085(5), 202.151, 202.16(2), 202.22(6)(a), 202.26(3), 202.27(1), (7), FS
LAW IMPLEMENTED: 175.1015, 185.085, 202.12(1), (3), 202.151, 202.16(2), (4), 202.17(6), 202.19(1), (7), 202.22(2), (6), 202.23, 202.27, 202.28(1), (2), 202.29, 202.30(3), 202.33, 202.34(3), (4)(c), 202.35(1), (2), 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:

DATE AND TIME: July 7, 2021, at 11:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1220, Tallahassee, Florida. If a meeting is requested in writing, members of the public can also attend electronically via webinar; participants will need to register for the webinar using the following link: <https://attendee.gotowebinar.com/register/5837836512487158539>.

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: Tonya Fulford at (850)717-6799. 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: Danielle Boudreaux, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

12A-19.071 Department of Revenue Electronic Database.

(1)(a) The Department maintains an electronic database that assigns service addresses to local taxing jurisdictions in a format that satisfies the requirements of section 202.22(2)(a), F.S. The electronic database, referred to as Florida's Address/Jurisdiction Database, is maintained on the Department's website at pointmatch.floridarevenue.com ~~<https://floridarevenue.com/taxes/pointmatch>~~. An updated Address/Jurisdiction Database is posted to the Department's website 90 days prior to adoption of the Address/Jurisdiction Database. The updated Address/Jurisdiction Database is adopted and becomes effective every January 1 or July 1. References to the effective Address/Jurisdiction Database refer to the official database that is available on the website and conclusive for purposes of communications services tax, which was adopted the previous January 1 or July 1. The effective Address/Jurisdiction Database does not include the information contained in the pending files described in paragraph (b).

(b) No change

~~(c) Local taxing jurisdictions and communications services providers are provided with access codes to permit them to register as users of the database.~~ Registered local taxing jurisdictions and communications services dealers have the

capability of downloading databases of addresses assigned to each local taxing jurisdiction. A file of addresses in the format adopted by the Federation of Tax Administrators and the Multistate Tax Commission in accordance with the federal Mobile Telecommunications Sourcing Act is available.

~~(d) Upon request, the Department will allow other persons, such as third party vendors of databases or billing services, to download the Address/Jurisdiction Database.~~

~~(d) (e)~~ The Department's website also has a single address lookup feature that permits any person to enter an address and ascertain to which local jurisdiction it is assigned. ~~Use of the single address lookup feature does not require an access code or registration.~~ The individual address lookup feature searches the pending files, as well as the effective database, and may therefore reflect information that has not yet been incorporated into the effective database available for downloading and use by local taxing jurisdictions and communications services dealers. In such cases, the individual address lookup page carries a statement notifying the viewer that it reflects a pending change to the database.

~~(e) (f)~~ The availability and effective date of the updated Address/Jurisdiction Database are announced in the Florida Administrative Register. Updates incorporate corrections of any errors discovered since the last preceding update, as well as changes in addresses or jurisdictional boundaries based on information provided by local taxing jurisdictions. Each update of the Address/Jurisdiction Database is posted on the Department's website at least 90 days prior to adoption and is also available to dealers of communications services, vendors of databases, and other persons authorized to download the database in magnetic or electronic media for a fee not to exceed the cost of furnishing the updated version in such media. ~~Requests for electronic or magnetic media copies should be addressed to: Florida Department of Revenue, Communications Services Tax, Local Government Unit, Post Office Box 5885, Tallahassee, Florida 32314 5885.~~

~~(f) (g)~~ No change

(2)(a) No change

(b) Local taxing jurisdictions must submit information requesting changes to the Address/Jurisdiction Database electronically, using instructions in Form DR-700002, following the online User's Guide for the Address/Jurisdiction Database; (hereby incorporated by reference, effective 08/20, 07/19 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-40802>), copies of this form can be downloaded from the Department's website at floridarevenue.com/forms. Only local taxing jurisdictions that are registered users of the Department's electronic change submission process can access the Guide for the Address Change Requests. Authorized local jurisdiction contact persons may access the login screen for registered users at pointmatch.floridarevenue.com

~~<https://floridarevenue.com/taxes/pointmatch>.~~ Local taxing jurisdictions that do not have access to computers with Internet access should contact the Department to request authorization to submit changes through alternative electronic media. The information must also be submitted on Form DR-700022, Notification of Changes to the Address/Jurisdiction Database Notification of Jurisdiction Change for Local Communications Services and Local Insurance Premium Tax (incorporated by reference in ~~Rule rule~~ 12A-19.100, F.A.C.).

(c) through (e) No change

(3)(a) Any substantially affected party may object to information contained in the Address/Jurisdiction Database by submitting Form DR-700025 Objection to Address Assignment in the Address/Jurisdiction Database ~~Objection to Address/Jurisdiction Database for Local Communications Services Tax and Local Insurance Premium Tax Service Address Assignment~~ (incorporated by reference in ~~Rule rule~~ 12A-19.100, F.A.C.), along with competent evidence to support the party's objection. Only objections to the effective Address/Jurisdiction Database can be considered; those objections that are not objections to the effective Address/Jurisdiction Database will be denied. Before submitting an objection, a person should check the effective Address/Jurisdiction Database to determine whether the contemplated objection is necessary. Examples of substantially affected parties include purchasers of communications services who pay local communications services taxes, dealers who are required to collect local communications services taxes, the Department of Revenue, and local taxing jurisdictions. However, local taxing jurisdictions should use Form DR-700022 to create addresses in the Address/Jurisdiction Database or to request address assignment changes. Regardless of which form is used to request changes to the Address/Jurisdiction Database, the consent of all ~~an~~ affected jurisdictions ~~jurisdiction~~ will be required.

(b) through (e) No change

(f) Upon receipt of an objection on a completed Form DR-700025, including competent evidence to support the objection, the Department will forward copies of the form, along with the associated documentation, to the database contact person in each affected taxing jurisdiction. The Department will provide to the affected local taxing jurisdictions Form DR-700026, Local Government Authorization for Address Changes Described on Form DR-700025 (incorporated by reference in ~~Rule rule~~ 12A-19.100, F.A.C.), to use to agree, disagree, or partially agree with the address jurisdiction changes proposed by the attached completed Form DR-700025. The Department will provide to the affected local taxing jurisdiction Form DR-700027, Local Government Authorization for Omission of Address ~~or Range~~ or Incorrect Address Identification (incorporated by reference in ~~Rule rule~~ 12A-19.100, F.A.C.), to

use to agree or disagree with the inclusion of a service address or address range or with changing non-jurisdictional information about a service address or address range proposed by the attached completed Form DR-700025. In case the forms become separated, the Department will include on the bottom portion of each form the same tracking number and date to identify which forms belong together. The Department will, when practicable, provide the information electronically for review by the local taxing jurisdictions. These forms will not be sent to the local taxing jurisdictions between February 1 and April 2 nor between August 4 and October 3 due to the inability of local taxing jurisdictions to make on-line changes during the updating and posting of the next effective Address/Jurisdiction Database. The local taxing jurisdictions should review the specific address(es) at issue as well as the address range(s) that will be impacted by the change to ensure that each local taxing jurisdiction retains all of the addresses that it believes are within its jurisdictional boundaries. The Department will instruct each local taxing jurisdiction to indicate in writing its determination in regard to the objection by completing the provided authorization form, either Form DR-700026 or Form DR-700027, and filing the form with the Department. If the affected local taxing jurisdictions both indicate agreement with the objection, the Department will revise the electronic database accordingly. If a local taxing jurisdiction fails to respond within a reasonable time, which shall be no less than 30 days, such jurisdiction shall be deemed to have indicated agreement with the objection. If either local taxing jurisdiction notifies the Department in writing that it does not agree with the objection, the Department will not change the address in the database immediately assign the address with a special designation that indicates that in the jurisdictional assignment of the address is in dispute. The service address will be reassigned to a local taxing jurisdiction when one of the following events occurs:

1. through 3. No change

(g) No change

Rulemaking Authority 202.26(3)(b), (g) FS. Law Implemented 202.22(2), 202.23 FS. History—New 11-14-05, Amended 12-20-07, 6-28-10, 1-20-14, 1-20-15, 7-8-19, XX-XX-XX.

12A-19.100 Public Use Forms.

(1) No change

(2) The following versions of Form DR-700016, Florida Communications Services Tax Return, are applicable to the reporting periods and service billing dates indicated:

REVISION DATE	REPORTING PERIODS	SERVICE BILLING DATES
<u>04/21</u>	<u>April 2021 –</u>	<u>April 1, 2021 –</u>
01/21	January 2021 – <u>March 2021</u>	January 1, 2021 – <u>March 31, 2021</u>

01/20	January 2020 – December 2020	January 1, 2020 – December 31, 2020
01/19	January 2019 – December 2019	January 1, 2019 – December 31, 2019
01/18	January 2018 – December 2018	January 1, 2018 – December 31, 2018
01/17	January 2017 – December 2017	January 1, 2017 – December 31, 2017
07/16	July 2016 – December 2016	July 1, 2016 – December 31, 2016
01/16	January 2016 – June 2016	January 2016 – June 30, 2016
07/15	July 2015 – December 2015	July 1, 2015 – December 31, 2015
01/15	January 2015 – June 2015	January 1, 2015 – June 30, 2015
01/14	January 2014 – December 2014	January 1, 2014 – December 2014
01/13	January 2013 – December 2013	January 1, 2013 – December 31, 2013
07/12	July 2012 – December 2012	July 1, 2012 – December 31, 2012
01/12	January 2012 – June 2012	January 1, 2012 – June 30, 2012
07/11	July 2011 – December 2011	July 1, 2011 – December 31, 2011
01/11	January 2011 – June 2011	January 1, 2011 – June 30, 2011
08/10	August 2010 – December 2010	August 1, 2010 – December 31, 2010
01/10	January 2010 – July 2010	January 1, 2010 – July 31, 2010
06/09	June 2009 – December 2009	June 1, 2009 – December 31, 2009
01/09	January 2009 – May 2009	January 1, 2009 – May 31, 2009
09/08	September 2008 – December 2008	September 1, 2008 – December 31, 2008

06/08	June 2008 – August 2008	June 1, 2008 – August 31, 2008
05/08	May 2008	May 1, 2008 – May 31, 2008
01/08	January 2008 – April 2008	January 1, 2008 – April 30, 2008
09/07	September 2007 – December 2007	September 1, 2007 – December 31, 2007
06/07	June 2007 – August 2007	June 1, 2007 – August 31, 2007
02/07	February 2007 – May 2007	February 1, 2007 – May 31, 2007
01/07	January 2007	January 1, 2007 – January 31, 2007
06/06	June 2006 – December 2006	June 1, 2006 – December 31, 2006
01/06	January 2006 – May 2006	January 1, 2006 – May 31, 2006
11/05	November 2005 – December 2005	November 1, 2005 – December 31, 2005
06/05	June 2005 – October 2005	June 1, 2005 – October 31, 2005
01/05	January 2005 – May 2005	January 1, 2005 – May 31, 2005
11/04	November 2004 – December 2004	November 1, 2004 – December 31, 2004
10/04	October 2004	October 1, 2004 – October 31, 2004
06/04	June 2004 – September 2004	June 1, 2004 – September 30, 2004
01/04	January 2004 – May 2004	January 1, 2004 – May 31, 2004
12/03	December 2003	December 1, 2003 – December 31, 2003
11/03	November 2003	November 1, 2003 – November 30, 2003
10/03	October 2003	October 1, 2003 – October 31, 2003
06/03	June 2003 – September 2003	June 1, 2003 – September 30, 2003

03/03	March 2003 – May 2003	March 1, 2003 – May 31, 2003
01/03	January 2003 – February 2003	January 1, 2003 – February 28, 2003
12/02	December 2002	December 1, 2002 – December 31, 2002
11/02	November 2002	November 1, 2002 – November 30, 2002
10/02	October 2002	October 1, 2002 – October 31, 2002
01/02	January 2002 – September 2002	January 1, 2002 – September 30, 2002
12/01	October 2001 – December 2001	October 1, 2001 – December 31, 2001

Form Number	Title	Effective Date
(3)	No change	
(4)(a) DR-7000 16	Florida Communications Services Tax Return (R. 03/21) (http://www.flrules.org/Gateway/reference.asp?No=Ref-___)	04/21
(b) (a) DR-7000 16	Florida Communications Services Tax Return (R. 01/21) (http://www.flrules.org/Gateway/reference.asp?No=Ref-12525)	01/21
(b) through (uu)	Renumbered (c) through (vv) No change	
(5) through (7)	No change	
(8) DR-7000 22	Notification of Changes to the Address/Jurisdiction Database Notification of Jurisdiction Change for Local Communications Services and Local Insurance Premium Tax (R. 10/13) (http://www.flrules.org/Gateway/reference.asp?No=Ref-___03625)	12/20 01/14
(9) DR-	Objection to Address Assignment in the Address/Jurisdiction Database	08/20 01/14

7000 25	Objection to Address/Jurisdiction Database for Local Communications Services Tax and Local Insurance Premium Tax Service Address Assignment (R-10/13) (http://www.flrules.org/Gateway/reference.asp?No=Ref-___03626)	
(10)	No change	
(11) DR- 7000 27	Local Government Authorization for Omission of Address or Incorrect Address Identification (R-10/13) (http://www.flrules.org/Gateway/reference.asp?No=Ref-___03628)	<u>12/20</u> 01/14
(12) throu gh (13)	No change	

