

Section I

Notice of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.002
RULE TITLE: Licensing and Inspection Requirements
PURPOSE AND EFFECT: To clarify requirements related to the implementation of Chapter 2023-48 and Chapter 2023-211, Laws of Florida, and adopt updated forms by reference.

SUBJECT AREA TO BE ADDRESSED: To establish requirements for the creation of a DBPR online service account; set specific circumstances allowing for applicants, licensees or licensed agents to opt-out of creating an online account; to instruct applicants, licensees or licensed agents to provide an email address to the division for use as the primary method of contact; to define the license classification of temporary commercial kitchen; and revise existing applications.

RULEMAKING AUTHORITY: 509.032, 509.241, 509.2112, F.S.

LAW IMPLEMENTED: 213.0535, 509.032, 509.102, 509.221, 509.241, 509.242, 509.251, 559.79, 509.2112, 509.013, 509.096, 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Michelle Keith; Division of Hotels and Restaurants, Department of Business and Professional Regulation, 2601 Blair Stone Rd., Tallahassee, FL 32399-1011; DHR.Rules@myfloridalicense.com; (850)717-1290.

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

Section II

Proposed Rules

DEPARTMENT OF CHILDREN AND FAMILIES

Economic Self-Sufficiency Program

RULE NO.: 65A-1.603
RULE TITLE: Food Assistance Program Income and Expenses

PURPOSE AND EFFECT: Amend to update the standard utility allowance, basic utility allowance, telephone standard and shelter deduction used to determine an assistance group's benefits.

SUMMARY: Amendments increases the standard and basic utility allowances, telephone standard and the homeless shelter deduction.

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.

A SERC has not been prepared.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 414.45 FS.

LAW IMPLEMENTED: 414.31 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elizabeth Floyd. Elizabeth can be reached at Elizabeth.Floyd@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.603 Food Assistance Program Income and Expenses.

(1) Rounding Income and Expenses. With the exception of the benefit reduction, cents resulting from budget calculations are retained at each level in determining the assistance group’s (AGs) food assistance benefits. The benefit reduction is rounded up to the next whole dollar.

(2) Standard Utility Allowance. A standard utility allowance (SUA) of ~~\$426~~ ~~\$376~~ must be used by AGs who incur, or within the eligibility period expect to incur, heating or cooling expenses separate and apart from their rent or mortgage and by AGs who receive direct or indirect assistance authorized under the Low-Income Home Energy Assistance Act of 1981. Actual utility expenses are not allowed. Any additional utility expenses, including the telephone standard, are not used.

(3) Basic Utility Allowance. A basic utility allowance (BUA) of ~~\$340~~ ~~\$303~~ must be used by AGs who do not incur heating or cooling expenses, but do incur utility expenses such as electricity, fuel, water, sewerage, or garbage pickup, separate and apart from their rent or mortgage. Actual utility expenses are not allowed. Any additional utility expenses, including the telephone standard, are not used.

(4) Telephone Standard. A telephone standard of ~~\$49~~ ~~\$44~~ must be used by AGs who incur only a telephone expense. Actual telephone expenses are not allowed. Any additional utility expenses, including the SUA or BUA, are not used.

(5) Homeless Shelter Deduction. A homeless shelter deduction of ~~\$180~~ ~~\$167~~ must be used by homeless AGs who do not receive free shelter throughout the month and incur or expect to incur shelter expenses unless higher expenses are claimed.

(6) Child Support Paid Out. Legally obligated child support payments are a deduction for the Food Assistance Program.

Rulemaking Authority 414.45 FS. Law Implemented 414.31 FS. History—New 1-31-94, Formerly 10C-1.603, Amended 1-12-99, 5-25-03, 8-22-05, 2-17-09, 12-13-09, 11-1-10, 12-25-11, 10-16-12, 8-11-13, 11-30-14, 1-31-16, 6-6-17, 4-4-18, 8-15-18, 12-3-19, 11-25-20, 1-9-22, 2-6-23. Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Renita Robinson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shevaun L. Harris

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 11, 2023

DEPARTMENT OF CHILDREN AND FAMILIES

Economic Self-Sufficiency Program

RULE NOS.:	RULE TITLES:
65A-4.201	Criteria for Hardship Extensions and Exemptions to Cash Assistance Time Limit
65A-4.203	Personal Care of a Disabled Family Member
65A-4.207	Age
65A-4.208	Need
65A-4.209	Income
65A-4.210	Budgeting
65A-4.2131	Learnfare Requirements
65A-4.214	Family Cap Requirements
65A-4.215	Temporary Cash Assistance Eligibility of Pregnant Women

65A-4.216	Immunization Program
65A-4.220	Amount and Duration of Cash Payment

PURPOSE AND EFFECT: Amendments clarify the Temporary Cash Assistance program requirements.

SUMMARY: Amendments include: (1) updates form CF-ES 2082, (2) adds the non-English versions of Form CF-ES 2082, (3) removes language not necessary for rule, (4) removes language in the form, (5) adds the non-English version of Form CF-ES 2094, (6) Adds the non-English version of Form CF-ES 2305, (7) updates reference to the Act, (8) adds the non-English version of Form CF-ES 2635, (9) clarifies rules, and (10) removes language in statute.

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.

A SERC has not been prepared.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to 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: 414.45, 414.065(4)(g), 414.085(2), 414.095, 414.095(14)(k), 414.095(18) F.S.

LAW IMPLEMENTED: 414.065, 414.105(9), 414.0252, 414.095 414.085, 414.1251, 414.115, 414.13, 414.14, F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Elizabeth Floyd. Elizabeth can be reached at Elizabeth.Floyd@myflfamilies.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-4.201 Criteria for Hardship Extensions and Exemptions to Cash Assistance Time Limit.

(1) Hardship Extension and Exemption Determinations. An extension or exemption from the time limit for receipt of Temporary Cash Assistance (TCA) cannot be authorized until a hardship review is completed, using the Hardship Extension Review, CF-ES 2082, 05/2023 06/2012, which is incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01349>, incorporated incorporated by reference, is completed by the Department and the Regional Workforce Board (RWB) or its designee, and a favorable decision is made about the existence of a hardship. The following non-English versions of the Hardship Extension Review form are incorporated by reference: CF-ES 2082H (Creole), 05/2023, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>, and CF-ES 2082S (Spanish), 05/2023, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

(2) A recommendation, ~~if appropriately made~~, and the decision about hardship eligibility will be based on the criteria established in this rule and Section 414.105, F.S. If all hardship criteria are met, the Department will approve the participant for continued receipt of TCA for the amount of time recommended by the Local Workforce Development Board (LWDB).

