

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: **RULE TITLE:**
6A-6.0575 Clock Hour Dual Enrollment for School and District Accountability

PURPOSE AND EFFECT: This rule sets criteria of eligible courses and adopts the list of clock hour dual enrollment courses that will be eligible in school and district accountability. This update will adopt the 2023-2024 list of eligible clock hour dual enrollment courses.

SUBJECT AREA TO BE ADDRESSED: Clock Hour Dual Enrollment.

RULEMAKING AUTHORITY: 1001.02(1), (2)(n), 1008.34(6), F.S.

LAW IMPLEMENTED: 1008.34(3), F.S.

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

DATE AND TIME: July 24, 2024, 1:30 p.m. – 3:00 p.m. or until conclusion of webinar.

PLACE:
<https://attendee.gotowebinar.com/register/7761149555390421853>

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tara Goodman, Vice Chancellor of Career and Adult Education, Division of Career and Adult Education, 325 West Gaines Street, Room 744, Tallahassee, FL 32399-0400, (850)245-9002. To comment on this rule development, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, Christian.Emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: **RULE TITLE:**
59A-3.282 Medical Records Procedures for Treatment of Premature Rupture of Membranes and Other Life Threatening Conditions.

PURPOSE AND EFFECT: The Agency proposes to create a new rule requiring policies and procedures for the maintenance of medical records for the treatment of premature rupture of membranes, ectopic pregnancies, trophoblastic tumors, and other life-threatening conditions.

SUBJECT AREA TO BE ADDRESSED: The Agency proposes to create a new rule requiring policies and procedures for the maintenance of medical records for the treatment of premature rupture of membranes, ectopic pregnancies, trophoblastic tumors, and other life-threatening conditions.

RULEMAKING AUTHORITY: 395.1055, F.S.

LAW IMPLEMENTED: 395.3015, F.S.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: July 16, 2024, from 2:00 p.m. – 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida, 32308, Building 3, Conference Room B. You may also participate by dialing the Open Voice conference line, 1(888)585-9008, then enter the conference room number followed by the pound sign, 998-518-088#. The agenda and related materials will be posted prior to the workshop on the web at: https://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Rulemaking.shtml.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Kelli Fillyaw, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4442. 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: Jack Plagge, (850)412-4358, email: Jack.Plagge@ahca.myflorida.com.

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: **RULE TITLE:**
59A-9.034 Reports

PURPOSE AND EFFECT: The Agency proposes to amend 59A-9.034, Florida Administrative Code to clarify reporting requirements regarding the treatment of premature rupture of membranes, ectopic pregnancies, and trophoblastic tumors.

SUBJECT AREA TO BE ADDRESSED: The Agency proposes to amend 59A-9.034, Florida Administrative Code to clarify reporting requirements regarding the treatment of

premature rupture of membranes, ectopic pregnancies, and trophoblastic tumors.

RULEMAKING AUTHORITY: 390.12 FS.

LAW IMPLEMENTED: 390.0112, 390.012 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: July 16, 2024, from 3:00 p.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida, 32308, Building 3, Conference Room B. You may also participate by dialing the Open Voice conference line, 1(888)585-9008, then enter the conference room number followed by the pound sign, 998-518-088#. The agenda and related materials will be posted prior to the workshop on the web at: https://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Rulemaking.shtml.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Kelli Fillyaw, Bureau of Health Facility Regulation, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4442. 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: Jack Plagge, (850)412-4358, email: Jack.Plagge@ahca.myflorida.com.

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

Section II Proposed Rules

NONE

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NO.: RULE TITLE:

5J-21.001 Standards

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. 50 No. 97, May 16, 2024 issue of the Florida Administrative Register.

5J-21.001 Standards.

(1) through (3) No change.

(4) Fuel Oils No. 1 and No. 2. The following specifications apply to fuel oils No. 1 and No. 2 sold or offered for sale in Florida.

(a) Standards. All fuel oils No. 1 and No. 2 shall conform to the chemical and physical standards for fuel oils No. 1 and No. 2 as set forth in ASTM International Designation D396-24 (approved May 1, 2024) ~~D396-21 (approved April 1, 2021)~~, “Standard Specification for Fuel Oils.”

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by ASTM International Designation D396-24 (approved May 1, 2024) ~~D396-21 (approved April 1, 2021)~~, “Standard Specification for Fuel Oils.”

(5) Alternative Fuels.

(a) through (c) No change.

(d) Fuels, other than alcohol, derived from biological materials:

1. No change.

2. Biodiesel blends (biodiesel blended with diesel fuel or fuel oil). The following specifications apply to biodiesel blends sold or offered for sale in Florida. Biodiesel blends cannot contain more than 20% biodiesel. B99 is not considered a blend for the purposes of this subparagraph.

a. through b. No change.

c. Standards. Biodiesel blends containing fuel oil shall meet the specifications set forth by ASTM International

Designation D396-24 (approved May 1, 2024) ~~D396-24 (approved April 1, 2021)~~, “Standard Specification for Fuel Oils.”

d. through e. No change.

f. Analysis. For purposes of inspection and testing biodiesel blends containing fuel oil, laboratory analyses shall be conducted using the methods recognized by the ASTM International Designation D396-24 (approved May 1, 2024) ~~D396-21 (approved April 1, 2021)~~, “Standard Specification for Fuel Oils.”

(e) No change.

(6) through (9) No change.

(10) Materials. The following materials are hereby incorporated by reference. Copies of these publications may be obtained from ASTM International, 100 Barr Harbor Drive, West Conshohocken, PA 19428, or <http://www.astm.org> and are also available for public inspection during regular business hours at the Florida Administrative Code and Register, R.A. Gray Building, 500 Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, and at the Florida Department of Agriculture and Consumer Services, Division of Consumer Services, Bureau of Standards, 2005 Apalachee Parkway, Tallahassee, FL 32399-6500. Posting of the following materials on the internet for purposes of public examination would violate federal copyright law.

(a) through (c) No change.

(d) ASTM International Designation D396-24 (approved May 1, 2024) ~~D396-21 (approved April 1, 2021)~~, “Standard Specification for Fuel Oils.”

(e) through (k) No change.

Rulemaking Authority 525.14, 570.07(23) FS. Law Implemented 525.01, 525.035, 525.037, 525.14 FS. History—New 1-15-68, Amended 7-1-71, 7-1-73, 12-1-73, 11-16-74, 2-13-80, 5-3-83, Formerly 5F-2.01, Amended 5-3-90, 8-13-92, 11-29-94, 11-13-97, 12-9-98, 8-3-99, 7-31-00, 9-3-01, 8-15-02, 6-29-03, 6-21-04, 4-18-05, 6-1-06, 5-6-08, 1-3-10, 4-3-14, 1-7-15, Formerly 5F-2.001, Amended 11-15-20.

Section IV Emergency Rules

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:
12AER24-5 Aircraft, Boats, Mobile Homes, and Motor Vehicles

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 61, Chapter 2024-158, Laws of Florida (L.O.F.), authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of section 212.05(1)(a) and (c), F.S., as amended by section 28, Chapter 2024-158, L.O.F., effective July 1, 2024. This law provides

changes regarding the exemption for boats and aircraft sold in Florida to nonresident purchasers and the ability for a leasing company to pay tax on the purchase of a motor vehicle instead of collecting tax on the subsequent long-term lease or rental of the vehicle. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the amendments to section 212.05(1)(a) and (c), F.S.

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 28, Chapter 2024-158, L.O.F. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of these provisions.

SUMMARY: Emergency Rule 12AER24-5, Aircraft, Boats, Mobile Homes, and Motor Vehicles, incorporates the provisions of subparagraph 212.05(1)(a)2., F.S., as amended by section 28, Chapter 2024-158, L.O.F., effective July 1, 2024, and removes provisions rendered obsolete by the amendment. The emergency rule provides that a nonresident purchaser of a boat or aircraft in Florida must execute an affidavit affirming that the boat or aircraft qualifies for the exemption provided in subparagraph 212.05(1)(a)2., F.S., and attests that the required documents will be timely provided to the Department. A new suggested affidavit is provided to include the conditions that must be met for the purchase of a boat or aircraft in Florida by a nonresident purchaser for use outside Florida to be exempt from sales and use tax. For boats of five net tons of admeasurement or larger, the nonresident purchaser may apply to the selling dealer for a decal set issued by the Department to allow the boat to remain in Florida waters for 90 days after the date of purchase and for an extension decal set to allow the boat to remain in Florida waters for 180 days after the date of purchase. Provisions for the purchase of the decal sets from the Department and the selling dealer requirements regarding decal sets are included.

Emergency Rule 12AER24-5 also incorporates the provisions of subparagraph 212.05(1)(c)3., F.S., as amended by section 28, Chapter 2024-158, L.O.F., effective July 1, 2024. The emergency rule provides that a business established to lease or rent motor vehicles for at least 12 months may pay tax on the purchase of a motor vehicle instead of collecting tax on the subsequent long-term lease or rental of the vehicle.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Brinton Hevey, Technical Assistance and Dispute Resolution, telephone (850)717-7754, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER24-5 12A-1.007 Aircraft, Boats, Mobile Homes, and Motor Vehicles.

(1) through (8) No change.

(9) Boats.

(a) Effective September 1, 1992:

1. No sales or use tax is due on the sale in Florida ~~this state~~ of a new or used boat by or through a registered dealer to a purchaser that is not a resident of Florida at the time of taking delivery of the boat when the conditions of subparagraph 212.05(1)(a)2., F.S., are met, which meets all the following conditions: Where there is a listing broker for the seller and a broker for the nonresident purchaser, the purchaser's broker is considered the selling dealer for purposes of this paragraph.

2. To claim the exemption, the nonresident purchaser must provide an affidavit to the selling dealer in which the nonresident purchaser affirms qualification for the exemption provided in subparagraph 212.05(1)(a)2., F.S., and attests the required documents will be timely provided to the Department.