Rulemaking Authority 175.1015(5), 185.085(5), 202.151, 202.16(2), 202.22(6)(a), 202.26(3)(a), (c), (d), (e), (j), 202.27(1), (7) FS. Law Implemented ~~119.071(5)~~, 175.1015, 185.085, ~~202.11(3), (10), (11)~~, 202.12(1), (3), 202.151, 202.16(2), (4), 202.17(6), 202.19(1), (7), 202.22(6), 202.27, 202.28(1), (2), 202.29, 202.30(3), 202.33, 202.34(3), (4)(c), 202.35(1), (2) FS. History—New 4-17-03, Amended 7-31-03, 10-1-03, 9-28-04, 6-28-05, 11-14-05, 7-16-06, 4-5-07, 11-6-07, 12-20-07, 1-28-08, 1-27-09, 1-11-10, 6-28-10 (3), 6-28-10 (5), 2-7-11, 1-25-12, 1-17-13, 5-9-13, 1-20-14, 1-20-15, 1-11-16, 1-10-17, 1-17-18, 1-8-19, 1-6-20, 3-25-20, 1-24-21, ~~XX-XX-XX~~.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Danielle Boudreaux
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 15, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 5, 2021

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.: 12B-8.0016
RULE TITLE: Department of Revenue Electronic Database
PURPOSE AND EFFECT: The purpose of the proposed revisions to Rule 12B-8.0016, F.A.C., Department of Revenue Electronic Database, is to adopt Emergency Rule 12BER20-16, F.A.C., as a permanent rule. The proposed revisions reflect changes to existing forms resulting from the creation of Rule 12A-1.111, F.A.C., remove obsolete language (e.g., downloading the database to magnetic computer tapes), and update processes related to the submission of changes to Florida’s Address/Jurisdiction Database.
SUMMARY: The proposed rule will adopt amendments resulting from the creation of Rule 12A-1.111, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for the Statement of Economic Regulatory Costs (SERC) was triggered under Section 120.541(1), F.S.; and 2) based on past experiences regarding rules of this nature, the adverse impact or regulatory cost, if any, do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 175.1015(5), 185.085(5), FS
LAW IMPLEMENTED: 175.1015, 185.085, 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:

DATE AND TIME: July 7, 2021, at 11:00 a.m.
PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1220, Tallahassee, Florida. If a meeting is requested in writing, members of the public can also attend electronically via webinar; participants will need to register for the webinar using the following link:
<https://attendee.gotowebinar.com/register/5837836512487158539>.

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: Tonya Fulford at (850)717-6799. 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: Danielle Boudreaux, Technical Assistance and Dispute Resolution, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

12B-8.0016 Department of Revenue Electronic Database.

(1)(a)1. The Department maintains an electronic database that is for use by insurers to assign insurance policies and premiums to local taxing jurisdictions. The electronic database, referred to as Florida’s Address/Jurisdiction Database (“database”), is maintained on the Department’s website at pointmatch.floridarevenue.com ~~www.floridarevenue.com/taxes/pointmatch~~. An updated database is posted to the Department’s website by November 1 of each year to be used in assigning policies and premiums to the proper local taxing jurisdictions for the insurance premium tax return due for the tax year beginning on or after the January 1 following the posting of the database; however, insurers may use the updated database when it is posted to assign policies and premiums to the proper local taxing jurisdiction for the current tax year. The database available for downloading does not include the information contained in the pending changes described in paragraph (b).

2. No change.

~~3. Local taxing jurisdictions are provided with access codes to permit them to register as users of the database and to request changes in address assignments.~~ Local taxing jurisdictions may register on the Department’s website at pointmatch.floridarevenue.com ~~www.floridarevenue.com/taxes/pointmatch~~.

4. No change.

(b) When a change to the database has been approved, the approved pending address additions and approved pending address deletions are stored in separate files maintained by the Department for the next scheduled update of the database. These pending files include corrections of any errors discovered since the last update, as well as changes in addresses or jurisdictional boundaries based on information provided by local taxing jurisdictions and ~~counties approved by the Department~~. These pending files contain the most recent local taxing jurisdictional assignment information. The individual address lookup feature searches the current database and the pending files and may reflect information that has not yet been incorporated into the database available for downloading and use by local taxing jurisdictions and insurers. Insurers may use the information contained in the address look-up feature to assign policies and premiums to the proper local taxing jurisdictions. In such cases, the individual address lookup page carries a statement notifying the viewer that it reflects a pending change to the database.

(c) No change.

(2)(a) Local taxing jurisdictions have a continuing obligation to provide the Department all information needed to update the database, such as changes in addresses or address

ranges, annexations, incorporations, reorganizations, and any other changes to jurisdictional boundaries. Local taxing jurisdictions must inform the Department of the identity of the jurisdictions’ officers or employees who are authorized to act as contact persons with the Department on database matters. Local taxing jurisdictions are limited to two authorized contact persons; however, local taxing jurisdictions may provide updated contact person information as frequently as necessary to ensure that the appropriate contact person can be reached by the Department. The contact list of authorized local government contact persons for all local taxing jurisdictions is located on the Department’s website ~~www.floridarevenue.com~~.

(b) Local taxing jurisdictions must submit information requesting changes to the database electronically, using instructions in Form DR-700002, following the online User’s Guide for the Address/Jurisdiction Database (December 2014, incorporated by reference in Rule 12A-19.071, F.A.C.). ~~Only local taxing jurisdictions that are registered users of the Department’s electronic change submission process can access the Guide for Address Change Requests.~~ Authorized local jurisdiction contact persons may access the login screen for registered users at pointmatch.floridarevenue.com ~~www.floridarevenue.com/taxes/pointmatch~~. Local taxing jurisdictions that do not have access to computers with Internet access should contact the Department to submit changes through alternative electronic media. The information must also be submitted on Form DR-700022, Notification of Changes to the Address/Jurisdiction Database Notification of Jurisdiction Change for Local Communications Services and Local Insurance Premium Tax (incorporated by reference in Rule 12A-19.100, F.A.C.), with the exception of Special Fire Control Districts, which must use Form DR-350907, Local Insurance Premium Tax Special Fire Control Districts Notification of Jurisdiction Change (R. 10/13, hereby incorporated by reference, effective 1/14) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-03612>).

(c) through (e) No change.

(3)(a)1. Any substantially affected party may object to information contained in the database by submitting Form DR-700025, Objection to Address Assignment in the Address/Jurisdiction Database ~~Objection to Address/Jurisdiction Database for Local Communications Services Tax and Local Insurance Premium Tax Service Address Assignment~~ (incorporated by reference in Rule 12A-19.100, F.A.C.), along with competent evidence to support the party’s objection. Only objections to the current effective database can be considered; objections that do not relate to the current effective database will be denied. Before submitting an objection, a person should check the effective database to determine whether the contemplated objection is necessary.

Examples of substantially affected parties include police officers and firefighters from local taxing jurisdictions that impose the excise taxes under Chapters 175 and/or 185, F.S., local taxing jurisdictions that impose the excise taxes under Chapters 175 and/or 185, F.S., insurers who are required to pay the excise taxes under Chapters 175 and/or 185, F.S., individuals whose policies are being assigned via the database, and local taxing jurisdictions.

2. through 3. No change.

(b) through (e) No change.

(f) Upon receipt of an objection on a completed Form DR-700025, including competent evidence to support the objection, the Department will forward copies of the form, along with the associated documentation, to the database contact person in each affected taxing jurisdiction. The Department will provide to the affected local taxing jurisdictions Form DR-700026, Local Government Authorization for Address Changes Described on Form DR-700025 (incorporated by reference in Rule 12A-19.100, F.A.C.), to use to agree, disagree, or partially agree with the address jurisdiction changes proposed by the attached Form DR-700025. The Department will provide the affected local taxing jurisdiction a Form DR-700027, Local Government Authorization for Omission of Address or Range or Incorrect Address Identification (incorporated by reference in Rule 12A-19.100, F.A.C.), to use to agree or disagree with the inclusion of an address or address range or with changing nonjurisdictional information about an address or address range proposed by the attached Form DR-700025. The Department will include a tracking number and date on the bottom portion of each form to identify which forms belong together. The Department will, when practicable, provide the information electronically for review by the local taxing jurisdictions. The local taxing jurisdictions should review the specific address(es) at issue, as well as the address range(s) that will be impacted by the change, to ensure that each local taxing jurisdiction retains all of the addresses that it believes are within its jurisdictional boundaries. The Department will instruct each local taxing jurisdiction to indicate its determination in regard to the objection by utilizing the provided authorization form, Form DR-700026 or Form DR-700027, as applicable. If the affected local taxing jurisdictions indicate agreement with the objection, the Department will revise the electronic database accordingly. If a local taxing jurisdiction fails to respond within a reasonable time, which shall be no less than 30 days, such jurisdiction shall be deemed to have indicated agreement with the objection. If either local taxing jurisdiction notifies the Department in writing that it does not agree with the objection, the Department will ~~not change the address in the database immediately assign the address a special designation that indicates that the jurisdictional assignment of the address is in dispute.~~ The

service address will be reassigned to a local taxing jurisdiction when one of the following events occurs:

1. through 3. No change.

(4) All forms referenced in this rule are available, without cost, by one or more of the following methods: 1) downloading the form from the Department's website at ~~www.floridarevenue.com/forms~~; or, 2) calling the Department at (850)488-6800; or, 3) writing the Florida Department of Revenue, Taxpayer Services, Mail Stop 3-2000, 5050 West Tennessee Street, Tallahassee, Florida 32399-0112; ~~or, 4) visiting any local Department of Revenue Service Center to personally obtain a copy.~~ Persons with hearing or speech impairments may call the Florida Relay Service at 1(800)955-8770 (Voice) and 1(800)955-8771 (TTY).

Rulemaking Authority 175.1015(5), 185.085(5) FS. Law Implemented 175.1015, 185.085 FS. History--New 12-20-07, Amended 6-28-10, 1-20-14, 1-20-15, ~~XX-XX-XX~~.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Danielle Boudreaux
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 15, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 5, 2021

ADMINISTRATION COMMISSION

RULE NOS.:	RULE TITLES:
28-42.001	Scope and Applicability of Chapter
28-42.002	Time Periods
28-42.003	Filing Documents
28-42.004	Initiation of an Appeal
28-42.005	Executive Office of the Governor Procedures Upon Receipt of an Appeal
28-42.006	Withdrawal of Appeals
28-42.007	Budget Analysis
28-42.008	Budget Hearing
28-42.009	Administration Commission Hearing and Final Order

PURPOSE AND EFFECT: The Commission is proposing to create the system by which a municipal law enforcement agency may take an appeal from a municipal budget process which results in an alleged reduction to the operating budget of the agency. These new rules will outline the parties to the appeal and the responsibilities of the parties and the Commission in resolving the appeal.

SUMMARY: The proposed rules implement 166.241, F.S., which confers the duty upon the Administration Commission to decide appeals from municipal budget proceedings regarding alleged reductions to a municipal law enforcement agency's operating budget. The proposed rules establish the parties to the

proceedings and the process for submission, evaluation, and resolution of appeals.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The nature of the rule and the preliminary analysis conducted to determine whether a SERC was required, determined that a SERC was not necessary and that the rule amendment will not require ratification by the Legislature. The proposed rulemaking will not have an adverse impact or effect regulatory costs in excess of \$1 million within five years as estimated in Sections 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: 14.202 F.S., 166.241 F.S.

LAW IMPLEMENTED: 166.241(4)-(5) F.S.

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: Barbara Leighty, Office of the Governor, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)717-9432, Barbara.leighty@laspbs.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

CHAPTER 28-42

Municipal Law Enforcement Agency Budget Appeal Process

28-42.001 Scope and Applicability of Chapter.

The rules in this Chapter 28-42, F.A.C., shall govern the receipt and disposition of all municipal law enforcement agency budget appeals under section 166.241 F.S.

Rulemaking Authority 14.202 FS.; 166.241(4)-(5) FS. Law Implemented 166.241(4)-(5) FS. History-New.

28-42.002 Time Periods.

In computing any period of time prescribed or allowed by these rules the time period shall be calculated in accordance with Rule 28-106.103, F.A.C.

Rulemaking Authority 14.202 FS.; 166.241(4)-(5) FS. Law Implemented 166.241(4)-(5) FS. History-New.

28-42.003 Filing Documents.

All documents, including the initial petition, shall be filed electronically.

Rulemaking Authority 14.202 FS.; 166.241(4)-(5) FS. Law Implemented 166.241(4)-(5) FS. History-New.

28-42.004 Initiation of an Appeal.

(1) Parties. The Petitioner shall be either the state attorney for the judicial circuit in which the municipality is located or a member of the governing body who objects to the funding reduction. The Respondent shall be the governing body of the municipality.

(2) Filing the Petition. When a Petitioner files an appeal, he or she shall do so by completing Form AC-MLEBA XXX, Petition Packet, and filing electronically with the Administration Commission. Form AC-MLEBA XXX is hereby incorporated by reference, and available at <https://www.flrules.org/XXXX/XXXX>. Copies of the form are available by contacting the Clerk of the Administration Commission at Office of the Governor, Room 1802, The Capitol, Tallahassee, Florida 32399-0001. The effective date of the form is 09/2021. The Petitioner shall direct the petition to the Secretary of the Administration Commission within the Executive Office of the Governor and shall serve a copy of the petition on the governing body of the municipality or the clerk of the circuit court of the county in which the municipality is located.