~~(2) The Department will be responsible for:~~

~~(a) Determining that the TCA time limit is correct.~~

~~(b) Completing section A of the CF-ES 2082; forwarding the form to the RWB; and, if applicable, referring the participant to the RWB designee to complete the review process.~~

~~(3) The RWB or its designee will be responsible for reviewing the participant's potential to obtain and retain employment and assessing if the participant is recommended for a hardship extension or exemption. The RWB or its designee will document the review on the CF-ES Form 2082 and have the participant sign the form and indicate if an extension or exemption is being requested.~~

~~(4) A participant who did not request a hardship extension or exemption when the initial CF-ES 2082 was signed can~~

~~request a hardship extension or exemption by completing the hardship review process. If the individual has not received TCA benefits or services for more than 30 days, the ACCESS Florida Application, CF-ES 2337, 11/2011, incorporated by reference in Rule 65A-1.205, F.A.C., or an ACCESS Florida Web Application (only accepted electronically), CF-ES 2353, 09/2011, incorporated by reference in Rule 65A-1.205, F.A.C., must also be completed.~~

~~(5) Upon documentation of a pending SSI or SSDI application or appeal, individuals who are not receiving TCA benefits because of the 48-month lifetime limit must be granted an extension of the time limit until a final determination is made pursuant to Section 414.105(8), F.S.~~

~~(6) Hardship exemption criteria. Criteria for hardship exemptions are stated in Section 414.105, F.S.~~

~~(3)(7) Diligent participation. To meet the diligent participation criteria, the participant must: have no more than one work sanction imposed in the last 18 ~~eighteen~~ months of receipt of cash assistance; and, be in compliance with the individual responsibility plan as determined by the LWDB RWB or its designee's contracted career manager.~~

~~(4)(8) Extraordinary barriers to employment. The following criteria are extraordinary ~~Extraordinary~~ barriers to employment include the following criteria:~~

~~(a) The individual has been a custodial parent with a child under three 3 months of age.~~

~~(b) The individual has been a single custodial parent caring for a child who has not attained age six 6, and proves the inability to obtain needed child care due to the unavailability of appropriate child care within a reasonable distance from the home or worksite, unavailability or unsuitability of informal child care by a relative or under other arrangements, or unavailability of appropriate and affordable formal child care arrangements.~~

~~(c) No change.~~

~~(d) An individual was temporarily unable to participate in assigned work activities due to circumstances beyond their control as determined by LWDB RWB or its designee.~~

~~(9) is redesignated (5) No change.~~

~~(6) A participant who did not request a hardship extension or exemption when the initial CF-ES 2082 was signed can request a hardship extension or exemption by completing the hardship review process. If the individual has not received TCA benefits or services for more than 30 days, the ACCESS Florida Application, CF-ES 2337, 08/2016, incorporated by reference in Rule 65A-1.205, F.A.C., or an ACCESS Florida Web Application (only accepted electronically), CF-ES 2353, 11/2020, incorporated by reference in Rule 65A-1.205, F.A.C., must also be completed.~~

~~(10) The RWB or its designee will forward to the Department a copy of the completed CF-ES 2082 that includes~~

a recommendation for approval and recommended length of the extension or exemption or denial of a hardship extension or exemption. If all hardship criteria is met, the Department will approve the participant for continued receipt of TCA for the amount of time recommended by the RWB.

(7)(14) Hearing Rights. Participants whose cash assistance is being terminated because they have reached their lifetime limit and have been denied a hardship extension or exemption can request a fair hearing in accordance with the Department's hearing procedures in Chapter 65-2, F.A.C. Unless waived ~~waved~~, cash assistance will be continued or reinstated in accordance with 45 C.F.R. 205.10(a)(6) ~~7 C.F.R. §273.15(k)~~, when the request for a hearing is received by the end of the last day of the month prior to the effective date of the adverse action indicated on the notice. The notice allows at least 10 ~~ten~~ days for the request. If the last day of the month falls on a holiday or weekend, the deadline is the next business day. The assistance group must repay cash assistance if the hearing decision is in favor of the Department.

(12) is redesignated (8) No change.

~~(13) Materials incorporated by reference are available from the Economic Self-Sufficiency Headquarters Office at 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700. Forms are also available on the Department's website at <http://www.def.state.fl.us/dcforms/Search/DCFFormSearch.aspx>. The CF-ES 2353 is available on the Department's website at <http://www.myflorida.com/accessflorida/>. Rulemaking Authority 414.45 FS. Law Implemented 414.105, 414.14 FS. History—New 9-28-98, Amended 5-27-01, 2-22-06, 11-13-06, 8-12-12. Amended _____.~~

65A-4.203 Personal Care of a Disabled Family Member.

(1) No change.

(2) Disability. In order for an individual to receive an exemption to program time limits due to their responsibility to care for a disabled family member, the disability must be verified. Acceptable verification is:

(a) ~~The~~ the family member's receipt of temporary or permanent disability benefits issued by a government or private source,

(b) A ~~a~~ statement by a physician or licensed or certified psychologist certifying the family member is disabled, ~~or~~ ~~of~~ ~~Part B of the Statement of the Need for Care, CF-ES 2094, 06/2009, incorporated by reference.~~

(c) Completion by a physician of Part B of the Statement of the Need for Care, CF-ES 2094, 06/2009, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>. The following non-English versions of the Statement of the Need for Care are incorporated by reference: CF-ES 2094H

(Creole), 06/2009, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>, and CF-ES 2094S (Spanish), 06/2009, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

(3) Need for Personal Care. The disabled family member must require the physical presence of the individual to provide care, supervision, or arrange services, ~~typically during the family member's waking hours~~. Personal care of the family member includes the provision of daily care services, supervision of care, and transportation. Verification of the family member's need for personal care must be provided verbally for individuals whose disability has already been verified or in writing ~~or~~ by completing Part A of the CF-ES 2094. Any of the following will also be accepted as verification of disability and the need for personal care:

(a) through (g) No change.

(h) Verification by a children's mental health or substance abuse provider certifying that a child meets the criteria for serious emotional disturbance or psychoactive substance use disorder, and a statement by a licensed psychiatrist indicating the need for care or supervision of the child that includes a DSM-V ~~DSM-IV~~ diagnosis, recommended treatment for the child and caregiver, and prognosis indicating the estimated length of time care is needed.

(4) Alternative Care. The caregiver must indicate a lack of alternative care in both the local community and from other family members verbally for individuals whose disability has already been verified or in writing ~~or~~ by completing Part A of the CF-ES 2094. Alternative care might not be available because the service to meet a specific need does not exist in the community or the cost of the service is prohibitive.

(5) Co-existing Conditions. Each of the conditions detailed in subsections (2) through (4), above, must exist in order for an exemption from temporary cash assistance time limits due to the provision of care for a disabled family member to be granted.

(6) through (8) No change.

~~(9) A copy of the CF-ES 2094 is available from the ACCESS Florida Headquarters Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700 or on the Department's _____ website at <http://www.def.state.fl.us/DCFForms/Search/DCFFormSearch.aspx>.~~

Rulemaking Authority 414.45, 414.065(4)(g) FS. Law Implemented 414.065, 414.105(9) FS. History—New 4-27-99, Amended 9-3-07, 9-21-09. Amended _____.

65A-4.207 Age.

(1) To be included in a Temporary Cash Assistance (TCA) benefit, a child must be a minor child as defined in Section 414.0252(8), F.S. An unmarried child means the child has never

been married or if married, the marriage was annulled.

(a) A secondary school is considered grades 6 through 12 as in Section 1003.413(1), F.S.

(b) Full-time is defined as the number of hours considered to be full-time by the educational institution the child is attending.

(2) A child is eligible to receive TCA on the factor of age through the month of the child's ~~18th eighteenth~~ birthday, or through the month of the child's ~~19th nineteenth~~ birthday, if attending secondary school or an equivalent level of career training on a full-time basis ~~unless born, if the child's birthday is on the first day of the month, eligibility ceases effective the minor child's 18th birthday, or 19th birthday, if attending secondary school or an equivalent level of career training on a full-time basis.~~

Rulemaking Authority 414.095(18), 414.45 FS. Law Implemented 414.0252, 414.095 FS. History—New 1-11-98, Amended 9-6-09. Amended _____.

65A-4.208 Need.

(1) The Department determines financial eligibility by comparing the income, assets and needs of standard filing unit members to the eligibility/payment standard applicable to the assistance group pursuant to ~~as in~~ Section ~~414.095~~ 414.095(12), F.S. Assistance group members are always members of the standard filing unit and their income, assets, and needs are counted. The income and assets of standard filing unit members who are not part of the assistance group are counted, but their needs are not.

