

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-1.002 Delegation of Authority

PURPOSE AND EFFECT: The purpose is to amend Rule 40D-1.002, F.A.C., to revise the effective dates and hyperlinks to three new Well Construction Permitting Delegation Agreements between SWFWMD and Manatee County, Sarasota County, and the Florida Department of Health in Marion County.

SUBJECT AREA TO BE ADDRESSED: Delegation of Authority

RULEMAKING AUTHORITY: 373.044, 373.103, 373.113, 373.118, 373.171, 373.219, 373.309 F.S.

LAW IMPLEMENTED: 253.002, 373.083, 373.103, 373.149, 373.171, 373.175, 373.219, 373.223, 373.224, 373.226, 373.246, 373.308, 373.309, 373.427 F.S.

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.

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: SWFWMD Human Resources Office, (352)796-7211, ext. 4706; 1(800)423-1476 (FL only), ext. 4706 or email to ADACoordinator@swfwmd.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jennifer A. Soberal, Staff Attorney, SWFWMD, 7601 U.S. Highway 301 North, Tampa, FL 33637, (813)985-7481, ext. 4665

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Florida Real Estate Commission

RULE NO.: RULE TITLE:

61J2-3.015 Notices of Satisfactory Course Completion

PURPOSE AND EFFECT: The purpose of the amendments is to update the process for schools to provide course completion certificates to students, as well as to update the content / form of the certificate itself.

SUBJECT AREA TO BE ADDRESSED: Update school process, content and certification form.

RULEMAKING AUTHORITY: 455.2123, 475.05 FS.

LAW IMPLEMENTED: 455.2123, 475.04, 475.17, 475.182, 475.183, 475.451 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Thursday, July 22, 2021, 8:30 a.m.

PLACE: Florida Real Estate Commission Office, 400 W. Robinson Street, #N901, Orlando, FL 32801

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Giuvanna Corona, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, FL 32801, Giuvanna.Corona@myfloridalicense.com If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Giuvanna Corona, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, FL 32801, Giuvanna.Corona@myfloridalicense.com

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

Section II
Proposed Rules

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.127 Florida Assertive Community Treatment Services

PURPOSE AND EFFECT: The purpose of Rule 59G-4.127, Florida Administrative Code (F.A.C.), is to incorporate by reference the Florida Assertive Community Treatment Services Coverage Policy.

SUMMARY: The incorporated coverage policy will specify recipient eligibility, provider requirements, service coverage, and reimbursement information.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, (F.S.) the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906 FS.

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

DATE AND TIME: July 27, 2021 from 2:00 p.m. to 2:30 p.m.

PLACE: The Agency is offering both a remote and an in-person option to attend the hearing at the Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida 32308-5407. Remote Listeners: Attendees may register for the hearing at:

<https://attendee.gotowebinar.com/register/7477416157681515024>. After registering, a confirmation email will be received containing information about joining the webinar, and opportunities to offer comments and questions will be available. 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: MedicaidRuleComments@ahca.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: MedicaidRuleComments@ahca.myflorida.com.

Please note that a preliminary draft of the reference material, if available, will be posted prior to the hearing at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Official comments to be entered into the rule record will be received until 5:00 p.m. on July 28, 2021 and may be e-mailed to MedicaidRuleComments@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.127 Florida Assertive Community Treatment Services.

(1) This rule applies to all providers rendering Florida Medicaid Florida Assertive Community Treatment Services to recipients.

(2) All providers must be in compliance with the provisions of the Florida Medicaid Florida Assertive Community Treatment Services Policy, _____, incorporated by reference. The policy is available on the Agency for Health Care Administration’s Web site at <http://ahca.myflorida.com/Medicaid/review/index.shtml>, and at http://www.flrules.org/Gateway/reference.asp?No=_____

(3) This rule is effective for five years after the effective date.

Rulemaking Authority 409.919 FS. Law Implemented 409.906 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Timothy Buehner

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 15, 2020

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

RULE NO.: 59G-6.045
RULE TITLE: Payment Methodology for Services in Facilities Not Publicly Owned and Not Publicly Operated

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-6.045, Florida Administrative Code, is to describe the reimbursement methodology for services provided in facilities that are not publicly owned or operated.

SUMMARY: The amendment specifies methodology calculations, provides definitions, and updates rule terminology.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly

regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908, 409.9082 FS.

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

DATE AND TIME: August 5, 2021 from 4:00 p.m. to 4:30 p.m.

PLACE: The Agency is offering both a remote and an in-person option to attend the hearing at the Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida 32308-5407.

Remote Attendees may register for the meeting at: <https://attendee.gotowebinar.com/register/1392318587343953168>. After registering, a confirmation email will be received containing information about joining the webinar, and opportunities to offer comments and questions will be available. 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: MedicaidRuleComments@ahca.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:

MedicaidRuleComments@ahca.myflorida.com. Please note that a preliminary draft of the reference material, if available, will be posted prior to the hearing at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Official comments to be entered into the rule record will be received until 5:00 p.m. on August 6, 2021 and may be e-mailed to MedicaidRuleComments@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of 59G-6.045 Payment Methodology for Services in Facilities Not Publicly Owned and Not Publicly Operated follows.

59G-6.045 Payment Methodology for Services in Facilities Not Publicly Owned and Not Publicly Operated- (Facilities Formerly Known as ICF-MR/DD Facilities).

(1) This rule applies to participating intermediate care facilities for individuals with intellectual disabilities (ICF/IID) not publicly owned and not publicly operated rendering Florida Medicaid services to recipients in accordance with Rule 59G 4.170, Florida Administrative Code (F.A.C.). Reimbursement to participating facilities for services provided shall be in accordance with the Florida Title XIX Reimbursement Plan for Services in Facilities Not Publicly Owned and Not Publicly Operated (the Plan), Version XIII, effective July 1, 2017, available at http://www.flrules.org/Gateway/reference.asp?No=Ref_09079, incorporated by reference. The Plan is applicable to the fee-for-service delivery system. A copy of the Plan as revised may be obtained by writing to the Bureau of Medicaid Program Finance, Agency for Health Care Administration, Mail Stop 23, Tallahassee, Florida 32308.

(2) Definitions. Participating Intermediate Care Facilities (ICF) shall use the Facility Quality Assessment form (only accepted electronically), AHCA Form 5000 3548, October 2013, incorporated by reference, for the submission of its monthly quality assessment. This form can be accessed at <https://apps.ahca.myflorida.com/nfqa/>.

(a) Acceptable cost report – A completed, accurate and legible cost report that contains all relevant schedules, worksheets and supporting documents in accordance with cost reporting instructions.

(b) AHCA – Agency for Health Care Administration.

(c) Eligibility Factor – The percentage of days that a provider is in compliance with all conditions of participation during the rate period in effect one year prior to the rate period being set.

(d) Filing due date (cost report) - No later than five calendar months after the close of the ICF/IID's cost reporting year.

(e) Incentive – An amount paid to providers whose annual rates of cost increase for operating costs or resident care costs from one cost reporting period to the next are less than 1.4 times the average cost increase for the applicable period documented by the ICF/IID Cost Inflation Index.

(f) Interim cost per diem – A reimbursement rate or a portion of an overall reimbursement rate that is calculated from budgeted cost data divided by the total resident days.

(g) Medicaid Trend Adjustment (MTA) - The MTA is a percentage reduction that is uniformly applied to all Florida Medicaid providers each rate period when the rate setting unit

cost is greater than the legislative unit cost and all quality assessment funds have been exhausted.

(h) Operating cost per diem – Those costs not directly related to resident care, property costs, or Return on Equity (ROE). Operating costs include administrative, plant operation, laundry, and housekeeping costs divided by the total resident days.

(i) Patient Responsibility – Florida Medicaid deducts the portion of a recipient’s monthly income, as determined by the Department of Children and Families (DCF), that the recipient is required to pay.

(j) Property cost per diem – Those costs related to the ownership or leasing of an ICF/IID. Such costs may include property taxes, insurance, interest and depreciation, or rent divided by the total resident days.

(k) Quality Assessment – Pursuant to section 409.9083, Florida Statutes (F.S.), a per-resident-day basis assessment is imposed upon each ICF/IID.

(l) Rate setting due date – All cost reports received by AHCA on or before February 1 shall be used to establish the reimbursement rates for the upcoming rate period. If February 1 falls on the weekend, the due date shall be the first business day following February 1.

(m) Reimbursement Class – Reimbursement rates shall be calculated separately for the following two levels of reimbursement:

1. Developmental Residential and Developmental Institutional - A reimbursement level for recipients who are ambulatory or self-mobile using mechanical devices and are able to transfer themselves without human assistance, but may require assistance and oversight to ensure safe evacuation.

2. Developmental Non-ambulatory and Developmental Medical - A reimbursement level for recipients who are capable of mobility only with human assistance or require human assistance to transfer to or from a mobility device or require continuous medical and nursing supervision.

(n) Resident care cost per diem – Those costs directly attributed to nursing services, dietary costs, and other costs directly related to resident care such as activity costs, social services, and all medically-ordered therapies divided by the total resident days.

(o) ROE or use allowance cost per diem – Net Income or Profits or Shareholder’s Equity divided by the total resident days.

(p) Target Rate Factor – 1.4 times the simple average of the monthly Florida ICF/IID Cost Inflation Indices associated with the most recent cost reporting period divided by the simple average of the monthly indices associated with the prior cost reporting period.

(3) Reimbursement. Each July 1, AHCA will reimburse for Florida Medicaid services rendered by facilities not publicly

owned and not publicly operated in accordance with section 409.906, F.S. Each facility shall report monthly to the Agency, its total number of resident days and remit an amount equal to the assessment rate times the reported number of days. Facilities are required to submit their full quality assessment payment by the 15th day of the next succeeding calendar month.

(4) Reimbursement Methodology. Providers are subject to the following monetary fines pursuant to Section 409.9083(6), F.S., for failure to timely pay a quality assessment:

(a) Rate setting method. For a facility’s first offense, a fine of \$500 per day shall be imposed until the quality assessment is paid in full, but in no event shall the fine exceed the amount of the quality assessment.

1. Determine Inflated Prior Period Costs of Operating and Resident Care components

Prior Period Inflated Costs Per Diem = (Prior Period Base * Target Rate of Inflation) / Resident Days

2. Current Period Costs Per Diem = Total Allowable Cost of Component / Resident Days

3. Determine the Incentive Basis for Operating and Resident Care component per diems

If Prior Period Inflated Costs Per Diem > Current Period Costs Per Diem,

Incentive Basis = Prior Period Inflated Costs Per Diem - Current Period Costs Per Diem

4. Final Incentive Per Diem

a. For Operating component = Eligibility Factor * Minimum of:

(I) Incentive Basis for Operating Component * 50%

(II) Incentive Basis for Operating Component - Current Period Costs Per Diem * 10%

b. For Resident Care component = Eligibility Factor * Minimum of:

(I) Incentive Basis for Resident Care Component * 50%

(II) Incentive Basis for Resident Care Component - Current Period Costs Per Diem * 3%

5. Current Period Base Per Diem = Current Period Costs Per Diem + Final Incentive Per Diem

6. Prospective Rate Per Diem = Current Period Base Per Diem * (Simple average of the monthly cost inflation indices for the prospective rate period / Simple average of the monthly cost inflation indices for the cost report period used to calculate current base per diems)

7. Total Prospective per diem = Prospective Rate of Operating per diem + Prospective Rate of Resident Care per diem + Property per diem + ROE or use allowance + Interim Components + MTA + Quality Assessment.

(b) Base Year ceilings for new providers in facilities with six beds or less. For any offense subsequent to a first offense, a fine of \$1,000 per day shall be imposed until the quality assessment is paid in full, but in no event shall the fine exceed

~~the amount of the quality assessment. A subsequent offense is defined as any offense within a period of five years preceding the most recent quality assessment due date.~~

~~1. Property costs per diems shall not be in excess of the established ceiling limitations.~~

~~2. Operating costs per diems shall not be in excess of the 90th percentile of per resident day costs of all currently participating ICF/IID providers that have prospective rates. This ceiling shall be recalculated for every rate period beginning July 1 of each year.~~

~~3. Resident care costs per diems shall not exceed the highest per resident day cost for the respective reimbursement class of any other currently participating provider having a prospective rate. The ceiling shall be recalculated for every rate period beginning July 1 of each year.~~

~~4. Total costs per diem ceilings (including ROE) shall not exceed the total costs per diem ceilings for interim cost per diems multiplied times 4% (1.04). When a provider is limited to the total ceiling in the base year, the total ceiling shall be allocated to each component to cost settle interim rates and to calculate prospective rates based on the percentage that each component's actual allowable cost is to the total actual allowable cost for all components, including ROE, in the base year.~~

~~(e) An offense is defined as one month's quality assessment payment not received by the 20th day of the next succeeding calendar month.~~

~~(d) In the event that a provider fails to report their total number of resident days as defined in Section 409.9083(1)(c), F.S., by the 20th day of the next succeeding calendar month, the fines in paragraphs (a) (e), apply and the maximum amount of the fines shall be equal to their last submitted quality assessment amount but in no event shall the total fine exceed the amount of the quality assessment.~~

~~(5) Intermediate Care Facility Quality Assessment Fee (QAF). In accordance with section 409.9083, F.S., there is imposed upon each ICF/IID, a quality assessment. The aggregate amount of assessments for all ICF/IIDs in a given year shall be an amount not exceeding the maximum percentage allowed under federal law of the total aggregate net patient services revenue of assessed facilities. In addition to the aforementioned fines, providers are also subject to the non-monetary remedies enumerated in Section 409.9083(6), F.S. Imposition of the non-monetary remedies by the Agency will be as follows:~~