(3) Filing a Reply. The Respondent may file a reply electronically within five working days after service. The reply must set forth the budget requested by the municipal law enforcement agency, if a request was submitted, and the budget approved by the governing body, and must list the specific reductions the governing body made to the law enforcement agency's operating budget. The reply must also fully address the reasons or grounds for the appeal stated by the Petitioner. The Respondent should direct the reply to the Secretary of the Administration Commission within the Executive Office of the Governor.

(4) The Secretary of the Administration Commission and his or her staff may request additional budgetary information from the current fiscal year or the two previous fiscal years including draft budgets, budget amendments, or budget meeting minutes.

Rulemaking Authority 14.202 FS.; 166.241(4)-(5) FS. Law Implemented 166.241(4)-(5) FS. History-New.

28-42.005 Executive Office of the Governor Procedures Upon Receipt of an Appeal.

(1) Receipt. Upon receipt of an appeal, the case will be assigned to staff in the Executive Office of the Governor.

(2) Transmittal of Appeal Petition to Respondent. The Petitioner shall serve the petition on the Respondent as outlined in Rule 28-42.004. The Petitioner shall thereafter submit Form AC-MLEBA XXX, Certificate of Service, to the Secretary of the Administration Commission. Form AC-MLEBA XXX is hereby incorporated by reference, and available at <https://www.flrules.org/XXXX/XXXX>. Copies of the form are available by contacting the Clerk of the Administration Commission at Office of the Governor, Room 1802, The Capitol, Tallahassee, Florida 32399-0001. The effective date of this form is 09/2021.

(3) Upon receipt of a reply or in the instance of a lapse of time for filing a reply, the Secretary of the Administration Commission shall send electronically to the Petitioner and the Respondent an acknowledgment of receipt of the appeal and shall provide contact information for the assigned staff. Rulemaking Authority 14.202 FS.; 166.241(4)-(5) FS. Law Implemented 166.241(4)-(5) FS. History-New _____.

28-42.006 Withdrawal of Appeals.

After an appeal has been filed with the Commission, Petitioner has the right to withdraw the appeal any time before the hearing with the Administration Commission. Withdrawal shall be requested through an electronic filing signed by the Petitioner. After receiving the request for withdrawal, the Secretary shall order the appeal dismissed.

Rulemaking Authority 14.202 FS.; 166.241(4)-(5) FS. Law Implemented 166.241(4)-(5) FS. History-New _____.

28-42.007 Budget Analysis.

(1) Scope of Analysis. Analyses shall be limited to the issues of the appeal, but shall include: (1) a comparison of the municipal law enforcement agency's data and staffing for the year in question compared to previous years; and (2) a comparison of the municipal law enforcement agency's budget to other entities' budgets within the municipality.

(2) Comparison to Other Fiscal Years. The assigned staff shall determine whether the governing body of the municipality reduced the operating budget of the municipal law enforcement agency. The staff shall compare law enforcement data and staffing for the two previous years and shall compare this data to the year at issue.

(3) Comparison with Other Entities' Budgets. The assigned staff shall determine whether the governing body of the municipality disproportionately reduced the budget of the municipal law enforcement agency as compared to other entities included in the municipal budget. The staff shall compare budget data from two previous years as well as the

year being appealed and compare this data to data from other entities within the municipality.

(4) Factual Disputes. Factual disputes that arise during the appeal process will be resolved by the Administration Commission.

Rulemaking Authority 14.202 FS.; 166.241(4)-(5) FS. Law Implemented 166.241(4)-(5) FS. History-New _____.

28-42.008 Budget Hearing.

(1) Notice. After receiving all of the required information from the parties, the assigned staff shall prepare a Memorandum for the Petitioner and Respondent which includes: (a) the date and location of the budget hearing; and (b) a summary of the individual issues under appeal. Additionally, the staff will notice the hearing in the Florida Administrative Register at least seven days prior to the date of the hearing.

(2) Panel. The budget hearing panel shall consist of three staff members from the Executive Office of the Governor. Additionally, each of the Cabinet offices may send a representative to sit on the panel.

(3) Format. Each party shall have an opportunity to present its case and an opportunity for rebuttal. There shall also be a time for the panel to ask questions.

(4) Reports. After the hearing, the Secretary of the Administration Commission shall compile a report with the panel's findings and recommendations and submit it to the members of the Administration Commission.

(5) Waiver of Hearing. The parties may waive the budget hearing by each signing and filing electronically with the Secretary of the Administration Commission Form AC-MLEBA XXX, Waiver of Budget Hearing. Form AC-MLEBA XXX is hereby incorporated by reference, and available at <https://www.flrules.org/XXXX/XXXX>. Copies of the form are available by contacting the Clerk of the Administration Commission at Office of the Governor, Room 1802, The Capitol, Tallahassee, Florida 32399-0001. The effective date of this form is 09/2021. The parties must agree to waive the hearing. If the parties waive the hearing, the budget hearing panel shall base its findings and recommendations on the pleadings. The Secretary of the Administration Commission shall compile a report and submit it to the members of the Administration Commission.

Rulemaking Authority 14.202 FS.; 166.241(4)-(5) FS. Law Implemented 166.241(4)-(5) FS. History-New _____.

28-42.009 Administration Commission Hearing and Final Order.

(1) Notice. After the budget hearing, the assigned staff shall request a date from the Clerk of the Administration Commission for the appeal to be placed on the Administration Commission agenda within 30 days of the Commission receiving the budget panel hearing report from the Secretary.

The staff shall send electronically a letter to the Petitioner and Respondent outlining the panel’s recommendations, the date, time, and location of the meeting of the Administration Commission, and the format for the meeting. The staff shall submit to the Clerk of the Administration Commission an agenda item summary.

(2) Format. Each party shall have an opportunity to present its case and an opportunity for rebuttal. There shall also be a time for the panel to ask questions.

(3) Disposition and Final Order. Before the close of the hearing, the Administration Commission shall decide the appeal in accordance with section 166.241(5) F.S. After the hearing, the Secretary of the Administration Commission shall prepare a final order which incorporates the disposition of the Commission. The Secretary shall send the final order to the Clerk of the Administration Commission for final rendering and shall serve a copy of the order on the parties.

Rulemaking Authority 14.202 FS.; 166.241(4)-(5) FS. Law Implemented 166.241(4)-(5) FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Chris Spencer, Secretary, Administration Commission
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Administration Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 15, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 7, 2021

ADMINISTRATION COMMISSION

RULE NOS.:	RULE TITLES:
28-43.001	Scope and Applicability of Chapter
28-43.002	Time Periods
28-43.003	Filing Documents
28-43.004	Initiation of an Appeal
28-43.005	Executive Office of the Governor Procedures Upon Receipt of an Appeal
28-43.006	Withdrawal of Appeals
28-43.007	Budget Analysis
28-43.008	Budget Hearing
28-43.009	Administration Commission Hearing and Final Order
28-43.010	Applications for Appropriations of Additional Amounts

PURPOSE AND EFFECT: To standardize the system by which Sheriffs take appeals from county action and make applications to the Commission regarding their budgets. These new rules will outline the parties to the proceedings and the responsibilities of the parties and the Commission in resolving the disputes.

SUMMARY: The proposed rules implement 30.49 F.S., which confers the duty upon the Administration Commission to make

decisions regarding appeals and applications from county budget proceedings regarding Sheriffs’ budgets. The proposed rules establish the parties to the proceedings and the process for submission, evaluation, and resolution of appeals and applications.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The nature of the rule and the preliminary analysis conducted to determine whether a SERC was required, determined that a SERC was not necessary and that the rule will not require ratification by the Legislature. The proposed rulemaking will not have an adverse impact or effect regulatory costs in excess of \$1 million within five years as estimated in Sections 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: 14.202, F.S., 30.49, F.S.

LAW IMPLEMENTED: 30.49(4)-(5), F.S., 30.49(10), F.S.

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: Barbara Leighty, Office of the Governor, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)717-9432, Barbara.leighty@laspbs.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

CHAPTER 28-43

Sheriff Budget Proceedings

28-43.001 Scope and Applicability of Chapter.

The rules in this Chapter 28-43, F.A.C., shall govern the receipt and disposition of all Sheriffs’ budget appeals and applications under section 30.49 F.S.

Rulemaking Authority 14.202 FS.; 30.49(4)-(5), (10) FS. Law Implemented 30.49(4)-(5), (10) FS. History-New

28-43.002 Time Periods.

In computing any period of time prescribed or allowed by these rules the time period shall be calculated in accordance with Rule 28-106.103, F.A.C.

Rulemaking Authority 14.202 FS.; 30.49(4)-(5), (10) FS. Law Implemented 30.49(4)-(5), (10) FS. History-New _____.

28-43.003 Filing Documents.

All documents, including the initial petition, shall be filed electronically.

Rulemaking Authority 14.202 FS.; 30.49(4)-(5), (10) FS. Law Implemented 30.49(4)-(5), (10) FS. History-New _____.

28-43.004 Initiation of an Appeal.

(1) Parties. The Petitioner shall be the Sheriff. The Respondent shall be the governing body of the county, either the board or commission.

(2) Filing the Petition. When the Sheriff files an appeal, he or she shall do so by completing Form AC-SBA XXX, Petition Packet, and filing electronically with the Administration Commission. Form AC-SBA XXX is hereby incorporated by reference, _____ and _____ available _____ at <https://www.flrules.org/XXXX/XXXX>. Copies of the form are available by contacting the Clerk of the Administration Commission at Office of the Governor, Room 1802, The Capitol, Tallahassee, Florida 32399-0001. The effective date of the form is 09/2021. The Sheriff shall direct the petition to the Secretary of the Administration Commission within the Executive Office of the Governor and shall serve a copy of the petition on the board or commission or the clerk of the circuit court located within the county.

(3) Filing a Reply. The board or commission may file a reply electronically within five working days after service. The reply must set forth the budget requested by the Sheriff and the budget approved by the County, and must list (by functional category and object code) the specific changes the County made to the Sheriff's requested budget. The reply must also fully address the reasons or grounds for the appeal stated by the Sheriff. The board or commission should direct the reply to the Secretary of the Administration Commission within the Executive Office of the Governor.

(4) The Secretary of the Administration Commission and his or her staff may request additional budgetary information from the current fiscal year or the two previous fiscal years including draft budgets, budget amendments, or budget meeting minutes.

Rulemaking Authority 14.202 FS.; 30.49(4)-(5) FS. Law Implemented 30.49(4)-(5) FS. History-New _____.

28-43.005 Executive Office of the Governor Procedures Upon Receipt of an Appeal.

(1) Receipt. Upon receipt of an appeal, the case will be assigned to staff in the Executive Office of the Governor.

(2) Transmittal of Appeal Petition to Board or Commission. The Sheriff shall serve the petition on the board or commission as outlined in Rule 28-43.004. The Sheriff shall thereafter submit Form AC-SBA XXX, Certificate of Service, to the Secretary of the Administration Commission. Form AC-SBA XXX is hereby incorporated by reference, and available at <https://www.flrules.org/XXXX/XXXX>. Copies of the form are available by contacting the Clerk of the Administration Commission at Office of the Governor, Room 1802, The Capitol, Tallahassee, Florida 32399-0001. The effective date of this form is 09/2021.

(3) Upon receipt of a reply or in the instance of a lapse of time for filing a reply, the Secretary of the Administration Commission shall send electronically to the Sheriff and the board or commission an acknowledgment of receipt of the appeal and shall provide contact information for the assigned staff.

Rulemaking Authority 14.202 FS.; 30.49(4)-(5) FS. Law Implemented 30.49(4)-(5) FS. History-New _____.

28-43.006 Withdrawal of Appeals.

After an appeal has been filed with the Commission, the Sheriff has the right to withdraw the appeal any time before the hearing with the Administration Commission. Withdrawal shall be requested through an electronic filing signed by the Sheriff. After receiving the request for withdrawal, the Secretary shall order the appeal dismissed.

Rulemaking Authority 14.202 FS.; 30.49(4)-(5) FS. Law Implemented 30.49(4)-(5) FS. History-New _____.

28-43.007 Budget Analysis.

(1) Scope of Analysis. Analyses shall be limited to the issues of the appeal, but shall include: (1) a comparison of the Sheriff's budget to other county agencies with particular attention paid to other county constitutional officers; and (2) a comparison of the County's law enforcement data and the Sheriff's staffing to other county law enforcement data/staffing.

(2) Comparison with Other Entities Within the County. The assigned staff shall determine whether the board or commission disproportionately altered the Sheriff's requested budget as compared to other entities' budgets within the county. The staff shall compare budget data from two previous years as well as the year being appealed and compare this data to other entities' data within the county.

(3) Comparison to Sheriff's Data From Other Counties. The assigned staff shall determine whether the Sheriff has a similar amount of resources to provide law enforcement services to the county as compared to other counties of a comparable size and population. The staff shall compare law enforcement data for the two previous years and shall compare this data to other counties' data.

(4) Factual Disputes. Factual disputes that arise during the appeal process will be resolved by the Administration Commission.

Rulemaking Authority 14.202 FS.; 30.49(4)-(5) FS. Law Implemented 30.49(4)-(5) FS. History-New _____.

28-43.008 Budget Hearing.

(1) Notice. After receiving all of the required information from the parties, the assigned staff shall prepare a Memorandum for the Sheriff and the board or commission which includes: (a) the date and location of the budget hearing; and (b) a summary of the individual issues under appeal. Additionally, the staff will notice the hearing in the Florida Administrative Register at least seven days prior to the date of the hearing.

(2) Panel. The budget hearing panel shall consist of three staff members from the Executive Office of the Governor. Additionally, each of the Cabinet offices may send a representative to sit on the panel.