(2) For Temporary Cash Assistance (TCA), the following individuals are included in the assistance group:

(a) The minor child(ren) for whom assistance is requested, provided they meet all non-financial state and federal Temporary Assistance to Needy Families TCA eligibility criteria, ~~as set forth in section 414.095(2) and (14), F.S. pursuant to Section 103 of Public Law 104-193, Part A, Section 401(a)(1) and Section 408(a)(1)(A)(i), 45 C.F.R. §233.10, 45 C.F.R. §233.90(c)(1)(v)(A), 45 C.F.R. §233.107, and Sections 414.095(2) and (14), F.S. The term "in a setting approved by the Department" set forth in Section 414.095(2)(a)4., F.S., means a Department approved adult supervised supportive living arrangement for an unwed minor child and their dependent child(ren) pursuant to 45 C.F.R. §233.107 and Section 414.095(14), F.S.~~

(b) through (c) No change.

(3) through (4) No change.

(5) For TCA, the following individuals cannot be included in the assistance group or standard filing unit:

(a) through (c) No change.

(d) Individuals who are receiving assistance under the Refugee Assistance Program ~~or the Cuban/Haitian Entrant~~

~~Program;~~

(e) No change.

(f) Non-parent caretaker relatives who would otherwise be included in the assistance group except that they are on strike.

~~(6)~~ When a parent or caretaker relative whose needs are counted is on strike, the entire assistance group is ineligible for TCA.

(7) through (9) are redesignated (6) through (8) No change.

~~(9)(10)~~ A relative caregiver may self-refer, or be referred, to the Relative Caregiver Program using CF-ES 2305, Relative Caregiver Program Request for Eligibility Consideration, 10/2005, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>, or by using the ACCESS Florida Web Application (only accepted electronically), CF-ES 2353, ~~11/2020~~ ~~09/2014~~, incorporated by reference in Rule 65A-1.205, F.A.C., or the ACCESS Florida Application, CF-ES 2337, ~~08/2016~~ ~~11/2014~~, incorporated by reference in Rule 65A-1.205, F.A.C. The following non-English versions of the Relative Caregiver Program Request for Eligibility Consideration are incorporated by reference: CF-ES 2305H (Creole), 10/2005, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>, and CF-ES 2305S (Spanish), 10/2005, available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>.

~~(11) Copies of the CF-ES-2305 and the CF-ES-2337 are available from the ACCESS Florida Headquarters Office, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, or on the _____ Department's _____ website _____ at <http://www.def.state.fl.us/def/forms/Search/DCFFormSearch.spx>. The CF-ES 2353 is available on the Department's website at <http://www.myflorida.com/access-florida/>.~~

Rulemaking Authority 414.095(18), 414.45 FS. Law Implemented 414.095(2)(a), (b), (5), (14) FS. History—New 1-11-98, Amended 5-10-05, 6-29-06, 9-16-08. Amended _____.

65A-4.209 Income.

(1) Income is cash received at periodic intervals from any source including but not limited to such as wages, benefits, contributions, and rental property, ~~etc.~~ Cash is money or an equivalent, such as a check, money order or other negotiable instrument. Income must be substantiated and, ~~verified or~~ documented as a condition of eligibility for Temporary Cash Assistance (TCA) as in Rule subsection 65A-1.205(5), F.A.C.

(2) To be financially eligible for TCA, the total average gross monthly income less any applicable disregards of the standard filing unit cannot exceed the applicable payment standard for the assistance group. ~~These standards and disregards are found in Sections 414.095(10) and (11), F.S. Monthly net income is calculated based on average gross monthly family income, earned and unearned, less any applicable disregards in accordance with Section~~

414.095(12)(a), F.S. ~~The monthly amount of the TCA payment is determined by subtracting the monthly net income from the applicable payment standard.~~

(a) The earned monthly income of the minor child who is a full-time student in an elementary or secondary school or an equivalent level of career training does not count in the eligibility determination. All income of the minor child received under the Workforce Innovation and Opportunity Investment Act (WIOA) (WIA) of 1998 does not count in the eligibility determination. The definition of minor child is in Section 414.0252(8), F.S. The definition of full-time attendance is in Rule paragraph 65A-4.207(1)(b), F.A.C. Student refers to the minor child whose needs are included in the benefit as a minor child not as a parent or relative. The definition of secondary school is in Rule 65A-4.207(1)(a), Section 1003.413(1), F.S.

(b) Total gross monthly income includes earned and unearned income from all sources. The countable net income of a stepparent living in the home with the TCA child, or of a parent living in the home with the minor mother payee, or of an ineligible noncitizen's parents during the five year disqualification period prescribed by the Personal Responsibility and Work Opportunity Act of 1996, or and of the sponsor and the sponsor's spouse of certain noncitizens is considered in determining the gross unearned income of the assistance group.

(c) ~~Income excluded from consideration in the TCA Program does not count in the eligibility determination. All income~~ of an adult received under the WIOA WIA Act does not count in the eligibility determination, except for wages paid directly by an employer.

(d) No change.

(3) The Department considers ~~only~~ the income and resources of the following individuals:

(a) through (b) No change.

(c) The sponsor(s), and sponsor's spouse, of a noncitizen.

1. The sponsoring agency or organization must fulfill its financial responsibilities to the noncitizen unless the agency or organization is no longer in existence at the time that the applicant or recipient applies ~~or the sponsor does not have the financial ability to meet the noncitizen's needs.~~

2. A noncitizen who reports support from an individual sponsor is required to have the sponsor and the sponsor's spouse provide information about their income and assets. If they do not give complete information and will not provide complete information upon request by the Department, the noncitizen and other sponsored members of the assistance group will be found ineligible for TCA because available income and assets cannot be determined. Eligibility for the noncitizen and other sponsored members of the assistance group cannot be established when required verification is not

obtained. Verification ~~is not required~~ of a noncitizen who self-declares non-support from the sponsor may be required if questionable.

3. No change.

(d) through (f) No change.

Rulemaking Authority 414.085(2), 414.095(18), 414.45 FS. Law Implemented 414.085, 414.095 FS. History—New 1-11-98, Amended 5-17-07, 9-6-09. Amended _____.

65A-4.210 Budgeting.

(1) The Department ~~department~~ uses a prospective budgeting system. In a prospective budgeting system, eligibility and the amount of the temporary cash assistance benefit for a payment month are based on the Department's ~~department's~~ best estimate of the assistance group's projected income and circumstances for that month. This estimate shall be based on the Department's ~~department's~~ reasonable expectation and knowledge of current or future circumstances based on income and circumstances in the month for which benefits are being calculated. When eligibility or the benefit amount is being determined for a month which has passed prior to the month of the application authorization, the actual income and circumstances for that month will be used. In converting income to a monthly income, the conversion factor of 4.3 shall be used for weekly income; the conversion factor of 2.15 shall be used for biweekly income; and the conversion factor of 2 shall be used for semi-monthly income. When averaging income, all income from the most recent four weeks shall be used if it is representative of the individual's future earnings. A longer period of past time may be used if necessary to provide a more accurate indication of anticipated fluctuations in future income in accordance with 7 CFR 273.10(c)(1)(ii). In budgeting income received by an individual on a contractual basis, ~~at the option of the individual,~~ the income is allocated prorated over the period it is intended to cover ~~of the contract or counted when received, in the amount received.~~

(2) No change.

(3) When a change in the receipt of income is reported and ~~documentation or~~ verification is not received by the eligibility specialist in time to adjust the benefit and also give a 10-day notice of the change in the benefit amount, the budget is computed based on the individual's statement of the amount of income received. The benefit amount will be adjusted if it is learned that income was incorrectly budgeted following receipt of the ~~documentation or~~ verification through the authorization of an auxiliary payment or referral to benefit recovery.

(4) Self Employment Income.

(a) through (d) No change.