3.a. The nonresident purchaser of a boat of five net tons of admeasurement or larger may apply to the selling dealer for a decal set to allow the boat to remain in Florida for 90 days after the date of purchase as a qualifying boat. Boat dealers registered with the Department may purchase decal sets by submitting an Application/Order Form for Boat Decal Sets (Form DR-42, incorporated by reference in Emergency Rule 12AER24-6, F.A.C.) with payment of \$20 per decal set to the Department.

b. The nonresident purchaser of a qualifying boat may also apply to the selling dealer within 60 days after the date of purchase for an extension decal set for \$425.00, to allow the qualifying boat to remain in Florida for an additional 90 days. To obtain the extension decal set, the nonresident purchaser and the selling dealer must submit an Application for Extension of 90-Day Decal to 180 days (Form DR-42E, incorporated by reference in Emergency Rule 12AER24-6, F.A.C.) with payment to the Department. A qualifying boat displaying an extension decal before the original 90-day decal expires allows the qualifying boat to remain in Florida for a total of 180 days after the date of purchase.

a. ~~The boat is of a class or type which would be required to be registered, licensed, titled, or documented in this state or by the United States Government; and,~~

b. ~~The sale is by or through a registered dealer who is the holder of a valid dealer's certificate of registration issued by the Florida Department of Revenue. Where there is a listing broker for the seller and a broker for the purchaser, the purchaser's broker shall be considered the selling dealer for purposes of this paragraph; and,~~

e. ~~The purchaser removes the boat from this state within 10 days after the date of purchase or, if the boat is repaired or altered, within 20 days after completion of the repairs or alterations; and,~~

d. ~~The purchaser at the time of taking delivery of the boat is not a resident of the State of Florida and does not make his permanent place of abode in Florida; and,~~

e. ~~The purchaser, whether a natural person or a corporation, limited liability company, partnership, joint adventure, association, syndicate, business trust, trust, estate, or other form of artificial entity, is not engaged in Florida in any employment, trade, business, or profession in which the boat will be used; and,~~

f. ~~The purchaser, if a corporation, has no officer or director who is a resident of, or makes his or her permanent place of abode in, Florida; and,~~

g. ~~The purchaser, if an artificial entity other than a corporation, has no individual vested with authority to participate in the management, direction, or control of the affairs of the entity who is a resident of, or makes his or her permanent place of abode in, Florida. Artificial entities other than corporations include, but are not limited to partnerships, joint adventures, associations, syndicates, limited liability companies, business trusts, trusts, and estates; and,~~

h. ~~The purchaser within 30 days of the boat's departure from Florida furnishes the Department proof of timely removal of the boat from Florida. The documentary proof of removal may be in the form of invoices for fuel, dockage charges, or repairs issued by out of state vendors or suppliers, or other documentary evidence which specifically identify the boat and evidence its removal within the time period specified in subparagraph e.; and,~~

i. ~~The purchaser within 90 days of the date of purchase provides the Department with written proof that the boat was licensed, registered, titled, or documented outside this state; and,~~

j. ~~The selling dealer obtains from the purchaser an affidavit in which the purchaser attests that he has read the law providing for the exemption, that he will remove the boat from this state within the time limit set in this paragraph, that no use will be made of the boat in this state other than to move the boat expeditiously out of Florida from the point of delivery or to a registered repair facility if repairs are to immediately follow the purchase of the boat, and that the boat will be removed from this state within 20 days (excluding tolled days) after completion of the repairs or alterations; and,~~

4.k. ~~The selling dealer must provide seller provides to the Department within 30 days after of the date of sale purchase a copy of the sales invoice, bill of sale, or and/or closing statement, and the original removal affidavit signed by the purchaser; and,~~

l. ~~The selling dealer must maintain seller maintains the sales invoice, bill of sale, or and/or closing statement, and a copy of the removal affidavit signed by the purchaser as part of his records for a period of at least five 5 years or until tax~~

imposed by Chapter 212, F.S., may no longer be determined and assessed under Section 95.091(3), F.S.

~~5.2.~~ The following is a suggested format for an affidavit to be completed by the purchaser and furnished to the selling dealer:

AFFIDAVIT FOR EXEMPTION OF BOAT SOLD FOR
REMOVAL
FROM THE STATE OF FLORIDA BY A NONRESIDENT
PURCHASER

I, the undersigned, hereby affirm that:

I am not a resident of the State of Florida and did not make my permanent place of abode in Florida at the time of taking delivery of the boat identified below; and (mark which of the following applies)

- I am not engaged in Florida in any employment, trade, business, or profession for which the identified boat will be used in Florida.
- I represent a corporation which has no officer or director who is a resident of Florida or makes his or her permanent place of abode in Florida.
- I represent an artificial entity other than a corporation which has no individual vested with authority to participate in the management, direction, or control of the affairs of the entity who is a resident of Florida or makes his or her permanent place of abode in Florida.

I qualify for the exemption under subparagraph 212.05(1)(a)2., F.S., from Florida sales and use tax on the purchase of the boat identified below for the following reason (mark which of the following applies):

- Boat will be removed by me or by my designated agent from Florida within 10 days after the date of purchase.
- Boat is to be repaired or altered and will be removed from Florida by me or by my designated agent within 20 days after completion of the repairs or alterations.
- Boat is five net tons of admeasurement or larger and I plan to have the boat in Florida for a period up to 90 days after the date of purchase. The selling dealer has affixed a decal set issued by the Florida Department of Revenue authorizing the boat to remain in Florida up to 90 days after the date of purchase. I understand that the boat must be removed from Florida within the 90-day period authorized by the decal set. I understand that I may apply to the selling dealer for an extension decal that authorizes the boat to remain in Florida for an additional 90 days, but not more than a total of 180 days after the date of purchase. I understand the application for an extension decal must be submitted to the selling dealer within 60 days after the date of purchase of the boat and that the extension decal set cost \$425.

I attest that I will provide the following to the Florida Department of Revenue (mark which of the following applies):

- Within 30 days of the date of removal of the identified boat from Florida, invoices for fuel, dockage charges, or repairs issued by out-of-state vendors or suppliers or other documentary evidence which specifically identifies the boat, including the hull identification number, and its timely removal from Florida.
- Within 90 days of the date of removal of the identified boat from Florida, written proof that the boat was licensed, titled, registered, or documented outside Florida. If written proof is unavailable within 90 days after the date of purchase, proof that I have applied for the license, title, registration, or documentation of the boat outside Florida, and, upon receipt, proof of license, title, registration, or documentation outside Florida.

- ~~• I have read the Florida Department of Revenue subsection 12A-1.007(9), F.A.C., and Section 212.05, F.S.; and,~~
- ~~• I am not a resident of the State of Florida and do not make my permanent place of abode in Florida at the time of taking delivery of the boat designated below; and,~~
- ~~• I am not engaged in Florida in any employment, trade, business, or profession in which the designated boat will be used in Florida; and,~~
- ~~• I represent a corporation which has no officer or director who is a resident of, or makes his or her permanent place of abode in, Florida; and,~~
- ~~• I represent an artificial entity other than a corporation which has no individual vested with authority to participate in the management, direction, or control of the affairs of the entity who is a resident of, or makes his or her permanent place of abode in, Florida.~~

~~I hereby agree to provide the Florida Department of Revenue within 90 days of the date of purchase written proof that the boat herein identified and described was licensed, registered, or documented outside Florida.~~

~~I hereby agree to provide the Florida Department of Revenue within 30 days of the boat departing Florida invoices for fuel, dockage charges, or repairs issued by out of state vendors or suppliers, or other documentary evidence which specifically identify the boat herein described, including the hull I.D. number.~~

~~I claim exemption under Section 212.05(1)(a)2., F.S., from Florida sales and use tax on the purchase of the boat designated below for the following reason:~~

- ~~(-) Boat will be removed by me or by my designated agent from the State of Florida within 10 days of the date of purchase.~~
- ~~(-) Boat is to be repaired or altered and will be removed from the State of Florida by me or by my designated agent within 20 days (excluding tolled days) after completion of the repairs or alterations consistent with Section 212.05, F.S.~~

Name of Purchaser _____
 Purchaser's Permanent Address _____ (Street)
 _____ (City) _____ (State/Country)
 Purchaser's Telephone Number () _____
 Name of Selling Dealer _____
 Address of Selling Dealer _____ (Street) _____
 (City) _____ (State)
 Selling Dealer's Florida Sales and Use Tax Registration
 Number _____
 Selling Dealer's Telephone Number () _____
 Date of Sale _____ (Month) _____ (Day)
 _____ (Year)

DESCRIPTION OF BOAT

Make _____ Model _____ Year _____ Hull
 Identification ID No. _____ () New () Used
Department of Revenue Decal Number (if issued)
Expiration Date _____
Department of Revenue Extension Decal Expiration Date (if
issued) _____
Name of Vessel _____
State/State/Country Registration and/or Coast Guard
Documentation Number _____
Sales Price _____ Trade In Allowance _____ Net
Amount Paid _____

Under penalties of perjury, I declare that I have read the foregoing affidavit, and the facts stated are true to the best of my knowledge and belief.

 (Signature of Purchaser)

Original to be submitted to the Florida Department of Revenue, General Tax Administration MS 1-2800, P.O. Box 6417, Tallahassee, Florida 32314-6417.

1st copy to be retained by the dealer and made part of the dealer's records.

2nd copy: Purchaser's copy.

~~6.3~~.a. In the event the nonresident purchaser fails to provide to the Department the documents ~~documentation~~ required under subparagraph 212.05(1)(a)2., F.S., and included in the affidavit provided in sub-subparagraphs h. and i. of subparagraph 5. 4., the Department will shall proceed against the purchaser for payment of the tax, penalty, and interest due on the purchase of the boat.

b. In the event the selling dealer ~~seller~~ fails to maintain the records required under subparagraph 212.05(1)(a)2., F.S., and listed in sub-subparagraphs j. and l. of subparagraph 4. 4., the Department will shall proceed against the seller for payment of the tax, penalty, and interest due on the sale of the boat.