~~(a) Participating ICF/IIDs shall use the Facility Quality Assessment form (only accepted electronically), AHCA Form 5000-3548, October 2013, incorporated by reference, for the submission of its monthly quality assessment. This form can be accessed at <https://apps.ahca.myflorida.com/nfqa/>. For a third subsequent offense, the Agency will withhold any medical~~

~~assistance reimbursement payments until the assessment is recovered.~~

~~(b) Each facility shall report monthly to the Agency its total number of resident days and remit an amount equal to the assessment rate times the reported number of days. Facilities are required to submit their full quality assessment payment by the 15th day of the next succeeding calendar month. For a fourth or greater subsequent offense, the Agency will seek suspension or revocation of the facility's license.~~

~~(6) Sanctions. Providers are subject to the following monetary fines pursuant to section 409.9083(6), F.S., for failure to timely pay a quality assessment: for failure to timely submit a quality assessment are non-allowable costs for reimbursement purposes and shall not be included in the provider's Medicaid per diem rate.~~

~~(a) For a facility's first offense, a fine of \$500 per day shall be imposed until the quality assessment is paid in full, but in no event shall the fine exceed the amount of the quality assessment.~~

~~(b) For any offense subsequent to a first offense, a fine of \$1,000 per day shall be imposed until the quality assessment is paid in full, but in no event shall the fine exceed the amount of the quality assessment. A subsequent offense is defined as any offense within a period of five years preceding the most recent quality assessment due date.~~

~~(c) An offense is defined as one month's quality assessment payment not received by the 20th day of the next succeeding calendar month.~~

~~(d) In the event that a provider fails to report their total number of resident days as defined in section 409.9083(1)(c), F.S., by the 20th day of the next succeeding calendar month, the fines in paragraphs (a)-(b) apply and the maximum amount of the fines shall be equal to their last submitted quality assessment amount, but no greater than \$1000 per day, and in no event shall the total fine exceed the amount of the quality assessment.~~

~~(e) In addition to the aforementioned fines, providers are also subject to the non-monetary remedies enumerated in section 409.9083(6), F.S. Imposition of the non-monetary remedies by the Agency will be as follows:~~

~~1. For a third subsequent offense, the Agency will withhold any medical assistance reimbursement payments until the assessment is recovered.~~

~~2. For a fourth or greater subsequent offense, the Agency will seek suspension or revocation of the facility's license.~~

~~(7) Sanctions for failure to timely submit a quality assessment are non-allowable costs for reimbursement purposes and shall not be included in the provider's Medicaid per diem rate.~~

~~(8)(7) The facility may amend any previously submitted quality assessment data, but in no event may an amendment~~

occur more than twelve months after the due date of the assessment. The deadline for submitting an amended assessment shall not relieve the facility from their obligation to pay any amount previously underpaid and shall not waive the Agency’s right to recoup any underpaid assessments.

(9) This rule is effective for 5 years after its effective date.

Rulemaking Authority 409.919 FS. Law Implemented 409.908, 409.9083 FS. History–New 3-14-99, Amended 10-12-04, 2-22-06, 4-12-09, 3-3-10, 2-23-11, 7-16-12, 2-13-14, 2-4-15, 6-15-15, 7-11-16, 6-27-17, 3-11-18, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rydell Samuel

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 21, 2021

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: RULE TITLE:
68B-12.004 Bag Limits

PURPOSE, EFFECT AND SUMMARY: Under limited circumstances, in state waters, passengers on for-hire trips that span more than 24 hours may possess and land double the bag limit for reef fish. Federal regulations also allow passengers on multi-day for-hire trips in federal waters to possess and land over the daily bag limit under limited circumstances. However, the timeframes, species, and bag/possession limits allowed by current federal rules differ from state rule.

While most of these multi-day for-hire trips primarily occur in federal waters, consistent regulations for multi-day for-hire bag limits between state and federal waters will reduce regulatory confusion and aid in enforcement. This federal consistency action will update FWC rules regarding these trips for king mackerel to be consistent with rules for federal waters of the Atlantic and Gulf of Mexico.

At its May 2021 meeting, the Florida Fish and Wildlife Conservation Commission approved to update state multi-day for-hire regulations of be consistent with rules in adjacent federal waters. The purpose of this federal consistency action is to create consistency between state and federal waters in the Atlantic and Gulf of Mexico in order to ease regulatory compliance and aid in enforcement. These proposed rules are not expected to significantly increase harvest or negatively impact conservation of king mackerel because these trips occur infrequently, especially in state waters. The effects of this federal consistency action are to establish multi-day bag limits for king mackerel on for-hire trips under limited circumstances

that are consistent with those in adjacent federal waters, thereby reducing regulatory confusion for fishermen and aid in enforcement.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION

120.54(6), F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: Emily Norton, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-12.004 Bag Limits.

(1) No change.

(2) Except as provided in Rule 68B-12.0046, F.A.C., or subsection (3) of this rule, no person shall possess while in, on, or above the waters of the Gulf-Atlantic fishery or on any dock, pier, bridge, beach, or other fishing site adjacent to such waters, more than the applicable bag limit for king mackerel specified in subsection (1) of this rule.

(3) Consistent with Federal Standards, any person harvesting pursuant to the bag limits of this rule, who has fished aboard a vessel for hire on a trip that spans more than 30 hours may possess, at any time during the trip, no more than two daily bag limits provided that the vessel has two licensed operators aboard, and each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the date and time of departure and length of the trip (consistent with requirements established in 50 C.F.R. §622.382(a)(2)(ii) as of March 26, 2021).

(4) Except as provided in subsection (3), possession of king mackerel in excess of the bag limit specified in subsection (1) of this rule, by any person aboard a vessel fishing in the Gulf-Atlantic fishery constitutes a violation of this rule.

(4) renumbered as (5). No change

Rulemaking Authority Art. IV, Sec. 9, Fla Const. Law Implemented Art. IV, Sec. 9, Fla Const. History–New 12-20-84, Formerly 46-12.04, Amended 11-13-86, 11-1-88, 10-1-90, 7-15-96, Formerly 46-12.004, Amended 5-11-1, 7-1-21.

**FISH AND WILDLIFE CONSERVATION
COMMISSION****Marine Fisheries**

RULE NO.: 68B-14.0036
 RULE TITLE: Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption

PURPOSE, EFFECT AND SUMMARY: Under limited circumstances, in state waters, passengers on for-hire trips that span more than 24 hours may possess and land double the bag limit for reef fish. Federal regulations also allow passengers on multi-day for-hire trips in federal waters to possess and land over the daily bag limit under limited circumstances. However, the timeframes, species, and bag/possession limits allowed by current federal rules differ from state rule.

While most of these multi-day for-hire trips primarily occur in federal waters, consistent regulations for multi-day for-hire bag limits between state and federal waters will reduce regulatory confusion and aid in enforcement. This federal consistency action will update FWC rules regarding these trips for reef fish to be consistent with rules for federal waters of the Atlantic and Gulf of Mexico.

At its May 2021 meeting, the Florida Fish and Wildlife Conservation Commission approved to update state multi-day for-hire regulations of be consistent with rules in adjacent federal waters. The purpose of this federal consistency action is to create consistency between state and federal waters in the Atlantic and Gulf of Mexico in order to ease regulatory compliance and aid in enforcement. These proposed rules are not expected to significantly increase harvest or negatively impact conservation of reef fish because these trips occur infrequently, especially in state waters. The effects of this federal consistency action are to establish multi-day bag limits for reef fish on for-hire trips under limited circumstances that are consistent with those in adjacent federal waters, thereby reducing regulatory confusion for fishermen and aid in enforcement.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION

120.54(6), F.S. **WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO:** Emily Norton, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN

OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-14.0036 Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption.

(1) through (8) No change.

(9) Exception.

(a) No change.

(b) Consistent with Federal Standards in the Atlantic Ocean, Any person harvesting pursuant to the bag limits of this rule, with the exclusion of red porgy harvested from the Atlantic Ocean, who has fished aboard a charter vessel or headboat on a vessel for hire trip that spans more than 24 hours may possess no more than two daily and land double the bag limits if the vessel has a sleeping berth for each passenger aboard the vessel and each such passenger possess is issued and has in possession a receipt issued on behalf of the vessel that verifies the length of the trip (consistent with requirements established in 50 C.F.R. §622.187(c)(1)(i) as of March 26, 2021).

(c) Consistent with Federal Standards in the Atlantic Ocean, any person harvesting pursuant to the bag limits of this rule, with the exclusion of red porgy, who has fished aboard a headboat on a vessel for hire trip that spans more than 48 hours and can document that fishing was conducted on at least three days may possess no more than three daily bag limits if each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the length of the trip (consistent with requirements established in 50 C.F.R. §622.187(c)(1)(ii) as of March 26, 2021).

(d) Consistent with Federal Standards in the Gulf of Mexico, any person harvesting pursuant to the bag limits of this rule, who has fished aboard a charter vessel or headboat on a vessel for hire trip that spans more than 30 hours may possess, at any time during the trip, no more than two daily bag limits, provided that the vessel has two licensed operators aboard, and each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the date and time of departure and length of the trip (consistent with requirements established in 50 C.F.R. §622.38(c) as of March 26, 2021).

(10) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-31-98, Amended 3-1-99, Formerly 46-14.0036, Amended 10-22-99, 1-1-00, 3-6-00, 3-1-01, 1-1-03, 1-3-05, 9-16-05, 1-1-06, 7-1-06, 7-1-07, 4-1-08, 1-6-09, 8-27-09, 10-16-09, 1-19-10, 12-30-11, 7-1-12, 6-10-13(4), 6-10-13(8), 3-13-14,

5-7-15, 7-1-16, 11-17-16, 1-1-17, 5-30-17, 8-24-17, 1-16-18, 7-1-19, 4-1-20, 1-1-21, 7-1-21.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: RULE TITLE:

68B-23.004 Bag and Vessel Limits

PURPOSE, EFFECT AND SUMMARY: Under limited circumstances, in state waters, passengers on for-hire trips that span more than 24 hours may possess and land double the bag limit for reef fish. Federal regulations also allow passengers on multi-day for-hire trips in federal waters to possess and land over the daily bag limit under limited circumstances. However, the timeframes, species, and bag/possession limits allowed by current federal rules differ from state rule.

While most of these multi-day for-hire trips primarily occur in federal waters, consistent regulations for multi-day for-hire bag limits between state and federal waters will reduce regulatory confusion and aid in enforcement. This federal consistency action will update FWC rules regarding these trips for Spanish mackerel to be consistent with rules for federal waters of the Atlantic and Gulf of Mexico.

At its May 2021 meeting, the Florida Fish and Wildlife Conservation Commission approved to update state multi-day for-hire regulations of be consistent with rules in adjacent federal waters. The purpose of this federal consistency action is to create consistency between state and federal waters in the Atlantic and Gulf of Mexico in order to ease regulatory compliance and aid in enforcement. These proposed rules are not expected to significantly increase harvest or negatively impact conservation of Spanish mackerel because these trips occur infrequently, especially in state waters. The effects of this federal consistency action are to establish multi-day bag limits for Spanish mackerel on for-hire trips under limited circumstances that are consistent with those in adjacent federal waters, thereby reducing regulatory confusion for fishermen and aid in enforcement.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION

120.54(6), F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: Emily Norton, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE

AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-23.004 Bag and Vessel Limits.

(1) Recreational Bag Limit –

(a) A recreational harvester may not harvest from Florida Waters more than 15 Spanish mackerel per day. Except as provided in paragraph (d), a recreational harvester may not possess in or on Florida Waters, on any dock, pier, bridge, beach, or other fishing site adjacent to such waters, more than 15 Spanish mackerel.

(b) through (c) No change.

(d) Exception.

1. Consistent with Federal Standards, any person harvesting Spanish mackerel in the East Coast Region pursuant to the bag limits of this rule, who has fished aboard a vessel for hire on a trip that spans more than 24 hours may possess no more than two daily bag limits, provided that the vessel has two licensed operators aboard, and each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the length of the trip (consistent with requirements established in 50 C.F.R. §622.382(a)(2)(i) as of March 26, 2021).

2. Consistent with Federal Standards, any person harvesting Spanish mackerel in the West Coast Region pursuant to the bag limits of this rule, who has fished aboard a vessel for hire on a trip that spans more than 30 hours may possess, at any time during the trip, no more than two daily bag limits, provided that the vessel has two licensed operators aboard, and each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the date and time of departure and length of the trip (consistent with requirements established in 50 C.F.R. §622.382(a)(2)(ii) as of March 26, 2021).

(2) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 10-30-86, Amended 12-10-87, 10-1-88, 11-1-89, 10-1-90, 11-26-92, 11-29-93, 9-30-96, 12-2-96, 1-1-98, Formerly 46-23.004, Amended 1-1-01, 8-3-10, 9-5-19, 7-1-21.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: RULE TITLE:

68B-30.003 Commercial Harvest Limits; Recreational Bag Limit; Gear Specifications

PURPOSE, EFFECT AND SUMMARY: Under limited circumstances, in state waters, passengers on for-hire trips that span more than 24 hours may possess and land double the bag

limit for reef fish. Federal regulations also allow passengers on multi-day for-hire trips in federal waters to possess and land over the daily bag limit under limited circumstances. However, the timeframes, species, and bag/possession limits allowed by current federal rules differ from state rule.

While most of these multi-day for-hire trips primarily occur in federal waters, consistent regulations for multi-day for-hire bag limits between state and federal waters will reduce regulatory confusion and aid in enforcement. This federal consistency action will update FWC rules regarding these trips for king mackerel to be consistent with rules for federal waters of the Atlantic.