(e) Fifteen percent of the gross rental receipts from unimproved rental property owned by the parent or relative is deducted if they are responsible for the costs of upkeep of

fences, wells, etc.

(f) A deduction from rental income is also recognized for taxes and the interest portion of mortgage payments on property other than homestead property. Homestead property is determined by the local property appraiser office.

(g) No change.

(h) Self-employed individuals have the option of having their average income determined based upon the four weeks prior to application or redetermination of eligibility or the last 12 ~~twelve~~ months to determine a representative average. A longer period of past time may be used if necessary to provide a more accurate indication of anticipated fluctuations in future income.

(5) Child support payments, received or expected to be received, are counted as unearned income. Fees charged by the court or another agency for collecting the payments are deducted. Child support payments which are collected by the State and retained to offset the individual's public assistance debt are not considered income in the budget except as required by 45 CFR 302.51. Non-recurring child support is budgeted in accordance with the Department's ~~department's~~ lump sum policy set forth in subsection (6), below.

(6) No change.

Rulemaking Authority 414.45 FS. Law Implemented 414.085, 414.095(10), (11), (12), (14) 414.14 FS. History—New 5-3-98, Amended 5-17-07. Amended _____.

65A-4.2131 Learnfare Requirements.

(1) Learnfare Requirements. Temporary cash assistance (TCA) will be reduced when a participant's dependent school-age child(ren) is determined to be habitually a habitual ~~habitually a habitual~~ truant or a school dropout or the parent or caretaker relative whose needs are included in the TCA assistance group fails to attend a school conference each semester. ~~Notification of the Learnfare Program requirements and the right to request a fair hearing if they disagree with a department decision will be provided upon TCA application using Your Rights and Responsibilities, CF-ES-2064, 03/2012, incorporated by reference in Rule 65A-1.204, F.A.C.~~

~~(2) School Age. Dependent children who are age 6, or who will be age 6 by February 1 of any school year, or who are over age 6 but under age 18 are subject to school attendance unless exempted from education participation requirements by the local school district.~~

~~(3) Referral to the Regional Workforce Board. If a participant's dependent child is age 16 or 17 and is exempted from education participation by the school district, the child is to be referred to the regional workforce board or its designee to participate in TCA work or alternative requirement plan activities.~~

~~(4) Habitual Truant or Dropout. The local school district~~

~~will be responsible for notifying the department when a dependent child of a TCA participant is identified as a habitual truant, pursuant to Section 1003.01(8), F.S., or a dropout, pursuant to Section 1003.01(9), F.S.~~

(5) through (6) are redesignated (2) through (3) No change.

~~(4)(7) Participants are also notified at TCA application of their right to request a fair hearing using Your Rights and Responsibilities, CF-ES 2064, 07/2016 03/2012, incorporated by reference in Rule 65A-1.204, F.A.C. Upon notification by the local school district that a participant's dependent child is habitually a habitual ~~habitually a habitual~~ truant or a dropout or a parent or caretaker relative fails to attend a school conference, the Department ~~department~~ must determine if good cause exists in accordance with Section 414.1251(1), F.S. If good cause does not exist, the Department ~~department~~ will advise the participant and impose Learnfare penalties in accordance with Sections 414.1251(1) and (2), F.S.~~

(5) School-Age. Dependent children who are age 6, or who will be age 6 by February 1 of any school year, or who are over age 6 but under age 18 are subject to school attendance unless exempted from education participation requirements by the local school district.

(6) Referral to the Local Workforce Development Board. If a participant's dependent child is age 16 or 17 and is exempted from education participation by the school district, the child is to be referred to the local workforce development board or its designee to participate in TCA work or alternative requirement plan activities.

~~(7)(8) Reinstatement of Benefits. Before benefits may be reinstated, the participant must notify the Department and provide verification ~~must be provided~~ that the participant's dependent child identified as a habitual truant or dropout is in compliance with Learnfare attendance requirements in accordance with Section 414.1251(1), F.S., or the parent or caretaker relative has met the school conference requirement.~~

~~(9) Copies of the CF-ES-2064 may be obtained from the Department of Children and Families, ACCESS Florida, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700. Rulemaking Authority 414.45 FS. Law Implemented 414.1251 FS. History—New 6-2-02, Amended 9-12-07. Amended _____.~~

65A-4.214 Family Cap Requirements.

(1) Family Cap. The first child born to a recipient of Temporary Cash Assistance (TCA) temporary cash assistance ~~temporary cash assistance~~ more than 10 ten months from the date of application will be added to the TCA temporary cash assistance ~~temporary cash assistance~~ group at one-half the incremental increase for an additional person. In the case of multiple births, each child will be added at one-half the incremental increase. Second or subsequent children subject to this policy and born to a TCA temporary cash assistance ~~temporary cash assistance~~ recipient will not increase the benefit amount. These subsequent

children are considered ineligible for ~~TCA temporary cash assistance~~. The income and assets of the second and subsequent child(ren) will be considered in the budget calculation, except for child support income. A child subject to the family cap will be considered ~~TCA temporary cash assistance~~ eligible for all other purposes, including Medicaid and categorical eligibility for food assistance. Once imposed, the cap continues to apply to a child unless an exception provided for by Section 414.115(2), F.S., is met.

~~(2) Assistance Breaks/Family Cap Count. A child born to an applicant or a recipient of temporary cash assistance is subject to family cap policy if the parent was a recipient of temporary cash assistance in any month more than ten months prior to the birth month and there has not been a break in assistance of six or more continuous months from the month the client last received assistance and the month of application. A parent who receives Supplemental Social Security Income (SSI) mothers and those who receive cash assistance from another state are not considered TCA temporary cash assistance recipients for purposes of this policy.~~

(3) No change.

Rulemaking Authority 414.45 FS. Law Implemented 414.115 FS. History—New 4-13-98, Amended 4-27-99, 3-9-03. Amended

65A-4.215 Temporary Cash Assistance Eligibility of Pregnant Women.

~~(1) Temporary cash assistance (TCA) eligibility may be available to pregnant women who have no other eligible children in the home in the ninth month of the pregnancy in accordance with Section 414.095(5), F.S. The ninth month is defined as the calendar month in which the due date falls. A pregnant woman restricted from participation in work activities by orders of a licensed physician may qualify for TCA upon application at the beginning of the last trimester of pregnancy as determined by the licensed physician.~~

~~(1)(2) The applicant's statement will be accepted for the ninth month of pregnancy. The ninth month is defined as the calendar month in which the due date falls. Restrictions from work activities and the month the last trimester begins must be verified in writing or verbally by a licensed physician for Temporary Cash Assistance (TCA) benefits to be authorized before the ninth month of pregnancy.~~

~~(2)(3) The standard filing unit is determined pursuant to Rule 65A-1.203, F.A.C. Only the needs of the pregnant woman are considered in the budget calculation. The needs of the unborn child are not considered until birth.~~

~~(3)(4) Pregnant women who are residents of state institutions, are in foster homes or other state-funded homes, or are having their care paid by the Department department in licensed maternity homes are not eligible.~~

~~(4)(5) Minors who are mandatory assistance filing unit members as children in another TCA temporary cash assistance case are not eligible under this rule because of Sections 414.095(2)(b)1. and (2)(b)4., F.S.~~

~~(5)(6) In active cases when the newborn child is determined eligible for ~~TCA temporary cash assistance~~, the newborn child is added for direct assistance effective the date of birth, even when payment is authorized in a later month.~~

~~(6)(7) When the pregnancy terminates by other than a live birth, eligibility for direct assistance continues through the month of delivery or termination of the pregnancy. Notice of cancellation must be sent to the client, but 10 days ten-day advance notice is not required.~~

~~(7)(8) When the mother does not bring the child home following delivery due to placement in foster care or adoption, eligibility continues through the month of delivery. The child is eligible for TCA for the month of birth only. A Adequate notice of cancellation must be given to the client, but 10 days ten-day advance notice is not required.~~

~~(8)(9) When an application is received prior to the last month of pregnancy from a pregnant woman women with no other children or, in a situation where the woman is restricted from work activity prior to the third trimester, TCA will be denied. The applicant will have hearing rights as provided in Rule 65A-4.201(11), elsewhere in rule. But, If if the application can be processed in accordance with processing standards established in Rule 65A-1.205, F.A.C., so that, in the event of approval, the approval will not occur prior to the last month of pregnancy or the third trimester of pregnancy, the application will not be denied solely because it is premature. When the application is denied solely because it was made prior to a period when the pregnant woman could be eligible, the Economic Self-Sufficiency specialist will advise the applicant of the periods of eligibility and the conditions of eligibility for the last month of pregnancy or the third trimester of pregnancy. Rulemaking Authority ~~420.54(1)~~, 414.45, 414.095 FS. Law Implemented 414.095 FS. History—New 5-3-98, Amended 9-19-04. Amended~~

65A-4.216 Immunization Program.