~~4.~~ Notwithstanding the provisions of Section 212.05(1)(a)2., F.S., and this paragraph, the owner of a boat purchased in Florida may permit the boat to be returned to this state for repairs within 6 months from the date of departure

~~without the boat being in violation of the law and without incurring liability for payment of tax or penalty on the purchase price of the boat so long as he removes the boat from this state within 20 days of the completion of the repairs and can prove that he did so by invoices for fuel or dockage charges issued by out of state vendors or suppliers, which specifically identify the boat and which are dated within 20 days after completion of the repairs.~~

~~7.5.~~ For purposes of this paragraph, any individual who maintains a place of abode in Florida is a Florida resident. A place of abode is a dwelling place maintained by a person, or by another for him, whether or not owned by such person, on other than a temporary or transient basis. The dwelling may be a house, apartment, mobile home, motor home, boat, a room, including a room in a hotel, motel or boarding house, or any other structure. Any individual qualifying for homestead exemption or voting rights in Florida is considered a Florida resident. Other factors which are used to may establish Florida residency or domicile, but ~~which are not~~ are not conclusive, are ownership of a Florida residence, having Florida licenses (driver's license ~~and/or~~ other forms of licenses), or declaration of Florida residency on Federal or state tax returns.

~~8.6.~~ Documents, as required in this paragraph to be provided to the Department, are to shall be mailed to ~~the following address:~~

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

(b) through (e) No change.

(10) Aircraft.

~~(a)1.~~ No sales or use The tax is due on the sale in Florida of new or used applies to all sales of aircraft by or through a registered dealer to a purchaser that is not a resident of Florida at the time of taking delivery of the aircraft when in this state unless the selling dealer is the holder of a valid dealer's Certificate of Registration which authorizes the dealer to sell aircraft and the sale is made under the conditions of subparagraph 212.05(1)(a)2., F.S., are met specified in paragraph (b), (c), or (d). Where there is a listing broker for the seller and a broker for the nonresident purchaser, the purchaser's broker is shall be considered the selling dealer for purposes of this subsection.

2. To claim the exemption, the nonresident purchaser must provide an affidavit to the selling dealer in which the nonresident purchaser affirms qualification for the exemption provided in subparagraph 212.05(1)(a)2., F.S., and attests the required documents will be timely provided to the Department.

~~(b)1. Effective September 1, 1992, tax applies to all sales of aircraft in this state unless all the following conditions are met:~~

~~a. The selling dealer is the holder of a valid dealer's Certificate of Registration which authorizes the dealer to sell aircraft.~~

~~b. The purchaser at the time of taking delivery of the aircraft is a nonresident of the State of Florida and does not make his permanent place of abode in Florida; and,~~

~~c. The purchaser, whether a natural person or a corporation, limited liability company, partnership, joint adventure, association, syndicate, business trust, trust, estate, or other form of artificial entity, is not engaged in Florida in any employment, trade, business, or profession in which the aircraft will be used; and,~~

~~d. The purchaser, if a corporation, has no officer or director who is a resident of, or makes his or her permanent place of abode in, Florida; and,~~

~~e. The purchaser, if an artificial entity other than a corporation, has no individual vested with authority to participate in the management, direction, or control of the affairs of the entity who is a resident of, or makes his or her permanent place of abode in, Florida. Artificial entities other than corporations include, but are not limited to partnerships, joint adventures, associations, syndicates, limited liability companies, business trusts, trusts, and estates; and,~~

~~f. The purchaser removes the aircraft from Florida within 10 days following the date of purchase or, if the aircraft is immediately placed in a registered repair facility, within 20 days following the completion of the repairs or alterations; and,~~

~~g. The purchaser within 30 days of the aircraft's departure from Florida furnishes the Department proof of timely removal of the aircraft from Florida. The documentary proof of removal may be in the form of invoices for fuel, tie down charges, or hangar charges issued by out-of-state vendors or suppliers, or other documentary evidence which specifically identify the aircraft, including the FAA registration number, and constitute evidence that the aircraft was removed from Florida within the time period specified in subparagraph 6.; and,~~

~~h. The purchaser, within 90 days of the date of purchase, provides the Department with written proof that the aircraft was licensed, registered, or documented outside this state; and,~~

~~i. The selling dealer obtains from the purchaser an affidavit in which the purchaser attests that he has read the law providing for the exemption, that he will remove the aircraft from this state within the time limit set in this paragraph, that no use will be made of the aircraft in this state other than to move the aircraft expeditiously out of Florida from the point of delivery or to a registered repair facility if repairs are to immediately follow the purchase of the aircraft, and that the aircraft will be~~

~~removed from this state within 20 days (excluding tolled days) after completion of the repairs or alterations; and,~~

~~3.j. The selling dealer must provide seller provides to the Department within 30 days after of the date of sale purchase a copy of the sales invoice, bill of sale, or and/or closing statement, and the original removal affidavit signed by the purchaser; and,~~

~~k. The selling dealer must maintain seller maintains the sales invoice, bill of sale, or and/or closing statement, and a copy of the removal affidavit signed by the purchaser as part of his records for a period of at least five 5 years or until tax imposed by Chapter 212, F.S., may no longer be determined and assessed under Section 95.091(3), F.S.~~

~~4.2. The following is a suggested format for an affidavit to be completed by the purchaser and furnished to the selling dealer:~~

~~AFFIDAVIT FOR EXEMPTION OF AIRCRAFT SOLD
FOR REMOVAL FROM
THE STATE OF FLORIDA BY THE NONRESIDENT
PURCHASER
AFFIDAVIT~~

~~I, the undersigned, hereby affirm that:~~

~~I am not a resident of the State of Florida and did not make my permanent place of abode in Florida at the time of taking delivery of the aircraft identified below; and (mark which of the following applies);~~

~~() I am not engaged in Florida in any employment, trade, business, or profession for which the identified aircraft will be used in Florida.~~

~~() I represent a corporation which has no officer or director who is a resident of Florida or makes his or her permanent place of abode in Florida.~~

~~() I represent an artificial entity other than a corporation which has no individual vested with authority to participate in the management, direction, or control of the affairs of the entity who is a resident of Florida or makes his or her permanent place of abode in Florida.~~

~~I qualify for the exemption under subparagraph 212.05(1)(a)2., F.S., from Florida sales and use tax on the purchase of the aircraft identified below for the following reason (mark which of the following applies):~~

~~() Aircraft will be removed by me or by my designated agent from Florida to a jurisdiction within the United States or one of its territories within 10 days of the date of purchase.~~

~~() Aircraft is to be repaired or altered and will be removed from Florida by me or by my designated agent within 20 days after completion of the repairs or alterations.~~

~~() Aircraft will be registered in a foreign jurisdiction (any jurisdiction outside of the United States or any of its~~

territories). The application for the aircraft's registration will be properly filed with a civil airworthiness authority of a foreign jurisdiction within 10 days after the date of purchase. Aircraft will be removed from Florida to a foreign jurisdiction within 10 days after the date the aircraft is registered by the applicable foreign airworthiness authority. Aircraft will be operated in Florida solely to remove the aircraft from Florida to a foreign jurisdiction.

I attest that I will provide the following to the Florida Department of Revenue (mark which of the following applies):

() Within 30 days after the date of removal of the identified aircraft from Florida, invoices for fuel, tie-down or hangar charges, repairs, or other similar documentation issued by an out-of-state vendor or supplier which identifies the aircraft, including the Federal Aviation Administration (FAA) registration number or identification number issued by the civil airworthiness authority of a foreign jurisdiction, and its timely removal from Florida; and

() Within 90 days after the date of removal of the identified aircraft from Florida, written proof that the aircraft was licensed, titled, or registered outside Florida. If written proof is unavailable within 90 days after the date of purchase, proof that I have applied for the license, title, or registration of the aircraft outside Florida, and, upon receipt, proof of license, title, or registration outside Florida.

~~I have read the Florida Department of Revenue subsection 12A 1.007(10), F.A.C., and Section 212.05, F.S.; and,~~

~~I am not a resident of the State of Florida and do not make my permanent place of abode in Florida at the time of taking delivery of the aircraft designated below; and,~~

~~I am not engaged in Florida in any employment, trade, business, or profession in which the designated aircraft will be used in Florida; and,~~

~~I represent a corporation which has no officer or director who is a resident of, or makes his or her permanent place of abode in, Florida; and,~~

~~I represent an artificial entity other than a corporation which has no individual vested with authority to participate in the management, direction, or control of the affairs of the entity who is a resident of, or makes his or her permanent place of abode in, Florida.~~

~~I hereby agree to provide the Florida Department of Revenue within 90 days of the date of purchase written proof that the aircraft herein identified and described was licensed, registered, or documented outside Florida.~~

~~I hereby agree to provide the Florida Department of Revenue within 30 days of the aircraft departing Florida invoices for fuel, tie down charges, or hangar charges issued by out of state~~

~~vendors or suppliers, or other documentary evidence which specifically identify the aircraft herein described, including the FAA registration number.~~

~~I claim exemption under Section 212.05(1)(a)2., F.S., from Florida sales and use tax on the purchase of the aircraft designated below for the following reason:~~

~~(-) Aircraft will be removed by me or by my designated agent from the State of Florida within 10 days of the date of purchase.~~

~~(-) Aircraft is to be repaired or altered and will be removed from the State of Florida by me or by my designated agent within 20 days after completion of the repairs or alterations consistent with Section 212.05, F.S.~~

Name of Purchaser _____

Purchaser's Permanent Address _____ (Street) _____

(City) _____ (State/Country) _____

Purchaser's Telephone Number () _____

Name of Selling Dealer _____

Address of Selling Dealer _____ (Street) _____

(City) _____ (State) _____

Selling Dealer's Florida Sales and Use Tax Registration Number _____

Selling Dealer's Telephone No. () _____

Date of Sale _____ (Month) _____ (Day) _____ (Year)

DESCRIPTION OF AIRCRAFT

Make _____ Model _____ Year _____ Serial No. _____ () New () Used

Tail Number(s) _____

~~State/Country Registration and/or U.S. FAA Registration Number _____~~

~~Sales Price _____ Trade In Allowance _____ Net Amount Paid _____~~

Under penalties of perjury, I declare that I have read the foregoing affidavit, and the facts stated are true to the best of my knowledge and belief.