(3) Format. Each party shall have an opportunity to present its case and an opportunity for rebuttal. There shall also be a time for the panel to ask questions.

(4) Reports. After the hearing, the Secretary of the Administration Commission shall compile a report with the panel's findings and recommendations and submit it to the members of the Administration Commission.

(5) Waiver of Hearing. The parties may waive the budget hearing by each signing and filing electronically with the Secretary of the Administration Commission Form AC-SBA XXX, Waiver of Budget Hearing. Form AC-SBA XXX is hereby incorporated by reference, and available at <https://www.flrules.org/XXXX/XXXX>. Copies of the form are available by contacting the Clerk of the Administration Commission at Office of the Governor, Room 1802, The Capitol, Tallahassee, Florida 32399-0001. The effective date of this form is 09/2021. The parties must agree to waive the hearing. If the parties waive the hearing, the budget hearing panel shall base its findings and recommendations on the pleadings. The Secretary of the Administration Commission shall compile a report and submit it to the members of the Administration Commission.

Rulemaking Authority 14.202 FS.; 30.49(4)-(5) FS. Law Implemented 30.49(4)-(5) FS. History-New _____.

28-43.009 Administration Commission Hearing and Final Order.

(1) Notice. After the budget hearing, the assigned staff shall request a date from the Clerk of the Administration Commission for the appeal to be placed on the Administration Commission agenda within 30 days of the Commission receiving the budget panel hearing report from the Secretary. The staff shall send electronically a letter to the Sheriff and the

board or commission outlining the panel's recommendations, the date, time, and location of the meeting of the Administration Commission, and the format for the meeting. The staff shall submit to the Clerk of the Administration Commission an agenda item summary.

(2) Format. Each party shall have an opportunity to present its case and an opportunity for rebuttal. There shall also be a time for the panel to ask questions.

(3) Disposition and Final Order. Before the close of the hearing, the Administration Commission shall decide the appeal in accordance with section 30.49(5) F.S. After the hearing, the Secretary of the Administration Commission shall prepare a final order which incorporates the disposition of the Commission. The Secretary shall send the final order to the Clerk of the Administration Commission for final rendering and shall serve a copy of the order on the parties.

Rulemaking Authority 14.202 FS.; 30.49(4)-(5) FS. Law Implemented 30.49(4)-(5) FS. History-New _____.

28-43.010 Applications for Appropriations of Additional Amounts.

(1) Filing an Application. When a Sheriff files an application under this Rule, he or she shall do so by completing Form AC-SBA XXX, Application for Appropriation of Additional Amounts, and filing electronically with the Administration Commission. Form AC-SBA XXX is hereby incorporated by reference, and available at <https://www.flrules.org/XXXX/XXXX>. Copies of the form are available by contacting the Clerk of the Administration Commission at Office of the Governor, Room 1802, The Capitol, Tallahassee, Florida 32399-0001. The effective date of the form is 09/2021. The Sheriff shall direct the application to the Secretary of the Administration Commission within the Executive Office of the Governor and shall deliver a copy of the application to the board or commission and the budget commission, if there is one in the county.

(2) Budget Hearing. If the Secretary of the Administration Commission requires a budget hearing on an application under this Rule, the procedures for budget hearings outlined in Rule 28-43.008(1)-(4) shall apply.

(3) Final Order. After the budget hearing, if one is held, the Secretary of the Administration Commission shall prepare a report which incorporates the findings and recommendations of the hearing panel and send it to the members of the Administration Commission. After the Commission reviews the report and makes a final decision on the application, the Secretary shall prepare a final order and send it to the Clerk of the Administration Commission for final rendering.

Rulemaking Authority 14.202 FS.; 30.49(10) FS. Law Implemented 30.49(10) FS. History-New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Chris Spencer, Secretary, Administration Commission
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Administration Commission
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: June 15, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: June 7, 2021

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE:

64B11-4.003 Standards of Practice; Discipline

PURPOSE AND EFFECT: The proposed amendments adjust the minimum and maximum disciplinary guidelines to clarify to licensees the ranges of discipline that can be expected if a violation occurs.

SUMMARY: Substantial rewrite of disciplinary guidelines for Florida's occupational therapists and occupational therapy assistants.

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 concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined 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: 456.079, 468.204 FS.

LAW IMPLEMENTED: 456.072, 456.079, 468.217 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: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 64B11-4.003 follows. See Florida Administrative Code for present text.

64B11-4.003 Standards of Practice; Discipline.

(1) The purpose of this rule is to notify applicants and licensees of the ranges of penalties which will routinely be imposed unless the Board finds it necessary to deviate from the guidelines for the stated reasons given within this rule. Each range includes the lowest and highest penalty and all penalties falling between. The purposes of the imposition of discipline are to punish the applicants or licensees for violations and to deter them from future violations; to offer opportunities for rehabilitation, when appropriate; and to deter other applicants or licensees from violations.

(2) Among the range of discipline including any and all in Section 456.072(2), F.S., in increasing severity are:

(a) Letter of concern and a minimum administrative fine of \$100, remedial education, and/or refund of fees billed.

(b) Probation with conditions to include limitations on the type of practice or practice setting, requirements of supervision, employer and self reports, periodic appearances before the Board, counseling or participation in the Professionals Resource Network (PRN), payment of administrative fines, and such conditions to assure protection of the public. The licensee must choose supervisor licensed under Chapter 468, Part III, Florida Statutes who is in good standing and without restriction or limitation on his or her license. The supervisor should ideally provide such services without compensation. However, the licensee may contract with a for-profit entity for a fee. It is the licensee's full responsibility to pay for any supervision services. All potential supervisors must be approved by the Board before providing services. The Board Chair, or any other member designated by the Board, is delegated the authority to review all potential supervisors for adequacy. The Board may reject any proposed supervisor on the basis that he or she has previously been subject to disciplinary action against his or her license in this or any other jurisdiction, is currently under investigation, or is the subject of a pending disciplinary action. The supervisor must be actively engaged in the same or similar specialty area unless otherwise provided by the Board and be practicing within a reasonable distance of Respondent's

practice, a distance of 50 miles unless otherwise specifically approved by the Board. The Board may reject any proposed supervisor for good cause shown.

(c) Suspension until the licensee appears before the Board to demonstrate current competency and ability to practice safely and compliance with any previous Board orders.

(d) Licensure with conditions.

(e) Denial of licensure.

(f) Permanent Revocation.

(3) Aggravating and Mitigating Circumstances. Based upon consideration of aggravating and mitigating factors present in an individual case, the Board may deviate from the penalties recommended below. The Board shall consider as aggravating or mitigating factors the following:

(a) Exposure of patients or public to injury or potential injury, physical or otherwise; none, slight, severe, or death;

(b) Legal status at the time of the offense; no restraints, or legal constraints;

(c) The number of counts or separate offenses established;

(d) The disciplinary history of the applicant or licensee in any jurisdiction and the length of practice;

(e) Pecuniary benefit or self-gain inuring to the applicant or licensee;

(f) Any efforts at rehabilitation, attempts by the licensee to correct or to stop violations, or refusal by the licensee to correct or to stop violations;

(g) Evidence of fraud.

(4) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included. For applicants, any and all offenses listed herein are sufficient for refusal to certify an application for licensure.

In addition to the penalty imposed, the Board shall recover the costs of investigation and prosecution of the case. Additionally, if the Board makes a finding of pecuniary benefit or self-gain related to the violation, then the Board shall require refund of fees billed and collected from the patient or a third party on behalf of the patient.

<u>VIOLATION</u>	<u>PENALTY RANGE</u>	
	<u>MINIMUM</u>	<u>MAXIMUM</u>

(a) Attempting to obtain, obtaining, or renewing a license to practice a profession by bribery,

fraudulent misrepresentation, or through an error of the Department or the Board.

(Sections 468.217(1)(a), and 456.072(1)(h), F.S.)

<u>First Offense</u>	<u>6</u>	<u>months</u>	<u>1</u>	<u>year</u>
	<u>probation with suspension and conditions or \$5,000 fine.</u>			
	<u>certify application with restrictions and \$1,000 fine.</u>			

<u>Second and Subsequent Offenses</u>	<u>Restriction of practice or licensure or denial of licensure and \$5,000 fine.</u>	<u>Permanent revocation or denial of licensure and \$10,000 fine.</u>
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However, if the violation is not through an error but is for making a false or fraudulent representation or bribery, the fine is increased to \$10,000 per count or offense.

(b) Action taken against license by another jurisdiction.

(Sections 468.217(1)(b), and 456.072(1)(f), F.S.)

<u>First Offense</u>	<u>Letter of concern and \$500 fine.</u>	<u>Imposition of discipline which would have been if the substantive violation occurred in Florida.</u>
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<u>Second and Subsequent Offenses</u>	<u>Imposition of discipline which would have been if the substantive violation occurred in Florida and a \$2,500 fine.</u>	<u>Permanent revocation and \$10,000 fine.</u>
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(c) Guilt of a crime directly relating to practice or ability to practice.

(Section 468.217(1)(c), F.S.)

FIRST OFFENSE

	<u>conditions and \$500 fine.</u>		<u>referral to PRN and \$5,000 fine.</u>	
<u>Second and Subsequent Offenses</u>	<u>6 months suspension and \$1000 fine.</u>	<u>Restriction of practice or license and \$5,000 fine.</u>	<u>Restriction of practice or license and \$7,500 fine.</u>	<u>Permanent revocation and \$10,000 fine.</u>
<u>(i) Failing to file a report as required. (Sections 468.217(1)(i), and 456.072(1)(l), F.S.)</u>	<u>1 year probation with conditions and \$100 fine.</u>	<u>6 months suspension, 1 year probation with conditions and \$250 fine.</u>	<u>(l) Deceptive, untrue, or fraudulent representations in the practice. (Sections 468.217(1)(l), and 456.072(1)(a), F.S.)</u>	
<u>First Offense</u>			<u>First Offense</u>	<u>1 year probation with conditions and \$10,000 fine.</u>
<u>Second and Subsequent Offenses</u>	<u>6 months suspension, 1 year probation with conditions and \$2500 fine.</u>	<u>1 year suspension, 2 years probation with conditions and \$1,000 fine.</u>	<u>Second and Subsequent Offenses</u>	<u>1 year probation with conditions and \$10,000 fine. Revocation and \$10,000 fine.</u>
<u>However, if the violation is for making a false or fraudulent representation, a fine of \$10,000 per count or offense.</u>			<u>2 years suspension, 1 year probation with conditions and \$10,000 fine.</u>	<u>Revocation and \$10,000 fine.</u>
<u>(j) Kickbacks or split fee arrangements. (Section 468.217(1)(j), F.S.)</u>	<u>6 months suspension, 1 year probation with conditions and \$500 fine.</u>	<u>1 year suspension, 2 years probation with conditions and \$5,000 fine.</u>	<u>(m) Improper solicitation of patients. (Section 468.217(1)(m), F.S.)</u>	
<u>First Offense</u>			<u>First Offense</u>	<u>1 year probation with conditions and \$500 fine.</u>
<u>Second and Subsequent Offenses</u>	<u>Restriction of practice or license and \$2,500 fine.</u>	<u>Permanent revocation and \$10,000 fine.</u>		<u>6 months suspension, 1 year probation with conditions and \$2,000 fine.</u>
<u>(k) Exercising influence to engage patient in sex. (Section 468.217(1)(k), F.S.)</u>	<u>1 year suspension, 4 years probation with conditions</u>	<u>Permanent revocation and \$7,500 fine.</u>	<u>Second and Subsequent Offenses</u>	<u>Restriction of practice or license and \$2,500 fine.</u>
<u>First Offense</u>			<u>(n) Failure to keep written medical records, justifying the course of treatment of the patient, including</u>	

but not limited to patient history, examination results and test results.

(Section 468.217(1)(n), F.S.)

First Offense

Letter of concern and \$300 fine.

6 months probation with conditions and \$1,000 fine.

Second and Subsequent Offenses

1 year probation and \$1,000 fine.

6 months suspension, 1 year probation with conditions and \$5,000 fine.

(o) Exercising influence on patient for financial gain. (Sections 468.217(1)(o), and 456.072(1)(n), F.S.)

First Offense

1 year probation with conditions and \$1,000 fine.

1 year suspension, 2 years probation with conditions and \$7,500 fine.

Second and Subsequent Offenses

Restriction of practice or license and \$5,000 fine.

Permanent revocation and \$10,000 fine.

(p) Performing professional services not authorized by patient. (Section 468.217(1)(p), F.S.)

First Offense

Letter of concern and \$500 fine.

6 months probation with conditions and \$2,500 fine.

Second and Subsequent Offenses

3 months suspension and \$2,500 fine.

Permanent revocation and \$10,000 fine.

(q) Malpractice. (Section 468.217(1)(q), F.S.)

First Offense

1 year probation with conditions and \$1,000 fine.

1 year suspension, 2 years probation with conditions or denial and \$5,000 fine.

Second and Subsequent Offenses

1 year suspension, 2 years probation with conditions and \$5,000 fine.

Permanent revocation and \$10,000 fine.

(r) Performing of experimental treatment without informed consent. (Section 468.217(1)(r), F.S.)

First Offense

1 year suspension, 1 year probation with conditions and \$1,000 fine.

2 years suspension, 2 years probation with conditions or denial and \$5,000 fine.

Second and Subsequent Offenses

Restriction of practice or license and \$5,000 fine.

Permanent revocation and \$10,000 fine.