~~(1) Immunization. Applicants and recipients for Temporary Cash Assistance (TCA) who have a child under age five, must complete the appropriate childhood immunizations.~~

~~(2)(1) A child whose needs have been removed from the ~~TCA temporary cash assistance~~ grant due to failure of the recipient to provide verification of immunization(s) or exemption through good cause, will remain eligible for Medicaid. The child's needs will be reinstated when the individual provides proof that the immunization sequence ~~has started~~ and is up-to-date or complete, or that good cause for failure to immunize exists. Good ~~Examples of good~~ cause~~

exemptions from the immunization requirement include religious reasons or a permanent medical condition that prohibits immunization.

(3)(2) Any written statement containing information that the immunizations are current, the date the next immunization is due and the dated signature of a health care professional licensed under Chapter 458, 459 or 460, F.S., or authorized designee is acceptable as verification for immunization requirements. DH Form 680, 07/2010 11/96, Florida Certification of Immunization, incorporated by reference in Rule 64D-3.046, is an example of acceptable verification. Oral verification through direct contact between Departmental ~~departmental~~ staff and the health care professional or their authorized designee is allowed when the participant is unable to obtain written verification. DH Form 680 when signed by a healthcare professional licensed under Chapter 458, 459 or 460 ~~or 459~~, F.S., also will be used as verification of good cause for failure to immunize a child due to a permanent medical condition. DH Form 681, 07/2008 5/99, Religious Exemption from Immunization, incorporated by reference in rule 64D-3.046, signed by the county public health director or administrator is acceptable verification of good cause for failure to immunize a child because of religious beliefs.

Rulemaking Authority 420.54(1), 414.45 FS. Law Implemented 414.13 FS. History—New 4-26-94, Formerly 10C-1.517, Amended 7-22-97, Formerly 65A-1.517, Amended 10-11-99. Amended

65A-4.220 Amount and Duration of Cash Payment.

(1) No change.

(2) ~~The TCA Program uses consolidated standards of basic needs, which include food, clothing, household incidentals and shelter.~~ The eligibility specialist selects the applicable standard for the assistance group based on the size of the assistance group and the assistance group's shelter obligation.

(a) The three shelter payment standards in Section 414.095(10), F.S., are referred to as Tiers I, II and III. They may also be referred to as payment standards. The tier that applies to an assistance group with a shelter obligation greater than \$50 or that is homeless is Tier I. The tier that applies to an assistance group with a shelter obligation greater than \$0 and less than or equal to \$50 is Tier II. The tier that applies to an assistance group with a zero shelter obligation or ~~and~~ a teen parent living in the home of a parent, other adult relative, or legal guardian regardless of any shelter obligation is Tier III.

(b) The Department uses Tier I and II for assistance groups who have a shelter obligation, such as a mortgage, rent, or room and board payment. A shelter obligation exists when the assistance group has the responsibility to pay for the cost of housing. When the parent or relative payee's needs are included in the benefit amount, their shelter obligation is used. When the

parent or stepparent payee's needs are not included, they must indicate that the child(ren) is required to share their shelter cost. When a relative payee's needs are not included, the Department accepts their statement that the child(ren) is required to share their shelter cost.

(c) The Department uses Tier III for assistance groups who do not have a shelter obligation. ~~These assistance groups may be responsible for shelter related costs such as water, sewage, garbage, taxes, insurance and upkeep, or have no shelter or shelter related costs.~~

(3) through (4) No change.

(5) Payments are made in monthly increments throughout the period of eligibility ~~(i.e. until determined ineligible).~~

(a) No change.

(b) Benefits will not be restored if the benefits were lost more than 12 ~~twelve~~ months prior to the month the loss was discovered.

(6) No change.

(7) Residency is not affected during temporary absences.

(a) Temporary absence exists when an absence is 30 days or less. If the absence is greater than 30 days, the individual must provide the Department with verification of intent to return to the state by submitting the following:

1. The reason(s) the absence has been prolonged (e.g., medical treatment),

2. Plans to return to the state, ~~;~~ and,

3. The date the individual intends to return to the state.

(b) Temporary absence may exist when the absence is greater than 30 days if there is an intent to return to Florida. In determining continuation of TCA for temporarily absent assistance groups, TCA will continue if:

1. The assistance group has maintained its residence in Florida during the temporary absence period, ~~;~~ and,

2. The assistance group plans to return to Florida when the reason for the temporary absence has ended.

(c) Temporary absence does not exist, and therefore residency is not established, if:

1. Another state has determined the individual is a resident of their state for TCA purposes, ~~or~~

2. The individual leaves the U.S. with the intent to establish permanent residence outside the U.S., or

3. There is no intent to return to Florida.

(8) The Department must designate a ~~to~~ protective payee so an application can be approved or TCA can be continued for other assistance group members, when the payee of the TCA group is disqualified due to fraud. Protective payee requirements for TCA are the same as those listed in Section 414.065(2), F.S. ~~DCF~~ Form CF-ES 2635, Protective Payee Agreement, 07/2014, is incorporated herein by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-05058>. The following non-English versions of the Protective

Payee Agreement are incorporated by reference: CF-ES 2635H (Creole), 07/2014, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>, and CF-ES 2635S (Spanish), 07/2014, available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-XXX>. Copies of forms and materials incorporated by reference in this rule may be obtained by the public from the ESS Florida Headquarter’s Office at 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700. Forms are also available on the Department’s website at <http://www.def.fl.us/DCFForms/Search/DCFFormSearch.aspx>.

Rulemaking Authority 414.45, 414.095(14)(k), 414.095(18) FS. Law Implemented 414.14, 414.095 FS. History—New 1-31-94, Amended 10-9-96, Formerly 10C-1.504, Amended 11-30-98, Formerly 65A-1.504, Amended 2-10-03, 3-10-09, 3-18-15. Amended

NAME OF PERSON ORIGINATING PROPOSED RULE:
Renita Robinson
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shevaun L. Harris
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2023
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 11, 2023

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: RULE TITLE:
69O-151.003 Other Definitions

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 49 No. 191, October 2, 2023 issue of the Florida Administrative Register. The coding for the following rule is being updated for the purpose of clarification:

69O-151.003 Other Definitions.