(Signature of Purchaser)

Original to be submitted to the Florida Department of Revenue, General Tax Administration MS 1-2800, P.O. Box 6417, Tallahassee, Florida 32314-6417.

1st copy to be retained by the dealer and made part of the dealer's records.

2nd copy: Purchaser's copy.

5.3.a. In the event the nonresident purchaser fails to provide to the Department the documents documentation required under subparagraph 212.05(1)(a)2., F.S., and included in the affidavit provided in subparagraph 4, sub-subparagraphs g. and h., the Department will shall proceed against the purchaser for payment of the tax, penalty, and interest due on the purchase of the aircraft.

b. In the event the ~~selling dealer~~ seller fails to maintain the records required under subparagraph 212.05(1)(a)2., F.S., and listed in subparagraph 3. sub-subparagraphs i. and k., the Department will shall proceed against the seller for payment of the tax, penalty, and interest due on the purchase of the aircraft.

~~4. Notwithstanding the provisions of Section 212.05(1)(a)2., F.S., and this paragraph, the owner of an aircraft purchased in Florida may permit the aircraft to be returned to this state for repairs within 6 months from the date of departure without the aircraft being in violation of the law and without incurring liability for payment of tax or penalty on the purchase price of the aircraft so long as he removes the aircraft from this state within 20 days of the completion of the repairs and can prove that he did so by invoices for fuel, tie down, or hangar charges issued by out of state vendors or suppliers, which specifically identify the aircraft and which are dated within 20 days after completion of the repairs.~~

~~6.5.~~ For purposes of this paragraph, any individual who maintains a place of abode in Florida is a Florida resident. A place of abode is a dwelling place maintained by a person, or by another for him, whether or not owned by such person, on other than a temporary or transient basis. The dwelling may be a house, apartment, mobile home, motor home, boat, a room, including a room in a hotel, motel or boarding house, or any other structure. Any individual qualifying for homestead exemption or voting rights in Florida is considered a Florida resident. Other factors which are used to may establish Florida residency or domicile, but ~~which are not~~ are not conclusive, are ownership of a Florida residence, having Florida licenses (driver's license ~~and~~ or other forms of licenses), or declaration of Florida residency on Federal or state tax returns.

~~7.6.~~ Documents, as required in this paragraph to be provided to the Department, are to shall be mailed to the following address:

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

- (c) through (j) No change.
- (11) through (12) No change
- (13) Lease or Rental.
- (a) No change.

(b) Commercial Motor Vehicles and Motor Vehicles Used by Businesses That Lease or Rent Motor Vehicles.

1. For purposes of this paragraph, the term “commercial motor vehicle,” as defined in Section 316.003(14)(a), F.S., means any self-propelled or towed vehicle used on the public highways in commerce to transport passengers or cargo, if such vehicle has a gross vehicle weight rating of 10,000 pounds or more.

2. For purposes of this paragraph, the term “motor vehicle,” as defined in Section 316.003, F.S., means a self-propelled vehicle not operated upon rails or guideway. The term does not include bicycles, electric bicycles, motorized scooters, electric personal assistive mobility devices, mobile carriers, personal delivery devices, swamp buggies, or mopeds.

~~3.2.~~ The lease or rental of a motor vehicle used primarily in the trade or established business of the lessee or renter, or a commercial motor vehicle to one lessee or renter for a period of 12 months or longer, and any renewals of such lease or rental, is exempt when:

a. The lease or rental is to one lessee or renter for a period of 12 months or longer.

b.a. Sales or use tax is paid on the purchase price of the commercial motor vehicle or motor vehicle by the lessor; and,

c.b. The lease or rental of the commercial motor vehicle or motor vehicle is an established business or part of an established business, ~~or the commercial motor vehicle is~~ incidental or germane to such business.

~~4.3.~~ A credit against any Florida use tax and discretionary sales surtax due when the commercial motor vehicle or motor vehicle is registered, licensed, or titled in Florida will be allowed to any purchaser who provides documentary evidence that a like tax has been lawfully imposed on the purchase of the commercial motor vehicle or motor vehicle and has been paid to another state, territory of the United States, or District of Columbia. The credit allowed shall be the amount of legally imposed like tax paid to the other state, territory of the United States, or District of Columbia. When the applicable tax credit is equal to or greater than the amount of Florida use tax and discretionary sales surtax due, no additional use tax or discretionary sales surtax is due. When the tax paid to another state, territory of the United States, or District of Columbia is greater than the Florida use tax and discretionary sales surtax due, no refund is due from the State of Florida.

~~5.4.~~ The lease or rental of the same commercial motor vehicle or motor vehicle to any other lessee or renter is subject to tax.

(c) No change.

(d) Motor Vehicle Leased or Rented for 12 Months or Longer.

1. Except for commercial motor vehicles and motor vehicles, as provided in paragraph (b), tThe lease or rental of a motor vehicle registered in Florida for a period of 12 months or longer is subject to tax.

2. through 4. No change.

(e) No change.

(14) through (28) No change.

PROPOSED EFFECTIVE DATE: July 1, 2024

Rulemaking Authority 212.05(1)(a)2.f., 212.18(2), 213.06(1) FS., s. 61, Ch. 2024-158, LOF. Law Implemented 212.03, 212.05(1),

212.06(1), (2), (4), (5), (7), (8), (10), (12), 212.0601, 212.07(2), (8), 212.08(5)(i), (7)(t), (aa), (ee), (rr), (10), (11), 212.12(2), 213.255(2), (3), 213.35, 215.26(2), 681.104 FS., s. 28, Ch. 2024-158, LOF, History—New 10-7-68, Amended 1-7-70, 1-17-71, 6-16-72, 8-18-73, 12-11-74, 6-9-76, 2-21-77, 5-10-77, 9-26-77, 9-28-78, 3-16-80, 12-31-81, 7-20-82, 10-13-83, Formerly 12A-1.07, Amended 1-2-89, 12-11-89, 3-17-93, 10-17-94, 3-20-96, 4-2-00, 6-19-01, 8-1-02, 8-1-02, 4-17-03, 4-17-03 9-28-04, 1-11-16, 1-8-19, 12-31-20, 8-15-21, 7-1-24.

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: 07/01/2024

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12AER24-6 Public Use Forms

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 61, Chapter 2024-158, Laws of Florida (L.O.F.), authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of section 212.05(1)(a), F.S., as amended by section 28, Chapter 2024-158, L.O.F., effective July 1, 2024, regarding the exemption for boats sold in Florida to nonresident purchasers. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the amendments to section 212.05(1)(a), F.S.

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 28, Chapter 2024-158, L.O.F. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of these provisions.

SUMMARY: Emergency Rule 12AER24-6, Public Use Forms, incorporates, by reference, two forms that allow registered boat or yacht dealers to purchase decal sets from the Department to be affixed to certain boats sold in Florida to nonresident purchasers. When affixed to a boat that is five net tons of admeasurement or larger sold in Florida to a nonresident purchaser, the decal set allows the boat to remain in Florida waters for specific extended periods after the date the boat was purchased as indicated on the decals. These forms provide that the number and expiration date of a decal set is to be included in the records maintained by registered boat and yacht dealers. THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Martha Gregory, Technical Assistance and Dispute Resolution, telephone 850-717-6041, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER24-6 ~~12A-1.097~~ Public Use Forms.

(1) The following public use forms and instructions are employed by the Department in its dealings with the public related to the administration of Chapter 212, F.S. These forms are hereby incorporated by reference in this rule.

(a) through (b) No change.

Form Number	Title	Effective Date
(2) through (9) No change.		
(10)(a) DR-42	Application/Order Form for Boat Decal Sets (http://www.floridarevenue.com/rules)	07/24
(b) DR-42E	Application for Extension of 90-Day Decal to 180 Days (http://www.floridarevenue.com/rules)	07/24
(10) through (22) Renumbered (11) through (23) No change.		

PROPOSED EFFECTIVE DATE: July 1, 2024

Rulemaking Authority 201.11, 202.17(3)(a), 202.22(6), 202.26(3), 212.05(1)(a)2.f., 212.0515(7), 212.0596(3), 212.06(5)(b)13., 212.0596(3), 212.06(5)(b)13., 212.07(1)(b), 212.08(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), 1002.40(16) FS., s. 61, Ch. 2024-158, LOF, Law Implemented 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, 212.0596, 212.05965, 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., s. 28, Ch. 2024-158, LOF, 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, 6-14-22, 1-1-23, 1-1-24, 7-1-24.

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: 07/01/2024

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12AER24-7 Aircraft, Boats, Motor Vehicles, and Mobile Homes

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

WELFARE: Section 61, Chapter 2024-158, Laws of Florida (L.O.F.), authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of section 212.054(3)(a), F.S., as amended by section 29, Chapter 2024-158, L.O.F., effective July 1, 2024, regarding the discretionary sales surtax limitation on the sale of a boat and the corresponding trailer sold to the same purchaser, at the same time, and included in the same invoice. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the amendments to section 212.054(3)(a), F.S.

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 29, Chapter 2024-158, L.O.F. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of these provisions.

SUMMARY: Emergency Rule 12AER24-7, Aircraft, Boats, Motor Vehicles, and Mobile Homes, incorporates the provisions of subparagraph 212.054(3)(a)3., F.S., added by section 29, Chapter 2024-158, L.O.F., effective July 1, 2024. This emergency rule provides that a sale of a boat and the corresponding trailer identified as a motor vehicle is deemed to occur in the county where the purchaser resides, and discretionary sales surtax is due at the surtax rate imposed by the county where the residence address of the purchaser is located.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Brinton Hevey, Technical Assistance and Dispute Resolution, telephone (850)717-7754, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER24-7 ~~12A-15.0035~~ Aircraft, Boats, Motor Vehicles, and Mobile Homes.

(1) through (3) No change.

(4) AIRCRAFT AND BOATS.

(a) 1. A registered aircraft or boat dealer who makes a sale of an aircraft or boat is required to collect surtax when the aircraft or boat is delivered to a location within a surtax county. The dealer is required to collect surtax at the rate imposed by the county where the delivery occurs. When the aircraft or boat is delivered within a county not imposing a surtax, the selling dealer is not required to collect surtax.

