

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** RULE TITLE:  
6A-3.0121 Responsibility of School District and Parents or Guardians for Students Who Are Transported at Public Expense

**PURPOSE AND EFFECT:** This amendment extends the current responsibilities of bus drivers transporting students to the operators of other vehicles transporting students. Chapter 2023-16, L.O.F., authorizes districts to use vehicles other than school buses for student transportation without restrictions.

**SUBJECT AREA TO BE ADDRESSED:** The establishment of requirements for personnel that transport students as a primary job function in vehicles other than school buses.

**RULEMAKING AUTHORITY:** 1001.02(1), 1006.22(12), F.S.  
**LAW IMPLEMENTED:** 1001.42(10), 1003.31(1)(d), 1006.062, 1006.0626, 1006.10, 1006.22, F.S.

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

**DATE AND TIME:** January 9, 2025, 1:00 p.m.  
**PLACE:** Online via Microsoft Teams:  
[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NWU1NGQ3NzQtMDBkZC00ZGFILTk5OWEtMTRjYmRiMGM2YTQ0%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22Oid%22%3a%22a8c889e4-e1d7-4c53-af13-f375e082fc20%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NWU1NGQ3NzQtMDBkZC00ZGFILTk5OWEtMTRjYmRiMGM2YTQ0%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22Oid%22%3a%22a8c889e4-e1d7-4c53-af13-f375e082fc20%22%7d)

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, Suite 814, Turlington Building, (850)245-9150. To comment on this rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, email [Christian.Emerson@fldoe.org](mailto:Christian.Emerson@fldoe.org).

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:** Available at <https://web02.fldoe.org/rules>

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** RULE TITLE:  
6A-3.0141 Employment of School Bus Operators

**PURPOSE AND EFFECT:** To amend the rule to allow class E driver’s license holders to operate small school buses and

multifunction school activity buses that have a gross vehicle weight rating (GVWR) under 26,001 pounds and a seating capacity of 15 persons or fewer, including the driver, and to include requirements for operators of vehicles other than school buses that transport students. The additional requirements for operators of other vehicles that transport students are necessary pursuant to the passing of Chapter 2023-16, Laws of Florida, during the 2023 Legislative session.

**SUBJECT AREA TO BE ADDRESSED:** The purpose of this amendment is to revise the rule to include operators of vehicles other than school buses that transport students, establish employment requirements for such operators and remove the current restriction that prevents class E driver’s license holders from operating small buses that have a gross vehicle weight rating less than 26,001 pounds and a seating capacity of 15 persons or fewer, including the driver.

**RULEMAKING AUTHORITY:** 316.615(3), 1001.02(1), 1006.22, 1012.45, F.S.

**LAW IMPLEMENTED:** 316.615, 1006.22, 1012.32(2)(a), 1012.45, F.S.

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

**DATE AND TIME:** January 9, 2025, 1:00 p.m.  
**PLACE:** Online via Microsoft Teams  
[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NWU1NGQ3NzQtMDBkZC00ZGFILTk5OWEtMTRjYmRiMGM2YTQ0%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22Oid%22%3a%22a8c889e4-e1d7-4c53-af13-f375e082fc20%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NWU1NGQ3NzQtMDBkZC00ZGFILTk5OWEtMTRjYmRiMGM2YTQ0%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22Oid%22%3a%22a8c889e4-e1d7-4c53-af13-f375e082fc20%22%7d)

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Mark Eggers, Assistant Deputy Commissioner. [Mark.Eggers@fldoe.org](mailto:Mark.Eggers@fldoe.org), (850)245-9105. To comment on this rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, email [Christian.Emerson@fldoe.org](mailto:Christian.Emerson@fldoe.org).

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:** Available at <https://web02.fldoe.org/rules>

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** RULE TITLE:  
6A-3.0171 Responsibilities of School Districts for Student Transportation

**PURPOSE AND EFFECT:** This amendment will update the 2020 edition of the Florida School Bus Safety Inspection Manual for 2025. New technologies for electric school buses

necessitate related changes to inspection criteria and procedures, requiring periodic revisions of this publication to ensure school buses remain safe for student transportation. Regulations previously limiting the use of vehicles other than school buses for student transportation to and from school and school activities were relaxed during the 2023 legislative session with the passing of HB 1, making it necessary to adopt rules to define vehicles that are allowed for student transportation and how such vehicles shall be maintained and how often they are to be inspected to ensure student safety. The frequency of school bus inspections is updated to eliminate redundant inspections and to align with industry standards and with the inspections for other vehicles that transport students. Vehicle inspections will be conducted on a quarterly basis with the maximum interval not to exceed 101 calendar days.

**SUBJECT AREA TO BE ADDRESSED:** The proposed amendment addresses which vehicles are allowed for transporting students, and by whom, how often and how such vehicles are to be inspected, and which records are to be kept.

**RULEMAKING AUTHORITY:** 316.615, 1001.02(1), 1003.31, 1006.21, 1006.22, 1012.45, F.S.

**LAW IMPLEMENTED:** 316.615, 1003.31, 1006.22, 1012.45, F.S.

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

**DATE AND TIME:** January 9, 2025, 1:00 p.m.

**PLACE:** [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_NWU1NGQ3NzQtMDBkZC00ZGFILTk50WEtMTRjYmRiMGM2YTQ0%40thread.v2/0?context=%7b%22id%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22oid%22%3a%22a8c889e4-e1d7-4c53-af13-f375e082fc20%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NWU1NGQ3NzQtMDBkZC00ZGFILTk50WEtMTRjYmRiMGM2YTQ0%40thread.v2/0?context=%7b%22id%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22oid%22%3a%22a8c889e4-e1d7-4c53-af13-f375e082fc20%22%7d)

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Mark Eggers, Assistant Deputy Commissioner. Mark.Eggers@fldoe.org, (850)245-9105. To comment on this rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, email [Christian.Emerson@fldoe.org](mailto:Christian.Emerson@fldoe.org).

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:** Available at <https://web02.fldoe.org/rules>

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

**RULE NO.:** 68A-13.004  
**RULE TITLE:** Hunting Regulations for Non-Migratory Game and Issuance of Antlerless Deer

**Permits and Private Lands Deer Management Permits**

**PURPOSE AND EFFECT:** The purpose of the proposed rule development is to update hunting regulations regarding antlerless deer bag limits and the open season for taking antlerless deer on lands outside of the WMA system. The intended effect is to provide increased opportunity for antlerless deer harvest.

**SUBJECT AREA TO BE ADDRESSED:** Subject areas covered in the proposed rule include season bag limits for deer and the open season for taking antlerless deer on lands outside of the WMA system.

**RULEMAKING AUTHORITY:** Art. IV, Sec. 9, Florida Constitution.

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution  
**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Cory Morea, Deer Management Program Coordinator, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)617-9553.

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

**RULE NO.:** 68A-27.003  
**RULE TITLE:** Florida Endangered and Threatened Species List; Prohibitions

**PURPOSE AND EFFECT:** The Commission is considering revising the rule to update the incorporated link to the most recent version of the Commission-approved Management Plan for the Gopher Tortoise.

**SUBJECT AREA TO BE ADDRESSED:** Take of State-Threatened species; gopher tortoise.

**RULEMAKING AUTHORITY:** Art. IV, Sec. 9, Florida Constitution

**LAW IMPLEMENTED:** Art. IV, Sec. 9, Florida Constitution  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Claire Sunquist Blunden, Section Leader, Wildlife Diversity Conservation Section, Florida Fish and Wildlife Conservation Commission, 620 S. Meridian St., Tallahassee, FL 32399-1600.

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

## Section II Proposed Rules

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Division of Agricultural Water Policy

RULE NOS.:      RULE TITLES:

5M-14.001	Purpose
5M-14.002	Approved Best Management Practices
5M-14.003	Presumption of Compliance
5M-14.004	Notice of Intent to Implement
5M-14.005	BMP Record Keeping

**PURPOSE AND EFFECT:** The purpose of the proposed rules is to adopt by reference a revised version of the manual titled Water Quality/Quantity Best Management Practices for Florida Equine Operations (2011 Edition) (FDACS-P-01531). The new edition (2024) updates language to reflect statutory changes impacting the Best Management Practices program, provides more specific direction and expectation regarding the best management practices, and removes language not related to water quality or water conservation.

**SUMMARY:** The subject areas of the proposed rules are water quality and water conservation best management practices for Florida equine operations, enrollment in the program, and implementation verification site visit requirements. Proposed rule revisions require compliance with Rule Chapter 5M-1, F.A.C., and therefore language that is duplicative with Rule Chapter 5M-1, F.A.C., is removed. Rule revisions also clarify the intent of BMP Program enrollment and checklist requirements.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rules did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied on producer input and the Office’s

experience and knowledge working with the industry. The proposed rulemaking will not add any cost to regulated businesses or the Department. Additionally, no interested party submitted additional information regarding the economic impact.

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

**RULEMAKING AUTHORITY:** 403.067(7)(c)2., (7)(d)2.c., 570.07(10), (23), F.S.

**LAW IMPLEMENTED:** 403.067(7)(c)2., (7)(d)2.c., (7)(d)3., F.S.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Tammy Hinkle, Environmental Manager at Tammy.Hinkle@FDACS.gov. Copies of the manual can be accessed online at <https://www.fdacs.gov/Divisions-Offices/Agricultural-Water-Policy/Rule-Development-Activities/5M-14-Rulemaking>.

THE FULL TEXT OF THE PROPOSED RULE IS:

#### 5M-14.001 Purpose.

*Rulemaking Authority 403.067(7)(c)2., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History–New 3-15-12, Repealed \_\_\_\_\_.*

#### 5M-14.002 Approved Best Management Practices.

Statewide best management practices for equine operations are in the manual titled Water Quality/Quantity Best Management Practices for Florida Equine Operations, 2024 (2011 Edition); Water Quality and Water Quantity Best Management Practices (FDACS-DACS P-01531, rev. \_\_\_\_\_), is hereby adopted and incorporated by reference. Copies of the manual may be obtained from the University of Florida Cooperative Extension Service county office or from the Florida Department of Agriculture and Consumer Services (FDACS), Office of Agricultural Water Policy, Mayo Building, 407 South Calhoun Street, Tallahassee, Florida, 32399 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32304 or accessed online at <https://www.flrules.org/Gateway/reference.asp?No=Ref-00772>.

*Rulemaking Authority 403.067(7)(c)2., (7)(d)2.c., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2., (7)(d)2.c., (7)(d)3. FS. History–New 3-15-12, Amended \_\_\_\_\_.*

**5M-14.003 Presumption of Compliance.**

*Rulemaking Authority 403.067(7)(c)2., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History—New 3-15-12, Repealed*

Substantial rewording of Rule 5M-14.004, F.A.C., follows. See Florida Administrative Code for present text.

**5M-14.004 Notice of Intent to Implement Best Management Practices.**

An Enrollee under the Florida Equine Operations, 2024 Edition: Water Quality and Water Quantity Best Management Practices (FDACS-P-01531, rev. \_\_\_\_\_), as incorporated by reference in Rule 5M-14.002, F.A.C., is also subject to the requirements of Rule Chapter 5M-1, F.A.C.

*Rulemaking Authority 403.067(7)(c)2.,(7)(d)2.c., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2., (7)(d)2.c., (7)(d)3. FS. History—New 3-15-12, Amended*

**5M-14.005 BMP Record Keeping.**

*Rulemaking Authority 403.067(7)(c)2., 570.07(10), 570.07(23) FS. Law Implemented 403.067(7)(c)2. FS. History—New 3-15-12, Repealed*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
West Gregory, Director, Office of Agricultural Water Policy  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Wilton Simpson  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 22, 2024  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 5, 2024

**DEPARTMENT OF REVENUE**

RULE NO.: 12-6.003  
RULE TITLE: Protest of Notices of Proposed Assessment Issued by the Department Which Result From an Audit

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12-6.003, F.A.C. (Protest of Notices of Proposed Assessment Issued by the Department Which Result From an Audit), is to remove the use of the term “Assessment” in the rule to refer to a Notice of Proposed Assessment to clarify when a proposed assessment for which a written protest is filed with the Department becomes a final assessment.

SUMMARY: The proposed amendments to Rule 12-6.003, F.A.C., remove all references of “Assessment” to refer to a Notice of Proposed Assessment to clarify that when a Notice of Proposed Assessment is timely protested, the notice remains a proposed assessment until such time as it becomes a final assessment.

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

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

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

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

RULEMAKING AUTHORITY: 72.011(2), 213.06(1), 213.21(1) FS.

LAW IMPLEMENTED: 72.011(2), 213.21(1), 213.34 FS.