(s) Practicing beyond scope permitted. (Sections 468.217(1)(s), and 456.072(1)(o), F.S.)

First Offense

Letter of concern and \$100 fine.

6 months suspension, 6 months probation with conditions or denial and \$1,500 fine.

Second and Subsequent Offenses

Restriction of practice or license and

Permanent revocation and \$7,500 fine.

<p><u>(t) Inability to practice occupational therapy with skill and safety.</u> (Sections 468.217(1)(t), 456.072(1)(z), F.S.) First Offense</p>	<p><u>\$1,500 fine.</u></p> <p>Submit to mental/physical examination and impose conditions on practice.</p>	<p>Submit to mental/physical examination and suspension until able to demonstrate ability to practice with reasonable skill and safety, followed by probation with conditions.</p>	<p><u>Second and Subsequent Offenses</u></p> <p><u>(v) Violation of order, or failure to comply with subpoena.</u> (Sections 468.217(1)(v), 456.072(1)(q), F.S.) First Offense</p>	<p><u>Restriction of practice or license and \$5,000 fine.</u></p> <p>Suspension until order or subpoena complied with and \$500 fine, 6 months suspension, 1 year probation with conditions and \$1,500 fine.</p>	<p><u>Permanent revocation and \$10,000 fine.</u></p> <p>1 year suspension, 1 year probation with conditions and \$1,500 fine. Permanent revocation and \$5,000 fine.</p>
<p><u>Second and Subsequent Offenses</u></p>	<p>1 year suspension and then submit to mental/physical examination and suspension until able to demonstrate ability to practice with reasonable skill and safety.</p>	<p>Permanent Revocation and \$5,000 fine.</p>	<p><u>Second and Subsequent Offenses</u></p> <p><u>(w) Conspiring to restrict another from lawfully advertising services.</u> (Section 468.217(1)(w), F.S.) First Offense</p>	<p>Letter of concern.</p> <p>Letter of concern and \$500 fine.</p>	<p>Letter of concern and \$100 fine. Letter of concern and \$1,000 fine.</p>
<p><u>(u) Delegation of professional responsibilities to unqualified person.</u> (Sections 468.217(1)(u), 456.072(1)(p), F.S.) First Offense</p>	<p>1 year probation with conditions and \$1,000 fine.</p>	<p>6 months suspension, 1 year probation with conditions and \$3,000 fine.</p>	<p><u>(x) Violating Chapters 468, 456, F.S., or any rules adopted pursuant thereto.</u> (Sections 468.217(1)(x), and 456.072(1)(dd), F.S.) First Offense</p>	<p>Suspension until law or rule complied with</p>	<p>1 year suspension, 1 year probation</p>

<u>Second and Subsequent Offenses</u>	<u>and \$500 fine. Restriction of practice or license and \$2,500 fine.</u>	<u>with conditions and \$1,500 fine. Permanent revocation and \$5,000 fine.</u>	<u>(aa) Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice a licensee's profession. (Section 456.072(1)(c), F.S.)</u>			
<u>(y) Performing or attempting health care services on the wrong patient, wrong site wrong procedure, or unauthorized or medically unnecessary procedure including preparation of the patient. (Section 456.072(1)(bb), F.S.)</u>						
<u>First Offense</u>	<u>1 year probation with conditions and \$1,000 fine.</u>	<u>1 year suspension, 2 years probation with conditions and \$5,000 fine.</u>	<u>FIRST OFFENSE</u>	<u>Misdemeanor</u>	<u>Reprimand and \$250 fine.</u>	<u>1 year probation with conditions and \$500 fine.</u>
<u>Second and Subsequent Offenses</u>	<u>Restriction of practice or license and \$5,000 fine.</u>	<u>Permanent revocation and \$10,000 fine.</u>	<u>Felony</u>	<u>Felony crimes having a factual basis related to assault, battery, abuse, or which otherwise caused bodily harm.</u>	<u>1 year probation with conditions and \$1,000 fine.</u>	<u>1 year suspension and \$2,500 fine.</u>
<u>(z) Intentionally violating any rule adopted by the Board or the Department as appropriate. (Section 456.072(1)(b), F.S.)</u>			<u>Crimes involving fraudulent misrepresentation.</u>	<u>1 year suspension and \$5,000 fine.</u>	<u>Permanent revocation and \$10,000 fine.</u>	
<u>First Offense</u>	<u>6 months suspension, 1 year probation with conditions and \$1,000 fine.</u>	<u>1 year suspension, 2 years probation with conditions and \$3,000 fine.</u>	<u>SECOND AND SUBSEQUENT OFFENSES</u>	<u>Restriction of practice or license 1 year suspension and \$5,000 fine.</u>	<u>Permanent revocation and \$10,000 fine.</u>	
<u>Second and Subsequent Offenses</u>	<u>Restriction of practice or license and \$5,000 fine.</u>	<u>Permanent Revocation and \$10,000 fine.</u>	<u>Misdemeanor</u>	<u>1 year probation with conditions and \$500 fine.</u>	<u>1 year suspension and \$1,000 fine.</u>	

<u>Felony</u>	<u>1 year suspension and \$2,500 fine.</u>	<u>Permanent revocation and \$5,000 fine.</u>	<u>Subsequent Offenses</u>	<u>practice or license and \$2,000 fine.</u>	<u>revocation and \$10,000 fine.</u>
<u>Felony crimes having a factual basis related to assault, battery, abuse, or which otherwise caused bodily harm.</u>	<u>2 year suspension and \$10,000 fine.</u>	<u>Permanent revocation and \$10,000 fine.</u>	<u>(dd) Making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession.</u> <u>(Section 456.072(1)(a) and (m), F.S.)</u>		
<u>Crimes involving fraudulent misrepresentation.</u>	<u>2 year suspension and \$10,000 fine.</u>	<u>Permanent revocation and \$10,000 fine.</u>	<u>First Offense</u>	<u>1 year probation with conditions and \$10,000 fine.</u>	<u>1 year suspension and \$10,000 fine.</u>
<u>(bb) Failing to comply with the educational course requirements for human immunodeficiency virus and acquired immune deficiency syndrome.</u> <u>(Section 456.072(1)(e), F.S.)</u>			<u>Second and Subsequent Offenses</u>	<u>Restriction of practice or license and \$10,000 fine.</u>	<u>Permanent revocation and \$10,000 fine.</u>
<u>First and Subsequent Offenses</u>	<u>Letter of Concern.</u>	<u>6 months probation with conditions and \$500 fine.</u>	<u>(ee) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding.</u> <u>(Section 456.072(1)(r), F.S.)</u>		
<u>(cc) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department against another licensee.</u> <u>(Section 456.072(1)(g), F.S.)</u>			<u>First Offense</u>	<u>6 months probation with conditions and \$1,000 fine.</u>	<u>1 year suspension and \$2,000 fine.</u>
<u>First Offense</u>	<u>1 year probation with conditions and \$1,000 fine.</u>	<u>1 year suspension and \$5,000 fine.</u>	<u>Second and Subsequent Offenses</u>	<u>Restriction of practice or license and \$4,000 fine.</u>	<u>Permanent revocation and \$10,000 fine.</u>
<u>Second and</u>	<u>Restriction of</u>	<u>Permanent</u>	<u>(ff) Engaging or attempting to engage a patient in</u>		

<p><u>verbal or physical sexual activity.</u> (Section 456.072(1)(v), F.S.)</p>	<p><u>1 year suspension, 4 years probation with conditions referral to PRN and \$5,000 fine.</u></p>	<p><u>Permanent Revocation and \$7,500 fine.</u></p>	<p><u>F.S.)</u> <u>First Offense</u></p>	<p><u>1 year probation with conditions and \$1,000 fine.</u></p>	<p><u>1 year suspension and \$4,000 fine.</u></p>
<p><u>First Offense</u></p>	<p><u>Permanent revocation and \$7,500 fine.</u></p>	<p><u>Permanent revocation and \$10,000 fine.</u></p>	<p><u>Second and Subsequent Offenses</u></p>	<p><u>Restriction of practice or license and \$4,000 fine.</u></p>	<p><u>Permanent revocation and \$10,000 fine.</u></p>
<p><u>Second and Subsequent Offenses</u></p>	<p><u>(gg) Failing to report to the board within 30 days after the licensee has been convicted or found guilty of or entered a plea of no contendere to, regardless of adjudication, a crime in any jurisdiction.</u> (Section 456.072(1)(x), F.S.)</p>	<p><u>(ii) Failing to finish PRN treatment program or failing without just cause to comply with PRN contract.</u> (Section 456.072(1)(hh), F.S.)</p>	<p><u>First Offense</u></p>	<p><u>Suspension until compliant with program; up to suspension until compliant with program, followed by up to 5 years probation with conditions.</u></p>	
<p><u>First Offense</u></p>	<p><u>Letter of concern and \$500 fine.</u></p>	<p><u>1 year probation with conditions and \$500 fine.</u></p>	<p><u>Second or Subsequent Offense</u></p>	<p><u>Up to \$2000 fine, suspension until compliant with program followed by up to 5 years probation with conditions, or revocation.</u></p>	
<p><u>(hh) Using information about people involved in motor vehicle accidents which has been derived from accident reports made by law enforcement officers for the solicitation of the people involved in the accidents.</u> (Section 456.072(1)(y),</p>			<p><u>(jj) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b, relating</u></p>		

to the Medicaid program.

(Section 456.072(1)(ii), F.S.)

First and Subsequent Offenses

Permanent revocation and a fine of \$10,000, or in the case of application for licensure, denial of license.

(kk) Failing to remit the sum owed to the State for an overpayment from the Medicaid Program pursuant to a final order, judgment, or Stipulation or settlement.

(Section 456.072(1)(jj), F.S.)

First Offense

6 months probation with conditions \$500 fine.

1 year suspension and \$2,500 fine.

Second and Subsequent Offenses

1 year suspension and \$3,000.

Permanent revocation and \$5,000 fine.

(ll) Being terminated from the state Medicaid Program pursuant to Section 409.913, F.S., any other state Medicaid program, or the federal Medicare program, unless eligibility to participate in the program from which the

practitioner was terminated has been restored.

(Section 456.072(1)(kk), F.S.)

First Offense

Letter of concern and \$1,000 fine.

1 year suspension \$2,500 fine.

Second and Subsequent Offenses

1 year suspension \$5,000 fine.

Permanent revocation \$10,000 fine.

(mm) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction which related to health care fraud.

(Section 456.072(1)(ll), F.S.)

First and Subsequent Offenses

Permanent revocation and a fine of \$10,000, or in the case of application for licensure, denial of license.

(nn) Willfully failing to comply with Section 627.64194 or 641.513, F.S., with such frequency as to indicate a general business practice.

(Section 456.072(1)(oo), F.S.)

First Offense

Letter of

1 year

<p><u>Second and Subsequent Offenses</u></p> <p><u>(oo) Testing positive for any drug on confirmed preemployment or employer ordered drug screening without lawful prescription. (Section 456.072(1)(aa), F.S.)</u></p> <p><u>First Offense</u></p>	<p><u>Concern and \$500 fine.</u></p> <p><u>1 year suspension and \$3,000 fine.</u></p>	<p><u>suspension and \$1,000 fine.</u></p> <p><u>Permanent revocation and \$5,000 fine.</u></p>	<p><u>person’s need for an emotional support animal under s.760.27</u></p> <p><u>without personal knowledge of the person’s disability or disability-related need for the specific emotional support animal.</u></p> <p><u>(Section 456.072(1)(pp), F.S.</u></p> <p><u>First Offense</u></p>	<p><u>1 year probation with conditions and a \$5,000 fine.</u></p> <p><u>1 year suspension, 1 year probation with conditions, and a \$5,000 fine.</u></p>	<p><u>6 months suspension, 6 months probation with conditions, and a \$10,000 fine.</u></p> <p><u>Permanent revocation and a \$10,000 fine.</u></p>
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<p><u>Submit to mental/physical examination and impose conditions on practice.</u></p>	<p><u>Submit to mental/physical examination and suspension until able to demonstrate ability to practice with reasonable skill and safety, followed by probation with conditions.</u></p>
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Second and Subsequent Offenses

(5) Stipulations or Settlements. The provisions of this rule are not intended and shall not be construed to limit the ability of the Board to dispose informally of disciplinary actions by stipulation, agreed settlement, or consent order pursuant to Section 120.57(4), F.S.

(6) Letters of Guidance. The provisions of this rule cannot and shall not be construed to limit the authority of the probable cause panel of the Board to direct the Department to send a letter of guidance pursuant to Section 456.073(3), F.S., in any case for which it finds such action appropriate.

(7) Other Action. The provisions of this rule are not intended to and shall not be construed to limit the ability of the Board to pursue or recommend that the Department pursue collateral civil or criminal actions when appropriate.

Rulemaking Authority 456.079, 468.204 FS. Law Implemented 456.072, 456.079, 468.217 FS. History—New 9-12-88, Amended 11-9-92, Formerly 21M-15.002, 61F6-15.002, 59R-63.002, Amended 1-27-00, 12-27-01, 12-27-05, 4-10-08, 8-5-10, 4-18-12, 1-10-17,_____.

<p><u>Second and Subsequent Offenses</u></p>	<p><u>Submit to mental/physical examination and suspension until able to demonstrate ability to practice with reasonable skill and safety, followed by probation with conditions and \$1,000 fine.</u></p>	<p><u>Permanent revocation and \$3,000 fine.</u></p>
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(pp) Providing information, including written documentation, indicating that a

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Occupational Therapy
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Occupational Therapy
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: May 12, 2021
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: July 14, 2020

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NOS.:	RULE TITLES:
5M-1.008	Implementation Verification
5M-1.009	Best Management Practices Implementation Assistance

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. 4, January 7, 2021 issue of the Florida Administrative Register.