2. The sale of a boat and the corresponding boat trailer identified as a motor vehicle, as defined in Section 320.01(1), F.S., to the same purchaser, at the same time, and included in the same invoice, is deemed to occur in the county where the purchaser resides, as identified on the registration or title

documents for the boat and the boat trailer. The dealer is required to collect surtax at the rate imposed by the county where the residence address of the purchaser is located.

(b) through (c) No change.

(5) No change.

PROPOSED EFFECTIVE DATE: July 1, 2024

Rulemaking Authority 212.18(2), 213.06(1) FS., s. 61, Ch. 2024-158, LOF. Law Implemented 212.02(19), 212.05(1), 212.054, 212.055, 212.06(1), (4), (6), (7), (8), (10), 212.07(8), 212.18(3) FS., s. 29, Ch. 2024-158, LOF. History—New 4-17-03, Amended 7-1-24.

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: 07/01/2024

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12AER24-8 Specific Limitations

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

Section 61, Chapter 2024-158, Laws of Florida (L.O.F.), authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of section 212.054(2)(b), F.S., as amended by section 29, Chapter 2024-158, L.O.F., effective July 1, 2024. This law provides changes regarding the discretionary sales surtax limitation on the sale of a boat and the corresponding trailer sold to the same purchaser, at the same time, and included in the same invoice. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the amendments to section 212.054(2)(b), F.S.

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 29, Chapter 2024-158, L.O.F. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of these provisions.

SUMMARY: Emergency Rule 12AER24-8, Specific Limitations, incorporates the provisions of sub-subparagraph 212.054(2)(b)1.b., F.S., added by section 29, Chapter 2024-158, L.O.F., effective July 1, 2024. This emergency rule provides that a sale of a boat and the corresponding trailer identified as a motor vehicle is taxed as a single item when sold to the same purchaser, at the same time, and included in the same invoice.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Brinton Hevey, Technical Assistance and Dispute Resolution, telephone (850)717-7754, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER24-8 ~~12A-15.004~~ Specific Limitations.

(1) through (2) No change.

(3) When multiple items of tangible personal property are sold by a dealer to the same purchaser at the same time, the \$5,000 limitation applies when the sale or purchase is a single sale that meets the requirements of paragraph (a) and is a sale of items normally sold in bulk or items that comprise a working unit, or a part of a working unit, that meets the requirements of paragraph (b).

(a) No change.

(b) **ITEMS NORMALLY SOLD IN BULK OR ITEMS THAT COMPRISE A WORKING UNIT.** A single sale must be a sale of items of tangible personal property that meets at least one of the following conditions:

1. through 2. No change.

3. The items are normally sold in single sale by the seller to the purchaser for use in the normal business practice of the purchaser as an integrated unit; ~~or~~

4. The items are component parts that have no utility unless assembled with each other to form a working unit or part of a working unit; or-

5. The items are a boat and the corresponding boat trailer identified as a motor vehicle, as defined in Section 320.01(1), F.S., sold to the same purchaser, at the same time, and included in the same invoice.

(c) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2024

Rulemaking Authority 212.18(2), 213.06(1) FS., s. 61, Ch. 2024-158, LOF. Law Implemented 212.02(15), (19), 212.05(1), 212.054, 212.055 FS., s. 29, Ch. 2024-158, LOF. History—New 12-11-89, Amended 5-12-92, 3-17-93, 11-16-93, 10-2-01, 4-17-03, 7-1-24.

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: 07/01/2024

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NO.: RULE TITLE:

12CER24-2 Credit for Qualified Railroad Reconstruction or Replacement Expenditures

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 61, Chapter 2024-158, Laws of Florida (L.O.F.), authorizes the Department of Revenue to promulgate emergency rules to implement section 220.1915, F.S., Credit for Qualified Railroad Reconstruction or Replacement Expenditures, as amended by section 40, Chapter 2024-158,

L.O.F., effective July 1, 2024. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the amendments to section 220.1915, F.S.

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 40, Chapter 2024-158, L.O.F., which amends the provisions of section 220.1915, F.S., Credit for Qualified Railroad Reconstruction or Replacement Expenditures. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of these provisions.

SUMMARY: Emergency Rule 12CER24-2, Credit for Qualified Railroad Reconstruction or Replacement Expenditures, incorporates the provisions of section 220.1915, F.S., as amended by section 40, Chapter 2024-158, L.O.F., effective July 1, 2024, and removes provisions rendered obsolete by the amendment. The emergency rule provides that the calculation of the tax credit is based on the track miles owned or leased by a qualifying railroad on the last day of the prior calendar year. An application for the tax credit may be submitted to the Department once the qualified expenditures are incurred during the taxable year, but no later than May 1 of the following calendar year. Qualifying railroads are limited to one application each taxable year. The requirement to include a copy of federal Form 8900, Qualified Railroad Track Maintenance Credit, or its equivalent, with an application for tax credit is amended to provide that a copy of the federal form is to be submitted to the Department within 60 days of submitting the form to the Internal Revenue Service. The Department will issue a letter to the applicant indicating the amount of the approved credit within 30 days of receiving a completed application. Tax credits approved by the Department may be used in the taxable year of approval and in any of the five subsequent taxable years. Tax credits may be transferred immediately upon approval by the Department. Taxpayers receiving a transferred tax credit may only use the tax credit on tax returns with a due date, or extended due date, after the date of transfer.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Martha Gregory, Technical Assistance and Dispute Resolution, telephone (850)717-6041, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12CER24-2 ~~12C-1.01915~~ Credit for Qualified Railroad Reconstruction or Replacement Expenditures.

(1) Definitions. For purposes of this rule, the following terms mean:

(a) No change.

(b) “Qualified expenditures” means gross expenditures made in Florida by a qualifying railroad during the taxable year in which the credit is claimed, provided such expenditures were made for track that was owned or leased by a qualifying railroad on the last day of the prior calendar year, and were:

1. through 2. No change.

(c) “Qualifying railroad” means any Class II or Class III railroad operating in Florida on the last day of the calendar year prior to the taxable year for which the credit is claimed, pursuant to the classifications in effect for that year as set by the United States Surface Transportation Board or its successor.

(2) Available Credits for Qualifying Railroads. ~~A For taxable years beginning on or after January 1, 2023,~~ a credit equal to 50 percent of a qualifying railroad’s qualified expenditures incurred in Florida during a taxable year is available against the Florida corporate income tax imposed by Chapter 220, F.S. However, the amount of the credit may not exceed \$3,500 multiplied by the number of miles of railroad track owned or leased in Florida by the qualifying railroad as of the end of the calendar year prior to the taxable year in which the qualified expenditures were incurred.

(a) through (c) No change.

(3) Application Process. To apply for available program credits, a qualifying railroad must submit a Florida Credit for Qualified Railroad Reconstruction or Replacement Expenditures Application for Credit (Form F-11915, incorporated by reference in Emergency Rule 12CER24-4 12C-4.051, F.A.C.) to the Department each taxable year, along with documentation demonstrating that the qualifying railroad’s qualified expenditures meet the criteria to receive credits. Only one Form F-11915 may be submitted per qualifying railroad per taxable year.

(a) If federal Form 8900 (Qualified Railroad Track Maintenance Credit), or its equivalent, is filed with the Internal Revenue Service within 60 days prior to submitting Form F-11915. If the qualifying railroad earned a federal credit under 26 U.S.C. 45G during the taxable year, the supporting documentation must include federal Form 8900 (Qualified Railroad Track Maintenance Credit) or its equivalent. Otherwise, a qualifying railroad must submit federal Form 8900 directly to the Department within 60 days of submitting the form to the Internal Revenue Service.

~~(b) If the qualifying railroad is a taxpayer under Chapter 220, F.S., it must submit Form F-11915 when it files its Florida Corporate Income/Franchise Tax Return (Form F-1120, incorporated by reference in Rule 12C-1.051, F.A.C.).~~

~~(b)(c) The~~ If the qualifying railroad is not a taxpayer under Chapter 220, F.S., it must submit Form F-11915 to the Department no later than May 1 of the calendar year following the year in which the qualified expenditures were made. If the

May 1 due date falls on a Saturday, Sunday, or legal holiday, Form F-11915 will be considered timely if the form is postmarked or electronically submitted on the next succeeding day that is not a Saturday, Sunday, or legal holiday. The May 1 due date may not otherwise be extended.

1. Example: ~~Qualifying railroad X is not a taxpayer under Chapter 220, F.S.~~ Qualifying railroad X operates on a calendar year basis. X has qualified expenditures during calendar year ~~2024 2023~~. X must apply for a credit by submitting Form F-11915 ~~to with~~ the Department no later than May 1, ~~2025 2024~~.

2. Example: ~~Qualifying railroad Y is not a taxpayer under Chapter 220, F.S.~~ Qualifying railroad Y operates on a fiscal year basis, with a January 31 year end. Y has qualified expenditures during the fiscal year beginning February 1, ~~2024 2023~~, and ending January 31, ~~2025 2024~~. Y must apply for a credit by submitting Form F-11915 ~~to with~~ the Department no later than May 1, ~~2026 2025~~.

(d) renumbered (c) No change.

(d) The Department will issue a letter to the qualifying railroad within 30 days after receipt of the completed application indicating the amount of the approved credit.

(4) Determination of Carryforward or Transfer of Unused Credits. When a credit is not fully used during a taxable year, either because the qualifying railroad that earned the credit has insufficient tax liability or because the qualifying railroad is not a taxpayer under Chapter 220, F.S., the credit may be carried forward or may be transferred in accordance with subsection (5). The carryforward or transferred credit may be used in the year approved or any of the 5 subsequent taxable years in which the credit was earned, when the tax imposed by Chapter 220, F.S., for that taxable year exceeds the credit for which the qualifying railroad or transferee is eligible in that taxable year, after applying the other credits and unused carryovers in the order provided by Section 220.02(8), F.S.