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

DATE AND TIME: January 14, 2025; 9:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1221, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tonya Fulford at (850)717-6799. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Gregory, Office of Technical Assistance, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6041, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

**12-6.003 Protest of Notices of Proposed Assessment Issued by the Department Which Result From an Audit.**

(1)(a) A taxpayer may secure review of a Notice of Proposed Assessment (~~Assessment~~) by implementing the provisions of this section.

(b) To secure review of a Notice of Proposed ~~an~~ Assessment, a taxpayer must file a written protest postmarked or faxed within 60 consecutive calendar days (150 consecutive calendar days if the notice ~~Assessment~~ is addressed to a person outside the United States) from the date of issuance on the notice ~~Assessment~~.

(c) Protests postmarked or faxed more than 60 consecutive calendar days (150 consecutive calendar days if the Notice of Proposed Assessment is addressed to a person outside the United States) after the date of issuance on the notice ~~Assessment~~ will be deemed late filed, and the proposed ~~a~~Assessment becomes final for purposes of chapter 72, F.S., upon the expiration of 60 consecutive calendar days (150 consecutive calendar days if the notice ~~Assessment~~ is addressed to a person outside the United States) after the date of issuance on the notice ~~Assessment~~, unless the taxpayer has timely secured a written extension of time within which to file a protest.

(d)1. A taxpayer may request an extension of time for filing a protest by mailing or faxing a written request to the address or fax number designated on the Notice of Proposed Assessment. ~~To In order for the taxpayer's request to~~ be considered timely, the request must be postmarked or faxed within 60 consecutive calendar days (150 consecutive calendar days if the notice ~~Assessment~~ is addressed to a person outside the United States) from the date of issuance on the notice ~~Assessment~~. Each extension of time will be for 30 consecutive calendar days. Within a 30 consecutive calendar day extension period, the taxpayer may submit a request in writing to the address or fax number designated on the notice ~~Assessment~~ for an additional 30 consecutive calendar day extension within which to submit a written protest.

2. Failure to mail or fax the written protest or failure to mail or fax a written request for an additional extension within a 30 consecutive calendar day extension period will ~~shall~~ result in forfeiture of the taxpayer's rights to the proceedings provided by this rule and the proposed assessment will become a final assessment for purposes of chapter 72, F.S., at the expiration of the extended filing period.

(2)(a) The protest must ~~shall~~ be mailed or faxed ~~filed by mailing or faxing a written request~~ to the address or fax number designated on the Notice of Proposed Assessment; and ~~shall~~ include:

1. through 5. No change.
6. A copy of the Notice of Proposed Assessment.
7. No change.

(b)1. No change.

2. Failure to submit this information or to request an additional 15 consecutive calendar day extension within either the original 15 consecutive calendar day period or an additional 15 consecutive calendar day extension period will ~~shall~~ result in issuance of a written dismissal of the protest and forfeiture of the taxpayer's right to the proceedings provided by this rule.

3. If the taxpayer either fails to submit the required information or fails to request an extension of time within which to submit the required information, the proposed ~~a~~Assessment will ~~shall~~ become a final aAssessment for purposes of chapter 72, F.S., on the later of:

- a. No change.
- b. The expiration of 60 consecutive calendar days after the date of issuance on the Notice of Proposed Assessment.

(3)(a) No change.

(b) If a protest is timely filed, Technical Assistance and Dispute Resolution will issue a Notice of Decision (NOD). The NOD ~~Assessment~~ will ~~shall~~ become a final aAssessment for purposes of chapter 72, F.S., as of the date of issuance on the NOD, unless the taxpayer timely files a petition for reconsideration of the NOD.

(4)(a)1. through (b)1. No change.

2. Failure to submit this information or to request an additional 15 consecutive calendar day extension within either the original 15 consecutive calendar day period or an additional 15 consecutive calendar day extension period will ~~shall~~ result in issuance of a Notice of Reconsideration (NOR) that dismisses the petition for reconsideration and sustains the NOD. The NOR ~~Assessment~~ will become a final aAssessment for purposes of chapter 72, F.S., as of the date of issuance on the NOR.

(c) If a petition for reconsideration is timely filed, the Department will issue a Notice of Reconsideration (NOR). The NOR ~~Assessment~~ will become a final aAssessment for purposes of chapter 72, F.S., as of the date of issuance on the NOR.

(5) No change.

*Rulemaking Authority 72.011(2), 213.06(1), 213.21(1) FS. Law Implemented 72.011(2), 213.21(1), ~~213.34~~ FS. History—New 12-31-81, Formerly 12-6.03, Amended 7-1-88, 3-6-03, 1-19-15, \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Martha Gregory

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 1, 2024

**DEPARTMENT OF REVENUE**

**RULE NO.:** 12-21.205  
**RULE TITLE:** Departmental Levy on Frozen Assets; Procedures

**PURPOSE AND EFFECT:** The purpose of the proposed amendments to Rule 12-21.205, F.A.C. (Departmental Levy on Frozen Assets; Procedures), is to incorporate the provisions of section 213.67, F.S., as amended by section 35, Chapter 2024-158, L.O.F., that when delinquent all taxes, penalties, interests, costs, surcharges, and fees owed to the Department are to be included in a garnishment or levy, and to provide that a notice of levy may also be sent by personal service, electronic data interchanges, use of the Internet, or by other electronic means.

**SUMMARY:** The proposed amendments to Rule 12-21.205, F.A.C., include surcharges owed by a delinquent taxpayer referenced in a Notice of Intent to Levy that must be paid to avoid levy upon assets controlled or possessed by the custodian, unless lawful action to contest the levy is filed. Further, the proposed amendments to the method of delivery of a Notice of Levy includes personal service, facsimile, electronic data interchange use of the Internet, or by other electronic means.

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

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

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

**RULEMAKING AUTHORITY:** 213.06(1) FS.

**LAW IMPLEMENTED:** 213.67, 213.731, 443.1316 FS.

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

**DATE AND TIME:** January 14, 2025; 9:00 a.m.

**PLACE:** 2450 Shumard Oak Boulevard, Building One, Room 1221, Tallahassee, Florida 32399.

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 hours before the workshop/meeting by contacting: Tonya Fulford at (850)717-6799. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Martha Gregory, Office of Technical Assistance, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6041, email RuleComments@floridarevenue.com.

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

**12-21.205 Departmental Levy on Frozen Assets; Procedures.**

(1)(a) If the delinquent taxpayer does not, within 21 days after the date of receipt of the Notice of Intent to Levy, pay the delinquent taxes, fees, surcharges, penalties, interest, administrative fees, and costs of collection owed as referenced in the Notice of Intent to Levy, or bring lawful action to contest the Notice of Intent to Levy, the Department will levy upon any assets controlled or possessed by the custodians.

(b) through (c) No change.

(2) The following procedures govern the Department’s issuance of a Notice of Levy:

(a) No change.

(b) A Notice of Levy will be delivered by registered mail, personal service, facsimile, electronic data interchange, use of the Internet, or by other electronic means to those custodians who are currently subject to a Notice of Freeze. The Notice of Levy will designate the specific assets to be paid or transferred to the Department, and the manner in which such transfer should occur. Payments to the Department must be made by certified or cashier’s check, made payable in U.S. funds to the Florida Department of Revenue.

(c) No change.

(3) through (4) No change.

*Rulemaking Authority 213.06(1) FS. Law Implemented 213.67, 213.731, 443.1316 FS. History—New 6-16-93, Amended 3-31-99, 3-12-14, .*

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Martha Gregory

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2024  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 1, 2024

**DEPARTMENT OF REVENUE**

RULE NOS.:	RULE TITLES:
12-29.001	Scope
12-29.002	Florida Tax Credit Scholarship Program; Participation; Allocation; Carryforward; Transfer; Rescindment
12-29.003	Public Use Forms
12-29.004	Strong Families Tax Credit; Participation; Allocation; Carryforward; Transfer; Rescindment
12-29.005	The New Worlds Reading Initiative; Participation; Allocation; Carryforward; Transfer; Rescindment
12-29.006	Live Local Program; Participation; Allocation; Carryforward; Transfer; Rescindment
12-29.007	Child Care Tax Credits Program; Participation; Allocation; Carryforward; Transfer; Rescindment

**PURPOSE AND EFFECT:** The proposed amendments to Rule 12-29.001, F.A.C. (Scope), are necessary to clarify the tax credit programs administered by the rule chapter and to provide that the rule chapter includes rules to administer the Child Care Tax Credits program created by sections 26, 32, 39, 44, 49, 54, and 55, Chapter 2024-158, L.O.F.

The proposed amendments to Rule 12-29.002, F.A.C. (Florida Tax Credit Scholarship Program; Participation; Allocation; Carryforward; Transfer; Rescindment), are necessary to implement the provisions of subsection 624.509(7), F.S., as amended by section 53, Chapter 2024-158, L.O.F., which adds the Child Care Tax Credits to the insurance premium tax credits and deductions for purposes of the Florida Tax Credit Scholarship Program tax credit, to remove obsolete provisions and examples for an obsolete tax credit carryforward period of five years for tax years beginning before January 1, 2018, and to update examples to apply for a credit allocation, carryforward unused tax credits for a ten year period, and when an application for rescindment of an unused credit allocation will not be allowed, and to provide how to provide a copy of the certificate of contribution issued by a scholarship-funding organization to the Department.

The proposed amendments to Rule 12-29.003, F.A.C. (Public Use Forms), are necessary to incorporate, by reference, changes to three forms used in the administration of the Florida Tax Credit Scholarship Program to allow applicants to select how their email address may be used by the Department, four new forms required for administration of the Child Care Tax Credit

program, and changes to two forms to reflect the designation of the University of Florida Lastinger Center for Learning as the administrator of the New Worlds Reading Initiative.

The proposed amendments to Rule 12-29.004, F.A.C. (Strong Families Tax Credit; Participation; Allocation; Carryforward; Transfer; Rescindment), are necessary to reflect when a taxpayer may first submit an application for an allocation of the tax credit available each state fiscal year provided in subsection 402.62(5), F.S., as amended by section 45, Chapter 2024-158, L.O.F., and update how documents and applications may be submitted to the Department.

The proposed amendments to Rule 12-29.005, F.A.C. (The New Worlds Reading Initiative; Participation; Allocation; Carryforward; Transfer; Rescindment), are necessary to: (1) reflect the administrator of the New Worlds Reading Initiative provided in section 1003.485, F.S., as amended by section 4, Chapter 2024-162, L.O.F.;

(2) implement the provisions of subsection 624.509(7), F.S., as amended by section 53, Chapter 2024-158, L.O.F.; and (3) update how documents may be submitted to the Department.

The proposed amendment to Rule 12-29.006, F.A.C. (Live Local Program; Participation; Allocation; Carryforward; Transfer; Rescindment), is necessary to update how documents and applications may be submitted to the Department.

The proposed new Rule 12-29.007, F.A.C. (Child Care Tax Credits Program; Participation; Allocation; Carryforward; Transfer; Rescindment), is necessary to provide for administration of the program as provided in sections 26, 32, 36, 39, 44, 49, 53, 54, and 55, Chapter 2024-158, L.O.F.

**SUMMARY:** The proposed amendments to Rule 12-29.001, F.A.C. (Scope), provide that the rule chapter includes rules for administration of the Child Care Tax Credits program and that the program allows taxpayers to receive a credit allocation for establishing an eligible child care facility for employees, operating an eligible child care facility for employees, or paying an eligible child care facility in the name and for the benefit of an employee. The proposed amendments also provide that the New Worlds Reading Initiative program allows taxpayers to receive a credit allocation for contributions made to the University of Florida Lastinger Center for Learning.

The proposed amendments to Rule 12-29.002, F.A.C. (Florida Tax Credit Scholarship Program; Participation; Allocation; Carryforward; Transfer; Rescindment): (1) add the Child Care Tax Credits program tax credit to the insurance premium tax deductions and credits for determining the limitation of the insurance premium due for purposes of the Florida Tax Credit Scholarship program tax credit; (2) remove obsolete provisions and examples for a tax credit carryforward period of five years for tax years beginning before January 1, 2018; (3) update the examples for when taxpayers are eligible to apply for a credit allocation from each annual tax cap, the carryforward of unused

tax credits for a ten year period, and when an application for rescindment of an unused credit allocation will not be allowed; and (4) provide an email address for sales and use tax dealers to provide a copy of the certificate of contribution issued by a scholarship-funding organization to the Department.