~~(1) “Cash Dividend” means the current illustrated dividend which can be applied toward payment of the gross premium.~~

~~(1)(2) “Existing Insurer” means the insurance company whose policy is or will be changed or terminated in such a manner as described within the definition of “replacement.”~~

~~(2)(3) “Existing Life Insurance” means any life insurance in force including life insurance under a binding or conditional receipt or a life insurance policy that is within an unconditional refund period, but excluding life insurance obtained through the exercise of a dividend option.~~

~~(4) “Generic Name” means a short title which is descriptive of the premium and benefit patterns of a policy or a rider.~~

~~(3)(5) “Replacing Insurer” means the insurance company that issues a new policy which is a replacement of existing life insurance.~~

~~(4)(6) “Sales Proposal” means individualized, written sales aids of all kinds, which are used by an insurer or agent in comparing existing life insurance to proposed life insurance in order to recommend the replacement or conservation of existing life insurance. Sales aids of a generally descriptive nature, which are maintained in the insurer’s advertising compliance file, shall not be considered a Sales Proposal within the meaning of this definition.~~

~~(5)(7) “Life Insurance” shall include annuities, tax sheltered annuities or life insurance policies which qualify under the definition of tax sheltered annuities.~~

Rulemaking Authority 624.308, 626.9611, 626.9641 FS. Law Implemented 624.307(1), 626.9521, 626.9541, 626.9641 FS. History—New 7-9-81, Amended 2-2-83, Formerly 4-24.12, 4-24.012, 4-151.003, Amended.

Section IV Emergency Rules

NONE

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-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on December 11, 2023, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7), Florida Administrative Code, subsection 61C-4.010(6), Florida Administrative Code, and Section 6-402.11, 2017 FDA Food Code from Osteria 500 LLC located in Sarasota. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom on the same level be provided for use by

customers and employees. They are requesting to utilize bathrooms located on a different level.

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 on or before 5:00 p.m.

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-3.002 Qualifications for Examination

NOTICE IS HEREBY GIVEN that on November 08, 2023, the Board of Nursing, received a petition for variance or waiver filed by Candice Roper. Petitioner requests a variance or waiver from subsection 64B9-3.002(3), F.A.C., which states in part, for an applicant writing the examination for practical nurses on the basis of practical nursing education equivalency, a completed Practical Nurse Equivalence (PNEQ) Application Letter or an official certified transcript which sets forth graduation from an approved professional program is required.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe R. Baker, Jr, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252; MQA.Nursing@flhealth.gov.

Comments on this petition should be filed with the Board of Nursing within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Opticianry

RULE NO.: RULE TITLE:

64B12-16.004 Termination of Apprenticeship

NOTICE IS HEREBY GIVEN that on October 24, 2023, the Board of Opticianry, received a petition for variance and waiver filed by Yesenia Pagan. Petitioner seeks a variance or waiver of Rule 64B12-16.004, F.A.C., Termination of Apprenticeship. Comments on this petition should be filed with the Board of Opticianry, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ashleigh Irving, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-26.300 Consultant Pharmacist Licensure

The Board of Pharmacy hereby gives notice:

of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on August 17, 2023, by Kimberly Cadenhead. The Notice of Petition for Waiver or Variance was published in Volume 49, Number 172, of the September 5, 2023, Florida Administrative Register. The Petitioner was seeking a waiver of the requirement of paragraph 64B16-26.300(3)(b), Florida Administrative Code, entitled, "Consultant Pharmacist Licensure" which requires an applicant for licensure as a consultant pharmacist to successfully complete a consultant pharmacist course of no fewer than twenty (20) hours approved by the Florida Board of Pharmacy Tripartite Continuing Education Committee which is based on the Statement of the Competencies Required in Institutional Pharmacy Practice and covers the subject matter set forth in Rule 64B16-26.301, F.A.C.

The Board considered the instant Petition at a duly-noticed public meeting held October 20, 2023, in Tallahassee, Florida. The Board's Order, filed on November 14, 2023, granted the petition, finding that Petitioner established that the purpose of the underlying statute would be met by granting a variance or waiver from Rule 64B16-26.300(3)(b), Florida Administrative Code. The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to Petitioner's circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Allison Dudley, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258 or at info@Floridaspharmacy.gov.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: RULE TITLE:

64B20-2.003 Provisional Licensure; Requirements

The Board of Speech Language Pathology, and Audiology hereby gives notice:

of the issuance of an Order Granting Petition for Variance and Waiver, filed by Teresa Sufana on September 22, 2023. The Notice of Petition for Waiver and Variance was published in Vol. 49, No. 187, of the September 26, 2023, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on October 13, 2023, in Tampa, Florida. The Board's Order, filed on October 24, 2023, granted the petition. The Board found that petitioner was in substantial compliance with the provision of Section 120.542, F.S. and Chapter 28-104, F.A.C. and voted to approve the petition for variance and waiver for Rules 64B20-2.003 and 64B20-5.005, F.A.C.

A copy of the Order or additional information may be obtained by contacting: Allen Hall, Acting Executive Director, Board of

Speech Language Pathology, and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3257, Allen.Hall@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: RULE TITLE:

64B20-2.003 Provisional Licensure; Requirements

The Board of Speech Language Pathology, and Audiology hereby gives notice:

of the issuance of an Order Granting Petition for Variance and Waiver, filed by Anju Varghese on March 31, 2023. The Notice of Petition for Waiver and Variance was published in Vol. 49, No. 64, of the April 3, 2023, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on April 21, 2023 via video telephone conference. The Board's Order, filed on May 3, 2023, granted the petition. The Board found that petitioner was in substantial compliance with the provision of Section 120.542, F.S. and Chapter 28-104, F.A.C. and voted to approve the petition for variance and waiver for Rules 64B20-2.003 and 64B20-5.005, F.A.C.

A copy of the Order or additional information may be obtained by contacting: Allen Hall, Acting Executive Director, Board of Speech Language Pathology, and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3257, Allen.Hall@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: RULE TITLE:

64B20-2.003 Provisional Licensure; Requirements

The Board of Speech Language Pathology, and Audiology hereby gives notice:

of the issuance of an Order Granting Petition for Variance and Waiver, filed by Sarah Heaton on December 19, 2022. The Notice of Petition for Waiver and Variance was published in Vol. 48, No. 246, of the December 21, 2022, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on January 20, 2023 via video telephone conference. The Board's Order, filed on February 2, 2023, granted the petition. The Board found that petitioner was in substantial compliance with the provision of Section 120.542, F.S. and Chapter 28-104, F.A.C. and voted to approve the petition for variance and waiver for Rules 64B20-2.003 and 64B20-5.005, F.A.C.

A copy of the Order or additional information may be obtained by contacting: Allen Hall, Acting Executive Director, Board of Speech Language Pathology, and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3257, Allen.Hall@flhealth.gov.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NOS.:RULE TITLES:

- 5B-54.001 Definitions
- 5B-54.003 Regulated Honey Bee Pests, Races, and Regulated Articles
- 5B-54.006 Movement of Regulated Articles
- 5B-54.010 Registration with the Department
- 5B-54.0105 Location of Managed Honey Bee Colonies
- 5B-54.011 Apiary Inspection Procedures
- 5B-54.0115 Special Inspection and Certification Fees
- 5B-54.013 Identification of Ownership of Honey Bee Hives
- 5B-54.014 Issuance of Certificates
- 5B-54.017 Destruction or Treatment of Infested or Infected Colonies
- 5B-54.0175 Irradiation of Beekeeping Equipment
- 5B-54.018 Compensation for Infested or Infected Colonies
- 5B-54.019 Procedures for Abandoned Apiaries

The Honey Bee Technical Council announces a public meeting to which all persons are invited.

DATE AND TIME: December 15, 2023, 9:00 a.m. – 11:00 a.m.

PLACE: Please join the meeting from your computer, tablet, or smartphone.

https://meet.goto.com/DPI_IT/fdacs_dpi_honeybee_technical_council_meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: UF Bee Lab Updates; FDACS Honey Bee Diagnostic Lab Discussion; Industry Issues Discussions: Apiary Locations, Pests, Yellow-Legged Hornet, etc.