~~(a) If the qualifying railroad is a taxpayer under Chapter 220, F.S., the Department will notify the qualifying railroad by letter within 30 days after the receipt of a completed Florida Credit for Qualified Railroad Reconstruction or Replacement Expenditures Application for Credit (Form F-11915), indicating the amount of credit that may be carried forward or transferred.~~

~~(b) If the qualifying railroad is not a taxpayer under Chapter 220, F.S., the Department will notify the qualifying railroad by letter within 30 days after the receipt of completed Form F-11915, indicating the amount of credit that may be transferred.~~

~~(a)(c)1.~~ Amounts that exceed the limitation of \$3,500 multiplied by the number of miles of railroad track owned or leased in Florida by the qualifying railroad as of the end of the calendar year prior to the taxable year in which the qualified expenditures were incurred, as provided in subsection (2), may

not be carried forward to a subsequent taxable year or transferred.

(b)2- Example: Qualifying railroad Corporation A ~~is a taxpayer under Chapter 220, F.S., that~~ incurs \$20,000 of qualified expenditures during its taxable year. Corporation A owns 2 miles of railroad track within Florida as of the end of the calendar year prior to the its taxable year in which the qualified expenditures are incurred.

Corporation A's credit is equal to 50 percent of the \$20,000 qualified expenditures incurred in the taxable year but may not exceed \$3,500 multiplied by the number of miles owned or leased in Florida at the end of the calendar year prior to the its taxable year with the qualified expenditures.

Credit computation: $50\% \times \$20,000 = \$10,000$ but may not exceed \$7,000 ($\$3,500 \times 2$ miles of railroad track). Therefore, Corporation A receives a \$7,000 credit for qualified railroad reconstruction or replacement expenditures.

The amount of computed credit exceeding the limitation amount ($\$3,000 = \$10,000 - \$7,000$) cannot be used, carried forward, or transferred.

~~When it files its Florida Corporate Income/Franchise Tax Return (Form F-1120), Corporation A has \$5,000 tax due after application of all credits required to be claimed prior to application of the credit for qualified railroad reconstruction or replacement expenditures. Assuming the Department does not have to make any adjustments to Corporation A's Form F-1120, the Department will issue a letter to Corporation A indicating that the amount of credit available to carry forward or transfer is \$2,000 ($\$7,000 - \$5,000$).~~

(5) Transfer of credit. ~~Any~~ For taxable years beginning on or after January 1, 2023, an unused credit may be transferred, in whole or in part. The transfer of a credit does not affect the time limit for taking the credit, and the credit is subject to the same limitations imposed on the transferor in accordance with subsection (4). Transferred credits received by the transferee may only be used on tax returns with a due date or extended due date on or after the date of transfer.

(a) Credits may be transferred to a taxpayer subject to the tax under Chapter 220, F.S., and that either transports property using the rail facilities of any ~~the~~ qualifying railroad, or furnishes railroad-related property or services ~~to any railroad operating in Florida, or is a railroad,~~ as those terms are defined in 26 C.F.R. s. 1.45G-1(b) (March 18, 2018), and herein incorporated by reference (<http://www.flrules.org/Gateway/reference.asp?No=Ref-16071>), to any railroad operating in Florida, or is a railroad. A copy of this regulation is available from the Department at https://floridarevenue.com/taxes/taxesfees/Pages/corp_tax_inc_ent.aspx.

(b) The transferor is required to notify the Department of a credit transfer by submitting a Florida Credit for Qualified

Railroad Reconstruction or Replacement Expenditures Notice of Intent to Transfer a Credit (Form F-11915T, incorporated by reference in Emergency Rule 12CER24-4 ~~12C-1.051~~, F.A.C.) to the Department within 30 days after the transfer. A separate notice must be submitted for each taxpayer receiving a transfer of credit.

(c) No change.

(6) No change.

PROPOSED EFFECTIVE DATE: July 1, 2024

Rulemaking Authority 213.06(1), 220.1915(7) FS., s. 61, Ch. 2024-158, L.O.F. Law Implemented 220.02(8), 220.1915 FS., s. 40, Ch. 2024-158, L.O.F. History—New 12-3-23, 7-1-24.

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: 07/01/2024

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NO.: RULE TITLE:

12CER24-3 Individuals with Unique Abilities Tax Credit Program

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 61, Chapter 2024-158, L.O.F., authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of section 220.1992, F.S., Individuals with Unique Abilities Tax Credit Program, as created by section 41, Chapter 2024-158, L.O.F., effective July 1, 2024. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the requirements for applying for a corporate income tax credit under this Program.

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 41, Chapter 2024-158, L.O.F., which creates section 220.1992, F.S., Individuals with Unique Abilities Tax Credit Program. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of these provisions.

SUMMARY: Emergency Rule 12CER24-3, Individuals with Unique Abilities Tax Credit Program, incorporates, by reference, a form to implement the provisions of section 220.1992, F.S., created by section 41, Chapter 2024-158, L.O.F., effective July 1, 2024. This form allows corporations that employ individuals with disabilities in Florida to apply for an allocation of the available tax credit and provides how the tax credit is calculated, the maximum amount for each disabled employee, and the maximum amount of tax credit that may be taken by a corporation each taxable year.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Martha Gregory, Technical Assistance and Dispute Resolution, telephone (850)717-6041, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12CER24-3 Individuals with Unique Abilities Tax Credit Program.

(1)(a) The following form is used by the Department in its administration of the Individuals with Unique Abilities Tax Credit Program. This form is hereby incorporated by reference in this rule.

(b) Copies of the form are available, without cost, by one or more of the following methods: 1) downloading the form from the Department’s website at floridarevenue.com/forms; or, 2) calling the Department at (850)488-6800, Monday through Friday, (excluding holidays); or, 3) writing the Florida Department of Revenue, 5050 West Tennessee Street, Tallahassee, Florida 32399-0100. Persons with hearing or speech impairments may call the Florida Relay Service at 1(800)955-8770 (Voice) and 1(800)955-8771 (TTY).

Form Number	Title	Effective Date
(2) F-11992	Florida Individuals with Unique Abilities Tax Credit Program Application for Tax Credit	07/24

PROPOSED EFFECTIVE DATE: July 1, 2024
Rulemaking Authority s. 61, Ch. 2024-158, LOF. Law Implemented s. 41, Ch. 2024-158, LOF. History—New 7-1-24.

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: 07/01/2024

**DEPARTMENT OF REVENUE
 Corporate, Estate and Intangible Tax**

RULE NO.: 12CER24-4
 FORMS TITLE: Forms
 SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 61, Chapter 2024-158, Laws of Florida (L.O.F.), authorizes the Department of Revenue to promulgate emergency rules to implement the provisions of section 220.1915, F.S., Credit for Qualified Railroad Reconstruction or Replacement Expenditures, as amended by section 40, Chapter 2024-158, L.O.F., effective July 1, 2024. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the amendments to section 220.1915, F.S.

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 40, Chapter 2024-158, L.O.F. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of these provisions.

SUMMARY: Emergency Rule 12CER24-4, Forms, adopts revisions to the two forms used in the administration of the Credit for Qualified Railroad Reconstruction or Replacement Expenditures to incorporate the provisions of section 220.1915, F.S., as amended by section 40, Chapter 2024-158, L.O.F., effective July 1, 2024. Revisions to the forms reflect the change in the calculation of the tax credit, the limitation of the application to one each taxable year, the documentation required to be included at the time of applying and after applying for the credit, and when a tax credit may be transferred and used by the recipient of the transferred credit.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Martha Gregory, Technical Assistance and Dispute Resolution, telephone (850)717-6041, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12CER24-4 ~~12C-1.051~~ Forms.

(1)(a) The following forms and instructions are used by the Department in its administration of the corporate income tax and franchise tax. These forms are hereby incorporated by reference in this rule.

(b) No change.

Form Number	Title	Effective Date
(2) through (8)	No change.	
(9)(a) F-11915	Florida Credit for Qualified Railroad Reconstruction or Replacement Expenditures Application for Credit (R. 07/24 N. 01/24) (http://www.floridarevenue.com/rules/flrules.org/Gateway/reference.asp?No=Ref 16044)	07/24 11/23
(b) F-11915T	Florida Credit for Qualified Railroad Reconstruction or Replacement Expenditures Notice of Intent to Transfer a Credit (R. 07/24 N. 01/24) (http://www.floridarevenue.com/rules/flrules.org/Gateway/reference.asp?No=Ref 16045)	07/24 11/23
(10) through (15)	No change.	

PROPOSED EFFECTIVE DATE: July 1, 2024

Rulemaking Authority 213.06(1), 220.1915(7), 220.192(7), 220.193(4), 220.196(4), 220.198(6), 220.51, 1002.395(13) FS, s. 61, Ch. 2024-158, LOF, Law Implemented 119.071(5), 212.08(5)(p), 213.37, 213.755(1), 220.11, 220.12, 220.13(1), (2), 220.15, 220.16, 220.183, 220.184, 220.1845, 220.185, 220.186, 220.1875, 220.1895, 220.1896, 220.1899, 220.191, 220.1915, 220.1915, 220.193, 220.194, 220.195, 220.196, 220.198, 220.1991, 220.21, 220.211, 220.22, 220.221, 220.222, 220.23, 220.24, 220.241, 220.31, 220.32, 220.33, 220.34, 220.41, 220.42, 220.43, 220.44, 220.51, 220.721, 220.723, 220.725, 220.737, 220.801, 220.803, 220.805, 220.807, 220.809, 221.04, 624.5105, 624.51055, 1002.395 FS, s. 40, Ch. 2024-158, LOF, History—New 9-26-77, Amended 12-18-83, Formerly 12C-1.51, Amended 12-21-88, 12-31-89, 1-31-91, 4-8-92, 12-7-92, 1-3-96, 3-18-96, 3-13-00, 6-19-01, 8-1-02, 6-19-03, 3-15-04, 9-24-04, 6-28-05, 5-1-06, 4-5-07, 1-1-08, 1-27-09, 1-11-10, 4-26-10(12)(a), (b), 4-26-10(13)(a), (b), 6-28-10, 1-12-11, 6-6-11, 1-25-12, 1-17-13, 3-12-14, 1-19-15, 1-11-16, 1-10-17, 1-17-18, 1-8-19, 12-12-19, 5-23-22, 1-1-23, 11-21-23, 1-1-24, 7-1-24.