The proposed amendments to Rule 12-29.003(Public Use Forms), incorporate, by reference, four forms required for taxpayers to receive a credit allocation, to rescind a previous credit allocation, or to transfer a tax credit between members of the same affiliated group of corporations under the Child Care Tax Credits Program: Form DR-556000 – Child Care Tax Credits Program – Application for Tax Credit Allocation; Form DR-556000A – Child Care Tax Credits Program – Application for Tax Credit Allocation Eligible Child Care Facility Statement; Form DR-556100 – Child Care Tax Credits Program – Application for Rescindment of Previous Allocation of Tax Credit; and Form DR-556200 - Child Care Tax Credits Program – Notice of Intent to Transfer a Tax Credit. The proposed amendments to Form DR-336000 (New Worlds Reading Initiative Application for Tax Credit Allocation for Contributions to the Administrator), and Form DR-336100 (The New Worlds Reading Initiative Application for Rescindment of Previous Allocation of Tax Credit), remove the request to designate an administrator for the New Worlds Reading Initiative and remove obsolete provisions. The proposed amendments to Form DR-116000 (Florida Tax Credit Scholarship Program – Application for Tax Credit Allocation for Contributions to Nonprofit Scholarship-Funding Organizations), to Form DR-116100 (Florida Tax Credit Scholarship Program – Application for Rescindment of Previous Allocation of Tax Credit), and to Form DR-116200 (Florida Tax Credit Scholarship Program – Notice of Intent to Transfer a Tax Credit), allow applicants to select how their email address may be used by the Department.

The proposed amendments to Rule 12-29.004, F.A.C. (Strong Families Tax Credit; Participation; Allocation; Carryforward; Transfer; Rescindment): (1) provide that an application for an allocation of the available annual credit may be submitted the first day of January that is not a Saturday, Sunday, or legal holiday for the state fiscal year beginning July 1; (2) provide a sales and use tax credit is allowed against tax self-accrued and paid in accordance with a Sales and Use Tax Direct Pay Permit; and (3) adds an email address for sales and use tax dealers to provide a copy of the certificate of contribution issued by a scholarship-funding organization to the Department.

The proposed amendments to Rule 12-29.005, F.A.C. (The New Worlds Reading Initiative; Participation; Allocation; Carryforward; Transfer; Rescindment): (1) reflects the single administrator for the New Worlds Reading Initiative program; (2) adds the Child Care Tax Credits program tax credits to the insurance premium tax deductions and credits for determining

the limitation of the insurance premium tax due for purposes of the New Worlds Reading Initiative program tax credit; and (3) adds an email address for members of an affiliated group of corporations to submit an application to the Department to transfer any unused credit allocation.

The proposed amendments to Rule 12-29.006, F.A.C. (Live Local Program; Participation; Allocation; Carryforward; Transfer; Rescindment), adds an email address for members of an affiliated group of corporations to submit an application to the Department to transfer any unused credit allocation.

The proposed new Rule 12-29.007, F.A.C. (Child Care Tax Credits Program; Participation; Allocation; Carryforward; Transfer; Rescindment), provides: (1) definitions for purposes of administering the program; (2) the taxes for which a credit allocation may be granted under the program; (3) the process and applications required to apply for an allocation of the tax credit available each state fiscal year under the program; (4) for each tax, the period during which an application for an allocation of the available annual tax credit cap must be submitted; (5) the tax credits and deductions against each tax due that must be deducted to determine the limitation of the child care tax credits available; (6) for each tax, how the tax is to be taken on a tax return; (7) procedures and the required form for corporations to transfer a tax credit in a complete transfer of all assets to another entity or to another member of the same affiliated group of corporations; (8) procedures and the required form to rescind an unused credit allocation; and (9) that the Department will notify the applicant by letter of approval or denial of an application and how to protest a denial of a credit allocation, transfer, or rescindment.

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

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

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

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal



for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 213.06(1), 402.261(7), 402.62(7)(b), 420.50872, 1002.395(12)(b), 1003.485(7)(b), F.S.

LAW IMPLEMENTED: 211.0251, 211.0252, 211.0253, 211.0254, 212.1831, 212.1833, 212.1834, 212.1835, 213.37, 220.1875, 220.1876, 220.1877, 220.1878, 220.19, 402.261, 402.62(5), 420.50872, 561.1211, 561.1212, 561.1213, 561.1214, 624.509(7), 624.51055, 624.51056, 624.51057, 624.51058, 1002.395(5), (13), 1003.485(5), FS.

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

DATE AND TIME: January 14, 2025; 9:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1221, Tallahassee, Florida 32399.

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 hours before the workshop/meeting by contacting: Tonya Fulford at (850)717-6799. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Gregory, Office of Technical Assistance, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6041, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

**12-29.001 Scope.**

(1) This rule chapter sets forth the rules to be used in the administration of the following tax credits ~~for contributions made to the following:~~

(a) ~~The Florida Tax Credit Scholarship Program Nonprofit scholarship funding organizations (SFOs) under Section 1002.395, F.S., Florida Tax Credit Scholarship Program.~~ That program allows taxpayers to receive a credit allocation for contributions made to nonprofit scholarship-funding organizations SFOs.

(b) ~~The Strong Families Tax Credit program Eligible charitable organizations under Section 402.62, F.S., Strong Families Tax Credit program.~~ That program allows taxpayers to receive a credit allocation for contributions made to eligible charitable organizations designated by the Department of Children and Families.

(c) ~~The New Worlds Reading Initiative program administrator of the initiative under Section 1003.485, F.S. The New Worlds Reading Initiative program.~~ That program allows taxpayers to receive a credit allocation for contributions made to the University of Florida Lastinger Center for Learning administrator of the initiative designated by the Department of Education.

(d) No change.

(e) ~~The Child Care Tax Credits program under Section 402.261, F.S. That program allows taxpayers to receive a credit allocation for establishing an eligible child care facility for employees; operating a child care facility for employees; or paying an eligible child care facility in the name and for the benefit of an employee.~~

(2) No change.

*Rulemaking Authority 213.06(1), 402.261(7), 402.62(7)(b), 420.50872, 1002.395(12)(b), 1003.485(7)(b) F.S. Law Implemented 211.0251, 211.0252, 211.0253, 211.0254, 212.1831, 212.1833, 212.1834, 212.1835, 220.1875, 220.1876, 220.1877, 220.1878, 220.19, 402.261, 402.62(5), 420.50872, 561.1211, 561.1212, 561.1213, 561.1214, 624.51055, 624.51056, 624.51057, 624.51058, 624.5107, 1002.395(5), 1003.485(5) FS. History—New 6-6-11, Amended 7-28-15, 1-8-19, 5-23-22, 1-1-24,\_\_\_\_\_.*

**12-29.002 Florida Tax Credit Scholarship Program; Participation; Allocation; Carryforward; Transfer; Rescindment.**

(1) through (2) No change.

(3) Applications for credit allocations.

(a) through (b) No change.

(c) Taxpayers are eligible to apply during the following periods to receive a credit allocation from each annual tax credit cap for the following taxes as follows:

1. Corporate Income Tax – A taxpayer may make an application for a credit allocation on the first business day of January of each calendar year for its tax year that begins during that calendar year. The application must be submitted before the date the taxpayer is required to file its corporate income/franchise tax return for that tax year pursuant to Section 220.222, F.S., including a valid extended due date.

a. Example: A calendar year taxpayer may apply for a credit allocation for the 2025-2026 2018-2019 state fiscal year credit beginning on January 2, 2025 2018. The application must be submitted before May 1, 2026 2019; however, if the due date of the taxpayer’s corporate income/franchise tax return is validly extended, the application may be submitted before November 1, 2026 2019.

b. Example: A taxpayer with a tax year beginning December 1, 2025 2018, and ending November 30, 2026 2019, may apply for a credit allocation for the 2025-2026 2018-2019 state fiscal year credit beginning on January 2, 2025 2018. The application must be submitted before April 1, 2027 2020;

however, if the due date of the taxpayer’s corporate income/franchise tax return is validly extended, the application may be submitted before October 1, ~~2027~~ 2020.

2. Insurance Premium Tax – A taxpayer may make an application for a credit allocation on the first business day of January of each calendar year and before the due date of the insurance premium taxes and fees return, which is March 1 following the taxable year. Example: For the ~~2025-2026~~ 2019–2020 state fiscal year tax credit cap, a taxpayer may submit an application for a credit allocation beginning on January 2, ~~2025~~ 2019. The application must be made on or before February ~~28, 2026~~ 29, 2020.

3. Sales and Use Tax – Tax on Oil and Gas Production – Excise Taxes on Liquor, Wine, and Malt Beverages – A taxpayer may make an application for a credit allocation on the first business day of January of the calendar year preceding the state fiscal year beginning on July 1 of the calendar year. The application must be made by June 30 of the state fiscal year for which the taxpayer is applying. For example, for a credit allocation for the ~~2025-2026~~ 2018–2019 state fiscal year, taxpayers may apply for a credit allocation beginning on January 2, ~~2025~~ 2018. The application must be made on or before June 30, ~~2026~~ 2019.

(d) No change.

(4) No change.

(5) Tax Credits.

(a) No change.

(b)1. Insurance Premium Tax – A tax credit of 100 percent of the contribution against any insurance premium tax due under Section 624.509(1), F.S., for the tax year is allowed. The amount of the tax credit for a tax year is limited to the insurance premium tax due after deducting:

a. through c. No change.

d. The amount of the Strong Families Tax Credit under Section 624.51057, F.S.; ~~and~~

e. The amount of the Live Local Program credit under Section 624.51058, F.S.; ~~and~~

f. The amount of Child Care Tax Credits under Section 624.5107, F.S.

2. No change.

(c)1. Sales and Use Tax – A tax credit of 100 percent of the contribution is allowed against any state sales and use tax due self-accrued and paid directly to the Department in accordance with a valid Sales and Use Tax Direct Pay Permit issued by the Department.

2.a. Taxpayers must submit a copy of the certificate of contribution from each SFO to the Department by email at CreditTrackingGroup@floridarevenue.com or by mail to:

Florida Department of Revenue  
Revenue Accounting  
P.O. Box 6609

Tallahassee, FL 32314-6609

b. No change.

(d) through (f) No change.

(6) Carryforward of unused credits.

(a) When a taxpayer is unable to use a tax credit during the period specified by the Department in the approval letter, because the taxpayer’s liability is insufficient, the taxpayer may carry forward the unused tax credit amount for a period not to exceed ~~five years, if the credit was earned in a taxable year beginning before January 1, 2018, or for a period not to exceed ten years, if the credit was earned in a taxable year beginning on or after January 1, 2018.~~

(b) Examples.

~~1. Corporate Income Tax Example – A calendar year taxpayer applied for and was approved for a credit allocation against corporate income tax for the year ending December 31, 2017. Any unused carryforward from its tax year ending December 31, 2017, expires on December 31, 2022.~~

1.2. Corporate Income Tax Example – A calendar year taxpayer applied for and was approved for a credit allocation against corporate income tax for the tax year ending December 31, 2024 2018. Any unused carryforward from its tax year ending December 31, 2024 2018, expires on the due date pursuant to Section 220.222, F.S., for the Florida corporate income/franchise tax return for the taxable year ending December 31, 2034 2028.

~~3. Insurance Premium Tax Example – A taxpayer applied for and was approved for a credit allocation against insurance premium tax due for calendar year 2017. Any unused carryforward from its tax year ending December 31, 2017, expires on December 31, 2022.~~

~~2.4. Insurance Premium Tax Example – A taxpayer applied for and was approved for a credit allocation against insurance premium tax due for calendar year 2024 2018. Any unused carryforward from its tax year ending December 31, 2024 2018, expires on December 31, 2034 2028.~~

~~5. Sales and Use Tax Example – A taxpayer who holds a Sales and Use Tax Direct Pay Permit applied for and was approved for a credit allocation against sales and use tax due to the Department as a result of the Direct Pay Permit for the state fiscal year 2017–2018. The taxpayer paid the contribution to an SFO on July 14, 2017, and submitted a copy of the certificate of contribution received from the organization to the Department. The taxpayer’s state tax liability in accordance with the Sales and Use Tax Direct Pay Permit was insufficient to use the entire credit allocation on sales and use tax returns filed with the Department on or before June 30, 2018. Any unused carryforward from the 2017–2018 state fiscal year expires June 30, 2023.~~

3.6. Sales and Use Tax Example – A taxpayer who holds a Sales and Use Tax Direct Pay Permit applied for and was

approved for a credit allocation against sales and use tax due to the Department for the state fiscal year ~~2024-2025~~ 2018-2019. The taxpayer paid the contribution to an SFO on July ~~15, 2024~~ 13, 2018, and submitted a copy of the certificate of contribution received from the organization to the Department. The taxpayer’s state tax liability in accordance with the Permit was insufficient to use the entire credit allocation on sales and use tax returns filed with the Department on or before June 30, ~~2025~~ 2019. Any unused carryforward from the ~~2024-2025~~ 2018-2019 state fiscal year expires June 30, ~~2035~~ 2029.

~~4.7.~~ No change.