5M-1.008 Implementation Verification.

(1) Agricultural Best Management Practices (BMPs) are individual practices or combinations of practices that, based on scientific research, field-testing, and expert review, have been identified as the most effective and practicable means for improving water quality and water conservation, which include nutrient management, irrigation management, and water resource management ~~protection~~. The Department has adopted in this Rule Title BMP manuals for many of Florida's agricultural commodities. At least every two years, the Department will perform an implementation verification site visit of each Enrolled Producer or ~~and~~ Landowner to verify the proper implementation of all Applicable BMPs using the data from the site visit, supplemented as needed, by information from other sources including county property appraisers, DEP, and water management districts. The Department will provide the Producer or Landowner any materials needed to complete the implementation verification site visit at least seven days prior to the date of the visit. The Department will notify DEP of any Producer or Landowner, if the Landowner is not the Producer, that fails to cooperate with the Department to complete an implementation verification site visit within 60 days of contact by Department representatives.

(2) through (3) No Changes.

(4) During the implementation verification site visit, the Department will collect and retain records regarding the application of nitrogen and phosphorus on the Enrolled parcel(s). Producers or Landowners shall provide the required nutrient application records for the preceding two years to the Department by completing and submitting a Nutrient Application Record Form (FDACS-04005, XX/XX), adopted herein by reference and available at <http://www.flrules.org/Gateway/>. Unless it is demonstrated that utilization of an electronic version is technically infeasible, Producers or Landowners shall ~~are strongly encouraged to~~ utilize and submit an ~~the~~ electronic version of the form or a substantially similar form to Department representatives during the implementation verification site visit or within ten days after completion of the visit. Producers or landowners may submit a substantially similar form if it contains the following information for the Enrolled parcel(s):

(a) through (f) No Changes.

(5) through (9) No Changes.

Rulemaking Authority 403.067(7)(c)2., 403.067(7)(d)2.c., 403.067(7)(d)3., 570.07(10), 570.07(23) F.S. Law Implemented 403.067(7)(d)2.c., 403.067(7)(d)3., F.S. History—New 11-1-17, Amended .

5M-1.009 Best Management Practices Implementation Assistance.

(1) The Department will provide implementation assistance to Enrolled Producers or Landowners as follows:

(a) If the implementation verification site visit described in subsection 5M-1.008(1), F.A.C., indicates that an Enrolled Producer or Landowner has not achieved proper implementation of Applicable BMPs, the Department will work in cooperation with the Producer or Landowner to identify corrective measures to be taken as soon as practicable to achieve proper implementation of Applicable BMPs. The identification of corrective measures will include the setting of expectations and ~~for~~ the time required to complete them. If the Producer is not the Landowner, the Landowner will be notified that corrective measures have been identified for the Producer's implementation.

(b) No Changes.

(c) Department representatives will verify the completion of corrective or remedial measures within the established timeframes. In no case shall the overall timeframe for completion of corrective and remedial measures extend beyond the date of the next implementation verification site visit.

(d) No Changes.

(2) through (3) No Changes.

Rulemaking Authority 403.067(7)(c)2., 403.067(7)(d)2.c., ~~403.067(7)(d)3.~~, 570.07(10), 570.07(23) F.S. Law Implemented 403.067(7)(d)2.c., 403.067(7)(d)3., F.S. History—New 11-1-17, Amended .

DEPARTMENT OF REVENUE

RULE NO.: RULE TITLE:
12-9.0031 Approval of Courses
 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. 46 No. 247, December 22, 2020 issue of the Florida Administrative Register.

And subsequently amended in a Notice of Change published in Vol. 47, No. 53, on March 18, 2021, and a Notice of Change published in Vol. 47, No. 110, on June 8, 2021, in the Florida Administrative Register.

In the June 8, 2021, Notice of Change, the word “appropriate” was incorrectly replaced with “professionally accepted” before the words “appraisal methodologies.” To address this issue, the previous language is being reinstated. A revised draft of the proposed rule that includes the change in this Notice of Change is available on the Department’s website.

12-9.0031 Approval of Courses.

(1) Any course approved for credit towards certification, recertification, or reinstatement must be approved by the Department through one of the two methods provided in paragraphs (a) and (b) before the course is taken for credit. The courses must impart expertise in one of the following areas, as it relates to the professional designation of the requesting individual: professionally accepted appraisal practices, appropriate ~~professionally accepted~~ appraisal methodologies, cadastral mapping, tax administration, assessment, or collection in Florida. To be approved as a course for initial certification, the course must contain a monitored examination.

(a) through (b) No change.

(2) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Cotton, Property Tax Oversight Program, telephone (850)617-8870 or email DORPTO@floridarevenue.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:
59A-3.065 Definitions
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 45 No. 61, March 28, 2019 issue of the Florida Administrative Register has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:
59A-3.066 Licensure Procedure
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 45 No. 39, February 26, 2019 issue of the Florida Administrative Register has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:
59A-3.246 Licensed Programs
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 45 No. 61, March 28, 2019 issue of the Florida Administrative Register has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:
59A-3.248 Pediatric Cardiac Programs
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 47 No. 47, March 10, 2021 issue of the Florida Administrative Register has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:
59A-3.278 Rehabilitation, Psychiatric and Substance Abuse Programs
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 45 No. 61, March 28, 2019 issue of the Florida Administrative Register has been withdrawn.

**Section IV
Emergency Rules**

NONE

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

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: RULE TITLE:
40B-4.3030 Conditions for Issuance of Works of the District Permits

The Suwannee River Water Management District hereby gives notice: that on June 14, 2021, the Suwannee River Water Management District has issued an order granting a variance under permit WOD-067-239570-1.

Petitioner's Name: Robby Hollingsworth, - File Tracking No. 21-010

Date Petition Filed: March 25, 2021

Subsections No.: 40B-4.3030(13), F.A.C.

Nature of the rule for which variance or waiver was sought: Structure in 75-foot setback of the floodway

Date Petition Published in the Florida Administrative Register: April 7, 2021

General Basis for Agency Decision: Petitioner demonstrated a 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: Tilda Musgrove, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on June 3, 2021, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Canopy by Hilton at 380 Trinity Place, West Palm Beach, FL. Petitioner seeks a variance of the requirements of NFPA 70, NEC 110.26 that requires minimum distances for providing and maintaining access and working space about all electrical equipment which poses a significant hardship. Any interested person may file comments within 14 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2021-086).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on June 11, 2021, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Marina Condominium at Bay Hill at 9000 Bay Hill Blvd, Orlando, FL. Petitioner seeks an emergency variance of the requirements of ASME A17.1, 2013 edition, Sections 8.6.1.2, 8.6.1.4, and 8.6.4.7, and ASME A17.1, 1983 edition, Section 204.7a(3), as adopted by Rule 61C-5.001, Florida

Administrative Code that requires a written Maintenance Control Program, on-site documentation, maintenance records, cleaning of hoistways and pits, and illumination in the car provided by the standby system, which poses a significant hardship. Any interested person may file comments within 5 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2021-088).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on June 8, 2021, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for TIA Conrac & APM at 5302 Airport Service Road, Tampa, FL. Petitioner seeks a variance of the requirements of ASME A17.1, 2013 edition, Section 2.14.1.5.1(c), as adopted by Rule 61C-5.001, Florida Administrative Code that requires conformity to top emergency exit cover requirements which poses a significant hardship. Any interested person may file comments within 14 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2021-087).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On June 15, 2021 the Division issued an order. The Final Order was in response to a Petition for a Variance from Sarasota Memorial Hospital, filed June 4, 2019, and advertised on June 10, 2019, in Vol. 45, No. 112, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 2.8.1 and 2.8.2.2, ASME A17.1, 2013 edition, as adopted by Rule 61C-5.001 Florida Administrative Code that requires an antenna not

be placed in the elevator shaft/pit because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that the Petitioner would suffer a substantial hardship if required to comply with this rule (VW2019-113).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on June 11, 2021, the Board of Optometry, received a petition for variance or waiver filed by Jeffrey Newland. Petitioner is seeking a variance or waiver of subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Christina McGinnis, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257. Christina.McGinnis@myfloridahealth.gov. Comments on this petition should be filed with the Board of Optometry within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

The Board of Optometry hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on April 13, 2021, by Divya Bellapu Reddy. Petitioner was seeking a waiver or variance from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., entitled, "Examination Requirements" which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and

are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt. The Notice was published in Volume 47, No. 73, of the Florida Administrative Register, on April 15, 2021. The Board considered the instant Petition at a duly-noticed public telephonic meeting held May 12, 2021. The Board's Order, filed on May 25, 2021, granted the petition finding that Petitioner had established that the purpose of the underlying statute would be met by granting a variance or waiver from subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to petitioner's circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Christina McGinnis, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, telephone: (850)488-0595, or by electronic mail – Christina.McGinnis@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Division of Historical Resources announces a public meeting to which all persons are invited.

DATE AND TIME: June 24, 2021, 10:00 a.m. to conclusion

PLACE: Joining Via Conference Call: 1(888)585-9008, Passcode/Conference Room 648769445 #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Friends of Florida History CSO. Finance and Investment committee will meet at 10:00 a.m. followed by the full board meeting at 10:30 a.m. via conference call.

A copy of the agenda may be obtained by contacting: Carol Bryant-Martin at (850)245-6449 or carol.bryant-martin@dos.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Carol Bryant-Martin at (850)245-6449 or carol.bryant-martin@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Carol Bryant-Martin at (850)245-6449 or carol.bryant-martin@dos.myflorida.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Florida Forest Service

The Florida Department of Agriculture and Consumer Services, Florida Forest Service announces a public meeting to which all persons are invited.

DATE AND TIME: July 21, 2021, 9:00 a.m.

PLACE: Go to meeting webinar at: https://attendee.gotowebinar.com/register/651948138616018190

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Florida Off-Highway Vehicle Sub-Committee meeting to review and recommend the annual T. Mark Schmidt grant submissions.

A copy of the agenda may be obtained by contacting: Marti Miller, martha.miller@FDACS.gov, 3125 Conner Blvd., Tallahassee Fl. 32399, (850)681-5884.

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 72 hours before the workshop/meeting by contacting: Marti Miller, martha.miller@FDACS.gov, 3125 Conner Blvd., Tallahassee Fl. 32399, (850)681-5884. 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: Marti Miller, martha.miller@FDACS.gov, 3125 Conner Blvd., Tallahassee Fl. 32399, (850)681-5884.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Florida Forest Service

The Florida Department of Agriculture and Consumer Services, Florida Forest Service announces a public meeting to which all persons are invited.

DATE AND TIME: July 21, 2021, 1:00 p.m.

PLACE: Go to webinar at: https://attendee.gotowebinar.com/register/8240336489363251214

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Off-Highway Vehicle Committee meeting

annual T. Mark Schmidt Off Highway Vehicle Recreation Grant and budget review and approvals and any related business.

A copy of the agenda may be obtained by contacting: Marti Miller, Martha.Miller@FDACS.gov, 125 Conner Blvd., Tallahassee Fl. 32399, (850)681-5884.

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 72 hours before the workshop/meeting by contacting: Marti Miller, Martha.Miller@FDACS.gov, 3125 Conner Blvd., Tallahassee Fl. 32399, (850)681-5884. 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: Marti Miller, Martha.Miller@FDACS.gov, 3125 Conner Blvd., Tallahassee Fl. 32399, (850)681-5884.

EXECUTIVE OFFICE OF THE GOVERNOR

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

DATE AND TIME: Tuesday, June 22, 2021, 2:00 p.m. ET until all business is complete

PLACE: 1(888)585-9008, Code: 721648837#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business.

A copy of the agenda may be obtained by contacting: Aly Simons, aly@volunteerflorida.org, (850)414-7400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Aly Simons, aly@volunteerflorida.org, (850)414-7400. 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: Aly Simons, aly@volunteerflorida.org, (850)414-7400.

EXECUTIVE OFFICE OF THE GOVERNOR

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

DATE AND TIME: Wednesday, June 23, 2021, 12:00 Noon ET until all business is complete

PLACE: 1(888)585-9008, Code: 721648837#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business.

A copy of the agenda may be obtained by contacting: Aly Simons, aly@volunteerflorida.org, (850)414-7400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Aly Simons, aly@volunteerflorida.org, (850)414-7400. 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: Aly Simons, aly@volunteerflorida.org, (850)414-7400.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

DATE AND TIME: June 24, 2021, 7:00 p.m.

PLACE: Virtual Meeting via Communications Media Technology

To join the meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/793635301>

DIAL IN NUMBER: Toll free 1(877)309-2073, ACCESS CODE: 793-635-301

Communications media technology facilities will be available at 2009 NW 67th Place, Gainesville, Florida 32653-1603 for persons interested in accessing the virtual meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech

impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

DATE AND TIME: June 24, 2021, 6:00 p.m.

PLACE: Virtual Meeting via Communications Media Technology

The meeting will be conducted via communications media technology in the following format:

DIAL IN NUMBER: Toll free: 1(888)585-9008, CONFERENCE CODE: 568 124 316

Communications media technology facilities will be available at 2009 NW 67th Place, Gainesville, Florida 32653-1603 for persons interested in accessing the virtual meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

DATE AND TIME: June 24, 2021, 6:00 p.m.