At its May 2021 meeting, the Florida Fish and Wildlife Conservation Commission approved to update state multi-day for-hire regulations of be consistent with rules in adjacent federal waters. The purpose of this federal consistency action is to create consistency between state and federal waters in the Atlantic in order to ease regulatory compliance and aid in enforcement. These proposed rules are not expected to significantly increase harvest or negatively impact conservation of king mackerel because these trips occur infrequently, especially in state waters. The effects of this federal consistency action are to establish multi-day bag limits for king mackerel on for-hire trips under limited circumstances that are consistent with those in adjacent federal waters, thereby reducing regulatory confusion for fishermen and aid in enforcement.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION

120.54(6), F.S. **WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO:** Emily Norton, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-30.003 Commercial Harvest Limits; Recreational Bag Limit; Gear Specifications.

- (1) No change.
- (2) Recreational Bag Limit.

(a) Any person harvesting king mackerel from the Atlantic fishery who does not meet the requirements and conditions established in subsection (1) and paragraph (2)(b), shall be subject to a bag limit of two fish per person, per day.

(b) Consistent with Federal Standards, any person harvesting pursuant to the bag limits of this rule, who has fished aboard a vessel for hire on a trip that spans more than 24 hours may possess no more than two daily bag limits, provided that the vessel has two licensed operators aboard, and each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the length of the trip (consistent with requirements established in 50 C.F.R. §622.382(a)(2)(i) as of March 26, 2021).

(3) through (5) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 3-15-87, Amended 11-1-88, 1-1-97, 1-1-98, Formerly 46-30.003, Amended 12-21-00, 10-12-15, 5-11-17, 2-3-20, 10-27-20, 7-1-21.

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NOS.:	RULE TITLES:
64B5-2.014	Licensure Requirements for Applicants from Accredited Schools or Colleges
64B5-2.0144	Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges
64B5-2.0146	Licensure Requirements for Applicants from Non-Accredited Schools or Colleges

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. 49, March 12, 2021 issue of the Florida Administrative Register.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee and discussion and subsequent vote by the Board at the public telephonic meeting held May 21, 2021.

The rules shall now read as follows:

64B5-2.014 Licensure Requirements for Applicants from Accredited Schools or Colleges.

Any person who has graduated, or expects to graduate prior to the examination, or is in their final year of a dental or dental hygiene program and has completed all the coursework necessary to prepare the student to perform the clinical and diagnostic procedures required to pass the examinations, from a school or college accredited by the Commission on

Accreditation of the American Dental Association or its successor agency, or any other dental or dental hygiene program accredited by an accrediting entity recognized by the United States Department of Education, may seek licensure as a dentist or dental hygienist in the following manner:

- (1) No change.
- (2) *Dental Candidates:*
 - (a) through (b) No change.

(c) Submit a completed application for licensure, Dental Licensure Application, DH-MQA 1182 (Rev. 08/2020), incorporated herein by reference and available at http://www.flrules.org/Gateway/reference.asp?No=Ref-_____, or available on the Department of Health’s website at <http://www.floridasdentistry.gov>. An applicant is eligible for licensure upon receipt of a completed application, passing scores from the ADEX ~~ADLEX~~ clinical examination, Diagnostic Skills Examination, National Board Dental Examination and successful completion of the written examination on the laws and rules of Florida regulating the practice of dentistry and dental hygiene. Applicants must comply with all time requirements for passing the examinations as specified in rule 64B5-2.013, F.A.C.

- (3) No change.

Rulemaking Authority 456.013, 466.004, 466.006, 466.007 FS. Law Implemented 456.013, 456.048, 456.0635, 466.006, 466.007, 466.028 FS. History–New 10-8-79, Amended 4-1-80, 4-20-81, 3-16-82, 5-2-84, 9-4-84, Formerly 21G-2.14, Amended 12-31-86, 10-8-87, 11-16-89, 10-18-90, Formerly 21G-2.014, 61F5-2.014, Amended 9-24-96, Formerly 59Q-2.014, Amended 8-20-97, 3-16-06, 12-26-06, 4-26-10, 3-18-12, 8-5-12, 12-11-12, 11-7-16, 10-4-18, 10-22-19,_____.

The following change has been made to incorporated form DH-MQA 1182 (Rev. 08/2020):

- The blank page #6 is a formatting error and has been corrected.

64B5-2.0144 Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges.

Applicants for licensure as dental hygienists who have graduated from an unaccredited dental school or college may seek licensure in the following manner:

(1) Submit the following: A completed credentials application, Application for Dental Hygiene Credentials Review for Graduates From Non-Accredited Dental Colleges or Schools, Form DH-MQA 1253, 08/2020, and incorporated herein by reference. Application for Dental Hygiene Credentials Review for Graduates From Non-Accredited Dental Colleges or Schools, Form DH-MQA 1253, 08/2020, can be obtained at http://www.flrules.org/Gateway/reference.asp?No=Ref-_____, or at <http://floridasdentistry.gov>.

- (2) through (9) No change.

(10) Upon approval of the credentials, the applicant shall apply for licensure in the following manner:

- (a) No change.

(b) Submit a complete application, Dental Hygiene Licensure Application, Form DH-MQA 1210 (Rev. 08/2020), incorporated herein by reference and is available at http://www.flrules.org/Gateway/reference.asp?No=Ref-_____, or <http://floridasdentistry.gov>. An applicant is eligible for licensure upon receipt of a completed application, passing scores from the ADEX dental hygiene examination, the National Board Dental Hygiene or National Board Dental Examination, and successful completion of the written laws and rules of Florida regulating the practice of dentistry and dental hygiene. Applicants must comply with all time requirements for passing the examinations as specified in rule 64B5-2.0135, F.A.C.

Rulemaking Authority 456.013, 466.004, 466.007 FS. Law Implemented 456.013, 456.0635, 466.007 FS. History–New 1-18-95, Formerly 59Q-2.0144, Amended 8-19-97, 8-20-97, 5-20-01, 12-21-06, 5-8-08, 4-26-10, 3-18-12, 12-11-12, 12-15-14, 4-17-16, 11-7-16, 10-22-19,_____.

The following change has been made to incorporated form DH-MQA 1253 (Rev. 08/2020):

- The title of the form has been changed to avoid any potential confusion.

64B5-2.0146 Licensure Requirements for Applicants from Non-Accredited Schools or Colleges.

Prior to applying to take the American Dental Licensing Examination (ADLEX) and the Laws and Rules Exam (Written Examination), as specified in rule 64B5-2.013, F.A.C., complete and submit Application for Dental Credentials Review For Graduates From Non-Accredited Dental Colleges or Schools, Form DH-MQA 1254 (08/2020), incorporated herein by reference and available at http://www.flrules.org/Gateway/reference.asp?No=Ref-_____, or the Department of Health’s website at <http://floridasdentistry.gov>.

- (1) through (5) No change.

Rulemaking Authority 456.013, 466.004(4), 466.006(3) FS. Law Implemented 456.013, 456.048, 456.0635, 466.006 FS. History–New 10-15-92, Formerly 21G-2.0146, 61F5-2.0146, Amended 9-24-96, Formerly 59Q-2.0146, Amended 8-19-97, 5-20-01, 6-7-05, 12-26-06, 6-30-09, 3-18-12, 12-11-12, 2-25-15, 11-7-16, 6-4-18, 10-4-18, 10-22-19,_____.

The following change has been made to incorporated form DH-MQA 1254 (Rev. 08/2020):

- The title of the form has been changed to avoid any potential confusion.

The following change has been made to incorporated form DH-MQA 1182 (Rev. 08/2020):

- The blank page #6 is a formatting error and has been corrected.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica Sapp, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. Jessica.Sapp@flhealth.gov.

Section IV Emergency Rules

DEPARTMENT OF REVENUE

RULE NO.: RULE TITLE:
12ER21-3 Grounds for Reasonable Cause for
 Compromise of Penalties.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 26, Chapter 2021-2, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement Section 5, Chapter 2021-2, Laws of Florida. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding remote sales, which replaces mail order sales in order to capture retail sales made by mail, telephone, the Internet, and other means of communication.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Section 5 of Chapter 2021-2, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of the provisions Section 5 of Chapter 2021-2, Laws of Florida.

SUMMARY: Emergency Rule 12ER21-3 amends Rule 12-13.007, F.A.C., by replacing the term “mail order sale” with “remote sale.”

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12ER21-3 ~~12-13.007~~ Grounds for Reasonable Cause for Compromise of Penalties.

(1) through (10) No change

(11) Reasonable cause shall be presumed to exist whenever a person who is not otherwise required to register as a dealer pursuant to Chapter 212, F.S., purchases consumer goods for personal use pursuant to a remote ~~mail-order~~ sale and remits

Florida use tax and interest, either voluntarily or in prompt response to a proposed assessment, assessment, or use tax billing issued by the Department.

(12) through (14) No change

Rulemaking Authority 213.06(1), 213.21(5) FS, Section 26 of Chapter 2021-2, L.O.F. Law Implemented 213.05, 213.21 FS, Section 5 of Chapter 2021-2, L.O.F. History—New 5-23-89, Amended 8-10-92, 5-18-94, 10-2-01, 10-29-13.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 07/01/2021

DEPARTMENT OF REVENUE

RULE NO.: RULE TITLE:
12ER21-4 Guidelines for Determining Amount of
 Compromise.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 26, Chapter 2021-2, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement Section 5, Chapter 2021-2, Laws of Florida. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding remote sales, which replaces mail order sales in order to capture retail sales made by mail, telephone, the Internet, and other means of communication.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Section 5 of Chapter 2021-2, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of the provisions Section 5 of Chapter 2021-2, Laws of Florida.

SUMMARY: Emergency Rule 12ER21-4 amends Rule 12-13.0075, F.A.C., by replacing the term “mail order sale” with “remote sale.”

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12ER21-4 ~~12-13.0075~~ Guidelines for Determining Amount of Compromise.

(1) through (9) No change

(10) Remote ~~Mail-Order~~ Sales. When a taxpayer who is not otherwise required to be registered pursuant to Chapter 212, F.S., purchases consumer goods for personal use pursuant to a remote ~~mail-order~~ sale and subsequently promptly remits the tax and interest in response to a use tax billing issued by the Department for such goods, or voluntarily remits such tax and

interest prior to any billing, the Department will compromise all penalties.

(11) through (12) No change

Rulemaking Authority 212.07(9)(c), 213.06(1), 213.21(5), (9) FS, Section 26 of Chapter 2021-2, L.O.F. Law Implemented 212.07(9), 212.12(14), 213.05, 213.21, 213.24(3) FS, Sections 5, 11, and 21 of Chapter 2021-2, L.O.F. History—New 8-10-92, Amended 10-2-01, 10-29-13.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 07/01/2021

DEPARTMENT OF REVENUE

RULE NO.: RULE TITLE:
12ER21-5 Scope of Rules.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 26 of Chapter 2021-2, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement Section 10 of Chapter 2021-2, Laws of Florida. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the requirement that marketplace providers and taxpayers required to collect sales tax on remote sales must file returns and remit taxes electronically.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Section 10 of Chapter 2021-2, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of the provisions Section 10 of Chapter 2021-2, Laws of Florida.

SUMMARY: Emergency Rule 12ER21-5 amends Rule 12-24.001, F.A.C., by adding a Section 10 of Chapter 2021-2, Laws of Florida, to the list of statutes administered in Part I of Chapter 12-24, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12ER21-5 ~~12-24.001~~ Scope of Rules.

Part I of this rule chapter sets forth the rules to be used by the Department of Revenue in the administration of Sections 202.30, 206.485, 213.755, and 220.21(2) and (3), F.S., and Section 10, Chapter 2021-2, L.O.F., authorizing the Executive Director to require taxpayers specified by statute or rule to pay taxes and fees and to file tax returns by electronic means. Part I

of this rule chapter also sets forth the rules to be used by the Department in administering Section 443.163, F.S.

Rulemaking Authority 202.26(3)(a), 206.485(1), 213.06(1), 213.755(8), (9), 220.21(2), (3), 443.1317, 443.163(1) FS, Section 26 of Chapter 2021-2, L.O.F. Law Implemented 202.30, 206.485, 213.755, 220.21(2), (3), 443.163 FS, Section 10 of Chapter 2021-2, L.O.F. History—New 12-19-89, Amended 10-24-96, 4-30-02, 10-5-03, 6-1-09, 2-17-15, 11-12-20.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 07/01/2021

DEPARTMENT OF REVENUE

RULE NO.: RULE TITLE:
12ER21-6 Requirements to File or to Pay Taxes by Electronic Means.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 26 of Chapter 2021-2, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement Section 10 of Chapter 2021-2, Laws of Florida. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the requirement that marketplace providers and taxpayers required to collect sales tax on remote sales must file returns and remit taxes electronically.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Section 10 of Chapter 2021-2, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of the provisions Section 10 of Chapter 2021-2, Laws of Florida.

SUMMARY: Emergency Rule 12ER21-6 amends Rule 12-24.003, F.A.C., by adding marketplace providers and taxpayers required to collect sales tax on remote sales to the list of taxpayers who are required to file returns electronically.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12ER21-6 ~~12-24.003~~ Requirements to File or to Pay Taxes by Electronic Means.

(1) through (2) No change

(3) The following dealers must timely file Florida sales and use tax returns and remit sales tax and discretionary sales surtax to the Department by electronic means.

(a) A marketplace provider that is a dealer under Chapter 212, F.S., as amended by Chapter 2021-2, L.O.F.

(b) A person who is required to collect and remit sales tax on remote sales.

(3) through (5) renumbered (4) through (6) No change Rulemaking Authority 202.26(3)(a), 206.485(1), 213.06(1), 213.755(8), (9), 220.21(2), (3), 443.1317, 443.163(1) FS, Section 26 of Chapter 2021-2, L.O.F. Law Implemented 202.30, 206.485, 213.755, 220.21(2), (3), 443.163 FS, Section 10 of Chapter 2021-2, L.O.F. History—New 12-19-89, Amended 1-8-91, 11-17-93, 4-30-02, 10-5-03, 6-1-09, 6-28-10, 2-17-15, 11-12-20.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 07/01/2021

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12AER21-7 Admissions.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 26 of Chapter 2021-2, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement Sections 11 and 21 of Chapter 2021-2, Laws of Florida. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the replacement of the current sales tax bracket system with a rounding algorithm for the calculation of sales tax.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Sections 11 and 21 of Chapter 2021-2, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of the provisions Sections 11 and 21 of Chapter 2021-2, Laws of Florida.