~~8. Excise Taxes on Liquor, Wine, and Malt Beverages~~

~~Example – A taxpayer who holds a liquor license issued by the Division applied for and was approved for a credit allocation against the liquor excise tax for returns due during the state fiscal year 2017-2018. The taxpayer’s liability was insufficient to use the entire credit allocation during that state fiscal year. Any unused carryforward from the 2017-2018 state fiscal year expires June 30, 2023.~~

~~5.9.~~ Excise Taxes on Liquor, Wine, and Malt Beverages

Example – A taxpayer who holds a liquor license issued by the Division applied for and was approved for a credit allocation against the liquor excise tax for returns due during the state fiscal year ~~2017-2018~~ 2024-2025. The taxpayer’s liability was insufficient to use the entire credit allocation during that state fiscal year. Any unused carryforward from the ~~2017-2018~~ 2024-2025 state fiscal year expires June 30, ~~2035~~ 2029.

(7) Transfers of unused Tax Credits.

(a) through (d) No change.

(e)1. A taxpayer must notify the Department of its intent to transfer a credit allocation or tax credit to another member of its affiliated group by submitting Florida Tax Credit Scholarship Program – Notice of Intent to Transfer a Tax Credit (Form DR-116200, incorporated by reference in Rule 12-29.003, F.A.C.). A separate notice must be submitted for each member of an affiliated group of corporations receiving a transfer.

2. Taxpayers must submit an application for transfer of any unused credit allocation or tax credit to the Department by email at CreditTrackingGroup@floridarevenue.com or by mail to:

Florida Department of Revenue  
 Revenue Accounting  
 P.O. Box 6609  
 Tallahassee, FL 32314-6609

(f) through (g) No change.

(8) Rescindment of unused Tax Credits.

(a) No change.

(b) An application for rescindment of the unused credit allocation by the Department will not be approved when:

1. No change.

2. The allocation year is closed for all taxpayers. The allocation period for a calendar year is closed for all taxes and all taxpayers on October 1 of the third year following the January 1 opening of the allocation period, regardless of whether the annual tax credit cap has been reached. For example, the allocation period beginning January 1, ~~2025~~ 2018, for the state fiscal year beginning July 1, ~~2025~~ 2018, closes for all taxpayers on October 1, ~~2027~~ 2020.

(c) through (d) No change.

Rulemaking Authority ~~402.261(7), 420.50872, 1002.395(12)(b) F.S. Law Implemented 211.0251, 212.1831, 212.1833, 213.37, 220.1875, 402.261, 420.50872, 624.509(7), 624.51055, 1002.395(5), (13) FS. History—New 6-6-11, Amended 1-25-12, 7-28-15, 1-8-19, 12-12-19, 5-23-22, 1-1-24, \_\_\_\_\_.~~

**12-29.003 Public Use Forms.**

(1)(a) The following application forms and instructions are used by the Department in its administration of the Florida Tax Credit Scholarship program, Strong Families Tax Credit program, ~~and~~ The New Worlds Initiative Tax Credit program, and Child Care Tax Credits program. These forms are hereby incorporated by reference in this rule.

(b) Copies of the application forms and instructions are available, without cost, by one or more of the following methods: 1) downloading the application from the Department’s website at [floridarevenue.com/forms](http://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 711, 1(800)955-8770 (Voice) and 1(800)955-8771 (TTY).

Form Number	Title	Effective Date
(2) (a) DR-116000	Florida Tax Credit Scholarship Program – Application for Tax Credit Allocation for Contributions to Nonprofit Scholarship-Funding Organizations ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX 44257">http://www.flrules.org/Gateway/reference .asp?No=Ref-XXXXXX 44257</a> )	<del>XX/X</del> <del>X</del> <del>05/22</del>
(b) DR-116100	Florida Tax Credit Scholarship Program – Application for Rescindment of Previous Allocation of Tax Credit ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX 40166">http://www.flrules.org/Gateway/reference .asp?No=Ref-XXXXXX 40166</a> )	<del>XX/X</del> <del>X</del> <del>01/19</del>
(c) DR-116200	Florida Tax Credit Scholarship Program – Notice of Intent to Transfer a Tax Credit	<del>XX/X</del> <del>X</del> <del>01/19</del>

	( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX 10167">http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX 10167</a> )	
(3) No change.		
(4) (a) DR-336000	The New Worlds Reading Initiative – Application for Tax Credit Allocation for Contributions to the Administrator ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX 14261">http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX 14261</a> )	XX/X X 05/22
(b) DR-336100	The New Worlds Reading Initiative – Application for Rescindment of Previous Allocation of Tax Credit  ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX 14261">http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX 14261</a> )	XX/X X 05/22
(c) No change.		
(5)(a) No change		
(6) (a) DR-556000	<u>Child Care Tax Credits Program – Application for Tax Credit Allocation</u> ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX">http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX</a> )	XX/X X
(b) DR-556000 A	<u>Child Care Tax Credits Program – Application for Tax Credit Allocation Eligible Child Care Facility Statement</u> ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX">http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX</a> )	XX/X X
(c) DR-556100	<u>Child Care Tax Credits Program – Application for Rescindment of Previous Allocation of Tax Credit</u> ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX">http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX</a> )	XX/X X
(d) DR-556200	<u>Child Care Tax Credits Program – Notice of Intent to Transfer a Tax Credit</u> ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX">http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX</a> )	XX/X X

Rulemaking Authority 213.06(1), 402.261(7), 402.62(7)(b), 420.50872, 1002.395(12)(b), 1003.485(7)(b) F.S. Law Implemented 211.0251, 211.0252, 211.0253, 212.1831, 212.1833, 212.1834, 213.37, ~~213.37~~, 220.1875, 220.1876, 220.1877, 220.1878, 402.261, 402.62(5), 420.50872, 561.1211, 561.1212, 561.1213, 624.509(7), 624.51055, 624.51056, 624.51057, ~~624.51057~~, 624.51058, 1002.395(5), 1003.485(5) FS. History—New 6-6-11, Amended 1-25-12, 7-28-15, 1-17-18, 1-8-19, 12-12-19, 5-23-22, 1-1-24, \_\_\_\_\_.

**12-29.004 Strong Families Tax Credit; Participation; Allocation; Carryforward; Transfer; Rescindment.**

(1) through (2) No change.

(3) Applications for credit allocations.

(a) through (b) No change.

(c) Taxpayers are eligible to apply during the following periods to receive a credit allocation from each annual tax credit cap for the following taxes as follows:

1. Corporate Income Tax – A taxpayer may make an application for a credit allocation beginning at 9 a.m. on the first business day of the January of each calendar year that is not a Saturday, Sunday, or legal holiday for its tax year that begins during that calendar year. The application must be submitted before the date the taxpayer is required to file its corporate income/franchise tax return for that tax year pursuant to Section 220.222, F.S., including a valid extended due date.

a. Example: A calendar year taxpayer may apply for a credit allocation for the 2025-2026 2022-2023 state fiscal year credit beginning on January 2, 2025 3, 2022. The application must be submitted before May 1, 2026 2023; however, if the due date of the taxpayer’s corporate income/franchise tax return is validly extended, the application may be submitted before November 1, 2026 2023.

b. Example: A taxpayer with a tax year beginning December 1, 2025 2022, and ending November 30, 2026 2023, may apply for a credit allocation for the 2025-2026 2022-2023 state fiscal year credit beginning on January 2, 2025 3, 2022. The application must be submitted before April 1, 2027 2024; however, if the due date of the taxpayer’s corporate income/franchise tax return is validly extended, the application may be submitted before October 1, 2027 2024.

2. Insurance Premium Tax – A taxpayer may make an application for a credit allocation beginning at 9 a.m. on the first business day of the January of each calendar year that is not a Saturday, Sunday, or legal holiday and before the due date of the insurance premium taxes and fees return, which is March 1 following the taxable year. Example: For the 2025-2026 2022-2023 state fiscal year tax credit cap, a taxpayer may submit an application for a credit allocation beginning on January 3, 2025 2022. The application must be made on or before February 28, 2026 2023.

3. Sales and Use Tax – Tax on Oil and Gas Production – Excise Taxes on Liquor, Wine, and Malt Beverages – A taxpayer may make an application for a credit allocation beginning at 9 a.m. on the first business day of January of the calendar year that is not a Saturday, Sunday, or legal holiday preceding the state fiscal year beginning on July 1 of the calendar year. The application must be made by June 30 of the state fiscal year for which the taxpayer is applying. For example, for a credit allocation for the 2025-2026 2022-2023 state fiscal year, taxpayers may apply for a credit allocation beginning on January 2, 2025 3, 2022. The application must be made on or before June 30, 2026 2023.

(d) No change.

(4) No change.

(5) Tax Credits.

(a) through (b) No change.

(c)1. Sales and Use Tax – A tax credit of 100 percent of the contribution is allowed against any state sales and use tax due self-accrued and paid directly to the Department in accordance with a valid Sales and Use Tax Direct Pay Permit issued by the Department.

2.a. Taxpayers must submit a copy of the certificate of contribution from the eligible charitable organization to the Department by email at CreditTrackingGroup@floridarevenue.com or by mail to:

Florida Department of Revenue  
 Revenue Accounting  
 P.O. Box 6609  
 Tallahassee, FL 32314-6609

b. No change.

(d) through (f) No change.

(6) No change.

(7) Transfers of unused tax credits.

(a) through (d) No change.

(e)1. A taxpayer must notify the Department of its intent to transfer a credit allocation or tax credit to another member of its group by submitting Strong Families Tax Credit – Notice of Intent to Transfer a Tax Credit (Form DR-226200, incorporated by reference in Rule 12-29.003, F.A.C.). A separate notice must be submitted for each member of an affiliated group of corporations receiving a transfer.

2. Taxpayers must submit an application for transfer of any unused credit allocation or tax credit to the Department by email at CreditTrackingGroup@floridarevenue.com or by mail to:

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 P.O. Box 6609  
 Tallahassee, FL 32314-6609

(f) through (h) No change.

(8) No change.

*Rulemaking Authority 213.06(1), 402.62(7)(b) FS. Law Implemented 211.0253, 212.1834, 213.37, 220.1877, 402.62(5), 561.1213, 624.51057 FS. History—New 5-23-22,\_\_\_\_\_.*

**12-29.005 The New Worlds Reading Initiative; Participation; Allocation; Carryforward; Transfer; Rescindment.**

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

(a) “Administrator” means the University of Florida Laster Center for Learning ~~a state university registered with the Department of Education under Section 1002.395(15)(i), F.S., and designated to administer the New Worlds Reading Initiative.~~

(b) through (h) No change.

(2) No change.

(3) Applications for credit allocations.

(a) No change.

(b) A separate application to receive a credit allocation is required for:

- ~~1. Each administrator the taxpayer intends to support; and,~~
2. through 3. renumbered 1. through 2. No change.

(c) through (d) No change.

(4) Notification.

(a) through (b) No change.

(c) When approved, the Department’s approval letter will specify the period in which the contribution to the ~~designated~~ administrator must be made. Contributions must be made during the period specified in the approval letter. The administrator ~~receiving a contribution~~ will issue the taxpayer a certificate of contribution signed by an authorized representative of the administrator containing:

1. through 6. No change.

(d) through (e) No change.

(5) Tax Credits.

(a) No change.

(b)1. Insurance Premium Tax – A tax credit of 100 percent of the contribution against any insurance premium tax due under Section 624.509(1), F.S., for the tax year is allowed. The amount of the tax credit for a tax year is limited to the insurance premium tax due after deducting:

a. No change

b. Credits for taxes paid under Sections 175.101 and 185.08, F.S. (firefighters’ and police officers’ pension trust funds); ~~and,~~

c. Credits for income taxes paid under Chapter 220, F.S., and the salary credit allowed under Section 624.509(5), F.S., as these are limited by Section 624.509(6), F.S. (the 65 percent limitation);-

d. The amount of the Strong Families Tax Credit under Section 624.51057, F.S., the amount of the Live Local Program credit under Section 624.51058, F.S., the amount of the Child Care Tax Credits Program credit under Section 624.5107, F.S., and the amount of the Florida Tax Credit Scholarship Program credit under Section 624.51055, F.S.

(c)1. Sales and Use Tax – A tax credit of 100 percent of the contribution is allowed against any state sales and use tax due self-accrued and paid directly to the Department in accordance with a valid Sales and Use Tax Direct Pay Permit issued by the Department.

2.a. Taxpayers must submit a copy of the certificate of contribution from the administrator to the Department by email at CreditTrackingGroup@floridarevenue.com or by mail to:

Florida Department of Revenue  
 Revenue Accounting

P.O. Box 6609  
Tallahassee, FL 32314-6609

- b. No change.
- (d) through (f) No change.
- (6) No change.
- (7) Transfers of unused tax credits.
- (a) through (d) No change.