PLACE: Virtual Meeting via Communications Media Technology

The meeting will be conducted via communications media technology in the following format:

DIAL IN NUMBER: Toll free: 1(888)585-9008, CONFERENCE CODE: 381 777 570

Communications media technology facilities will be available at 2009 NW 67th Place, Gainesville, Florida 32653-1603 for persons interested in accessing the virtual meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

DATE AND TIME: June 24, 2021, 5:30 p.m.

PLACE: Virtual Meeting via Communications Media Technology

The meeting will be conducted via communications media technology in the following format:

DIAL IN NUMBER: Toll free: 1(888)585-9008,
CONFERENCE CODE: 568 124 316

Communications media technology facilities will be available at 2009 NW 67th Place, Gainesville, Florida 32653-1603 for persons interested in accessing the virtual meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Finance Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. 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.

DEPARTMENT OF CORRECTIONS

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

DATE AND TIME: Tuesday, June 30, 2021, 2:00 p.m. – 4:00 p.m.

PLACE: Career and Technical Education Advisory Council

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Members: Patrick Mahoney, Director of Programs and Re-Entry; Gwen Brock, Chief of Education, FDC; April Kalnin, Assistant Chief of Education, FDC; Robert S. Melgaard, Career and Technical Education Administrator, FDC; Dan McGrew, Vice-President Strategic Policy and Performance, CareerSource Florida; Kimberly Moore, Vice-President of Workforce Development, Tallahassee Community College; James Norville, Director of HR/ES & H/QA, East Coast Metal Structures, Corp; Brad Kibbe, Executive Director, Florida Masonry Apprenticeship and Educational Foundation; Crystal Davidson, Vice President of iBuild, Orange Technical College; Ted Watts, Career and Technical Education Administrator, Windham School District; Brad Bishop, Director, North Florida Technical College; Rick Shawbell, Training Director, Florida East Coast Electrical, JATC; Dan Belcher, Director of Workforce Development, NCCER, Brian Robinson, RIGFAB Educational Services.

Conference# Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/728693445>

You can also dial in using your phone. (For supported devices, tap a one-touch number below to join instantly.)

United States (Toll Free): 1(877)309-2073, **One-touch:** tel:+18773092073,,728693445#

United States: (571)317-3129, **One-touch:** tel:+15713173129,,728693445#, **Access Code:** 728-693-445

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com, **Meeting ID:** 728 693 445

Or dial directly: 728693445@67.217.95.2 or 67.217.95.2##728693445

Welcome

Old Business Patrick Mahoney, Director of Programs and Re-Entry, FDC and Gwen Brock, Chief of Education, FDC

Review of Previous Meeting Minutes Emerald Battle, Program Specialist, FDC

New Business

Purpose

April Kalnin, Assistant Bureau Chief of Education, FDC

Career and Technical Education Robert S. Melgaard, CTE Administrator, FDC
 CTE Regional Update, FDC
 Career Source Florida and Workforce Development Quentin Smith, Region 1 CTE Coordinator; Nick Ross, Regional 2 CTE Coordinator; Adam Ryalls, Region 3 CTE Coordinator; Daniel Wing, Region 4 CTE Coordinator
 Dan McGrew, CareerSource Florida and Kimberly Moore, Vice-President of Workforce Development, Tallahassee Community College
 Community Transition Update
 Round Table Discussion
 Jynelle Robinson, Correctional Program Administrator, FDC
 April Kalnin, Assistant Bureau Chief of Education, FDC
 Adjournment
 A copy of the agenda may be obtained by contacting: Diane Fuller at Diane.Fuller@fdc.myflorida.com or (850)717-3151.
 For more information, you may contact: Diane Fuller at Diane.Fuller@fdc.myflorida.com or (850)717-3151.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners
 The Board of Pilot Commissioners Deputy Pilot Advancement Committee announces a telephone conference call to which all persons are invited.
 DATE AND TIME: Wednesday, June 23, 2021, 10:00 a.m. ET
 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

Construction Industry Licensing Board
 The Construction Industry Licensing Board announces a public meeting to which all persons are invited.
 DATES AND TIMES: Wednesday, July 14, 2021, 12:00 Noon; Thursday, July 15, 2021, 8:30 a.m.; Friday, July 16, 2021, 8:30 a.m.

PLACE: Boca Beach Club, 900 S Ocean Blvd, Boca Raton, FL 33432, (561)447-3000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business, disciplinary and committee meetings of the Board

A copy of the agenda may be obtained by contacting: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

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

DATE AND TIME: Monday, July 12, 2021, 10:00 a.m.
 PLACE: Telephone conference number: 1(888)585-9008, participant code: 564 952 647

GENERAL SUBJECT MATTER TO BE CONSIDERED: CE/Exams/Public Awareness Committee of the Board.

A copy of the agenda may be obtained by contacting: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, Senior Management Analyst Supervisor, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

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

DATE AND TIME: July 23, 2021, 9:00 a.m.

PLACE: <https://global.gotomeeting.com/join/129529861>

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board meeting to include licensure.

A copy of the agenda may be obtained by contacting: <https://floridasclinicallabs.gov/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: 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: Christina.McGinnis@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Dentistry

The Board of Dentistry- Council on Dental Hygiene announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 13, 2021, 6:00 p.m. ET

PLACE: Conference Call In #: 1(888)585-9008, Participation Code: 599-196-982#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss matters related to dental hygiene.

A copy of the agenda may be obtained by contacting: www.floridasdentistry.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: (850)245-4474. 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: (850)245-4474.

DEPARTMENT OF HEALTH

Board of Dentistry

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

DATE AND TIME: July 23, 2021, 11:00 a.m. ET

PLACE: Conference Call IN #: 1(888)585-9008, Participation code: 599-196-982#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel will be holding the meeting to conduct public disciplinary cases.

A copy of the agenda may be obtained by contacting: www.floridasdentistry.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: (850)245-4474. 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: (850)245-4474.

DEPARTMENT OF HEALTH

Board of Massage Therapy

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

DATES AND TIMES: July 8, 2021, 9:00 a.m.; July 9, 2021, 9:00 a.m.

PLACE: Sheraton Panama City Beach Resort, 4114 Jan Cooley Dr Panama City Beach FL 32408

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

A copy of the agenda may be obtained by contacting: the board office at info@floridasmassagetherapy.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: the board office at info@floridasmassagetherapy.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). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued. For more information, you may contact: the board office at info@floridasmassagetherapy.gov.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

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

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

PLACE: Rosen Shingle Creek, 9939 Universal Boulevard, Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General board business to include licensure and discipline.

A copy of the agenda may be obtained by contacting: <https://floridasnursinghomeadmin.gov>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: 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: Christina.McGinnis@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

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

DATE AND TIME: (CANCELLED as of June 14, 2021) Monday, June 21, 2021, 1:00 p.m. ET

PLACE: Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/272935117> You can also dial in using your phone.

United States (Toll Free): 1(877)309-2073 Access Code: 272-935-117

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

A copy of the agenda may be obtained by contacting: www.floridasosteopathicmedicine.gov/meeting-information.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Christa Peace, Regulatory Specialist III, at (850)245-4161 or christa.peace@flhealth.gov or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399. 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.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Child Abuse Death Review Circuit 17 Committee announces a public meeting to which all persons are invited.

DATE AND TIME: 4th Friday of each month (excluding Nov. & Dec.) 8:30 a.m. – 12:30 p.m.

A portion of this meeting will be closed at which time members of the public will be excused from the meeting.

PLACE: Zoom Meeting Link: [https://urldefense.com/v3/__https://us02web.zoom.us/j/89026827044_?;!B6dj6w!pmvCapTsvARjeRc1-Dq1ALx92_GPshFm4YCHtYE2QpSzeq8t-DlpMXIK953yi3bHMNhq\\$](https://urldefense.com/v3/__https://us02web.zoom.us/j/89026827044_?;!B6dj6w!pmvCapTsvARjeRc1-Dq1ALx92_GPshFm4YCHtYE2QpSzeq8t-DlpMXIK953yi3bHMNhq$)

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

A copy of the agenda may be obtained by contacting: Samantha Silver: ssilver@browardhsc.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 7 days before the workshop/meeting by contacting: Samantha Silver: ssilver@browardhsc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Samantha Silver: ssilver@browardhsc.org.

DEPARTMENT OF HEALTH

Office of Statewide Research

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

DATE AND TIME: Wednesday, July 7, 2021, 9:00 a.m.

PLACE: Microsoft Teams Meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct review of new research studies involving human participants, modifications to existing studies, and continuing review of ongoing research to make sure research studies comply with regulations and the Department’s ethical standards.

A copy of the agenda may be obtained by contacting: Florida Dept. of Health at IRB@flhealth.gov.

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

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

DEPARTMENT OF HEALTH

Division of Emergency Preparedness and Community Support
The Bureau of Emergency Medical Oversight's Brain and Spinal Cord Injury Advisory Council Public Awareness Committee Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 22, 2021, 1:00 p.m. – 2:00 p.m. ET

PLACE: Conference Call via Microsoft Teams

Join on your computer or mobile app:
https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F_%23%2F1%2Fmeetup-join%2F19%3Ameeting_N2I5ZTE5ZDctNWI0ZC00ZTihLThhNzktY2UyNDk0Y2IxNmMy%40thread.v2%2F0%3Fcontext%3D%257b%2522tid%2522%253a%252228cd8f80-3c44-4b27-81a0-cd2b03a31b8d%2522%252c%2522oid%2522%253a%25229eabe153-38a6-4875-a68b-

[2a40ab19d544%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkId=91c4a4e0-d889-4ef6-9573-2805423e5d4d&directDl=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true](https://teams.microsoft.com/join/19%3ameeting_MzUxNWFINTItZTE5MC00ODdjLTg2ODEtN2JkMTlkZGQ2MTIw%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)

Join with a video conferencing device:
teams@meetme.flhealth.gov

Video Conference ID: 111 052 125 1

Alternate VTC dialing instructions

Or call in (audio only) (850)792-1375, 302007113# United States, Tallahassee, Phone Conference ID: 302 007 113#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Brain and Spinal Cord Injury Advisory Council. A copy of the agenda may be obtained by contacting: Kimberly Robinson by email: Kimberly.Robinson@flhealth.gov, or by phone: (850)245-4967.

A copy of the agenda may be obtained by contacting: Kimberly Robinson by email: Kimberly.Robinson@flhealth.gov, or by phone: (850)245-4967.

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: Kimberly Robinson by email: Kimberly.Robinson@flhealth.gov, or by phone: (850)245-4967. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kimberly Robinson by email: Kimberly.Robinson@flhealth.gov, or by phone: (850)245-4967.

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

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

DATE AND TIME: Wednesday, July 14, 2021, 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_MzUxNWFINTItZTE5MC00ODdjLTg2ODEtN2JkMTlkZGQ2MTIw%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 Jacksonville 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: LeAndra Stafford at (904)485-9540 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: LeAndra Stafford at (904)485-9540 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: LeAndra Stafford at (904)485-9540 or David Draper at (407)317-7335.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

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

DATE AND TIME: June 21, 2021, 3:00 p.m. – 5:00 p.m.

PLACE: Florida Department of Education, Turlington Building, 325 W. Gaines Street, Tallahassee, Florida 32399, Room: 1703/07 (17th Floor). Please note that all in-person attendees will need to have proper photo identification and must check in at the security desk before being escorted to the conference room. Conference Call Information: 1(866)899-4679 (Toll Free) or (571)317-3116 (Not Toll Free) Access Code: 347-689-053. Using GoToMeeting from a computer, tablet or smartphone: New to GoToMeeting? Download the app now: <https://global.gotomeeting.com/install/347689053>. Use this link to join the meeting from your computer, tablet or smartphone at: <https://global.gotomeeting.com/join/347689053> Or join from a video-conferencing room or system. Type in your web browser: 67.217.95.2 or inroomlink.goto.com; meeting ID: 347-689-053. Or dial directly: 347689053@67.217.95.2 or 67.217.95.2##347689053. *Note: One may need to create an account or login.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Talent Development Council.

A copy of the agenda may be obtained by contacting: Nicole Duque, (850)717-8980.

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: Nicole Duque, (850)717-8980. 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: Nicole Duque, (850)717-8980.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE
The Florida Cancer Control & Research Advisory Council (CCRAB) announces a public meeting to which all persons are invited.

DATE AND TIME: June 29, 2021, 11:30 a.m.

PLACE: Meeting URL: <https://moffitt.zoom.us/j/92843069135>, Meeting ID: 928 4306 9135, Dial: (312)626-6799

GENERAL SUBJECT MATTER TO BE CONSIDERED: A CCRAB Team Leadership Meeting

A copy of the agenda may be obtained by contacting: NA
For more information, you may contact: Bobbie.McKee@Moffitt.org.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE
The Florida Cancer Control & Research Advisory Council (CCRAB) announces a public meeting to which all persons are invited.

DATE AND TIME: June 30, 2021, 12:30 p.m.

PLACE: Meeting URL: <https://moffitt.zoom.us/j/99063577675>, Meeting ID: 990 6357 7675, Dial: (646)876-9923

GENERAL SUBJECT MATTER TO BE CONSIDERED: A CCRAB Leadership Team Meeting

A copy of the agenda may be obtained by contacting: NA
For more information, you may contact: Bobbie.McKee@Moffitt.org.

SOUTHWEST FLORIDA CRIMINAL JUSTICE ACADEMY
The Regional 10 Criminal Justice Training School announces a public meeting to which all persons are invited.

DATE AND TIME: August 18, 2021, 10:00 a.m.