SUMMARY: Emergency Rule 12ER21-7 amends Rule 12A-1.005, F.A.C., by including the new provisions regarding the replacement of the sales tax bracket system with a rounding algorithm.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER21-7 ~~12A-1.005~~ Admissions.

(1)(a) Every person is exercising a taxable privilege when such person sells or receives anything of value by way of admissions, as defined in Section 212.02(1), F.S., except those admissions that are specifically exempt. Such seller is required to collect tax on the sales price or actual value of such admissions pursuant to Section 212.04(1)(b), F.S., as amended by Section 18, Chapter 2021-2, L.O.F. Tax due must be calculated using the rounding algorithm as provided in Section 212.12(10), F.S., as amended by Section 11, Chapter 2021-2, L.O.F. ~~each admission charge for 10 cents or more the amount of tax provided for by the applicable bracket provided in Section 212.12(9), F.S. Each admission is a single sale. The seller may apply the rounding algorithm to the aggregate tax amount computed on all taxable admissions on an invoice or to the taxable amount of each individual admission on the invoice.~~

(b) No change

~~(c)1. The tax shall be computed and collected by the seller on the sales price or actual value of the admission, as provided in Section 212.04(1)(b), F.S., and is due at the moment of the transaction, except when the tax is collected for admission to an event at a convention hall, exhibition hall, auditorium, stadium, theater, arena, civic center, performing arts center, or publicly owned recreational facility. Tax collected on such events is due to the Department on the first day of the month following the actual date of the event for which the admission is sold and becomes delinquent on the 21st day of that month. Therefore, tax collected on season and series tickets for events held in such facilities should be apportioned to each event in the season or series and remitted to the Department accordingly.~~

2. through 4. No change

(d) No change

(2) through (6) No change

Rulemaking Authority 212.04(4), 212.17(6), 212.18(2), 213.06(1) FS, Section 26 of Chapter 2021-2, L.O.F. Law Implemented 212.02(1), 212.04, 212.08(6), (7), 616.260 FS, Sections 11 and 21 of Chapter 2021-2, L.O.F. History—New 10-7-68, Amended 1-7-70, 6-16-72, 7-19-72, 12-11-74, 9-28-78, 7-3-79, 12-3-81, 7-20-82, Formerly 12A-1.05, Amended 1-2-89, 12-16-91, 10-17-94, 3-20-96, 3-4-01, 10-2-01, 4-17-03, 6-28-05, 4-26-10, 1-12-11, 1-17-13, 1-19-15, 1-17-18.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 07/01/2021

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12AER21-8 Tax Due at Time of Sale; Tax Returns and Regulations.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR

WELFARE: Section 26 of Chapter 2021-2, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement Section 11 of Chapter 2021-2, Laws of Florida. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding statutory changes to collection allowances for mail order sales.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions Section 5 of Chapter 2021-2, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of the provisions Section 5 of Chapter 2021-2, Laws of Florida.

SUMMARY: Emergency Rule 12AER21-8 amends Rule 12A-1.056, F.A.C., by striking the collection allowance exception for mail order sales.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER21-8 ~~12A-1.056~~ Tax Due at Time of Sale; Tax Returns and Regulations.

(1) No change

(2) Collection allowance.

(a) No change

(b)1. The collection allowance ~~(except for dealers who make mail order sales, see subsection (5) of Rule 12A-1.103, F.A.C.)~~ is computed at the rate of 2.5 percent on the first \$1,200 of tax due. No collection allowance is authorized for tax collected in excess of \$1,200. The maximum amount of collection allowance authorized for any filing period for any electronic sales and use tax return is \$30.

2. through 4. No change

(c) through (e) No change

(3) through (4) No change

Rulemaking Authority 212.18(2), 213.06(1) FS, Section 26 of Chapter 2021-2, L.O.F. Law Implemented 125.0104(3)(g), 125.0108(2)(a), 212.03(2), 212.0305(3)(c), 212.031(3), 212.04(3), (4), 212.0506(4), (11), 212.055, 212.06(1)(a), 212.0606, 212.11, 212.12(1), (2), (3), (4), (5), 212.14(2), 212.15(1), 213.235, 213.755, 373.41492, 376.70, 376.75, 403.718, 403.7185, 443.036, 443.121(1), (3), 443.131, 443.1315, 443.1316, 443.171(2), (7), 681.117 FS, Section 11 of Chapter 2021-2, L.O.F. History—New 10-7-68, Amended 6-16-72, 10-21-75, 6-9-76, 11-8-76, 2-21-77, 4-2-78, 10-18-78, 12-23-80, 8-26-81, 9-24-81, 11-23-83, 5-28-85, Formerly 12A-1.56, Amended 3-12-86, 1-2-89, 12-19-89, 12-7-92, 10-20-93, 10-17-94, 3-20-96, 4-2-00, 6-19-01, 8-1-02, 4-17-03, 9-28-04, 11-6-07, 9-15-08, 1-17-13, 5-9-13.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 07/01/2021

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12AER21-9 Registration.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR

WELFARE: Section 26 of Chapter 2021-2, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement Sections 2, 5, 6, 8, and 12 of Chapter 2021-2, Laws of Florida. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding registration requirements for marketplace providers, marketplace sellers, and remote sellers, which is dependent on whether or not the dealer has a physical nexus or an economic nexus.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Sections 2, 5, 6, 8, and 12 of Chapter 2021-2, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of the provisions Sections 2, 5, 6, 8, and 12 of Chapter 2021-2, Laws of Florida.

SUMMARY: Emergency Rule 12AER21-9 amends Rule 12A-1.060, F.A.C., by outlining registration requirements for marketplace providers and marketplace sellers with a physical nexus and the registration requirements for marketplace providers, marketplace sellers, and remote sellers with an economic nexus. This emergency rule incorporates, by reference, the informational form Florida Business Tax Application for Marketplace Providers and Remote Sales.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER21-9 ~~12A-1.060~~ Registration.

(1) Persons required to register as dealers.

(a) No change

(b)1. For purposes of this rule, a “dealer” means a dealer, as defined in Section 212.06(2), F.S., as amended by Section 8, Chapter 2021-2, L.O.F. and a dealer who makes mail order sales, as provided in Section 212.0596, F.S.

2. No change

(c) The term “dealer” includes a retailer who transacts a substantial number of remote sales or a marketplace provider that has a physical presence in Florida or that makes or facilitates through its marketplace a substantial number of remote sales.

(c) through (d) renumbered (d) through (e) No change

(2) No change

(3) Registration of marketplace providers and remote sellers.

(a) Marketplace providers and remote sellers, as defined in Rule 12AER21-13, must register with the Department electronically to collect and remit sales tax and discretionary sales surtax and obtain a separate certificate of registration for each marketplace and each place of business in Florida. A marketplace is deemed a separate place of business. A separate application is required for each place of business located within Florida. Out-of-state businesses can submit one application for all out-of-state locations.

(b) Electronic registration can be completed by going to floridarevenue.com/taxes/registration.

1. The following persons who have a physical presence in Florida must register using the Department’s electronic Florida Business Tax Application (Form DR-1, incorporated by reference in Rule 12AER21-12).

a. Marketplace providers.

b. Marketplace sellers who make sales outside of the marketplace.

2. The following persons who do not have a physical presence in Florida must register electronically using the Department’s electronic registration application for marketplace providers and marketplace sellers. The information required in this electronic application is provided in the Florida Business Tax Application for Marketplace Providers and Remote Sales (DR-1MP, effective 07/21, hereby incorporated by reference) and available on the Department’s website at https://floridarevenue.com/taxes/taxesfees/Pages/sales_tax.asp. This form is provided for informational purposes only.

a. Marketplace providers who make or facilitate a substantial number of remote sales.

b. Marketplace sellers who make a substantial number of remote sales outside of the marketplace.

c. Remote sellers, as defined in Rule 12AER21-13.

Cross reference Rule 12AER21-13.

(3) renumbered (4) No change

(5) (4) Registration of exhibitors.

(a) For purposes of this rule, the following definitions are provided:

1. through 3. No change

4. A “retail sale” is as defined in Section 212.02(14), F.S., as amended by Section 2, Chapter 2021-2, L.O.F.

(b) Any exhibitor who displays tangible personal property or services at a convention or trade show is required to register as a dealer and collect and remit tax on sales of taxable property or services subject to Florida sales tax when:

1. No change

2. The written agreement authorizes an exhibitor to make remote ~~mail order~~ sales, pursuant to Section 5, Chapter 2021-2, L.O.F. Section 212.0596, F.S.; or

(c) No change

(5) renumbered (6) No change

Rulemaking Authority 212.12(2)(d), 212.18(2), 213.06(1) FS, Section 26 of Chapter 2021-2, L.O.F. Law Implemented 119.071(5), 212.03(1), (2), 212.04(4), 212.0596(1), (2), 212.06(2), 212.12(5), (6), 212.14(4), 212.16(1), (2), 212.18(3) FS, Sections 2, 5, 6, 8, and 12 of Chapter 2021-2, L.O.F. History—New 10-7-68, Amended 1-7-70, 6-16-72, 3-21-77, 5-10-77, 10-18-78, Formerly 12A-1.60, Amended 6-10-87, 1-2-89, 11-12-90, 3-17-94, 1-2-95, 3-20-96, 11-30-97, 4-2-00, 6-19-01, 10-2-01(1), 10-2-01(1), 8-1-02, 4-17-03, 6-12-03, 6-4-08, 9-1-09, 6-14-10, 6-28-10 (6), 6-28-10 (3), 7-28-15, 1-17-18, 3-25-20.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 07/01/2021

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12AER21-10 Leases and Licenses of Real Property; Storage of Boats and Aircraft.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 26 of Chapter 2021-2, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement Section 11 of Chapter 2021-2, Laws of Florida. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the removal of the sales tax bracket system.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Section 11 of Chapter 2021-2, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of the provisions Section 11 of Chapter 2021-2, Laws of Florida.

SUMMARY: Emergency Rule 12AER21-10 amends Rule 12A-1.070, F.A.C., by striking the obsolete reference to the sales tax bracket system.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

~~12AER21-10~~ ~~12A-1.070~~ Leases and Licenses of Real Property; Storage of Boats and Aircraft.

(1) through (3) No change

(4)(a) No change

(b) The tax shall be paid on all considerations due and payable by the tenant or other person actually occupying, using, or entitled to use any real property to his landlord or other person for the privilege of use, occupancy, or the right to use or occupy any real property for any purpose. ~~The amount of tax due must be calculated with the use of the applicable effective sales tax brackets.~~

(c) through (g) No change

(5) through (23) No change

Rulemaking Authority 212.18(2), 213.06(1) FS, Section 26 of Chapter 2021-2, L.O.F. Law Implemented 212.02(10)(h), (i), (13), 212.03(6), 212.031 FS, Section 11 of Chapter 2021-2, L.O.F. History—New 10-7-68, Amended 2-8-69, 10-7-69, 6-16-72, 9-26-77, 10-18-78, 12-31-81, 7-20-82, Formerly 12A-1.70, Amended 1-2-89, 3-27-95, 7-17-95, 1-17-18, 1-8-19, 12-12-19.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 07/01/2021

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12AER21-11 Use Tax.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 26 of Chapter 2021-2, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement Section 5, Chapter 2021-2, Laws of Florida. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding remote sales, which replaces mail order sales in order to capture retail sales made by mail, telephone, the Internet, and other means of communication.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Section 5 of Chapter 2021-2, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of the provisions Section 5 of Chapter 2021-2, Laws of Florida.

SUMMARY: Emergency Rule 12AER21-11 amends Rule 12A-1.091, F.A.C., by replacing the term “mail order sale” with “remote sale.”

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical

Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER21-11 ~~12A-1.091~~ Use Tax.

(1) through (13) No change

(14)(a) through (c) No change

(d) Any person required to file and remit use tax on Form DR-15MO is not required to remit local option surtaxes on property purchased through a remote ~~in a mail order~~ sale.

(15) No change

Rulemaking Authority 212.18(2), 213.06(1) FS, Section 26 of Chapter 2021-2, L.O.F. Law Implemented 212.02(7), (20), (21), 212.05(1), 212.0596(7), 212.06(1), (2), (4), (7), (8), (11), 212.07(8), 212.183 FS, Sections 5 and 6 of Chapter 2021-2, L.O.F. History—New 10-7-68, Amended 1-7-70, 6-16-72, 11-6-85, Formerly 12A-1.91, Amended 7-7-92, 6-2-93, 11-16-93, 1-4-94, 5-18-94, 6-19-01.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 07/01/2021

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12AER21-12 Public Use Forms.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 26 of Chapter 2021-2, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement Sections 5, 6, 8, 10, 11, and 12 of Chapter 2021-2, Laws of Florida. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the replacement of the sales tax bracket system with a rounding algorithm and remote sales, which replaces mail order sales in order to capture retail sales made by mail, telephone, the Internet, and other means of communication.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Sections 5, 6, 8, 10, 11, and 12 of Chapter 2021-2, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of the provisions of Sections 5, 6, 8, 10, 11, and 12 of Chapter 2021-2, Laws of Florida.

SUMMARY: Emergency Rule 12AER21-12 amends Rule 12A-1.097, F.A.C., by incorporating five revised sales and use tax forms which are amended to reflect changes to the sales tax bracket system and mail order sales.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone 850-717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER21-12 ~~12A-1.097~~ Public Use Forms.