(e)1. A taxpayer must notify the Department of its intent to transfer a credit allocation or tax credit to another member of its affiliated group by submitting The New Worlds Reading Initiative – Notice of Intent to Transfer a Tax Credit (Form DR-336200, incorporated by reference in Rule 12-29.003, F.A.C.). A separate notice must be submitted for each member of an affiliated group of corporations receiving a transfer.

2. Taxpayers must submit an application for transfer of any unused credit allocation or tax credit to the Department by email at CreditTrackingGroup@floridarevenue.com or by mail to:

Florida Department of Revenue  
Revenue Accounting  
P.O. Box 6609

Tallahassee, FL 32314-6609

- (f) through (h) No change.
- (8) No change.

*Rulemaking Authority 213.06(1), 402.261(7), 420.50872, 1003.485(7)(b) FS. Law Implemented 211.0252, 212.1833, 220.1876, 402.261, 561.1212, 624.509(7), 624.51056, 624.51058, 1003.485(5) FS. History–New 5-23-22, Amended 1-1-24,\_\_\_\_\_.*

**12-29.006 Live Local Program; Participation; Allocation; Carryforward; Transfer; Rescindment.**

- (1) through (4) No change.
- (5) Tax Credits.
- (a) No change.

(b)1. Insurance Premium Tax – A tax credit of 100 percent of the contribution against any insurance premium tax due under Section 624.509(1), F.S., for the tax year is allowed. The amount of the tax credit for a tax year is limited to the insurance premium tax due after deducting:

- a. No change.
- b. Credits for taxes paid under Sections 175.101 and 185.08, F.S. (firefighters’ and police officers’ pension trust funds); ~~and,~~
- c. Credits for income taxes paid under Chapter 220, F.S., and the salary credit allowed under Section 624.509(5), F.S., as these are limited by Section 624.509(6), F.S. (the 65 percent limitation); ~~and-~~
- d. No change.
- 2. No change.
- (c) No change.
- (6) No change.
- (7) Transfers of unused tax credits.
- (a) through (d) No change.

(e)1. A taxpayer must notify the Department of its intent to transfer a credit allocation or tax credit to another member of its affiliated group by submitting Live Local Program – Notice of Intent to Transfer a Tax Credit (Form DR-446200, incorporated by reference in Rule 12-29.003, F.A.C.). A separate notice must be submitted for each member of an affiliated group of corporations receiving a transfer.

2. Taxpayers must submit an application for transfer of any unused credit allocation or tax credit to the Department by email at CreditTrackingGroup@floridarevenue.com or by mail to:

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Revenue Accounting  
P.O. Box 6609

Tallahassee, FL 32314-6609

- (f) through (h) No change.
- (8) No change.

*Rulemaking Authority 213.06(1), 420.50872 FS. Law Implemented 220.1878, 420.50872, 624.51058 FS. History–New 1-1-24,\_\_\_\_\_.*

**12-29.007 Child Care Tax Credits Program; Participation; Allocation; Carryforward; Transfer; Rescindment.**

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

(a) “Affiliated group of corporations” is given the same meaning as the definition provided in Section 220.03(1)(b), F.S.

(b) “Credit allocation” means an allocation to a taxpayer of an annual tax credit cap authorized under the Child Care Tax Credits Program.

(c) “Division” means the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation.

(d) “Eligible children” means the children or grandchildren of an employee of a taxpayer, if such employee is the child or grandchild’s caregiver as defined in Section 39.01, F.S.

(e) “Eligible child care facility” means a child care facility that is licensed under Section 402.305, F.S., or is exempt from licensure under Section 402.316, F.S.

(f) “State fiscal year” means the annual period beginning July 1 through June 30 of the following year.

(g) “Tax credit cap” means the maximum annual tax credit amount that the Department is authorized by Section 402.261, F.S., to allocate.

(2) Taxpayers eligible to participate in the program. Taxpayers who pay any of the following taxes may apply to the Department for a credit allocation:

- (a) For the taxes administered by the Department:
  - 1. Florida corporate income tax imposed under Chapter 220, F.S.
  - 2. Florida insurance premium tax imposed under Section 624.509, F.S.

3. Florida state sales and use tax self-accrued and paid directly to the Department in accordance with a valid Sales and Use Tax Direct Pay Permit, issued by the Department, as provided in Section 212.183, F.S., and Rule 12A-1.0911, F.A.C.

4. Florida oil production tax imposed under Section 211.02, F.S., or Florida gas production tax imposed under Section 211.025, F.S.

(b) For excise taxes administered by the Division:

1. Excise tax on liquor beverages imposed under Section 565.12, F.S.;

2. Excise tax on wine beverages imposed under Section 564.06, F.S., except excise taxes imposed on wine produced by manufacturers in Florida from products grown in Florida; or,

3. Excise tax on malt beverages imposed under Section 563.05, F.S.

(3) Applications for credit allocations.

(a) To apply for an allocation of the available program credits, taxpayers must submit Child Care Tax Credits Program – Application for Tax Credit Allocation (Form DR-556000, incorporated by reference in Rule 12-29.003, F.A.C.) to the Department. Taxpayers applying for an allocation of credit for child care facility startup costs under Section 402.261(2)(a), F.S., or operation of a taxpayer’s eligible child care facility under Section 402.261(2)(b), F.S., must attach Child Care Tax Credits Program – Application for Tax Credit Allocation Eligible Child Care Facility Statement (Form DR-556000A, incorporated by reference in Rule 12-29.003, F.A.C.) to Form DR-556000.

1. Taxpayers required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Chapter 12-24, F.A.C., must apply online using the Department’s website. When the application is completed and submitted online, a confirmation number will be provided with the date and time of submission.

2. The fastest and easiest way to apply for an allocation is online at [floridarevenue.com/taxes/multitaxcredits](http://floridarevenue.com/taxes/multitaxcredits). Taxpayers who are not required to file returns and remit payments by electronic means pursuant to Section 213.755, F.S., and Chapter 12-24, F.A.C., may also apply by submitting a paper application with the Department.

3.a. Pursuant to Section 402.261(4)(c), F.S., if two or more taxpayers choose to jointly establish and operate an eligible child care facility, or cause a not-for-profit taxpayer to establish and operate an eligible child care facility, the taxpayers must jointly file Form DR-556000, or the not-for-profit taxpayer may file Form DR-556000. Notwithstanding subparagraph 1., a joint paper application must be filed.

b. A joint paper application for an allocation of credit must be submitted to the Department by email at [CreditTrackingGroup@floridarevenue.com](mailto:CreditTrackingGroup@floridarevenue.com) or by mail to:

Florida Department of Revenue  
Revenue Accounting  
P.O. Box 6609  
Tallahassee, FL 32314-6609

(b) A separate application to receive a credit allocation is required for:

1. Each tax listed in subsection (2) against which the taxpayer intends to apply any allocation of credit received.

2. Each beverage license issued by the Division for which a separate return to report and pay the excise taxes on liquor, wine, and malt beverages is filed with the Division.

3. Each tax credit cap year.

(c) Taxpayers are eligible to apply during the following periods to receive a credit allocation from each annual tax credit cap for the following taxes as follows:

1. Corporate Income Tax – A taxpayer may make an application for a credit allocation on the first business day of January of each calendar year for its tax year that begins during that calendar year. The credit must be earned before the date the taxpayer is required to file its Florida corporate income/franchise tax return for that tax year pursuant to Section 220.222, F.S., including a valid extended due date.

a. Example: A calendar year taxpayer may apply for a credit allocation for the 2025-2026 state fiscal year credit beginning on January 2, 2025. The credit must be earned before May 1, 2026; however, if the due date of the taxpayer’s Florida corporate income/franchise tax return is validly extended, the credit must be earned before November 1, 2026.

b. Example: A taxpayer with a tax year beginning December 1, 2025, and ending November 30, 2026, may apply for a credit allocation for the 2025-2026 state fiscal year credit beginning on January 2, 2025. The credit must be earned before April 1, 2027; however, if the due date of the taxpayer’s Florida corporate income/franchise tax return is validly extended, the credit must be earned before October 1, 2027.

2. Insurance Premium Tax – A taxpayer may make an application for a credit allocation on the first business day of January of each calendar year and before the due date of the insurance premium taxes and fees return, which is March 1 following the taxable year. The credit must be earned during the taxpayer’s taxable year. Example: For the 2025-2026 state fiscal year tax credit cap, a taxpayer may submit an application for a credit allocation beginning on January 2, 2025. The credit must be earned on or before December 31, 2025.

3. Sales and Use Tax – Tax on Oil and Gas Production – Excise Taxes on Liquor, Wine, and Malt Beverages – A taxpayer may make an application for a credit allocation on the first business day of January of the calendar year preceding the state fiscal year beginning on July 1 of the calendar year. The credit must be earned by June 30 of the state fiscal year for which the taxpayer is applying. For example, for a credit

allocation for the 2025-2026 state fiscal year, taxpayers may apply for a credit allocation beginning on January 2, 2025. The credit must be earned by June 30, 2026.

(d) The Department will accept applications until either the tax credit cap is reached or until the end of the state fiscal year for sales and use tax, the tax on oil and gas production, and the excise taxes on liquor, wine, and malt beverages; until on or before the day the taxpayer's insurance premium tax return is due; or until the day before the due date of the taxpayer's Florida corporate income/franchise tax return for corporate income tax, whichever occurs first.

(4) Notification.

(a) The Department will approve credit allocations on a first-come, first-served basis. Following receipt of an application, the Department will send written correspondence regarding the amount of the credit allocation for each tax applied for, or the reason the credit allocation could not be approved. For excise tax on liquor, wine, and malt beverages, the Division must approve the credit allocation before the Department will issue such correspondence.

(b) When the Department is not able to approve an application, a letter explaining the reason for the denial will be mailed to the taxpayer. The taxpayer may protest the denial pursuant to Sections 120.569 and 120.57, F.S. The Department will reserve the denied amount of the allocation for the taxpayer during the protest period.

(c)1. If the amount of credit allocation requested by a taxpayer is subsequently determined to be overstated, the taxpayer may not claim more credit on its tax return than it was allocated by the Department. For example, Taxpayer A requested an allocation of credit of \$800,000, based on estimated costs of constructing an eligible child care facility. Later, it was determined Taxpayer A should have only applied for an allocation of \$750,000, based on actual eligible child care facility startup costs. Taxpayer A is only entitled to claim a credit of up to \$750,000 on its tax return. Taxpayer A may rescind the \$50,000 in unused credit allocation so that it may be reallocated to other taxpayers, if such rescindment is made within the timeframes provided in subsection (8).

2. If the amount of credit allocation requested by a taxpayer is later determined to be understated, the taxpayer may not claim more credit on its tax return than it was allocated by the Department. For example, Taxpayer Z submitted Form DR-556000 to the Department, requesting an allocation of credit of \$64,800. The request was based on Taxpayer Z making payments to an eligible child care facility in the name and for the benefit of its employees, estimating that it would be paying for child care costs for 18 eligible children. Later, Taxpayer Z determined its allocation request should have been for \$72,000, because it actually made payments to an eligible child care

facility for 20 eligible children. Taxpayer Z is limited to a credit of \$64,800 when it files its tax return.

(5) Tax Credits.

(a)1. Corporate Income Tax – One hundred percent of the credit earned against any corporate income tax due for the tax year is allowed. The amount of the tax credit for a tax year:

a. Is taken in the order of the credits provided against the corporate income tax in Section 220.02(8), F.S.

b. Is revoked and rescinded when a taxpayer applies for a credit allocation after timely requesting an extension of time in which to file its Florida corporate income/franchise tax return and fails to remit sufficient tentative tax, such that its extension is not valid under Sections 220.222 and 220.32, F.S.

2. Taxpayers must attach a copy of the tax credit allocation letter issued by the Department to the Florida corporate income/franchise tax return on which any tax credit is taken.

(b)1. Insurance Premium Tax – One hundred percent of the credit earned against any insurance premium tax due under Section 624.509(1), F.S., for the tax year is allowed. The amount of the tax credit for a tax year is limited to the insurance premium tax due after deducting:

a. Assessments made pursuant to Section 440.51, F.S. (workers' compensation administrative assessments);

b. Credits for taxes paid under Sections 175.101 and 185.08, F.S. (firefighters' and police officers' pension trust funds);

c. Credits for income taxes paid under Chapter 220, F.S., and the salary credit allowed under Section 624.509(5), F.S., as these are limited by Section 624.509(6), F.S. (the 65 percent limitation);

d. The amount of the Strong Families Tax Credit under Section 624.51057, F.S., and

e. The amount of the Live Local Program credit under Section 624.51058, F.S.

2. Taxpayers must attach a copy of the tax credit allocation letter issued by the Department to the tax return on which any tax credit is taken.