PLACE: Southwest Florida Public Service Academy
GENERAL SUBJECT MATTER TO BE CONSIDERED: Pledge of Allegiance; Approval of minutes of May 19, 2021; Introduction of guests; F.D.L.E. report – Shawn Fagan; Academy report from Suncoast Technical College; Academy report from Southwest Florida Public Service Academy; Old business; New business; Schedule of next Meeting; Adjournment

A copy of the agenda may be obtained by contacting: Rosa Henshaw at (239)334-3897.

INFINITE SOURCE COMMUNICATIONS GROUP, LLC
 The Florida Department of Transportation District Six announces a hearing to which all persons are invited.

DATE AND TIME: Wednesday, June 30, 2021, 6:00 p.m. – 7:30 p.m.

PLACE: In-Person Public Hearing will be held at: City of West Miami City Hall, 901 SW 62 Avenue, West Miami, FL 33144. All current Centers for Disease Control and Prevention (CDC) guidelines and social distancing rules will be observed. Limited space is available. To RSVP click here.

To attend the Virtual Public Hearing online: Visit the link: <https://attendee.gotowebinar.com/register/9147399496958938639>

Participants can also call in by dialing: (415)655-0052, Access code: 909-212-782

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a hearing, both in-person and virtually, for three roadway improvement projects along State Road (SR) 90/SW 80 Street from SW 74 Court to SR 9/SW 27 Avenue, located in Miami-Dade County. The project identification numbers are 443919-1-52-01, 443918-1-52-01 and 443917-1-52-01. The hearing will consist of a formal presentation followed by an open discussion. Staff will be available to answer questions and provide assistance. Questions will be responded to as time permits, in the order received. If your question is not responded to during the event, a response will be provided in writing following the hearing.

For the in-person hearing, all current Centers for Disease Control and Prevention (CDC) guidelines and social distancing rules will be observed.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status.

This Public Hearing is being held on behalf of the Florida Department of State, Division of Historical Resources (FDHR). This Public Hearing fulfills the requirements in Chapter 86-308 designating Calle Ocho as a State Historic Highway and requiring the FDHR to hold a Public Hearing prior to approving any alteration to Calle Ocho.

A copy of the agenda may be obtained by contacting: Community Outreach Specialist, Rodolfo Roman at 786-519-7160, email: Rodolfo.Roman@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Nicholas Danu at (305)470-5219 or in writing at FDOT, 1000 NW 111 Avenue, Miami, FL 33172 or by email at: Nicholas.Danu@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). 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: Community Outreach Specialist Rodolfo Roman at (786)519-7160, email: Rodolfo.Roman@dot.state.fl.us.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: RULE TITLE:

5E-14.105, F.A.C. Contractual Agreements in Public's Interest – Control and Preventive Treatment for Wood-Destroying Organisms.

NOTICE IS HEREBY GIVEN that the Department of Agriculture and Consumer Services has granted the petition for declaratory statement filed by Faye Golden, as counsel for Cook's Pest Control, Inc., on June 8, 2021. The following is a summary of the agency's disposition of the petition: The Petitioner asked the Department to declare that, based on the facts presented by Petitioner the proposed business practice where it would offer conditional termite control services and issue a conditional termite control agreement to customers, satisfies the requirements of Section 5E-14.105, F.A.C. The Department determined the proposed business practice set out by Cook's Pest Control, Inc., in its Petition, when exercised according to all other requirements of the rule, satisfies the requirements of Section 5E-14.105, F.A.C., if practiced as described in its Petition. The final order was issued on June 8, 2021.

A copy of the Final Order may be obtained by contacting Jerry Everton, Assistant Chief, Bureau of Licensing and Enforcement, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650 at Gerald.Everton@FDACS.gov or by calling Jerry Everton at (850)617-7944. A copy of the petition for declaratory statement may also be obtained from Jerry Everton.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has issued an order disposing of the petition for declaratory statement filed by Kevin T. Wells, Esq.; Riverside at Tidewater Preserve Condominium Association, Inc. on March 5, 2021.

The following is a summary of the agency's disposition of the petition: Your petition fails to include a complete current set of the Association's governing documents.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agc.filing@myfloridalicense.com.

Please refer all comments to: James Richardson; james.richardson@myfloridalicense.com.

**Section VIII
Notice of Petitions and Dispositions
Regarding the Validity of Rules**

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

NONE

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

NONE

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

NONE

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

NONE

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

DEPARTMENT OF MILITARY AFFAIRS
216062 Ft. Myers Drainage
STATE OF FLORIDA, DEPARTMENT OF MILITARY
AFFAIRS
PUBLIC ANNOUNCEMENT
INVITATION TO BID
Issuing Agency: Department of Military Affairs

Project Number and Name: 216062 Ft. Myers Drainage Improvements

Project Location: 3405 Marion St., Ft. Myers, FL 33916

Statement of Work: Construct storm water drainage with removal and replacement of existing surfaces and/or asphalt/base as required to install new exfiltration trench underground drainage infrastructure and grass pavers for pervious parking lot for vehicles, minor sidewalk repair while maintaining all existing utilities and surrounding conditions with minor sidewalk repairs.

Estimated Construction Cost (range): \$500,000 - \$650,000

Type of Contractor: General

Date of VBS Posting: June 15, 2021

Non-Mandatory Site Visit Date: As stated on the Vendor Bid System

Bid Opening Date: As stated on the Vendor Bid System (late bids will not be accepted)

Point of Contact: Dept. of Military Affairs, CFMO Contract Management (904)827-8544 or e-mail: ng.fl.flarng.list.cfmo-contracting@mail.mil.

FOR COMPLETE INFORMATION AND SUBMISSION REQUIREMENTS PLEASE REFER TO THE MYFLORIDA.COM VENDOR BID SYSTEM AT: http://vbs.dms.state.fl.us/vbs/main_menu.

CITY OF FT. LAUDERDALE
NOTICE OF RECEIPT OF UNSOLICITED PROPOSALS AND INVITATION TO SUBMIT PROPOSALS
NOTICE OF RECEIPT OF UNSOLICITED PROPOSALS AND INVITATION TO SUBMIT PROPOSALS TO DESIGN, CONSTRUCT, OPERATE, AND MAINTAIN ONE OR MORE NEW WATER TREATMENT PLANTS AND ASSOCIATED SYSTEMS FOR THE CITY OF FORT LAUDERDALE'S WATER UTILITY

PLEASE TAKE NOTICE that the City of Fort Lauderdale, Florida, has received unsolicited proposals from two private entities pursuant to Section 255.065, Florida Statutes, to design, construct, operate, and maintain one or more new water treatment plants and associated systems for the City's water utility. The City of Fort Lauderdale will accept other proposals for the same project on or before the ninetieth day after Wednesday, June 9, 2021. Other proposals for the same project must be received in writing in the City of Fort Lauderdale City Manager's Office, 100 North Andrews Avenue, Fort Lauderdale, Florida, 33301, before 5:00 p.m. local time on Tuesday, September 7, 2021.

Jeffrey A. Modarelli, City Clerk

Publish:

Florida Administrative Register: June 9, 2021, and June 16, 2021

South Florida SunSentinel: June 9, 2021, and June 16, 2021

**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., Tuesday, June 8, 2021 and 3:00 p.m., Tuesday, June 15, 2021.

Rule No.	File Date	Effective Date
12AER20-13	6/10/2021	6/10/2021
12AER20-14	6/10/2021	6/10/2021
12AER20-15	6/10/2021	6/10/2021
12AER21-1	6/8/2021	6/8/2021
12BER20-16	6/10/2021	6/10/2021
25-7.0143	6/8/2021	6/28/2021
25-30.460	6/8/2021	6/28/2021
19-8.028	6/8/2021	6/28/2021
20-9.002	6/10/2021	6/30/2021
20-100.004	6/10/2021	6/30/2021
61D-3.0015	6/8/2021	6/28/2021
61G15-18.011	6/9/2021	6/29/2021
61G15-23.001	6/9/2021	6/29/2021
62S-7.010	6/11/2021	7/1/2021
62S-7.011	6/11/2021	7/1/2021
62S-7.012	6/11/2021	7/1/2021
62S-7.014	6/11/2021	7/1/2021
62S-7.016	6/11/2021	7/1/2021
62S-7.020	6/11/2021	7/1/2021
64B3-10.005	6/9/2021	6/29/2021
64B23-2.001	6/11/2021	7/1/2021
64B29-1.001	6/14/2021	7/4/2021
64DER21-9	6/11/2021	6/11/2021
68A-12.004	6/14/2021	7/4/2021

68A-12.010	6/14/2021	7/4/2021
68A-12.011	6/14/2021	7/4/2021
69U-110.021	6/8/2021	6/28/2021
69U-110.026	6/8/2021	6/28/2021
69U-110.031	6/8/2021	6/28/2021
69U-110.062	6/8/2021	6/28/2021
69U-110.063	6/8/2021	6/28/2021
69U-110.0211	6/8/2021	6/28/2021

LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
62-41.300	5/10/2021	**/**/****
62-41.301	5/10/2021	**/**/****
62-41.302	5/10/2021	**/**/****
62-41.303	5/10/2021	**/**/****
62-41.304	5/10/2021	**/**/****
62-41.305	5/10/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

NOTICE OF PUBLIC DRAWING FOR THE 2020 QUOTA ALCOHOLIC BEVERAGE LICENSE ENTRY PERIOD

RULE NO.: RULE TITLE:

61A-5.0105 Selection of Applicants for Quota Alcoholic Beverage Licenses by Public Drawing

The Division of Alcoholic Beverages and Tobacco will conduct a public drawing by double random selection to determine the order in which entrants from the 2020 entry period will be considered for issuance of quota alcoholic beverage licenses in the following counties: Brevard, Broward, Calhoun, Clay,

Collier, Dade, Desoto, Duval, Hernando, Highlands, Hillsborough, Lake, Lee, Leon, Levy, Manatee, Marion, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, St. Johns, St. Lucie, Sarasota, Seminole, Sumter, Volusia and Walton. All persons are invited to view the drawing through the use of communications media technology. Following the drawing, the Division will provide notice of license eligibility by certified mail to the entrant(s) selected for each county.

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

PLACE: The Division will hold the public drawing for the 2020 Quota Alcoholic Beverage License Entry Period through the use of communications media technology. Interested parties may register to view the meeting at the link provided on the Division’s website by following the following link: <http://www.myfloridalicense.com/DBPR/alcoholic-beverages-and-tobacco/quota-license-information/>. The link to register to view the public drawing will be located under the heading “Public Drawing Quota”. Due to technological constraints, the attendance will be limited to the first 3,000 registered attendees to join the meeting.

The physical location of the drawing will be the Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, Capital Commerce Center, 2601 Blair Stone Road, Tallahassee, Florida 32399. This location will remain closed to the public.

PURPOSE: To conduct a public drawing by double random selection pursuant to section 561.19, Florida Statutes, for the purpose of determining the order in which applications will be considered for issuance of quota alcoholic beverage licenses in certain counties where licenses have become available.

A copy of the agenda may be obtained by writing to the Division of Alcoholic Beverages and Tobacco, Attn: Quota Beverage License Drawing, 2601 Blair Stone Road, Tallahassee, Florida 32399, by e-mail at damon.larry@myfloridalicense.com, or by calling Bureau Chief Damon Larry at (850)488-8284.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 5 days before the meeting by contacting Damon Larry at (850)488-8284. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Clean Water State Revolving Fund
 NOTICE OF AVAILABILITY
 FLORIDA CATEGORICAL EXCLUSION NOTICE (FCEN)
 CITY OF MELBOURNE
 WW05091 – WW05096

The Florida Department of Environmental Protection (DEP) has determined that the City of Melbourne’s projects involving Wastewater Treatment and Biosolids Improvements at Grant Street and David B. Lee Wastewater Treatment Plants is not expected to generate controversy over potential environmental effects. WW05091–Grant Street WRF will construct improvements to the influent pump station, headworks, rehabilitation of the oxidation ditch treatment train, increasing the operating pressure of the reuse pump station, security, SCADA, and other plant site improvements and WW05096-David B. Lee WWTP & Grant Street WWTP Biosolids Improvements will replace the existing belt presses with centrifuges of equal capacity at both the treatment plants. The estimated cost for both the projects is \$28 million. The project may qualify for Clean Water SRF loans composed of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed projects that are postmarked or delivered at the address below within 30 days of this notice. A copy of the FCEN can be obtained by writing to: Pankaj Shah, DEP, 3900 Commonwealth Blvd., MS 3505, Tallahassee, Florida 32399-3000, or calling (850)245-2962 or emailing pankaj.shah@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 State Revolving Fund Clean Water
 NOTICE OF AVAILABILITY
 FLORIDA CATEGORICAL EXCLUSION NOTICE (FCEN)
 Florida Governmental Utility Authority (FGUA), Volusia
 County, Florida
 WW64030

The Florida Department of Environmental Protection (DEP) has determined that the FGUA Jungle Den wastewater project involving I/I correction and lift station upgrades is not expected to generate controversy over potential environmental effects. The proposed project includes the replacement of lift stations 1 and 2 and lining various gravity lines in the collection system. The estimated cost for this project is \$1.48 million. The project may qualify for Clean Water SRF loans composed of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed projects that are postmarked or delivered at the address below within 30 days of this notice. A copy of the FCEN can be obtained by writing to: Pankaj Shah, DEP, 3900 Commonwealth Blvd., MS 3505, Tallahassee, Florida 32399-3000, or calling (850)245-2962 or emailing pankaj.shah@dep.state.fl.us.

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.