(1) No change

Form Number	Title	Effective Date
(2)(a) DR-1	Florida Business Tax Application (http://www.flrules.org/Gateway/reference.asp?No=Ref 11781)	07/21 03/20
(b) (c)	No change	
(d) DR-1A	Application for Registered Businesses to Add a New Florida Location (http://www.flrules.org/Gateway/reference.asp?No=Ref 11782)	07/21 03/20
(e)	No change	
(3)	No change	
(4)(a)	No change	
(b) DR-7N	Instructions for Consolidated Sales and Use Tax Return (http://www.flrules.org/Gateway/reference.asp?No=Ref 12310)	07/21 01/24
(c)	No change	
(5)(a)	No change	
(b) DR-15N	Instructions for DR-15 Sales and Use Tax Returns (http://www.flrules.org/Gateway/reference.asp?No=Ref 12311)	07/21 01/24
(c)	No change	
(d)		
(e) DR-15EZ N	Instructions for DR-15EZ Sales and Use Tax Returns (http://www.flrules.org/Gateway/reference.asp?No=Ref 12312)	07/21 01/24
(f)	No change	
(6) (24)	No change	

Rulemaking Authority 201.11, 202.17(3)(a), 202.22(6), 202.26(3), 212.0515(7), 212.07(1)(b), 212.08(5)(b)4., (n)4., (o)4., (7), 212.099(10), 212.11(5)(b), 212.12(1)(a)2., 212.18(2), (3), 212.183, 213.06(1), 288.1258(4)(c), 376.70(6)(b), 376.75(9)(b), 403.718(3)(b), 403.7185(3)(b), 443.171(2), (7), 1002.40(16) FS, Section 26 of Chapter 2021-2, L.O.F. Law Implemented 92.525(1)(b), 125.0104, 125.0108, 201.01, 201.08(1)(a), 201.133, 202.11(2), (3), (6), (16), (24), 202.22(3)-(6), 202.28(1), 203.01, 212.03, 212.0305, 212.031, 212.04, 212.05, 212.0501, 212.0515, 212.054, 212.055, 212.06,

212.0606, 212.07(1), (8), 212.08, 212.084(3), 212.085, 212.09, 212.096, 212.099, 212.11(1), (4), (5), 212.12(1), (2), (9), (13), 212.14(2), (4), (5), 212.18(2), (3), 212.183, 212.1832, 213.235(1), (2), 213.29, 213.37, 213.755, 215.26(6), 219.07, 288.1258, 290.00677, 365.172(9), 376.70(2), 376.75(2), 403.718, 403.7185(3), 443.131, 443.1315, 443.1316, 443.171(2), 1002.40(13) FS, Sections 5, 6, 8, 10, 11, and 12 of Chapter 2021-2, L.O.F. History—New 4-12-84, Formerly 12A-1.97, Amended 8-10-92, 11-30-97, 7-1-99, 4-2-00, 6-28-00, 6-19-01, 10-2-01, 10-21-01, 8-1-02, 4-17-03, 5-4-03, 6-12-03, 10-1-03, 9-28-04, 6-28-05, 5-1-06, 4-5-07, 1-1-08, 4-1-08, 6-4-08, 1-27-09, 9-1-09, 11-3-09, 1-11-10, 4-26-10, 6-28-10, 7-12-10, 1-12-11, 1-25-12, 1-17-13, 5-9-13, 1-20-14, 1-19-15, 1-11-16, 4-5-16, 1-10-17, 2-9-17, 1-17-18, 4-16-18, 1-8-19, 10-28-19, 12-12-19, 3-25-20, 12-31-20, 5-12-92, 8-10-92, 11-16-93, 3-20-96, 4-17-03.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 07/01/2021

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12AER21-13 Remote Sales; Marketplaces.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 26 of Chapter 2021-2, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement Sections 5, 6, 8, 10, and 12 of Chapter 2021-2, Laws of Florida. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding remote sales, which replaces mail order sales in order to capture retail sales made by mail, telephone, the Internet, and other means of communication, as well as the taxation of marketplaces.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Sections 5, 6, 8, 10, and 12 of Chapter 2021-2, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of the provisions of Sections 5, 6, 8, 10, and 12 of Chapter 2021-2, Laws of Florida.

SUMMARY: Emergency Rule 12AER21-13 substantially rewords Rule 12A-1.103, F.A.C. The emergency rule changes the title of the rule from “Mail Order Sales.” to “Remote Sales; Marketplaces.” The revised rule provides definitions related to remote sales and marketplaces and outlines requirements of marketplace providers, marketplace sellers, and remote sellers with regards to registration, collection of tax, filing returns, and remitting tax.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

Substantial rewording of Rule 12A-1.103, F.A.C., follows.

12AER21-13 12A-1.103 Remote Mail Order Sales; Marketplaces.

(1) Definitions.

(a) A “marketplace” means any physical place or electronic medium through which tangible personal property is offered for sale.

(b) A “marketplace provider” means a person who facilitates a retail sale by a marketplace seller by listing or advertising for sale by the marketplace seller tangible personal property in a marketplace and who directly, or indirectly through agreements or arrangements with third parties, collects payment from the customer and transmits all or part of the payment to the marketplace seller, regardless of whether the marketplace provider receives compensation or other consideration in exchange for its services.

(c) A “marketplace seller” means a person who has an agreement with a marketplace provider that is a Florida dealer and who makes retail sales of tangible personal property through a marketplace owned, operated, or controlled by the marketplace provider.

(d) A “remote sale” means a retail sale of tangible personal property ordered by mail, telephone, the Internet, or other means of communication from a person who receives the order outside of this state and transports the property or causes the property to be transported from any jurisdiction, including this state, to a location in this state. For purposes of this paragraph, tangible personal property delivered to a location within this state is presumed to be used, consumed, distributed, or stored to be used or consumed in this state.

(e) A “remote seller” means a person who makes a substantial number of remote sales outside of a marketplace. Marketplace providers and marketplace sellers who make a substantial number of remote sales outside of a marketplace are considered remote sellers.

(f) A “substantial number of remote sales” means any number of taxable remote sales in the previous calendar year in which the sum of the sales prices, as defined in s. 212.02(16), F.S., exceeded \$100,000.

(2) Marketplace providers and remote sellers required to collect and remit sales tax and discretionary sales surtax due on retail sales to persons in Florida must register with the Department electronically as provided in Rule 12AER21-9.

(3)(a) A marketplace provider must certify to its marketplace sellers that it will collect and remit any Florida sales tax, plus applicable discretionary sales surtax, due on retail sales made through the marketplace to persons in Florida.

This certification may be included in the agreement between a marketplace seller and a marketplace provider.

(b) A marketplace seller who makes sales outside a marketplace must collect and remit Florida sales tax, plus applicable discretionary sales surtax, on retail sales made outside the marketplace to persons in Florida if they made a substantial number of remote sales in the previous calendar year. When determining whether a marketplace seller made a substantial number of remote sales, only those sales made outside of the marketplace are included in the total amount of taxable remote sales.

(4)(a) The following dealers must timely file Florida sales and use tax returns and remit sales tax and discretionary sales surtax to the Department by electronic means.

1. A marketplace provider that is a dealer under Chapter 212, F.S., as amended by Chapter 2021-2, L.O.F.

2. A person who is required to collect and remit sales tax on remote sales.

(b) Returns and payments must be submitted to the Department by electronic means as provided in Rule 12AER21-8 and Rule Chapter 12-24, F.A.C.

Cross Reference: Rule 12AER21-15.

Rulemaking Authority 212.17(6), 212.18(2), 213.06(1) FS, Section 26 of Chapter 2021-2, L.O.F. Law Implemented 212.02(14), (21), 212.05, 212.0596, 212.06(2), (5), 212.12(1), 212.18(3), 212.20(4), 215.26(2) FS, Sections 5, 6, 8, 10, and 12 of Chapter 2021-2, L.O.F. History—New 12-8-87, Amended 8-10-92, 4-17-03.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 07/01/2021

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12AER21-14 Scope of Rules.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 26 of Chapter 2021-2, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement Section 4 of Chapter 2021-2, Laws of Florida. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the replacement of the sales tax bracket system with a rounding algorithm.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Section 4 of Chapter 2021-2, Laws of Florida. Additionally, this emergency rule is the most

expedient and appropriate means of notifying taxpayers of the provisions of Section 4 of Chapter 2021-2, Laws of Florida.

SUMMARY: Emergency Rule 12AER21-14 amends Rule 12A-15.001, F.A.C., by striking the obsolete reference to the sales tax bracket system cards and including the appropriate reference to the DR-15DSS, which contains the discretionary sales surtax rates for each county in Florida.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER21-14 ~~12A-15.001~~ Scope of Rules.

(1) For the purpose of administering the Discretionary Sales Surtax (referred to as the Surtax, or Tax), all rules relating to Sales and Use Tax (chapter 12A-1, F.A.C.) shall apply to the Surtax, except in those situations where rules relating to the Surtax have been issued to clarify specific statutory provisions.

(2) The list of counties levying the surtax is subject to frequent revision. An up-to-date listing of counties levying the surtax is available, without cost, by one or more of the following methods: 1) downloading Form DR-15DSS, Discretionary Sales Surtax information, updated annually, the appropriate Sales Tax Bracket Cards from the Department’s website at www.floridarevenue.com/taxes/rates; or, 2) writing the Florida Department of Revenue, Taxpayer Services, Mail Stop 3-2000, 5050 West Tennessee Street, Tallahassee, Florida 32399-0112; ~~or, 3) 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 212.18(2), 213.06(1) FS, Section 26 of Chapter 2021-2, L.O.F. Law Implemented 212.054(2), (4) FS, Section 4 of Chapter 2021-2, L.O.F. History—New 12-11-89, Amended 11-16-93, 11-1-05.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 07/01/2021

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12AER21-15
 RULE TITLE: Admissions; Tangible Personal Property; Services; Service Warranties; Real Property and Transient Accommodations; Use Tax.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 26 of Chapter 2021-2, Laws of Florida,

authorizes the Department of Revenue to promulgate emergency rules to implement Sections 4, 5, 6, and 8 of Chapter 2021-2, Laws of Florida. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding remote sales, which replaces mail order sales in order to capture retail sales made by mail, telephone, the Internet, and other means of communication, as well as new provisions for the taxation of marketplaces.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Sections 4, 5, 6, and 8 of Chapter 2021-2, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of the provisions of Sections 4, 5, 6, and 8 of Chapter 2021-2, Laws of Florida.

SUMMARY: Emergency Rule 12AER21-15 amends Rule 12A-15.003, F.A.C., by striking subsection (5) pursuant to statutory changes requiring dealers to collect discretionary sales surtax on remote sales in counties which impose a surtax.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER21-15 ~~12A-15.003~~ Admissions; Tangible Personal Property; Services; Service Warranties; Real Property and Transient Accommodations; Use Tax.

(1) through (3) No change

(4) SALES OF TANGIBLE PERSONAL PROPERTY.

(a) A dealer who makes sales of tangible personal property, including tangible personal property sold through a marketplace or by remote sale, is required to collect surtax when the taxable item of tangible personal property is delivered within a surtax county. The dealer is required to collect surtax at the rate imposed by the county where the delivery occurs, whether the delivery is made directly by the dealer or by a manufacturer or wholesaler who delivers the property to the purchaser on behalf of the dealer. When the item of tangible personal property is delivered within a county not imposing a surtax, the dealer is not required to collect surtax.

1. through 3. No change

(b) through (c) No change

~~(5) MAIL ORDER SALES.~~

~~(a) A dealer who makes mail order sales, as defined in rule 12A-1.103, F.A.C., is required to collect surtax at the rate imposed by the surtax county where the taxable item of tangible personal property is delivered when:~~

~~1. The mail order is placed through a dealer's location within a surtax county and received by the dealer in another state; and;~~

~~2. The item is delivered to a location within a surtax county.~~

~~(b)1. Example: A multi state company has stores in Florida located in surtax counties and in counties that do not impose a surtax. A purchaser places a mail order with the company's mail order division at the dealer's location in County A (a county imposing a 1% surtax). The out of state mail order division ships the merchandise to purchaser's residence in County B (a county not imposing a surtax). Although the company has stores within a surtax county and the order is placed through the dealer's location within a surtax county, the item is not delivered within a surtax county. The selling dealer is not required to collect surtax.~~

~~2. Example: A multi state company has stores in Florida located in surtax counties and in counties that do not impose a surtax. A purchaser places a mail order with the company's mail order division at the dealer's location in County A (a county imposing a 1% surtax). The mail order division ships the item to a residence in County B (a county imposing a 1/2% surtax). The transaction occurs in County B. The selling dealer is required to collect sales tax and surtax on the sales price of the merchandise at the rate of 6 1/2% (6% state tax and 1/2% surtax).~~

(6) though (9) No change; renumbered (5) through (8)

~~(9) (40) USE TAX.~~

(a) Any person who is not required to be a registered dealer but who owes use tax on tangible personal property purchased out-of-state, in another country, or through a remote sale mail order firms or the Internet is not required to pay surtax when paying the applicable use tax to the Department.

(b) through (e) No change

Rulemaking Authority 212.18(2), 213.06(1) FS, Section 26 of Chapter 2021-2, L.O.F. Law Implemented 212.05(1), 212.0506, 212.054, 212.055, 212.0596, 212.06(1), (2), (4), (6), (8), (10), 212.07(8), 212.18(3), 212.183 FS, Sections 4, 5, 6, and 8 of Chapter 2021-2, L.O.F. History—New 12-11-89, Amended 1-30-91, 5-12-92, 8-10-92, 11-16-93, 3-20-96, 6-19-01, 10-2-01, 4-17-03, 5-28-06.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 07/01/2021

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12AER21-16
 RULE TITLE: Construction Contractors Who Repair, Alter, Improve, and Construct Real Property; Refund of Surtax.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR

WELFARE: Section 26, Chapter 2021-2, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement Section 5, Chapter 2021-2, Laws of Florida. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding remote sales, which replaces mail order sales in order to capture retail sales made by mail, telephone, the Internet, and other means of communication.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Section 5 of Chapter 2021-2, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of the provisions of Section 5 of Chapter 2021-2, Laws of Florida.