(c)1. Sales and Use Tax – One hundred percent of the credit earned is allowed against any state sales and use tax due self-accrued and paid directly to the Department in accordance with a valid Sales and Use Tax Direct Pay Permit issued by the Department.

2. The Department will send written instructions on how to claim the credit allocation as a tax credit on a sales and use tax return remitted to the Department by electronic means.

(d)1. Tax on Oil and Gas Production – One hundred percent of the credit earned is allowed against any tax due on oil or gas production in Florida imposed under Sections 211.02 and 211.025, F.S.

2. The tax credit may not exceed 50 percent of the tax due on the return on which the tax credit is taken. If a taxpayer has



earned tax credits under Section 1002.395, F.S. (Florida Tax Credit Scholarship Program), Section 402.62, F.S. (Strong Families Tax Credit), and Section 1003.485, F.S. (The New Worlds Reading Initiative), the credit under Section 1002.395, F.S., will be applied first; the credit under Section 402.62, F.S., will be applied second; the credit under Section 1003.485, F.S., will be applied third; and the credit under Section 402.261, F.S., will be applied fourth, as applicable, until the 50 percent limit is reached.

3. Taxpayers must attach a copy of the tax credit allocation letter issued by the Department to the tax return on which the credit allocation, or a portion of the credit allocation, is taken as a tax credit.

(e)1. Excise Tax on Liquor, Wine, and Malt Beverages – One hundred percent of the credit earned is allowed against the following taxes administered by the Division.

a. Excise tax on liquor beverages imposed under Section 565.12, F.S.;

b. Excise tax on wine beverages imposed under Section 564.06, F.S., except excise taxes imposed on wine produced by manufacturers in Florida from products grown in Florida; or

c. Excise tax on malt beverages imposed under Section 563.05, F.S.

2. The tax credit taken on a return filed with the Division is limited to 90 percent of the tax due on the return. Taxpayers must attach a copy of the tax credit allocation letter from the Department to the tax return on which any tax credit is taken.

(f) Credits earned for corporate income tax or insurance premium tax will be taken into account when determining the estimated payment amounts required to meet the prior year exceptions for each tax. Cross reference: Rules 12C-1.034 and 12B-8.001, F.A.C.

(6) Carryforward of unused credits.

(a) When a taxpayer is unable to use a tax credit during the period specified by the Department in the tax credit allocation letter, because the taxpayer's liability is insufficient, the taxpayer may carry forward the unused tax credit amount for a period not to exceed five years.

(b) Examples.

1. Corporate Income Tax Example – A calendar year taxpayer applied for and was approved for a credit allocation against corporate income tax for the tax year ending December 31, 2025. Any unused carryforward from its tax year ending December 31, 2025, expires on the due date pursuant to Section 220.222, F.S., for the Florida corporate income/franchise tax return for the taxable year ending December 31, 2030.

2. Insurance Premium Tax Example – A taxpayer applied for and was approved for a credit allocation against insurance premium tax due for calendar year 2025. Any unused carryforward from its tax year ending December 31, 2025, expires on December 31, 2030.

3. Sales and Use Tax Example – A taxpayer who holds a Sales and Use Tax Direct Pay Permit applied for and was approved for a credit allocation against sales and use tax due to the Department for the state fiscal year 2025-2026. The taxpayer's state tax liability in accordance with the Permit was insufficient to use the entire credit allocation on sales and use tax returns filed with the Department on or before June 30, 2026. Any unused carryforward from the 2025-2026 state fiscal year expires June 30, 2031.

4. Tax on Oil and Gas Production – The same application periods and credit carryforward periods that apply to a sales and use tax credit allocation apply to a credit allocation against the tax on oil and gas production.

5. Excise Taxes on Liquor, Wine, and Malt Beverages Example – A taxpayer who holds a liquor license issued by the Division applied for and was approved for a credit allocation against the liquor excise tax for returns due during the state fiscal year 2025-2026. The taxpayer's liability was insufficient to use the entire credit allocation during that state fiscal year. Any unused carryforward from the 2025-2026 state fiscal year expires June 30, 2031.

(7) Transfers of unused tax credits.

(a) A taxpayer may not convey, assign, or transfer an approved credit allocation or a carryforward tax credit to another entity unless all of the assets of the taxpayer are conveyed, assigned, or transferred in the same transaction. However, an approved credit allocation that has not been claimed on a tax return or a carryforward tax credit that has not been claimed on a tax return may be transferred between members of the same affiliated group of corporations.

(b) A transferred credit allocation or carryforward tax credit may only be used against the same tax as the original credit allocation approved by the Department.

(c) A transferred credit allocation or carryforward tax credit may only be taken by the receiving member of the affiliated group during the same period for which the transferring member was approved.

(d)1. A taxpayer must notify the Department of its intent to transfer any unused credit allocation or carryforward tax credit to another member of its affiliated group by submitting Child Care Tax Credits Program – Notice of Intent to Transfer a Tax Credit (Form DR-556200, incorporated by reference in Rule 12-29.003, F.A.C.). A separate notice must be submitted for each member of an affiliated group of corporations receiving a transfer.

2. Taxpayers must submit an application for transfer of any unused credit allocation or carryforward tax credit to the Department by email at CreditTrackingGroup@floridarevenue.com or by mail to:

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Revenue Accounting

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Tallahassee, FL 32314-6609

(e) The Department must approve the application for transfer of the unused credit allocation or carryforward tax credit before the receiving member may claim a tax credit on a tax return. For excise tax on liquor, wine, and malt beverages, the Division must also approve the transfer before the receiving member may claim a tax credit on a tax return.

(f) Following receipt of an application, the Department will send written correspondence approving the transfer or providing the reason the transfer could not be approved. The taxpayer may protest the denial pursuant to Sections 120.569 and 120.57, F.S.

(g) If the transfer is approved, a copy of the approval letter will be sent to both the transferring member and the receiving member. The approval letter will include instructions on how the receiving member may claim a tax credit on a tax return.

(8) Rescindment of unused tax credits.

(a) The rescindment provision allows credit allocations that will not be used by the taxpayer to be reallocated to other taxpayers who may use the credit allocation. Taxpayers must apply online using the Department's website at floridarevenue.com or submit Child Care Tax Credits Program – Application for Rescindment of Previous Allocation of Tax Credit (Form DR-556100, incorporated by reference in Rule 12-29.003, F.A.C.) to the Department to rescind all or a portion of an unused credit allocation. See paragraph (3)(a) for submitting the application to the Department.

(b) An application for rescindment of the unused credit allocation by the Department will not be approved when:

1. The amount of credit allocation requested to be rescinded has been claimed as a credit on a previously filed return; or

2. The allocation year is closed for all taxpayers. The allocation period for a calendar year is closed for all taxes and all taxpayers on October 1 of the third year following the January 1 opening of the allocation period, regardless of whether the annual tax credit cap has been reached. For example, the allocation period beginning January 1, 2025, for the state fiscal year beginning July 1, 2025, closes for all taxpayers on October 1, 2027.

(c) Following receipt of an application, the Department will send written correspondence regarding the amount of the rescindment, or the reason rescindment could not be approved. For excise tax on liquor, wine, and malt beverages, the Division must approve the rescindment before the Department will issue such correspondence. The taxpayer may protest the denial pursuant to Sections 120.569 and 120.57, F.S.

Rulemaking Authority 213.06(1), 402.261(7) FS. Law Implemented 211.0254, 212.1835, 220.19, 402.261, 561.1214, 624.509(7), 624.5107 FS. History—New .

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Martha Gregory

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 28, 2024

## **DEPARTMENT OF REVENUE**

### **Sales and Use Tax**

RULE NOS.: RULE TITLES:

12A-15.0035 Aircraft, Boats, Motor Vehicles, and Mobile Homes

12A-15.004 Specific Limitations

PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12A-15.0035, F.A.C. (Aircraft, Boats, Motor Vehicles, and Mobile Homes), and to Rule 12A-15.004, F.A.C. (Specific Limitations), is to incorporate the provisions of subparagraph 212.054(3)(a)3., F.S., and sub-subparagraph 212.054(2)(b)1.b., F.S., added by section 29, Chapter 2024-158, L.O.F., regarding the application of discretionary sales surtax to the sale of a boat and corresponding boat trailer identified as a motor vehicle.

SUMMARY: The proposed amendments to Rule 12A-15.0035, F.A.C. (Aircraft, Boats, Motor Vehicles, and Mobile Homes), provide that for the sale of a boat and the corresponding trailer identified as a motor vehicle discretionary sales surtax is due at the surtax rate imposed by the county where the residence address of the purchaser is located. The proposed amendments to Rule 12A-15.004, F.A.C. (Specific Limitations), provide the 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.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for the Statement of Economic Regulatory Costs (SERC) was triggered under Section 120.541(1), F.S.; and 2) based on past experiences regarding rules of this nature, the adverse impact or regulatory cost, if any,

do not exceed nor would exceed any one of the economic analysis criteria in a SERC, as set forth in Section 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 212.18(2), 213.06(1) FS.

LAW IMPLEMENTED: 212.02(15), (19), 212.05(1), 212.054, 212.055, 212.06(1), (4), (6), (7), (8), (10), 212.07(8), 212.18(3) FS.

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

DATE AND TIME: January 14, 2025; 9:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1221, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tonya Fulford at (850)717-6799. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Gregory, Office of Technical Assistance, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6041, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

**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.

Rulemaking Authority 212.18(2), 213.06(1) FS. 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. History—New 4-17-03, Amended.

**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.

Rulemaking Authority 212.18(2), 213.06(1) FS. Law Implemented 212.02(15), (19), 212.05(1), 212.054, 212.055 FS. History—New 12-11-89, Amended 5-12-92, 3-17-93, 11-16-93, 10-2-01, 4-17-03, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Martha Gregory

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 1, 2024

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

RULE NO.: 12A-19.100  
 RULE TITLE: Public Use Forms

**PURPOSE AND EFFECT:** The purpose of the proposed amendments to Rule 12A-19.100, F.A.C. (Public Use Forms), is to adopt, by reference, changes to forms used to report the Florida Communications Services Tax Return (Form DR-700016) to update local tax rates for reporting periods beginning on or after January 1, 2025, to remove returns for reporting periods prior to January 2024, and to adopt the return instructions as a separate return. When in effect, the rule will provide the final reporting period for the current tax return, January 2024–December 2024, adopt a new Florida Communications Services Tax Return (Form DR-700016) with local communications services tax rates for reporting periods beginning on or after January 1, 2025, and adopt new Form DR-700016, Instructions to Florida Communications Services Tax Return (Form DR-7000016).

**SUMMARY:** The proposed amendments to Rule 12A-19.100, F.A.C., adopt, by reference, a new Florida Communications Services Tax Return (Form DR-70016) with tax rates for local jurisdictions for reporting periods beginning on or after January 1, 2025, provide the current return applies to reporting periods during calendar year 2024, and removes the obsolete return for reporting periods prior to 2024. The proposed amendments also separately adopt the instructions to the return in new Form DR-700016N [Instructions for Completing the Florida Communications Services Tax (Form DR-700016)].

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

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

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

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

**RULEMAKING AUTHORITY:** 175.1015(5), 185.085(5), 202.151, 202.16(2), 202.22(6)(a), 202.26(3)(a), (c), (d), (e), (j), 202.27(1), (7) FS.

**LAW IMPLEMENTED:** 119.071(5), 175.1015, 185.085, 202.11(3), (10), 202.12(1), (3), 202.151, 202.16(2), (4), 202.17(6), 202.19(1), (7), 202.22(6), 202.27, 202.28(1), (2), 202.29, 202.30(3), 202.33, 202.34(3), (4)(c), 202.35(1), (2) FS.

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

**DATE AND TIME:** January 14, 2025; 9:00 a.m.

**PLACE:** 2450 Shumard Oak Boulevard, Building One, Room 1221, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tonya Fulford at (850)717-6799. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Martha Gregory, Office of Technical Assistance, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6041, email RuleComments@floridarevenue.com.

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

**12A-19.100 Public Use Forms.**

(1) No change.

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

REVISION DATE	REPORTING PERIODS	SERVICE BILLING DATES
01/25 <del>4/24</del>	January <u>2025</u> <del>2024</del>	January 1, <u>2025</u> <del>2024</del>
01/24 <del>01/23</del>	January <u>2024</u> <del>2023</del> – December <u>2024</u> <del>2023</del>	January 1, <u>2024</u> <del>2023</del> – December 31, <u>2024</u> <del>2023</del>

Form Number	Title	Effective Date
(3)	No change.	
(4) (a) DR-700016	Florida Communications Services Tax Return (R. <u>01/25</u> <del>01/24</del> ) ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX16350">http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX16350</a> )	<u>XX/X</u> <u>X 2/24</u>
(b) ) DR-700016	Florida Communications Services Tax Return (R. <u>01/24</u> <del>01/23</del> ) ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-16350 14990">http://www.flrules.org/Gateway/reference.asp?No=Ref-16350 14990</a> )	<u>2/24</u> <u>01/23</u>
(5) ) DR-700016N	<u>Instructions for Completing the Florida Communications Services Tax (Form DR-700016)</u> ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX">http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX</a> )	<u>XX/X</u> <u>X</u>
(5) through (13) renumbered (6) through (14)	No change.	