A copy of the agenda may be obtained by contacting: Branden Stanford, Branden.Stanford@FDACS.gov

DEPARTMENT OF TRANSPORTATION

Florida Seaport Transportation and Economic Development Council

The Florida Ports Financing Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, December 20, 2024, 11:00 a.m.

PLACE: Microsoft Teams

Dial-In Number: 323-694-0210

Meeting ID: 260 014 069 225

Passcode: SyAVNj

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Emily Fisher in the Florida Ports Council offices at (850)222-8028 or by email at emily.fisher@flaports.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Emily Fisher in the Florida Ports Council offices at (850)222-8028 or by email at emily.fisher@flaports.org.

BOARD OF GOVERNORS

The Florida Board of Governors, State University System announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 24, 2024, 11:00 a.m.

PLACE: Student Union, Ballroom E, Florida State University, 75 N. Woodward Avenue, Tallahassee, FL 32306

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Governors and its committees will meet to conduct regular business of the Board.

A copy of the agenda may be obtained by contacting: Rachel Kamoutsas, Corporate Secretary, Board of Governors, at 325 W. Gaines St., Suite 1614, Tallahassee, Florida 32399, at (850)245-0466, or generalcounsel@flbog.edu, and a copy of the agenda will be available at: <https://www.flbog.edu/board/upcoming-meeting/> Instructions for public comment will be available at: <https://www.flbog.edu/board/procedures/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Rachel Kamoutsas, Corporate Secretary, Board of Governors, at 325 W. Gaines St., Suite 1614, Tallahassee, Florida 32399, at (850)245-0466, or generalcounsel@flbog.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).

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: Rachel Kamoutsas, Corporate Secretary, Board of Governors, at 325 W. Gaines St., Suite 1614, Tallahassee, Florida 32399, at (850)245-0466, or generalcounsel@flbog.edu.

DEPARTMENT OF COMMERCE

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

DATE AND TIME: December 20, 2023, 9:30 a.m.

PLACE: Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301. Attendance by telephone is also available by calling (850)988-5144 and entering phone conference ID: 261 180 880#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disposition of cases pending before the Reemployment Assistance Appeals Commission and Commission business. No public testimony or comment will be taken.

A copy of the agenda may be obtained by contacting: the office of the Reemployment Assistance Appeals Commission at RAAC.Inquiries@commerce.fl.gov or by visiting <https://floridajobs.org/Reemployment-Assistance-Service-Center/reemployment-assistance-appeals-commission/about-the-reemployment-assistance-appeals-commission2/raac-notices>.

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 24 hours before the workshop/meeting by contacting: the Commission Clerk at (850)692-0180. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: the Commission Clerk at (850)692-0180.

AREA AGENCY ON AGING OF PALM BEACH/TREASURE COAST, INC.

The Area Agency on Aging of Palm Beach/Treasure Coast, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: December 13, 2023, 8:30 a.m.

PLACE: 4400 North Congress Avenue, Suite 250, West Palm Beach, FL 33407

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial business of the Area Agency on Aging

A copy of the agenda may be obtained by contacting: Holly Vath at HVath@aaapbtc.org or 561.684.5885 x 202

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

participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Holly Vath at HVath@aaapbtc.org or 561.684.5885 x 202. 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: Holly Vath at HVath@aaapbtc.org or 561.684.5885 x 202

VOLUNTEER FLORIDA FOUNDATION

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

DATE AND TIME: Tuesday, January 16, 2024, 9:00 a.m., EST until all business is complete.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business.

A copy of the agenda may be obtained by contacting: Sterling Marquez, sterling@volunteerflorida.org, (850)414-7400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Sterling Marquez, sterling@volunteerflorida.org, (850)414-7400. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Sterling Marquez, sterling@volunteerflorida.org, (850)414-7400.

Section VII

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes has received the petition for declaratory statement from Barry Subkow. The petition seeks the agency’s opinion as to the applicability of

Rule 61B-22.005(3)(b), Florida Administrative Code as it applies to the petitioner.

Petitioner asks for a definition of the phrase “balloon payments” as used in Rule 61B-22.005(3)(b), Florida Administrative Code, and a declaratory statement addressing whether “balloon payments” as used in the Rule include the amount of pooled reserve contributions that increase each year in an amount not greater than the inflation adjustment used on Replacement Costs in the Reserve Study.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Susan Hartmann Swartz, susan.swartz@myfloridalicense.com, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001 Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Jack A. Butler. The petition seeks the agency’s opinion as to the applicability of section 107.1, Florida Building Code, Building, 7th Edition (2020), as it applies to the petitioner.

Petitioner presents the following questions: 1. Does the phrase "special conditions," as used in FBC-Building §107.1, refer to specific elements of the planned construction or site characteristics that are not common to other projects within the enforcing jurisdiction? 2. Are the "additional construction documents" referenced in FBC-Building §107.1 limited to documents that only address any such special conditions that may exist for the project or construction site and do not include the standard construction documents that are to be submitted with a building permit application, as contained in FBC-Building §§107.2.1 through 107.2.7?

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Agency Clerk’s Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)921-0342, AGC.Filing@myfloridalicense.com. Please refer all comments to: Mo Madani,

Please refer all comments to: Mo Madani, Building Codes and Standards Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, mo.madani@myfloridalicense.com or W. Justin Vogel, Office of the General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1795, wjustin.vogel@myfloridalicense.com

RESPONSES, MOTIONS TO INTERVENE, OR REQUESTS FOR A HEARING MUST BE FILED WITHIN 21 DAYS OF THIS NOTICE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

NOTICE IS HEREBY GIVEN that Florida Real Estate Commission has received the petition for declaratory statement from Thomas Jung, on November 20, 2023. The petition seeks the agency’s opinion as to the applicability of Section 475.01, 475.17, and 475.41, Florida Statutes, as it applies to the petitioner.

Petitioner seeks the determination from the Commission regarding whether a Florida broker’s license for Florida residents is required for those who only provide business brokerage service to businesses incorporated outside of the state of Florida. Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Giovanna Corona, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, FL 32801, Giovanna.Corona@myfloridalicense.com

DEPARTMENT OF HEALTH

Board of Pharmacy

NOTICE IS HEREBY GIVEN that the Board of Pharmacy has received the petition for declaratory statement from Andrew Suslak, filed on November 27, 2023. The petition seeks the agency’s opinion as to the applicability of Chapter 64B16, F.A.C., as it applies to the petitioner.

Petitioner asks the Board to issue a Declaratory Statement and asks the question, “Under Chapter 64B16, Florida Administrative Code, or any other applicable regulation, can a Florida pharmacist convert a prescription for a non-controlled substance originally written for a 30-day supply with 11 refills to a prescription for a 90-day supply with 3 refills without receiving additional prescriber authorization?” Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allison Dudley, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258 or by email at info@floridaspharmacy.gov.

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

METROPOLITAN PLANNING ORGANIZATIONS

Lee County Metropolitan Planning Organization

Request for Proposal for Comprehensive Safety Action Plan

METROPOLITAN PLANNING ORGANIZATION

REQUEST FOR PROPOSALS

“DEVELOPMENT OF A COMPREHENSIVE SAFETY ACTION PLAN”

LEE COUNTY METROPOLITAN PLANNING

ORGANIZATION

LEGAL NOTICE

Proposals for this service must be received by the Lee County Metropolitan Planning Organization (MPO), via e-mail at cbarraco@leempo.com, hand delivery at 815 Nicholas Parkway

E., Cape Coral, Florida 33990, or via mail at P. O. Box 150045, Cape Coral FL 33915, by 3:00 p.m. (local time), January 12, 2023. Lee County MPO reserves the right to reject any or all proposals.