SUMMARY: Emergency Rule 12ER21-16 amends Rule 12A-15.008, F.A.C., by replacing the term "mail order firms or the Internet" with "remote sale."

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Danielle Boudreaux, Technical Assistance and Dispute Resolution, telephone (850)717-7082, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER21-16 ~~12A-15.008~~ Construction Contractors Who Repair, Alter, Improve, and Construct Real Property; Refund of Surtax.

(1) LUMP SUM, COST PLUS, FIXED FEE, OR GUARANTEED PRICE CONTRACTS.

(a) No change

(b) A contractor or subcontractor who is not required to be a registered dealer and who owes use tax on taxable items of tangible personal property purchased out-of-state, in another country, or through a remote sale mail order firms or the Internet for use in a lump sum, cost plus, fixed fee, guaranteed price, or similar type of contract is not required to pay surtax when paying the applicable use tax to the Department.

(c) No change

(2) through (4) No change

Rulemaking Authority 212.18(2), 213.06(1) FS, Section 26 of Chapter 2021-2, L.O.F. Law Implemented 212.02(4), (16), (20), 212.054, 212.055, 212.06(1), 212.14(5) FS, Section 5 of Chapter 2021-2, L.O.F. History—New 12-11-89, Amended 5-12-92, 8-10-92, 11-16-93, 3-20-96, 4-17-03.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 07/01/2021

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

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 July 1, 2021, the Division issued an order. The Final Order was in response to a Petition for a permanent Variance from Canopy by Hilton at 380 Trinity Place, West Palm Beach, FL, filed June 3, 2021, and advertised on June 16, 2021 in Vol. 47, No. 116, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 110.26, NFPA 70, 2017 National Electric Code, as adopted by Rule 61C-5.001 Florida Administrative Code that requires minimum distances for providing and maintaining access and working space about all electrical equipment because the Petitioner has not 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 (VW2021-086).

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. chr.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 July 1, 2021, the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Marina Condominium at Bay Hill at 9000 Bay Hill Blvd, Orlando, FL 32856, filed June 11, 2021, and advertised on June 16, 2021, in Vol. 47, No. 116, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rules 8.6.1.2, 8.6.1.4, and 8.6.4.7, ASME A17.1, 2013 edition, and Rule 204.7a(3), ASME A17.1b, 1983 edition, 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 because the Petitioner has not 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 (VW2021-088).

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, chr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on July 02, 2021, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for An Emergency Variance for Subparagraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from ICE CREAM LA OAXAQUENA INC located in Bradenton. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kasimira.Kelly@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On June 14, 2021 the Division of Hotels and Restaurants received a Petition for a Routine Variance for Subparagraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from BELIEVIN LLC located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved

plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and 3-compartment sinks.

The Petition for this variance was published in Vol. 47/115 on June 15, 2021. The Order for this Petition was signed and approved on July 1, 2021. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash and 3-compartment sinks are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Kasimira.Kelly@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On June 23, 2021 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, Paragraph 61C-4.010(1), Florida Administrative Code, and Paragraph 61C-4.010(6), Florida Administrative Code from SABORCITO CARAIBENO INC located in Miami. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol 47/122 on June 24, 2021. The Order for this Petition was signed and approved on July 1, 2021. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the

Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

A copy of the Order or additional information may be obtained by contacting: Kasimira.Kelly@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On June 24, 2021 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from APEX FABCOMFORT INC located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and 3-compartment sinks.

The Petition for this variance was published in Vol. 47/123 on June 25, 2021. The Order for this Petition was signed and approved on July 1, 2021. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash and 3-compartment sinks are emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure that the handwash

sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

A copy of the Order or additional information may be obtained by contacting: Kasimira.Kelly@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: RULE TITLE:

64B2-13.004 Continuing Education

The Board of Chiropractic Medicine hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on January 24, 2020 by Nayda M. Nunez, D.C. The Notice of Petition for Variance or Waiver was published in Volume 46, Number 18 of the January 28, 2020, Florida Administrative Register. The Petitioner was seeking a variance of Rule 64B2-13.004, Florida Administrative Code, which specifies the required criteria for continuing education courses. Petitioner requested a permanent variance to grant him 15 hours of Continuing Education (“CE”) credit for the course CEAS I Ergonomics Assessment Certification Workshop offered by The Back School of Atlanta. The course has not been approved by the Board for Florida Chiropractic CE credit. The Board considered the instant Petition at a duly-noticed meeting, held February 14, 2020, in Orlando, Florida. The Board’s Order, filed on March 6, 2020, denied the petition finding that Petitioner failed to demonstrate how compliance with the rule’s underlying statute has been achieved by other means.

A copy of the Order or additional information may be obtained by contacting: Christina McGinnis, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3255, telephone: (850) 488-0595, or by electronic mail – Christina.McGinnis@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: RULE TITLE:

64B2-13.004 Continuing Education

The Board of Chiropractic Medicine hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on January 16, 2020 by Keith E. Pyne, D.C. The Notice of Petition for Variance or Waiver was published in Volume 46, Number 15 of the January 23, 2020, Florida Administrative Register. The Petitioner was seeking a variance of Rule 64B2-13.004, Florida Administrative Code, which specifies the required criteria for continuing education courses. Petitioner requested a permanent variance to grant him 27 hours of Continuing Education (“CE”) credit for a course Complementary and Alternative Medicine Human Dissection Experience offered by Queen’s University, Kingston, Ontario,

Canada. The course has not been approved by the Board for Florida Chiropractic CE credit. The Board considered the instant Petition at a duly-noticed meeting, held February 14, 2020, in Orlando, Florida. The Board’s Order, filed on Mar 6, 2020, denied the petition finding that Petitioner failed to demonstrate how compliance with the rule’s underlying statute has been achieved by other means.

A copy of the Order or additional information may be obtained by contacting: Christina McGinnis, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3255, telephone: (850) 488-0595, or by electronic mail – Christina.McGinnis@flhealth.gov

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: RULE TITLE:

64B2-13.004 Continuing Education

The Board of Chiropractic Medicine hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on January 24, 2020 by Jose R. Cadavedo, D.C. The Notice of Petition for Variance or Waiver was published in Volume 46, Number 18 of the January 28, 2020, Florida Administrative Register. The Petitioner was seeking a variance of Rule 64B2-13.004, Florida Administrative Code, which specifies the required criteria for continuing education courses. Petitioner requested a permanent variance to grant him 15 hours of Continuing Education (“CE”) credit for the course CEAS I Ergonomics Assessment Certification Workshop offered by The Back School of Atlanta. The course has not been approved by the Board for Florida Chiropractic CE credit. The Board considered the instant Petition at a duly-noticed meeting, held February 14, 2020, in Orlando, Florida. The Board’s Order, filed on March 6, 2020, denied the petition finding that Petitioner failed to demonstrate how compliance with the rule’s underlying statute has been achieved by other means.

A copy of the Order or additional information may be obtained by contacting: Christina McGinnis, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3255, telephone: (850) 488-0595, or by electronic mail – Christina.McGinnis@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: RULE TITLE:

64B2-13.004 Continuing Education

The Board of Chiropractic Medicine hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on December 19, 2019, by Amber F. Roman, D.C. The Notice of Petition for Variance or Waiver was published in Volume 46, Number 10 of the January 15, 2020, Florida Administrative Register. The Petitioner was seeking a variance of Rule 64B2-13.004, Florida Administrative Code,

which specifies the required criteria for continuing education courses. Petitioner requested a permanent variance to allow her credit for the McKenzie Part D course, taken through the Physical Therapy branch of the McKenzie Institute International. The course has not been approved by the Board for Florida Chiropractic CE credit. The Board considered the instant Petition at a duly-noticed meeting, held February 14, 2020, in Orlando, Florida. The Board’s Order, filed on March 6, 2020, denied the petition finding that Petitioner failed to demonstrate how compliance with Rule 64B2-13.004, F.A.C., would pose an undue hardship on Petitioner or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Christine McGinnis, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3255, telephone: (850) 488-0595, or by electronic mail – Christina.McGinnis@flhealth.gov.

**DEPARTMENT OF HEALTH
BOARD OF PSYCHOLOGY
NOTICE OF WITHDRAWAL OF PETITION FOR
VARIANCE OR WAIVER**

The Board of Psychology hereby gives notice that the Petition filed on June 29, 2021, by Jennifer Soloman, seeking a temporary emergency variance or waiver of Section 490.004, F.S. and 490.005, F.S., with regards to the timeframes of her licensure by examination. Petitioner requests 90 extension to complete the Florida laws and rules exam.

The Notice of Petition for Variance or Wavier was published in Vol. 47, No. 127, of the July 1, 2021, issue of the Florida Administrative Register.

The person to be contacted regarding this petition is Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253, Allen.Hall@flhealth.gov.

**DEPARTMENT OF CHILDREN AND FAMILIES
Substance Abuse Program
RULE NO.: RULE TITLE:
65D-30.013 Standards for Prevention**

The Department of Children and Families (“Department”) hereby gives notice:

The Department has issued an order disposing of the petition for waiver of Rule 65D-30.013(3)(a), Florida Administrative Code, from Hanley Center Foundation, Inc. d/b/a Hanley Foundation. The Notice of Variances and Waivers was published in Volume 47, No. 101 of the Florida Administrative Register on May 25, 2021. Rule 65D-30.013(3)(a) of the Code states that providers of substance abuse services must delineate reporting relationships and staff supervision, including having at least one (1) qualified professional on staff. Rule 65D-30.002(68) states that “qualified professional” is defined as in

section 397.311(34), Florida Statutes. Section 397.311(35), Fla. Stat., defines “qualified professional” as a physician or a physician assistant licensed under chapter 458 or chapter 459; a professional licensed under chapter 490 or chapter 491; an advanced practice registered nurse licensed under part I of chapter 464; or a person who is certified through a department-recognized certification process for substance abuse treatment services and who holds, at a minimum, a bachelor’s degree.

The petition for waiver was granted because Petitioner demonstrated a substantial hardship and that the underlying purpose of the statute has been achieved.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Children and Families, 2415 North Monroe Street, Suite 100, Tallahassee, FL 32303 or agency.clerk@myflfamilies.com.

**DEPARTMENT OF CHILDREN AND FAMILIES
Substance Abuse Program
RULE NO.: RULE TITLE:
65D-30.013 Standards for Prevention**

The Department of Children and Families (“Department”) hereby gives notice:

The Department has issued an order disposing of the petition for waiver of Rule 65D-30.013(3)(a), Florida Administrative Code, from Help-Us Help-U, Inc. The Notice of Variances and Waivers was published in Volume 47, No. 66 of the Florida Administrative Register on April 6, 2021. Rule 65D-30.013(3)(a) of the Code states that providers of substance abuse services must delineate reporting relationships and staff supervision, including having at least one (1) qualified professional on staff. Rule 65D-30.002(68) states that “qualified professional” is defined as in section 397.311(34), Florida Statutes. Section 397.311(35), Fla. Stat., defines “qualified professional” as a physician or a physician assistant licensed under chapter 458 or chapter 459; a professional licensed under chapter 490 or chapter 491; an advanced practice registered nurse licensed under part I of chapter 464; or a person who is certified through a department-recognized certification process for substance abuse treatment services and who holds, at a minimum, a bachelor’s degree.

The petition for waiver was granted because Petitioner demonstrated a substantial hardship and that the underlying purpose of the statute has been achieved.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Children and Families, 2415 North Monroe Street, Suite 100, Tallahassee, FL 32303 or Agency.Clerk@myflfamilies.com.

**DEPARTMENT OF CHILDREN AND FAMILIES
Substance Abuse Program
RULE NO.: RULE TITLE:
65D-30.013 Standards for Prevention**

The Department of Children and Families ("Department") hereby gives notice:

The Department has issued an order disposing of the petition for waiver of Rule 65D-30.013(3)(a), Florida Administrative Code, from Just for Girls Leadership and Learning Centers. The Notice of Variances and Waivers was published in Volume 47, No. 70 of the Florida Administrative Register on April 12, 2021. Rule 65D-30.013(3)(a) of the Code states that providers of substance abuse services must delineate reporting relationships and staff supervision, including having at least one (1) qualified professional on staff. Rule 65D-30.002(68) states that "qualified professional" is defined as in section 397.311(34), Florida Statutes. Section 397.311(35), Fla. Stat., defines "qualified professional" as a physician or a physician assistant licensed under chapter 458 or chapter 459; a professional licensed under chapter 490 or chapter 491; an advanced practice registered nurse licensed under part I of chapter 464; or a person who is certified through a department-recognized certification process for substance abuse treatment services and who holds, at a minimum, a bachelor's degree.

The petition for waiver was granted because Petitioner demonstrated a substantial hardship and that the underlying purpose of the statute has been achieved.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Children and Families, 2415 North Monroe Street, Suite 100, Tallahassee, FL 32303 or Agency.Clerk@myflfamilies.com.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announce the following Deep Dive Workshop, which is open to the public.

DATE: Tuesday, July 13, 2021, 12:00 Noon – 2:00 p.m.

PLACE: FSCJ Administrative Offices, 501 West State St., Jacksonville, FL 32202

DEEP DIVE WORKSHOP:

TIME: 12:00 Noon – 2:00 p.m.

PLACE: Board Room 405

GENERAL SUBJECT MATTER(S) TO BE CONSIDERED:

1) FSCJ DBOT Self-Evaluation Results; 2) College President Performance Evaluation; and 3) 2021-22 Performance Goals & Objectives for FSCJ President John Avendano, Ph.D.

A copy of the workshop agenda may be obtained by contacting: Kimberli Sodek, Office of the College President (OCP) Administration Support Manager at Kim.Sodek@fscj.edu.