Rulemaking Authority 175.1015(5), 185.085(5), 202.151, 202.16(2), 202.22(6)(a), 202.26(3)(a), (c), (d), (e), (j), 202.27(1), (7) FS. Law Implemented 175.1015, 185.085, 202.12(1), (3), 202.151, 202.16(2), (4), 202.17(6), 202.19(1), (7), 202.22(6), 202.27, 202.28(1), (2), 202.29, 202.30(3), 202.33, 202.34(3), (4)(c), 202.35(1), (2) FS. History—New 4-17-03, Amended 7-31-03, 10-1-03, 9-28-04, 6-28-05, 11-14-05, 7-16-06, 4-5-07, 11-6-07, 12-20-07, 1-28-08, 1-27-09, 1-11-10, 6-28-10 (3), 6-28-10 (5), 2-7-11, 1-25-12, 1-17-13, 5-9-13, 1-20-14, 1-20-15, 1-11-16, 1-10-17, 1-17-18, 1-8-19, 1-6-20, 3-25-20, 1-24-21, 8-15-21, 5-23-22, 1-16-23, 2-11-24, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Martha Gregory  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2024  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 1, 2024

**DEPARTMENT OF REVENUE**

**Miscellaneous Tax**

RULE NO.: 12B-8.003  
RULE TITLE: Tax Statement; Overpayments  
PURPOSE AND EFFECT: The proposed amendments to Rule 12B-8.003, F.A.C. (Tax Statement; Overpayments), is to incorporate, by reference, updates to the insurance premium tax returns and instructions to provide for reporting the credit for the property insurance discount to policyholders as provided in section 56, Chapter 2024-158, L.O.F., and the child care tax credit as provided in sections 44, 53, 54, and 55, Chapter 2024-158, L.O.F., and to provide updates to jurisdictions for

reporting premiums, taxes, surcharges, and fees for calendar year 2024.

SUMMARY: The proposed amendments to Form DR-907N [Instructions for Filing Insurance Premium Installment Payment (Form DR-907)], Form DR-908 (Florida Department of Revenue Insurance Premium Taxes and Fees Return for Calendar Year 2024), Form DR-908N(Instructions for Preparing Form DR-908, Florida Insurance Premium Taxes and Fees Return), and DR-350900 (2024 Insurance Premium Tax Information for Schedules XII and XIII, Form DR-908), incorporated, by reference, in Rule 12B-8.003, F.A.C. (Tax Statement; Overpayments), provide updated jurisdictions for reporting premiums, taxes, surcharge, and fees for 2024, and provide for claiming the property insurance discount to policyholders and the child care tax credits.

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

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

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

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

RULEMAKING AUTHORITY: 175.1015(5), 185.085(5), 213.06(1), 402.261(7)(a), 624.509(3), 636.066(1) FS.

LAW IMPLEMENTED: 175.041, 175.101, 175.1015, 175.111, 175.121, 175.141, 175.151, 185.02, 185.03, 185.08, 185.085, 185.09, 185.10, 185.12, 185.13, 213.05, 213.053, 213.235, 213.37, 213.755, 220.183, 220.191, 252.372, 288.99 (2010), 402.261, 440.51, 443.1216, 624.11, 624.402, 624.4094, 624.4621, 624.4625, 624.475, 624.501, 624.509, 624.5091, 624.5092, 624.50921, 624.5107, 624.5108, 624.510, 624.5105, 624.511, 624.515, 624.516, 624.518, 624.519, 624.520, 624.521, 624.601, 624.610, 626.7451(11), 627.311, 627.351, 627.3512, 627.357(9), 627.7711, 627.943, 628.6015, 629.401,

629.5011, 632.626, 634.131, 634.313(2), 634.415(2), 636.066, 642.0301, 642.032 FS

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

DATE AND TIME: January 14, 2025; 9:00 a.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1221, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tonya Fulford at (850)717-6799. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Martha Gregory, Office of Technical Assistance, Department of Revenue, P.O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-6041, email RuleComments@floridarevenue.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

**12B-8.003 Tax Statement; Overpayments.**

(1) Tax returns and reports must ~~shall~~ be made by insurers on forms prescribed by the Department. These forms are hereby incorporated by reference in this rule.

(2) through (3) No change.

Form Number	Title	Effective Date
	(4)(a) No change.	
(b) DR-907N	Instructions for Filing Insurance Premium Installment Payment (Form DR-907) ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX+6261">http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX+6261</a> )	XX/X X 01/24
(5)(a) DR-908	Insurance Premium Taxes and Fees Return for Calendar Year <del>2024</del> 2023 ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX+6262">http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX+6262</a> )	XX/X X 01/24
(b) DR-908N	Instructions for Preparing Form DR-908 Florida Insurance Premium Taxes and Fees Return ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX+6263">http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX+6263</a> )	XX/X X 01/24

(6) DR-350900	2024 <del>2023</del> Insurance Premium Tax Information for Schedules XII and XIII, Form DR-908 ( <a href="http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX+6265">http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX+6265</a> )	XX/X X 01/24
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Rulemaking Authority 175.1015(5), 185.085(5), 213.06(1), ~~402.261(7)(a)~~, 624.509(3), 636.066(1) FS. Law Implemented 175.041, 175.101, 175.1015, 175.111, 175.121, 175.141, 175.151, 185.02, 185.03, 185.08, 185.085, 185.09, 185.10, 185.12, 185.13, 213.05, 213.053, 213.235, 213.37, 213.755, 220.183, 220.191, 252.372, 288.99 (2010), ~~402.261~~, 440.51, 443.1216, 624.11, 624.402, 624.4094, 624.4621, 624.4625, 624.475, 624.501, 624.509, 624.5091, 624.5092, 624.50921, ~~624.5107~~, 624.5108, 624.510, 624.5105, 624.511, 624.515, 624.516, 624.518, 624.519, 624.520, 624.521, 624.601, 624.610, 626.7451(11), 627.311, 627.351, 627.3512, 627.357(9), 627.7711, 627.943, 628.6015, 629.401, 629.5011, 632.626, 634.131, 634.313(2), 634.415(2), 636.066, 642.0301, 642.032 FS. History—New 2-3-80, Formerly 12B-8.03, Amended 3-25-90, 3-10-91, 2-18-93, 6-16-94, 12-9-97, 3-23-98, 7-1-99, 10-15-01, 8-1-02, 5-4-03, 9-28-04, 6-28-05, 6-20-06, 4-5-07, 1-1-08, 1-27-09, 1-11-10, 1-12-11, 1-25-12, 1-17-13, 1-20-14, 1-20-15, 1-11-16, 1-10-17, 1-17-18, 1-8-19, 1-6-20, 12-31-20, 5-23-22, 1-1-23, 1-1-24, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Martha Gregory

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 1, 2024

**STATE BOARD OF ADMINISTRATION**

RULE NO.: 19-8.029  
 RULE TITLE: Insurer Reporting Requirements and Responsibilities

PURPOSE AND EFFECT: The State Board of Administration, Florida Hurricane Catastrophe Fund, seeks to amend Rule 19-8.029, F.A.C., Insurer Reporting Requirements and Responsibilities, to implement Section 215.555, Florida Statutes.

SUMMARY: In general, Rule 19-8.029, F.A.C., Insurer Reporting Requirements and Responsibilities, addresses reporting and examination requirements. The proposed revisions to Rule 19-8.029, F.A.C., Insurer Reporting Requirements and Responsibilities, adopt the 2025-2026 Data Call for exposure reporting, the forms for loss reporting, and forms relating to exposure examinations and claims examinations. As amended, Rule 19-8.029, F.A.C., Insurer Reporting Requirements and Responsibilities, adopts the Data Call and other applicable reporting requirements and examination instruction forms for the 2025-2026 contract year, deletes obsolete or duplicative material, and provides additional clarification.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Upon review of the proposed changes to this rule and the incorporated forms, the State Board of Administration of Florida has determined that the rule does not meet the requirements for ratification by the legislature. The changes to the rule do not have an adverse impact on small business and do not directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate within 1 year of implementation. The changes to the rule also do not directly or indirectly have an adverse impact on economic growth, private sector job creation or employment, or private sector investment, business competitiveness or innovation or increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after the implementation of the rule.

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

RULEMAKING AUTHORITY: 215.555(3), F.S.

LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7), (10), F.S.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 15, 2025, 9:00 a.m. (ET) to 10:00 a.m. (ET).

PLACE: Florida Hurricane Catastrophe Fund Conference Room, 1801 Hermitage Blvd., Tallahassee, Florida 32308.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mary Linzee Branham, Florida Hurricane Catastrophe Fund, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1335, marylinzee.branham@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Linzee Branham at the number or email listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

**19-8.029 Insurer Reporting Requirements and Responsibilities.**

(1) through (2) No change.

(3) Data Call form.

~~(a) For the 2023/2024 Contract Year, the reporting of Company exposure data shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2023 Data Call," rev. 03/23, <http://www.flrules.org/Gateway/reference.asp?No=Ref-15191>, which is hereby adopted and incorporated by reference into this rule.~~

~~(a)(b) No change.~~

(b) For the 2025/2026 Contract Year, the reporting of Company exposure data shall be in accordance with Form FHCF-D1A, "Florida Hurricane Catastrophe Fund 2025 Data Call," rev. XX/25, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which is hereby adopted and incorporated by reference into this rule.

(4) Loss reporting forms.

~~(a)1. For the 2023/2024 Contract Year, the reporting of Ultimate Net Loss shall be in accordance with Form FHCF-L1A, "Contract Year 2023 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," rev. 03/23, <http://www.flrules.org/Gateway/reference.asp?No=Ref-15192>, which is hereby adopted and incorporated by reference into this rule.~~

~~(a)1.2. No change.~~

2. For the 2025/2026 Contract Year, the reporting of Ultimate Net Loss shall be in accordance with Form FHCF-L1A, "Contract Year 2025 Interim Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," rev. XX/25, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which is hereby adopted and incorporated by reference into this rule.

~~(b)1. For the 2023/2024 Contract Year, the reporting of Ultimate Net Loss shall be in accordance with Form FHCF-L1B, "Contract Year 2023 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," rev. 03/23, <http://www.flrules.org/Gateway/reference.asp?No=Ref-15193>, which is hereby adopted and incorporated by reference into this rule.~~

~~(b)1.2.~~ No change.

2. For the 2025/2026 Contract Year, the reporting of Ultimate Net Loss shall be in accordance with Form FHCF-L1B, "Contract Year 2025 Proof of Loss Report, Florida Hurricane Catastrophe Fund (FHCF)," rev. XX/25, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which is hereby adopted and incorporated by reference into this rule.

~~(e)1.~~ For the 2023/2024 Contract Year, the applicable Detailed Claims Listing Instructions is Form FHCF-DCL, "Contract Year 2023 Detailed Claims Listing Instructions," rev. 03/23, <http://www.flrules.org/Gateway/reference.asp?No=Ref-15194>, which is hereby adopted and incorporated by reference into this rule.

~~(c)1.2.~~ No change.

2. For the 2025/2026 Contract Year, the applicable Detailed Claims Listing Instructions is Form FHCF-DCL, "Contract Year 2025 Detailed Claims Listing Instructions," rev. XX/25, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which is hereby adopted and incorporated by reference into this rule.

(5) Examination.

(a) Advance examination record requirements. Within 30 days after the date of the request for such information, a Company must provide the FHCF with the records indicated in the applicable Contract Year's "Exposure Examination Advance Preparation Instructions" or in the applicable Contract Year's "Claims Examination Advance Preparation Instructions." The FHCF may grant an extension of 30 days if the Company can show that the need for the additional time is due to circumstances beyond its reasonable control.

~~1.~~ For the 2023/2024 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination—Contract Year 2023 Advance Preparation Instructions," FHCF-EAP1, rev. 03/23, <http://www.flrules.org/Gateway/reference.asp?No=Ref-15190>, which is hereby adopted and incorporated by reference into this rule. The applicable claims examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Claims Examination—Contract Year 2023 Advance Preparation Instructions," FHCF-LAP1, rev. 03/23, <http://www.flrules.org/Gateway/reference.asp?No=Ref-15195>, which is hereby adopted and incorporated by reference into this rule.

~~1.2.~~ No change.