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: 07/01/2024

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-21.631 Phase II: Severe Water Shortage

The Southwest Florida Water Management District hereby gives notice: that on June 26, 2024, the Southwest Florida Water Management District has denied a petition for variance.

Petitioner's Name: Tarponaire Mobile Homeowners Association, Inc.

Date Petition Filed: April 15, 2024

Rule No.: 40D-21.631

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

Date Petition Published in the Florida Administrative Register: April 18, 2024

General Basis for Agency Decision: Petitioner failed to respond to District requests for additional information. Petitioner has not demonstrated that a variance or waiver from District rules is appropriate.

A copy of the Order or additional information may be obtained by contacting: Camille Mourant, 7601 US Highway 301, Tampa, Florida 33637, 1(813)985-7481, water.variances@watermatters.org. Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (M2024016)

Section VI

Notice of Meetings, Workshops and Public Hearings

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 9, 2024, 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
- Phase II IV&V Update
- MM Phase II Program Update
- Financial Review
- Phase II Pilot/Implementation Readiness
- Stakeholder Outreach Update
- Q&A
- Adjourn

Microsoft Teams meeting

Join on your computer or mobile app:

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: Kristin Green, 2900 Apalachee Parkway, Room D313, Tallahassee, FL 32399, (850)617-2880. 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).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 9, 2024, 10:00 a.m.

PLACE: This is a meeting conducted by means of communications media technology via Microsoft Teams. The link is available at <https://www.swfwmd.state.fl.us/about/calendar/environmental-advisory-committee-meeting-6>. An additional telephone connection is available at (786)749-6127 conference code 272-174-606#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Environmental Advisory Committee Meeting. To discuss committee business. Additional instructions regarding viewing of and participation in the meeting are available at WaterMatters.org or by calling 1(800)423-1476 (FL only) or (352)796-7211 and requesting assistance. Anyone who wishes to view the meeting or provide public input will be able to do so via Microsoft Teams. One or more Governing Board members may attend. This is a meeting conducted by means of communications media technology (CMT).

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211

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 Chief at 2379 Broad St., Brooksville, FL 34604-6899; telephone (352)796-7211 or email ADACoordinator@WaterMatters.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: Barbara.Matrone@WaterMatters.org; (352)325-5772 EXE0907

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 10, 2024, 1:30 p.m.

PLACE: This meeting will be conducted by means of communications media technology. Join the meeting via Microsoft Teams from our website calendar at <https://www.swfwmd.state.fl.us/about/calendar/springs-coast-management-committee-55>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Springs Coast Management Committee Meeting. Anyone who wishes to view the meeting or provide public input will be able to do so via Microsoft Teams. An additional telephone connection is available at (786)749-6127 conference code 855-357-997#. Additional instructions regarding viewing of and participation in the meeting are available by calling 1(800)423-1476 (FL only) or (352)796-7211 and requesting assistance. This is a meeting conducted by means of communications media technology (CMT).

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211

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 or 1(800)423-1476 (FL only) or email to ADACoordinator@WaterMatters.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: Virginia.Singer@watermatters.org; (352)269-6923 EXE0908

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority

The Tampa Bay Water, A Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: July 15, 2024, 9:30 a.m.

PLACE: Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, Florida 33763.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Capital and Debt Management Workshop and Regular Board Meeting.

A copy of the agenda may be obtained by contacting: Records Department, (727)796-2355.

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: Records Department, (727)796-2355. 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: Records Department, (727)796-2355.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

The Board of Architecture and Interior Design announces a public meeting to which all persons are invited.

DATE AND TIME: July 16, 2024, 9:00 a.m.

PLACE: The Breakers Palm Beach, One South County Road, Palm Beach, FL 33480

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Yusnier M. Cabrera 2023-051914

YMC Design, LLC 2023-051917

Vandin Calitu 2023-061771

John J. Drew 2024-009780

Custom Architectural Designs 2024-009781

LeVon Hodges 2024-023099

Alto 66 2024-023102

Nathan Pritchard 2024-017832

Red Spear Design 2024-017849

Mario Hugo Rodriguez 2024-023204

Miami First Remodeling 2024-023205

A copy of the agenda may be obtained by contacting: David K. Minacci, Manausa, Shaw & Minacci, PA, 140-D W. 1st Street, St. George Island, FL 32328, (850)799-1882

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: David K. Minacci, Manausa, Shaw & Minacci, PA, 140-D W. 1st Street, St. George Island, FL 32328, (850)799-1882. 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: David K. Minacci, Manausa, Shaw & Minacci, PA, 140-D W. 1st Street, St. George Island, FL 32328, (850)799-1882

DEPARTMENT OF HEALTH

Board of Massage Therapy

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

DATE AND TIME: July 31, 2024, 9:00 a.m.

PLACE: Aloft, Jacksonville Tapestry Park, 4812 Deer Lake Drive West, Jacksonville, FL 32246

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to teach the public and stakeholders about the massage establishment inspection program, what expect during an inspection, and to provide guidance to massage establishments regarding the implementation of HB197.

A copy of the agenda may be obtained by contacting: <https://floridasmassagetherapy.gov/meeting-information/upcoming-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 7 days before the workshop/meeting by contacting: the board office at MQA.MassageTherapy@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: the board office at MQA.MassageTherapy@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

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

DATE AND TIME: August 14, 2024, 9:00 a.m.

PLACE: Embassy Suites by Hilton Panama City Beach Resort, 16006 Front Beach Rd., Panama City Beach, FL 32413

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to teach the public and stakeholders about the massage establishment inspection program, what expect during an inspection, and to provide guidance to massage establishments regarding the implementation of HB197.

A copy of the agenda may be obtained by contacting: <https://floridasmassagetherapy.gov/meeting-information/upcoming-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 7 days before the workshop/meeting by contacting: the board office at MQA.MassageTherapy@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: the board office at MQA.MassageTherapy@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Massage Therapy

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

DATE AND TIME: August 8, 2024, 9:00 a.m.

PLACE: Le Meridian Dania Beach at Fort Lauderdale Airport, 1825 Griffin Rd., Dania Beach, FL 33004

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to teach the public and stakeholders about the massage establishment inspection program, what expect during an inspection, and to provide guidance to massage establishments regarding the implementation of HB197.

A copy of the agenda may be obtained by contacting: <https://floridasmassagetherapy.gov/meeting-information/upcoming-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 7 days before the workshop/meeting by contacting: the board office at MQA.MassageTherapy@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: the board office at MQA.MassageTherapy@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

The Florida Boards of Medicine and Osteopathic Medicine's Joint Rules/Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday July 09, 2024, 2:00 p.m., ET

PLACE: You may join the virtual meeting from your computer, tablet, or smartphone through the following link: <https://global.gotomeeting.com/join/717632629>. You may also join the meeting via telephone at (571)317-3112 using the access code 717-632-629. To maximize your access to the meeting, the Department recommends that you download the GoToMeeting app on your computer, tablet, or smartphone prior to the meeting. If you are required to or otherwise intend to make an appearance before the Board, you must do so from a quiet place with limited activity. You may not appear from your car. The Department also recommends that you connect to the meeting platform at least 15 minutes prior to the start of the meeting to make sure you can successfully establish a connection.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. Committee meetings may be canceled prior to the meeting date. Please check the Board's website at

<https://floridaosteopathicmedicine.gov/meeting-information/> for cancellations or changes to the meeting date or time or call the Board at (850)245-4161 for more information.

A copy of the agenda may be obtained by contacting: the Board of Medicine at <https://flboardofmedicine.gov/meeting-information/>, or the Board of Osteopathic Medicine at <https://floridaosteopathicmedicine.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: Board staff, at (850)245-4161 or at mqa.osteopath@flhealth.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board staff, at (850)245-4161 or at mqa.osteopath@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Pharmacy

The Board of Pharmacy Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 18, 2024, 9:00 a.m., E.T.

PLACE: 1(888)585-9008, Participant Code: 599196982(#)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The panel will conduct a meeting related to public disciplinary cases with reconsiderations.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: (850)245-4474. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: (850)245-4474.

DEPARTMENT OF CHILDREN AND FAMILIES

Substance Abuse Program

The Statewide Council on Opioid Abatement announces a public meeting to which all persons are invited.

DATE AND TIME: August 1, 2024, 2:00 p.m. EST - 4:00 p.m. EST

PLACE: AdventHealth Altamonte Springs, Chatlos Conference Center, 601 E. Altamonte Dr., Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda is currently under development and will be forwarded to you prior to the meeting.

This meeting is in accordance with 397.335, F.S., which establishes the Statewide Council on Opioid Abatement. The terms of the Florida Opioid Settlement agreement require the state to create an Opioid Abatement Taskforce or Council to advise the Governor, Legislature, Florida’s Department of Children and Families (“DCF”), and Local Governments on the priorities that should be addressed as part of the opioid epidemic, review how monies have been spent and the results that have been achieved with Opioid Funds. Discussion topics and duties will include expenditures and the results achieved, work and share information with the Drug Policy Advisory Council and ensure recommendations are consistent, review data from local, state, and national agencies to advise state and local governments on the status, severity, and stage of opioid epidemic, review data on expenditures, success, and metrics for

assessing the epidemic and progress in abating it, and develop and recommend metrics, measures, or datasets to assess progress/success.

A copy of the agenda may be obtained by contacting: Jeanette Cherubini, Dept. of Children and Families, at Jeanette.Cherubini@myflfamilies.com, (850) 717-4683.

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: Jeanette Cherubini, Dept. of Children and Families, at Jeanette.Cherubini@myflfamilies.com, (850) 717-4683. 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: Jeanette Cherubini, Dept. of Children and Families, at Jeanette.Cherubini@myflfamilies.com, (850) 717-4683.