RFP # MPO 2023-SS4A1

SCOPE OF SERVICES: The Lee County MPO is soliciting responses to this request for proposal, which is issued for the purpose of selecting a consulting firm or team to develop a comprehensive safety action plan. The firm shall be responsible for knowledge of the compliance with all relevant local, state, and federal laws and regulations, and shall be capable of completing the tasks described in the scope of services. The Scope of Services can be found here: <https://leempo.com/wp-content/uploads/2023-RFP-SS4A-Scope-of-Services.pdf>

INVITATION TO PROPOSE: The MPO hereby solicits proposals for selection of a consultant or team for the development of a Comprehensive Safety Action Plan.

REQUEST FOR PROPOSALS (RFP) INFORMATION AND INSTRUCTION/ HOW TO APPLY:

A Request for Proposals document may be obtained by contacting, in writing, Ms. Calandra Barraco, Lee MPO Designee, 815 Nicholas Parkway E., Cape Coral, Florida 33990, phone: (239) 330-2243 or by email: cbarraco@leempo.com. The RFP Packet can also be found here: <https://leempo.com/work-with-us/> Materials will be sent by regular mail to the requester within two business days. Materials will be sent FedEx or Certified Mail if requested, at the expense of the requestor. All requests for clarification or additional information on the RFP must be submitted in writing to the same e-mail address above by no later than 3:00 p.m. December 28, 2023. Proposals must then be received by the Lee County MPO, 815 Nicholas Parkway E., Cape Coral, Florida 33990, by 3:00 p.m. (local time), January 12, 2024.

This public notice was posted in the lobby of the offices of the Lee County MPO, 815 Nicholas Parkway E., Cape Coral, Florida 33915, on December 12, 2023. The Lee County MPO does not discriminate based on age, race, color, sex, religion, national origin, disability or family status. Qualified minority-owned, women-owned or disadvantaged business enterprises are encouraged to apply.

EXPRESSWAY AUTHORITIES

Greater Miami Expressway Agency (GMX)

UPCOMING GMX PROCUREMENT OPPORTUNITIES

The following are upcoming procurement opportunities:

1. INVITATION TO BID (ITB)

GMX PROCUREMENT/CONTRACT NO.: ITB-24-04

GMX PROJECT/SERVICE TITLE: SYSTEMWIDE HVAC MAINTENANCE AND REPAIR SERVICES

2. REQUEST FOR QUALIFICATIONS (RFQ)

GMX PROCUREMENT/CONTRACT NO.: RFQ-24-04

GMX PROJECT/SERVICE TITLE: GENERAL COUNSEL CONSULTING SERVICES

For detailed information please visit the Procurement Department website at <http://www.gmx-way.com/business/solicitations>, or call the Procurement Department at 305-637-3277 for assistance.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Tuesday, December 5, 2023 and 3:00 p.m., Monday, December 11, 2023.

Rule No.	File Date	Effective Date
12AER23-16	12/5/2023	12/5/2023
59G-4.002	12/11/2023	12/31/2023
60T-1.002	12/5/2023	12/25/2023
60T-1.008	12/5/2023	12/25/2023
61C-4.0161	12/11/2023	12/31/2023
65E-5.350	12/8/2023	12/28/2023
63F-15.001	12/5/2023	12/25/2023
64B20-3.0001	12/5/2023	12/25/2023
69A-3.012	12/6/2023	12/31/2023
69A-60.005	12/6/2023	12/31/2023
69A-60.011	12/6/2023	12/31/2023

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
40C-4.091	3/31/2023	**/**/****
40C-41.043	3/31/2023	**/**/****
40E-4.091	6/26/2023	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-330.010	4/28/2023	**/**/****
62-330.050	4/28/2023	**/**/****
62-330.055	4/28/2023	**/**/****
62-330.301	4/28/2023	**/**/****
62-330.310	4/28/2023	**/**/****
62-330.311	4/28/2023	**/**/****
62-330.350	4/28/2023	**/**/****

62-330.405	4/28/2023	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Gulf Carts Inc, line-make CAPP

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Cart Part Pros, LLC, intends to allow the establishment of Gulf Carts Inc, as a dealership for the sale of low-speed vehicle manufactured by Cart Part Pros, LLC (line-make CAPP) at 161 Goldsby Road Unit G15, Santa Rosa Beach, (Walton County), Florida 32459, on or after January 11, 2024.

The name and address of the dealer operator(s) and principal investor(s) of Gulf Carts Inc are dealer operator(s): Lan Pham, 714 Sandpiper Drive, Miramar Beach, Florida 32550, principal investor(s): Lan Pham, 714 Sandpiper Drive, Miramar Beach, Florida 32550.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Noreen Terzian, Cart Part Pros, LLC, 255 Aviation Drive, Thomaston, Georgia 30286.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

12-11-23 Establishment of SDRGC, Inc, dba Sunshine Golf Car, line-make SRCP

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Star Ev Corporation, intends to allow the establishment of SDRGC, Inc, dba Sunshine Golf Car, as a dealership for the sale of low-speed vehicle manufactured by Star Ev Corporation (line-make SRCP) at 2926 Southeast Waaler Street, Stuart, (Martin County), Florida 34994, on or after January 11, 2024.

The name and address of the dealer operator(s) and principal investor(s) of SDRGC, Inc are dealer operator(s): Dan Shanahan, 2926 Southeast Waaler Street, Stuart, Florida 34994, principal investor(s): Dan Shanahan, 2926 Southeast Waaler Street, Stuart, Florida 34994.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Jane Zhang, Star Ev Corporation, 378 Neely Ferry Road, Simpsonville, South Carolina 29680.

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

Section XIII
Index to Rules Filed During Preceding
Week

INDEX TO RULES FILED BETWEEN DECEMBER 4, 2023
AND DECEMBER 8, 2023

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF REVENUE

Sales and Use Tax

12AER23-16	12/5/23	12/5/23	49/235	
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DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement - Local Retirement

60T-1.002	12/5/23	12/25/23	49/210	
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60T-1.008	12/5/23	12/25/23	49/210	
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DEPARTMENT OF JUVENILE JUSTICE

Division of Administration

63F-15.001	12/5/23	12/25/23	49/207	
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DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

64B20-3.0001	12/5/23	12/25/23	49/209	
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DEPARTMENT OF CHILDREN AND FAMILIES

Mental Health Program

65E-5.35	12/8/23	12/28/23	49/211	
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DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

69A-3.012	12/6/23	12/31/23	49/155	49/215
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69A-60.005	12/6/23	12/31/23	49/155	49/215
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69A-60.011	12/6/23	12/31/23	49/155	49/215
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**LIST OF RULES AWAITING LEGISLATIVE REVIEW/
APPROVAL PURSUANT TO SECTIONS 120.541(3),
373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES**

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

40C-4.091	3/31/23	**/**/**	49/31	49/47
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40C-41.043	3/31/23	**/**/**	49/31	49/47
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South Florida Water Management District

40E-4.091	6/26/23	**/**/**	49/78	
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DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

60FF1-5.009	7/21/16	**/**/**	42/105	
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-330.010	4/28/23	**/**/**	49/38	49/58
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62-330.050	4/28/23	**/**/**	49/38	49/58
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62-330.055	4/28/23	**/**/**	49/38	
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62-330.301	4/28/23	**/**/**	49/38	
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62-330.310	4/28/23	**/**/**	49/38	
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62-330.311	4/28/23	**/**/**	49/38	49/58
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62-330.350	4/28/23	**/**/**	49/38	
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62-330.405	4/28/23	**/**/**	49/38	49/58
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DEPARTMENT OF HEALTH

Board of Medicine

64B8-10.003	12/9/15	**/**/**	39/95	41/49
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DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

65C-9.004	3/31/22	**/**/**	48/28	
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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.