Copies of the workshop agenda will be available beginning Tuesday, July 6, 2021, and provided upon written request and the payment of approved duplicating charges.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the workshop is asked to advise the agency at least 24 hours before the workshop by contacting: The OCP Administration Support Manager Kimberli Sodek at 904.632.3205 or Kim.Sodek@fscj.edu. 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).

Florida State College at Jacksonville does not discriminate against any person on the basis of race, disability, color, ethnicity, national origin, religion, gender, age, sex, sexual orientation/expression, marital status, veteran status, pregnancy or genetic information in its programs, activities and employment. For more information, visit FSCJ's Equal Access/Equal Opportunity page.

For more information, you may contact: Kimberli Sodek, OCP Administration Support Manager at 904.632.3205 or Kim.Sodek@fscj.edu.

DEPARTMENT OF LAW ENFORCEMENT

The Criminal and Juvenile Justice Information Systems (CJJIS) Council announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Wednesday, July 14, 2021, 1:30 p.m., ET; Wednesday, July 28, 2021, 1:30 p.m. ET

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Uniform Statute Table Task Force will review and discuss different statute table related topic papers.

A copy of the agenda may be obtained by contacting: CJJISCouncil@fdle.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 3 days before the workshop/meeting by contacting: CJJISCouncil@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: CJJISCouncil@fdle.state.fl.us.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation (FDOT), Florida's Turnpike Enterprise (FTE), announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, July 20, 2021. The Public Hearing will begin as an open house at 5:30 p.m. A formal presentation will begin promptly at 6:00 p.m. followed by a public comment period.

PLACE: Option 1: In-person at the Homestead-Miami Speedway Champions Club, One Ralph Sanchez Speedway Blvd, Homestead, FL 33035

Option 2: Virtual/online via a computer, tablet, or smartphone

Option 3: By phone in listen-only mode; Call 1 (415) 655-0060 and enter access code 147-365-270

Visit the project website, www.TurnpikeSouthMiamiDade.com, to register for the Public Hearing and to select your participation option. ****Please note that registration works best in Google Chrome, Microsoft Edge and Firefox web browser.**** All attendees will participate in the same live virtual Public Hearing.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Financial Project Identification Number: 439545-1

Efficient Transportation Decision Making Number: 14322

Project Description: Florida's Turnpike (SR 821) Widening Project Development and Environment (PD&E) Study with limits from US 1 (south of Palm Drive) to Campbell Drive in Miami-Dade County

The proposed improvements include the widening of Florida's Turnpike, a Turnpike ramp over the Palm Drive and US 1 intersection, and a new partial interchange at Lucy Street/SW 328 Street. The Public Hearing is being conducted to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements.

An informational video, displays, maps and other information that describe the preferred alternative and proposed access modifications have been developed. Potential right of way impacts associated with the proposed improvements including proposed stormwater ponds will also be displayed. All materials that will be on display at the in-person location are available for review now on the project website. Please contact the Project Manager, Jazlyn Heywood, using the contact information provided below with project questions.

If the hearing cannot be held on July 20, 2021, due to severe weather or unforeseen conditions, it will be held on the alternate date of August 5, 2021 at the same time and place.

Project documents are available now for public review on the project website, www.TurnpikeSouthMiamiDade.com, and will be available at the in-person location. Project documents will also be available for public review from Monday, June 28,

2021 to Friday, July 30, 2021 at the CYBRARIUM, 80 West Mowry Drive, Homestead, FL 33030, (305) 224-4410.

Persons wishing to submit written or verbal comments may do so at the hearing or may contact the Project Manager using the contact information provided below. All statements provided, or postmarked, on or before July 30, 2021 will become a part of the Public Hearing record.

A copy of the agenda may be obtained by contacting: Jazlyn Heywood at the contact information provided below. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least Seven (7) days before the workshop/meeting by contacting: Jazlyn Heywood at the contact information provided below. 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: Jazlyn Heywood, Project Manager, at (407)264-3298, by email at Jazlyn.Heywood@dot.state.fl.us. Project information and updates will also be available on the project website, www.TurnpikeSouthMiamiDade.com.

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: July 8, 2021, 10:00 a.m., ET

PLACE: 605 Suwannee Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The conference call has been cancelled.

A copy of the agenda may be obtained by contacting: the Florida Transportation Commission at (850) 414-4105.

For more information, you may contact: the Florida Transportation Commission at (850) 414-4105.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The Department of Highway Safety and Motor Vehicles announces a public meeting to which all persons are invited.

DATE AND TIME: July 13, 2021, 1:00 p.m. – 2:00 p.m., ET

PLACE: THIS MEETING WILL BE HELD VIA MICROSOFT TEAMS. PLEASE SEE DIAL-IN INFO BELOW.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Motorist Modernization Advisory Board is meeting to receive an update on Phase 1 of the Motorist Modernization Program. System functionality and requirements will also be presented to the group for consideration and input.

AGENDA

- Roll Call

- Welcome
- Review and Approval of Last Meeting Minutes
- Advisory Board Membership Update
- Stakeholder Outreach
- Phase I Project Update
- Communications Update
- Q&A
- Adjourn

Microsoft Teams meeting

Join on your computer or mobile app

Click here to join the meeting

https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTBiNTk4NTgtZDQwNS00OTZkLTk0N2UtODlmMzZIOTVkdMDA2%40thread.v2/0?context=%7b%22Tid%22%3a%2225c7bf74-6ed1-4f3c-af88-d6c3933606ca%22%2c%22Oid%22%3a%22f12acde9-abbd-45e0-93b8-12e80c44c029%22%7d

Or call in (audio only)

+1 850-583-5466,400850022# United States, Tallahassee
Phone Conference ID: 400 850 022#

A copy of the agenda may be obtained by contacting: The agenda is included above.

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: Terrence Samuel, 2900 Apalachee Parkway, Room D315, Tallahassee, FL 32399, (850)617-2100. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The Department of Highway Safety and Motor Vehicles announces a public meeting to which all persons are invited.

DATE AND TIME: July 13, 2021, 2:30 p.m. – 4:00 p.m., ET
PLACE: THIS MEETING WILL BE HELD VIA MICROSOFT TEAMS. PLEASE SEE DIAL-IN INFO BELOW.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Motorist Modernization Advisory Board is meeting to discuss and provide guidance & recommendations on Phase 2 of the Motorist Modernization Program.

AGENDA

- Roll Call
- Welcome
- Review and Approval of Last Meeting Minutes
- Advisory Board Membership Update
- Phase II IV&V Update
- Stakeholder Outreach Update

- MM Phase II Program Update
- Financial Review
- Project Updates
- Communications Update
- Q&A
- Adjourn

Microsoft Teams meeting

Join on your computer or mobile app

Click here to join the meeting

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MmFIYmMwYjgtZjRkYS00ZWRiLTlkOTUtYTI3MGNIZDE1ODBm%40thread.v2/0?context=%7b%22Tid%22%3a%2225c7bf74-6ed1-4f3c-af88-d6c3933606ca%22%2c%22Oid%22%3a%22f12acde9-abbd-45e0-93b8-12e80c44c029%22%7d

Or call in (audio only)

+1 850-583-5466,362353834# United States, Tallahassee
Phone Conference ID: 362 353 834#

A copy of the agenda may be obtained by contacting: The agenda is included above.

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: Terrence Samuel, 2900 Apalachee Parkway, Room D315, Tallahassee, FL 32399, (850)617-2100. 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).

REGIONAL PLANNING COUNCILS

Central Florida Regional Planning Council

The Heartland Regional Transportation Planning Organization (HRTPO) announces a public meeting to which all persons are invited.

DATE AND TIME: July 21, 2021, 1:30 p.m.

PLACE: Okeechobee Freshman Campus Auditorium, 700 SW Second Avenue, Okeechobee, FL 34974

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Transportation Disadvantaged (TD) Local Coordinating Board (LCB) for DeSoto, Hardee, Highlands, and Okeechobee Counties Service Area.

A copy of the agenda may be obtained by contacting: Marybeth Soderstrom, Transportation Director, 863-534-7130 ext. 134 or msoderstrom@cfrpc.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 3 days before the workshop/meeting by contacting: Marybeth Soderstrom, Transportation Director, 863-534-7130 ext. 134 or msoderstrom@cfrpc.org. If you are

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

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Thursday, July 15, 2021, 9:00 a.m., Governing Board Monthly Meeting

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, FL 33406. Members of the public may participate and provide public comment in-person or via Zoom, a media technology free for the public to use. https://sfwmd.gov.zoom.us/webinar/register/WN_MVDiwq1tRx-3Z5Y1VqVU5A

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Governing Board of the South Florida Water Management District will discuss and consider District business, including regulatory and non-regulatory matters.

The public and stakeholders will have an opportunity to view and comment on the meeting by attending in person or utilizing the following link: https://sfwmd.gov.zoom.us/webinar/register/WN_MVDiwq1tRx-3Z5Y1VqVU5A The link will go live at approximately 9:00 AM on July 15, 2021.

The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

A copy of the agenda may be obtained by contacting: The agenda containing information on this meeting will be posted to the District’s website www.SFWMD.gov/meetings, seven days prior to the meeting. Or, you can email Rosie Byrd at rbyrd@sfwmd.gov.

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

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: Rosie Byrd at rbyrd@sfwmd.gov.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

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

DATE AND TIME: Tuesday, July 20, 2021, 9:30 a.m. – 5:00 p.m.

PLACE: Teleconference only: Dial in (Toll Free): 1(866)899-4679, United States: (571)317-3116, Access Code: 488-454-357, Audio Pin: (None) Select #

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Joint Task Force (JTF) Technical Committee will discuss items to bring to the attention of the JTF Board regarding the Statewide Law Enforcement Radio System (SLERS).

A copy of the agenda may be obtained by contacting: Millie Marchiano, (850)922-7435, Millicent.Marchiano@dms.fl.gov. The Agenda and handouts will be made available closer to the date of the meeting at the following web address: http://www.dms.myflorida.com/business_operations/telecommunications/radio_communications_services/statewide_law_enforcement_radio_system_slers/upcoming_joint_task_force_meetings

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Millie Marchiano at (850)922-7435 or by email at millicent.marchiano@dms.fl.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: Millie Marchiano at (850)922-7435 or by email at millicent.marchiano@dms.fl.gov.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

The Board of Speech-Language, Pathology and Audiology announces a public meeting to which all persons are invited.

DATE AND TIME: October 22, 2021, 9:00 a.m., ET

PLACE: TBA

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

A copy of the agenda may be obtained by contacting: <https://floridasspeechaudiology.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 7 days before the workshop/meeting by

contacting: Christa Peace, christa.peace@flhealth.gov at (850)245-4161 or 4052 Bald Cypress Way, Bin 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.

**FISH AND WILDLIFE CONSERVATION COMMISSION
Marine Fisheries**

The Fish & Wildlife Foundation of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, July 16, 2021, 10:00 a.m. – 11:00 a.m.

PLACE: The public may participate in the call at FWC offices located at 620 S. Meridian St. Tallahassee. Please call 850-404-6129 for admittance into the building.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance & Audit Committee of the Fish & Wildlife Foundation of Florida will be reviewing proposals submitted for preparation of the annual audited financial statements.

A copy of the agenda may be obtained by contacting: Mr. Will Bradford, 620 S. Meridian St, Tallahassee, FL 32399; (850) 404-6129.

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: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Will Bradford, 620 S. Meridian St, Tallahassee, FL 32399; (850) 404-6129.

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation's Board of Governors announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 14, 2021, 9:00 a.m. – 1:00 p.m.

PLACE: Marriott Hotel, 1501 International Parkway, Lake Mary, FL 32746

Zoom Number: 786-635-1003; Participant Code: 956 3792 7111

Link available at www.citizensfla.com

GENERAL SUBJECT MATTER TO BE CONSIDERED: Topics to include but not limited to Board Committee Reports.

A copy of the agenda may be obtained by contacting: www.citizensfla.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 5 days before the workshop/meeting by contacting: Barbara Walker at 850-445-9645. 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: Barbara.walker@citizensfla.com; 2101 Maryland Circle, Tallahassee, FL 32303; 850-445-9645.

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation FMAP Board of Governors announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 14, 2021, to convene immediately following the Board of Governors Meeting scheduled from 9:00 a.m. - 1:00 p.m.

PLACE: Marriott Hotel, 1501 International Parkway, Lake Mary, FL 32746

GENERAL SUBJECT MATTER TO BE CONSIDERED: Topics to include but not limited to the Florida Market Assistance Plan (FMAP) Program Update.

A copy of the agenda may be obtained by contacting: www.citizensfla.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 5 days before the workshop/meeting by contacting: Barbara Walker at 850-445-9645; barbara.walker@citizensfla.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).

**AMERICAN CONSULTING PROFESSIONALS -
DEBORAH TURNER**

The Florida Department of Transportation, District Seven announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 15, 2021, 10:00 a.m. – 12:00 p.m.

PLACE: Bayside Community Church, 3380 SR 580, Safety Harbor, FL 34695

GENERAL SUBJECT MATTER TO BE CONSIDERED: You are invited to attend and participate in the Project Advisory Group (PAG) Meeting for the SR 580 Corridor Planning and Concept Development Study.

The Florida Department of Transportation (FDOT) District Seven has scheduled a PAG Meeting to provide an overview of

the SR 580 Corridor Study from Alt. US 19/SR 595/Broadway to Tampa Road being conducted in Pinellas County, Florida.

This project will be coordinated with Forward Pinellas Metropolitan Planning Organization (MPO) and the Cities of Dunedin, Clearwater, Safety Harbor, Oldsmar and unincorporated portions of Pinellas County to develop potential solutions that establish safer multimodal environment utilizing a context-sensitive approach. This study will involve a community-based evaluation to determine how best to meet the needs of current and future users, and to establish a long-term plan to guide evolution of the corridor that appropriately correlates the balance between land use and transportation planning.