Section VII

Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by S.C. Paizes on behalf of Florida Home Improvement Services, Inc., on December 20, 2023. The following is a summary of the agency's disposition of the petition:

Petitioner sought a determination from the Board for the interpretation of Section 489.105(3), 489.127(1)(i), and 489.131(10), Florida Statutes, regarding qualifications or municipal county licensing and examining board members, and the effect of unqualified individuals occupying seats on such boards while disciplining state licensed contractors. The Notice of Petition for Declaratory Statement was published in Vol. 50, No. 34, on February 19, 2024, in the Florida Administrative Register. The Boards Order was filed on March 20, 2024. The Board, at its meeting held on February 16, 2024, declined to answer the Petition for Declaratory Statement, finding that in review of the issues raised by Petitioner, Petitioner is attempting to use the Petition to determine the conduct of another person, namely the makeup of the members appointed to the Sarasota County General Contracting Licensing and Examination Board and the Sarasota County Mechanical Contractors Licensing and Examination Board.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Amanda Ackermann, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039 or telephone: (850)487-1395, or by electronic mail to Amanda.Ackermann@myfloridalicense.com

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF MILITARY AFFAIRS
Request for Qualifications
STATE OF FLORIDA, DEPARTMENT OF MILITARY AFFAIRS
PUBLIC ANNOUNCEMENT
REQUEST FOR QUALIFICATIONS
Issuing Agency: Department of Military Affairs
Project Number and Name: 120213 Automated Multipurpose Machine Gun Range

Project Location: Camp Blanding Joint Training Center, 5629 FL-16 W, Starke, FL

Department of Military Affairs, Construction and Facility Management Office is issuing a Request for Qualifications from Construction Management entities. The Construction Manager at Risk shall be responsible to furnish all labor, supervision, materials, equipment, bonding and insurance, and permits for construction of an automated Multipurpose Machine Gun Range meeting the requirements of current United States Army Corps of Engineers Range Design Guide 17833.

Construction Budget: Level 5 \$9,911,000

Type of Contractor: Construction Management entity as defined at s. 255.32, F.S.

Date of VIP Posting: June 26, 2024

Point Of Contact: Department of Military Affairs, CFMO Contract Management Office at (904)823-0285 or e-mail ng.fl.flarng.list.cfmo-contracting@army.mil.

FOR COMPLETE INFORMATION AND SUBMISSION REQUIREMENTS PLEASE REFER TO THE MYFLORIDAMARKETPLACE VENDOR INFORMATION PORTAL AT: <https://vendor.myfloridamarketplace.com/>

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., Thursday, June 20, 2024, and 3:00 p.m., Wednesday, June 26, 2024.

Rule No.	File Date	Effective Date
1A-39.001	6/24/2024	7/14/2024
6A-7.0715	6/20/2024	7/10/2024
12AER24-1	6/20/2024	7/1/2024
12AER24-5	6/26/2024	7/1/2024
12AER24-6	6/26/2024	7/1/2024
12AER24-7	6/26/2024	7/1/2024
12AER24-8	6/26/2024	7/1/2024
12CER24-2	6/26/2024	7/1/2024
12CER24-3	6/26/2024	7/1/2024
12CER24-4	6/26/2024	7/1/2024
12E-1.008	6/20/2024	7/10/2024
61G15-22.006	6/21/2024	6/11/2024
64B4-3.001	6/20/2024	7/10/2024

64B4-3.0085	6/21/2024	7/11/2024
64B6-4.007	6/26/2024	7/16/2024
64B7-25.001	6/25/2024	7/15/2024
65C-17.006	6/25/2024	7/15/2024
68A-27.0021	6/21/2024	7/11/2024
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
40B-400.091	2/8/2024	**/**/****
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	**/**/****

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need
NOTICE OF WITHDRAWAL

Notice is hereby given that the notice of withdrawal, as published in Vol. 50 No. 121, June 20, 2024, issue of the Florida Administrative Register has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid
State Plan Amendment

The Agency for Health Care Administration is requesting an amendment to the Medicaid State Plan for the County Health Department Reimbursement Plan. The amendment updates buy-back provisions as authorized in the General Appropriations Act for State Fiscal Year 2024-2025. This amendment to the State Plan will have a federal fiscal impact with an expected decrease of \$12,215 in federal funds for federal fiscal year (FFY) 2023-24 and an expected decrease of \$36,646 in federal funds for FFY 2024-25 due to the change in the Federal Medical Assistance Percentage (FMAP). The effective date for this amendment will be July 1, 2024.

Interested parties may contact the following staff for further information: Toriano Hatcher, Medicaid Program Finance, located at 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308-5407; by telephone at: (850)412-4116 or by e-mail at: toriano.hatcher@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid
State Plan Amendment

The Agency for Health Care Administration is requesting an amendment to the Medicaid State Plan. The amendment updates buy-back provisions for Intermediate Care Facilities for Individuals with Developmental Disabilities as authorized in the General Appropriations Act for State Fiscal Year 2024-25, and makes technical and editorial changes. This amendment to the State Plan will have a federal fiscal impact with an expected increase of \$117,581 in federal funds for federal fiscal year (FFY) 2023-24 and an increase of \$352,743 in federal funds for FFY 2024-25. The effective date for this amendment will be July 1, 2024.

Interested parties may contact the following staff for further information: Toriano Hatcher, Medicaid Program Finance, located at 2727 Mahan Drive, Mail Stop 23, Tallahassee, Florida 32308-5407; by telephone at: (850)412-4116 or by e-mail at: toriano.hatcher@ahca.myflorida.com.

DEPARTMENT OF HEALTH
Division of Emergency Preparedness and Community Support
Amended Notice of Variance
RULE NO.: RULE TITLE:

64J-1.0201 EMS Instructor Qualifications
NOTICE IS HEREBY GIVEN that the Notice of Variances and Waivers published in Vol. 50, No. 41, March 7, 2024 issue of the Florida Administrative Register is amended to give notice that on March 04, 2024, the Department of Health received a petition for a temporary variance from the requirement of 64J-1.0201(3)(b)2, F.A.C., that lead instructors at Valencia Community College, EMS Training Program, have at least 4 years of field level provider experience in the pre-hospital environment with an advanced life support services provider. Any interested person or state agency may submit written comments within 14 days after publication of this notice. A copy of the Petition for Variance or Waiver may be obtained by contacting: Lori Jobe, (850)245-4005, Lori.Jobe@flhealth.gov.

DEPARTMENT OF FINANCIAL SERVICES
Division of Workers' Compensation
Miscellaneous Notice
Notice is hereby given to Workers' Compensation carriers and self-insurers under the Workers' Compensation Law, that the Department of Financial Services, pursuant to section

440.13(12)(e)1., F.S., has published the 2024 schedule of maximum reimbursement allowances for physician and nonhospital services to its website. This schedule of maximum reimbursement allowances shall take effect January 1, 2025. The 2024 schedule of maximum reimbursement allowances for physician and nonhospital services may be accessed at <https://www.myfloridacfo.com/division/wc/manuals>.

DEPARTMENT OF COMMERCE
 Division of Community Development
 Commerce Amended Final Order No. COM-24-020
AMENDED FINAL ORDER
MONROE COUNTY ORDINANCE NO. 04-2024

The Florida Department of Commerce (“Department”) hereby issues its Amended Final Order, pursuant to sections 380.05(6) and 380.0552(9), Florida Statutes on the land development regulations adopted by Monroe County, Florida (the “County”), Ordinance No. 04-2024 (the “Ordinance”). The Department’s initial final order issued on May 16, 2024, is hereby superseded and replaced by this final order. The Department finds as follows:

FINDINGS OF FACT

- 1.The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern.
- 2.The County is a local government within the Florida Keys Area.
- 3.The Ordinance was adopted by the County on February 15, 2024.
- 4.The Ordinance amends the County Land Development Code (“Code”) to establish the Tavernier Key Commercial Overlay District (“TKCOD”), which applies to 19.3 acres of property. Establishment of the TKCOD promotes the conversion of scarified land that formerly housed a concrete manufacturing facility into a mixed-use development project that will provide workforce housing along with nonresidential development to serve the needs of permanent residents of the Upper Keys.
- 5.The Ordinance sets forth the boundary, maximum development potential, and Rate of Growth Ordinance (ROGO) allocation standards for residential and nonresidential development within the TKCOD.

CONCLUSIONS OF LAW

- 6.The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See §§ 380.05(6) and 380.0552(9), Fla Stat.
- 7.“Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations adopted by the Ordinance are land development regulations.
- 8.The Ordinance is consistent with the Monroe County Comprehensive Plan generally, as required by Section

163.3177(1), Florida Statutes. Specifically, the Ordinance is consistent with Policies 101.5.6, 101.19.1, 101.19.2, 105.1.2, and 105.1.3.

9.All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. §§ 380.05(6) and 380.0552(9), Fla Stat.

10.The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in Section 380.0552(7), Florida Statutes.

11.The Ordinance is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that the Department finds that Monroe County Ordinance No. 04-2024 is consistent with the Monroe County Comprehensive Plan and the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register, unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ Kate Doyle , Kate Doyle, Assistant Deputy Secretary, Division of Community Development, Florida Department of Commerce

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, BY FILING A PETITION.

A PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMERCE WITHIN 21 CALENDAR DAYS OF BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK, FLORIDA DEPARTMENT OF COMMERCE, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, FAX (850)921-3230, AGENCY.CLERK@COMMERCE.FL.GOV

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE

CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. PURSUANT TO SECTION 120.573, FLORIDA STATUTES, AND CHAPTER 28, PART IV, FLORIDA ADMINISTRATIVE CODE, YOU ARE NOTIFIED THAT MEDIATION IS NOT AVAILABLE.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 26th day of June, 2024.

/s/ Karis De Gannes, Agency Clerk, Florida Department of Commerce, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128, Telephone: (850)245-7151, Facsimile: (850)921-3230

By U.S. Mail:

The Honorable Craig Cates, Mayor, Monroe County, 1100 Simonton Street, Key West, Florida 33040

Kevin Madok, Clerk, Monroe County, Board of County Commissioners, 500 Whitehead Street, Key West, Florida 33040.

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.