The result of the SR 580 Corridor Planning Study will include the development of a Corridor Development Plan, which will identify a range of multi-modal solutions to address the mobility needs within a context that reflects the long-term vision for the study corridor. The Corridor Development Plan will include short, mid and long-term implementation strategies that guide future development within the corridor, as well as specific improvements that can potentially be advanced in the near term through local agency participation and/or by FDOT.

At the PAG Meeting, the study team will provide interactive roll plots for comments and input, an overview of the study process and project schedule. The project team will work cooperatively with attendees to identify community issues, goals and preferences in the project study area. Additional, SR 580 project current and future information may be found at this website: www.fdot7studies.com/projects/sr580-corridor.

The meeting will be held in-person at Bayside Community Church, 3380 SR 580, Safety Harbor, FL 34695. Those who cannot attend the in-person meeting, may attend the virtual GoTo Meeting by registering here: <https://global.gotomeeting.com/join/115703933>. If you prefer to dial in by phone, call +1 (866) 899-4679 and then dial the Access Code: 115-703-933. After registering, you will receive a confirmation email containing information about joining the meeting.

Written comments can be mailed to: Brian Shroyer, CPM, Project Manager, Florida Department of Transportation District Seven, Planning & Environmental Management Office (PLEMO) MS 7-500, 11201 N. McKinley Drive, MS 7-500, Tampa, FL 33612, emailed to: brian.shroyer@dot.state.fl.us or provided on the "Send us your comments" page on the project website at www.fdot7studies.com/projects/sr580-corridor.

FDOT welcomes and appreciates everyone's participation. If you have questions about the project or the scheduled hearing, please contact Brian Shroyer, CPM, Project Manager, at (813) 975-6449 or (800) 226-7220 or visit our project website at www.fdot7studies.com/projects/sr580-corridor.

Comuníquese con nosotros: Nos importa mucho la opinión del público sobre el proyecto. Si usted tiene preguntas o comentarios, o simplemente desea más información sobre este proyecto, por favor comuníquese con nuestro representante, Manuel Flores al teléfono (813) 975-4248 o al correo electrónico manuel.flores@dot.state.fl.us.

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

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated December 14, 2016 and executed by the Federal Highway Administration and FDOT.

A copy of the agenda may be obtained by contacting:

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 6 days before the workshop/meeting by contacting: Mr. Alex Henry, Public Involvement Coordinator, Florida Department of Transportation, District Seven, MS 7-500, 11201 N. McKinley Drive, Tampa, FL 33612; (813) 975-6405. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Alex Henry, Public Involvement Coordinator, Florida Department of Transportation, District Seven, MS 7-500, 11201 N. McKinley Drive, Tampa, FL 33612; (813) 975-6405.

THE VALERIN GROUP, INC.

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

DATE AND TIME: Wednesday, July 14, 2021, 5:30 p.m. - 7:30 p.m.

PLACE: Delray Beach Public Library, 100 W. Atlantic Avenue, Delray Beach, FL 33444 or use the following link to register for the online session: http://fdot.cc/Brant_Bridge_Replacement_VPM_Registration You may also call in at: 1 (877) 568-4108 Access code: 167-329-759

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 440043-1-52-01

Project Description: Brant Road Bridge Replacement Project in Palm Beach County, FL.

The project consists of bridge and roadway improvements on Brant Drive from Oregon Lane to Avocet Road in the cities of Boca Raton and Delray Beach. The project consists of replacing the two-lane Brant Drive Bridge over the C-15 Canal,

constructing 10-foot shared-use paths in each direction, adding drainage and decorative lighting, upgrading signage and pavement markings, and milling and resurfacing.

Construction will begin in August 2021 and is estimated to be completed in late 2022. The estimated construction cost is \$2,472,960.

The Hybrid Construction Open House will be held virtually and in person. The online session will be held from 5:30 p.m. to 6:30 p.m. with a brief presentation followed by questions and comments from the public. The in-person session will be held from 6:30 p.m. to 7:30 p.m. and will have an informal open house format. FDOT staff and consultant staff members will be available to discuss the project and answer questions.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require translation services (free of charge) should contact Saira Rothschild, P.E., FDOT Project Manager, at (561) 370-1194 or by email at saira.rothschild@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: Saira Rothschild, P.E., FDOT Project Manager, at (561) 370-1194 or by email at saira.rothschild@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: Saira Rothschild, P.E., FDOT Project Manager, at (561) 370-1194 or by email at saira.rothschild@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Angel Streeter Gardner, Community Outreach Specialist, at (561) 886-8773 or by email at angel@valerin-group.com.

THE VALERIN GROUP, INC.

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

DATE AND TIME: Wednesday, July 7, 2021, 5:00 p.m. – 7:00 p.m.

PLACE: In Person: Charlotte J. Burrie Civic Center, large banquet room, 2669 North Federal Highway, Pompano Beach, FL 33064 Virtual: use the following link to register for the online session: <http://fdot.cc/Sample-Road-VPM>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 439910-1-52-01, 441630-1-52-01 & 441630-1-52-02

Project Description: Sample Road Resurfacing and Lighting Project in Broward County, FL.

The project consists of resurfacing, restoration and rehabilitation improvements along State Road 834/Sample Road from Military Trail to State Road 5/US 1/Federal

Highway in the cities of Deerfield Beach and Pompano Beach in Broward County, Florida. The project includes milling and resurfacing, lighting improvements, signalization upgrades, drainage improvements, signing and pavement markings.

Construction will begin in July 2021 and is estimated to be completed in late 2021. The estimated construction cost is \$2.7 million.

The Hybrid Construction Open House will be held virtually and in person. The online session will be held 5 p.m. to 6 p.m. with a brief presentation followed by comments and questions from the public. The in-person session will be held from 6 p.m. to 7 p.m. and will have an informal open house format. FDOT staff and consultant staff members will be available to discuss the project and answer questions.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require translation services (free of charge) should contact Matthew G. May, P.E., FDOT Project Manager, at (954) 649-3220 or by email at matthew.may@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: Matthew G. May, P.E., FDOT Project Manager, at (954) 649-3220 or by email at matthew.may@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 14-7 days before the workshop/meeting by contacting: Matthew G. May, P.E., FDOT Project Manager, at (954) 649-3220 or by email at matthew.may@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Justina Hicklyn, Community Outreach Specialist, at (954) 940-7585 or by email at Justina@valerin-group.com.

THE VALERIN GROUP, INC.

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

DATE AND TIME: Thursday, July 15, 2021, 5:00 p.m. – 7:00 p.m.

PLACE: In-Person: Jarvis Hall, 4505 N. Ocean Drive, Lauderdale-By-The-Sea, FL 33308. Virtual: use the following link to register for the online session: <http://fdot.cc/SRA1AVPM>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 441628-1-52-01, 441628-4-52-02 & 441628-1-52-03

Project Description: State Road (SR) A1A from Pine Avenue to Sunset Lane in Broward County, FL.

The project consists of resurfacing, restoration, and rehabilitation improvements on SR A1A from Pine Avenue to

Sunset Lane in the Town of Lauderdale-By-The-Sea and the Village of Sea Ranch Lakes.

Construction will begin in July 2021 and is estimated to be completed in early 2022. The estimated construction cost is \$1.2 million.

The Hybrid Construction Open House will be held virtually and in person. The online session will be held from 5 p.m. to 6 p.m. with a brief presentation followed by questions and comments from the public. The in-person session will be held from 6 p.m. to 7 p.m. and will have an informal open house format. FDOT staff and consultant staff members will be available to discuss the project and answer questions.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require translation services (free of charge) should contact David Schweiger, P.E., FDOT Project Manager, at (954) 940-7522 or by email at David.Schweiger@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: David Schweiger, P.E., FDOT Project Manager, at (954) 940-7522 or by email at David.Schweiger@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 14-7 days before the workshop/meeting by contacting: David Schweiger, P.E., FDOT Project Manager, at (954) 940-7522 or by email at David.Schweiger@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Justina Hicklyn, Community Outreach Specialist, at (954) 940-7585 or by email at Justina@valerin-group.com.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by GFA International, Inc., on March 24, 2021. The following is a summary of the agency's disposition of the petition:

Petitioner requested an answer to the following questions, based upon the project described within its petition: 1. Do the

locations set forth in sections R317.1.1 through R317.1.7 encompass all locations require wood treatment as contemplated by section 318.1.8? 2. If the wood in locations set forth in sections R317.1.1 through R317.1.7 is treated in accordance with section R318.1.8, is soil applied pesticides or baiting systems in accordance with sections R318.1.1 through R318.1.7 required? 3. Is the use of wood that is preservative-treated in accordance with the standard AWPA U1 and the provisions of section R317.1 an approved method of subterranean termite control? On June 8, 2021, the Commission provided the following answers: In response to Petitioner's first question, pursuant to the definition of the term "Registered Termiticide" in section R202, Florida Building Code, Residential, 7th Edition (2020), and the provisions of section R318.1.8, Florida Building Code, Residential, 7th Edition (2020), the application/required locations and specification of wood treatment termiticide as contemplated by section R318.1.8 must be as required by label direction for use and as listed by the Florida Department of Agriculture and Consumer Services. In response to Petitioner's second question, pursuant to the definition of the term "Registered Termiticide" in section R202, Florida Building Code, Residential, 7th Edition (2020), and the provisions of section R318.1.8, Florida Building Code, Residential, 7th Edition (2020), the application/required locations and specification of wood treatment termiticide as contemplated by section R318.1.8 must be as required by label direction for use and as listed by the Florida Department of Agriculture and Consumer Services. In addition, pursuant to section R318.1.8, Florida Building Code, Residential, 7th Edition (2020), if a registered wood treatment termiticide is used for subterranean termite prevention, sections R318.1.1 through R318.1.6, Florida Building Code, Residential, 7th Edition (2020), do not apply. In response to Petitioner's third question, the answer is no. As per the current listing of termiticides approved by the Florida Department of Agriculture and Consumer Services, AWPA U1 is not an approved wood treatment termiticide.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)921-0342, AGC.Filing@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has issued an order disposing of the petition for declaratory statement filed by Miami-Dade County Building Code Administration on April 28, 2021. The following is a summary of the agency's disposition of the petition:

Petitioner requested an answer to the following question, based upon the project described within its petition: Can natural ventilation (via openable windows) be used to provide outdoor air for an occupied space while it is mechanically cooled and still meet the sealed building thermal envelope requirements of section C402.5, Florida Building Code, Energy Conservation, 7th Edition (2020)? On June 8, 2021, the Commission provided the following answer: The answer to the Petitioner's question is yes. Pursuant to section C403.2.6, Florida Building Code, Energy Conservation, 7th Edition (2020), and section 401.2, Florida Building Code, Mechanical, 7th Edition (2020), natural ventilation meeting the specified requirements of section 402, Florida Building Code, Mechanical, 7th Edition (2020), is an acceptable method of ventilation for the building in question.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)921-0342, AGC.Filing@myfloridalicense.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE IS HEREBY GIVEN that Florida Department of Environmental Protection has received the petition for declaratory statement from Mark D. Simpson. The petition seeks the agency's opinion as to the applicability of 64E-6.008(1)(a) as it applies to the petitioner.

Petitioner requests a declaratory statement on applying rule 64E-6.008(1)(a) of the Florida Administrative Code to the use of metered water data from several mobile home parks to determine the estimated sewage flow for a proposed mobile home park. Petitioner proposes several approaches to evaluate the data gathered by the petitioner to arrive at an alternate flow estimate to Table I of rule 64E-6.008(1).

A copy of the Petition for Declaratory Statement may be obtained by contacting: Eb Roeder, Division of Water Resource Management, Onsite Sewage Program, Mail Station 3596, 2600 Blairstone Road Tallahassee, Florida 32399, telephone: 850-245-8402

Please refer all comments to: Eb Roeder, Division of Water Resource Management, Onsite Sewage Program, Mail Station

3596, 2600 Blairstone Road Tallahassee, Florida 32399, telephone: 850-245-8402.

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

NONE

**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., Monday, June 28, 2021 and 3:00 p.m., Friday, July 2, 2021.

Rule No.	File Date	Effective Date
12ER21-3	7/1/2021	7/1/2021
12ER21-4	7/1/2021	7/1/2021
12ER21-5	7/1/2021	7/1/2021
12ER21-6	7/1/2021	7/1/2021
12AER21-7	7/1/2021	7/1/2021
12AER21-8	7/1/2021	7/1/2021
12AER21-9	7/1/2021	7/1/2021
12AER21-10	7/1/2021	7/1/2021
12AER21-11	7/1/2021	7/1/2021
12AER21-12	7/1/2021	7/1/2021
12AER21-13	7/1/2021	7/1/2021
12AER21-14	7/1/2021	7/1/2021
12AER21-15	7/1/2021	7/1/2021
12AER21-16	7/1/2021	7/1/2021
14-15.002	6/30/2021	7/20/2021
33-602.201	7/2/2021	7/22/2021
53ER21-37	7/1/2021	7/1/2021
53ER21-38	7/1/2021	7/1/2021
53ER21-39	7/1/2021	7/1/2021
53ER21-40	7/1/2021	7/1/2021
59G-4.193	6/30/2021	7/20/2021
61B-60.005	7/2/2021	7/22/2021
61B-18.001	7/2/2021	7/22/2021

61G19-6.0035	7/1/2021	7/21/2021
61M-1.002	7/1/2021	7/21/2021
64B1-4.001	6/28/2021	7/18/2021
64B2-13.004	7/2/2021	7/22/2021
64B4-7.0081	6/29/2021	7/19/2021
64B4-55.002	6/28/2021	7/18/2021
64B7-26.002	6/30/2021	7/20/2021
68A-27.0021	7/1/2021	7/21/2021

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

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****

**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.