2. For the 2025/2026 Contract Year, the applicable exposure examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Exposure Examination—

Contract Year 2025 Advance Preparation Instructions," FHCF-EAP1, rev. XX/25, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which is hereby adopted and incorporated by reference into this rule. The applicable claims examination instructions form is the "Florida Hurricane Catastrophe Fund (FHCF) Claims Examination—Contract Year 2025 Advance Preparation Instructions," FHCF-LAP1, rev. XX/25, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, which is hereby adopted and incorporated by reference into this rule.

(b) Consequences for failure to meet the requirements contained in the FHCF-EAP1, "Exposure Examination Advance Preparation Instructions" or the FHCF-LAP1, "Claims Examination Advance Preparation Instructions." In addition to other penalties or consequences, the FHCF has the authority, pursuant to Section 215.555(4)(f), F.S., to require that the Company pay for the following services under the circumstances specified herein:

1. through 2. No change.

3. A Company required to reimburse the FHCF for costs as required in subparagraphs 1. and 2., is liable for interest on the amount owed to the FHCF from the date the FHCF pays such expenses until the date payment from the Company is received. The applicable interest rate for interest charges will be the average rate earned by the SBA for the FHCF for the six months preceding the start of the first four months of the current Contract Year, plus 5%. For balances paid after the invoice due date, interest will accrue at this rate plus 5 percent. The payment of reimbursements or refunds by the FHCF to the Company will be offset by any amounts owed by that Company to the FHCF under this paragraph.

(6) through (8) No change.

*Rulemaking Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7), (15), 627.351(6) FS. History—New 5-17-99, Amended 6-19-00, 6-3-01, 6-2-02, 11-12-02, 5-13-03, 5-19-04, 8-29-04, 5-29-05, 5-10-06, 5-8-07, 6-8-08, 3-30-09, 8-2-09, 3-29-10, 8-8-10, 7-20-11, 5-22-12, 3-17-13, 4-24-14, 5-12-15, 3-13-16, 1-24-17, 2-5-18, 1-29-19, 9-17-19, 1-22-20, 2-8-21, 2-7-22, 8-18-22, 3-7-23, 2-6-24, X-XX-25.*

NAME OF PERSON ORIGINATING PROPOSED RULE: Gina Wilson, FHCF Chief Operating Officer, State Board of Administration of Florida.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 8, 2024



**DEPARTMENT OF HEALTH****Board of Speech-Language Pathology and Audiology**

RULE NO.: RULE TITLE:

64B20-4.001 Certification of Assistants

PURPOSE AND EFFECT: Changes to the rule reflect the new requirements in s. 456.0145, F.S., regarding licensure by endorsement. A person desiring to obtain licensure by endorsement as a speech-language pathology assistant or audiology assistant pursuant to section 456.0145(2), F.S., will now be required to apply to the Department of Health using a new form incorporated in the rule titled Mobile Opportunity by Interstate Licensure Endorsement (MOBILE). A person desiring to obtain licensure by examination will be required to apply using the current incorporated Form DH-SPA-3, Application for Speech-Language Pathology or Audiology Assistant Certification.

SUMMARY: Changes to the rule reflect the new requirements in s. 456.0145, F.S., regarding licensure by endorsement. A person desiring to obtain licensure by endorsement as a speech-language pathology assistant or audiology assistant pursuant to section 456.0145(2), F.S., will now be required to apply to the Department of Health using a new form incorporated in the rule titled Mobile Opportunity by Interstate Licensure Endorsement (MOBILE). A person desiring to obtain licensure by examination will be required to apply using the current incorporated Form DH-SPA-3, Application for Speech-Language Pathology or Audiology Assistant Certification.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.013, 468.1125(3), 468.1135(4) FS.

LAW IMPLEMENTED: 456.013, 456.0635, 468.1125(3), (9), 468.1215 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stephanie Webster, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256.

THE FULL TEXT OF THE PROPOSED RULE IS:

**64B20-4.001 Certification of Assistants.**

(1) Any person desiring to be certified as a speech-language pathology assistant or audiology assistant shall apply to the Department of Health. The application shall be made on Form DH-SPA-3, Application for Speech-Language Pathology or Audiology Assistant Certification, which is incorporated by reference herein, revised (6/20), and can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-12516>, or the Board of Speech-Language Pathology and Audiology, Department of Health, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399-3256 or at <http://floridasspeechaudiology.gov/resources/>. Such application and application fee required pursuant to Rule 64B20-3.0001, F.A.C., shall expire one year from the date on which the application and fee are initially received in the Board office. After the period of one year, a new application and application fee must be submitted.

(2) Any person desiring to obtain licensure by endorsement as a speech-language pathology assistant or audiology assistant pursuant to section 456.0145(2), F.S., shall apply to the Department of Health and pay the fee required by Rule 64B20-3.0001, F.A.C. The application shall be made on DH-MQA-5101, Mobile Opportunity by Interstate Licensure Endorsement (MOBILE) (Revised 7/2024), hereby incorporated by reference, and may be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref->, or the Board of Speech-Language Pathology and Audiology, Department of Health, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399-3256 or at <http://floridasspeechaudiology.gov/resources/>. Rulemaking Authority 456.013, 468.1125(3), 468.1135(4), 456.0145(5) FS. Law Implemented 456.013, 456.0145(2), 456.0635,

468.1125(3), (9), 468.1215 FS. History—New 3-14-91, Amended 12-4-91, Formerly 21LL-4.001, Amended 10-12-93, Formerly 61F14-4.001, Amended 5-22-96, Formerly 59BB-4.001, Amended 7-16-09, 4-18-10, 7-13-13, 9-9-13, 10-23-16, 4-20-20, 1-12-21,

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Speech-Language Pathology and Audiology  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Speech-Language Pathology and Audiology  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 21, 2024  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 3, 2024

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Economic Self-Sufficiency Program**

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

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

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

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

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

A SERC has not been prepared.

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

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

RULEMAKING AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.31 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

**65A-1.603 Food Assistance Program Income and Expenses.**

(1) No change.

(2) Standard Utility Allowance. A standard utility allowance (SUA) of ~~\$419~~ ~~\$426~~ must be used by AGs who incur, or within the eligibility period expect to incur, heating or cooling expenses separate and apart from their rent or mortgage and by AGs who receive direct or indirect assistance authorized under the Low-Income Home Energy Assistance Act of 1981. Actual utility expenses are not allowed. Any additional utility expenses, including the telephone standard, are not used.

(3) Basic Utility Allowance. A basic utility allowance (BUA) of ~~\$339~~ ~~\$340~~ must be used by AGs who do not incur heating or cooling expenses, but do incur utility expenses such as electricity, fuel, water, sewerage, or garbage pickup, separate and apart from their rent or mortgage. Actual utility expenses are not allowed. Any additional utility expenses, including the telephone standard, are not used.

(4) Telephone Standard. A telephone standard of ~~\$55~~ ~~\$49~~ must be used by AGs who incur only a telephone expense. Actual telephone expenses are not allowed. Any additional utility expenses, including the SUA or BUA, are not used.

(5) Homeless Shelter Deduction. A homeless shelter deduction of ~~\$190~~ ~~\$180~~ must be used by homeless AGs who do not receive free shelter throughout the month and incur or expect to incur shelter expenses unless higher expenses are claimed.

(6) No change.

*Rulemaking Authority 414.45 FS. Law Implemented 414.31 FS. History—New 1-31-94, Formerly 10C-1.603, Amended 1-12-99, 5-25-03, 8-22-05, 2-17-09, 12-13-09, 11-1-10, 12-25-11, 10-16-12, 8-11-13, 11-30-14, 1-31-16, 6-6-17, 4-4-18, 8-15-18, 12-3-19, 11-25-20, 1-9-22, 2-6-23, 2-7-24. Amended \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Renita Robinson

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2024

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 17, 2024

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

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

RULE NOS.:	RULE TITLES:
66B-1.005	Funds Allocation
66B-1.006	Application Process
66B-1.014	Small-Scale Spoil Island Restoration and Enhancement Projects

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 50 No. 230, November 25, 2024 issue of the Florida Administrative Register.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) No requirement for a SERC was triggered under Section 120.541(1), F.S. and 2) Based upon the nature of the rule, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S. It is anticipated that the proposed rule will not have any negative economic impact. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

RULE NOS.:	RULE TITLES:
66B-2.005	Funds Allocation
66B-2.006	Application Process
66B-2.014	Small-Scale Spoil Island Restoration and Enhancement Projects

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 50 No. 230, November 25, 2024 issue of the Florida Administrative Register.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) No requirement for a SERC was triggered under Section 120.541(1), F.S. and 2) Based upon the nature of the rule, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S. It is anticipated that the proposed rule will not have any negative economic impact. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NOS.:	RULE TITLES:
69A-37.039	Prescribed Forms for Training and Certification
69A-37.090	Lisa of Supplemental Compensation Forms; Incorporation by Reference
69A-37.401	Definitions
69A-37.402	Authorizations for Certified Personnel
69A-37.403	Compliance with Other Applicable Laws, Rules
69A-37.404	Requirements for Live Fire Training for Certified Personnel
69A-37.405	Requirements for Live Fire Training During Recruit Training
69A-37.406	Certification Prerequisites for Live Fire Training Instructor Training
69A-37.407	Live Fire Training Instructor Training
69A-37.408	Live Fire Training Instructor Certification and Renewal
69A-37.409	Instructor Certification Revocation

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 50 No. 53, March 15, 2024 issue of the Florida Administrative Register has been withdrawn.

## Section IV Emergency Rules

### DEPARTMENT OF THE LOTTERY

RULE NO.:       RULE TITLE:  
53ER24-54       Sale of Lottery Tickets

SUMMARY: This emergency rule sets forth the provisions under which Florida Lottery tickets are sold by retailers.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399 4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

#### **53ER24-54 Sale of Lottery Tickets.**

##### (1) Sale of Lottery Tickets – General Provisions.

(a) Retailers shall sell only lottery tickets of the Florida Lottery (“Lottery”) and no other state or national lottery tickets, except as may be expressly authorized by the Florida Lottery.

(b) Retailers are prohibited from selling lottery tickets to anyone under the age of eighteen.

(c) Retailers shall sell lottery tickets during the retailer’s normal business hours, unless otherwise authorized by the Lottery.

(d) Retailers may not sell tickets at any price other than that established by the Lottery.

(e) No person or entity other than the Florida Lottery, an active contracted Lottery retailer, or employee acting on behalf of the retailer may sell lottery tickets.

(f) Delivery of lottery tickets or ticket stock to a retailer shall be made only by an authorized Lottery representative. Without prior Lottery approval, a retailer shall not accept lottery tickets to be sold from another retailer or anyone except an authorized Lottery agent.

(g) All ticket sales shall be final, except as provided in paragraph (2)(d), below.

(h) A retailer shall sell lottery tickets only at the authorized location stated on its Certificate of Authority.

(i) A retailer shall not exchange a book(s), ticket(s), or ticket stock with its other retailer location(s) or with any other retailer.

(2) Online Terminal Games. For purposes of this subsection (2), the term “online terminal game” means Draw games. A “play slip” is defined as an original paper play slip issued and approved by the Florida Lottery for an online terminal game or a digital play slip for a Draw game generated on a mobile device using the Florida Lottery Mobile Convenience App (“App”). Except where necessary herein to

differentiate between a paper play slip and a digital play slip, the term “play slip” shall be inclusive of both types of play slips.

(a) Players may make their play selections by: using a play slip; selecting their numbers using a Florida Lottery vending machine (“vending machine”), if a vending machine for Draw game ticket purchases is available at the retailer location; by telling the retailer their desired selections or requesting Quick Picks; requesting to use the Play it Again feature; or purchasing QuickTickets™, if available.

##### 1. Play Slips.

a. Paper Play Slips. Online terminal game paper play slips must be hand-marked by the player in blue or black ink or pencil. Retailers shall not accept facsimiles of paper play slips, copies of paper play slips, or other materials that are inserted into the terminal’s play slip reader that are not printed or approved by the Lottery.

b. Digital Play Slips. For Draw game purchases, a digital play slip can be created by a player on his or her mobile device using the App and will contain a barcode to be scanned by the retailer and processed through the retailer terminal for a ticket purchase. Additionally, a digital play slip may be used by the player to purchase tickets through a vending machine that provides for Draw games.

2. QuickTicket™. Where available, QuickTickets may be purchased for Powerball® and Mega Millions® draw games. QuickTickets are tickets that have pre-selected Quick Pick numbers printed on tickets under latex scratch areas. Players are to remove the latex coverings by scratching the latex coverings to reveal the Quick Pick numbers. The ability to apply add-on features is not available with QuickTicket. Advance Play and Play It Again are not available with QuickTicket. QuickTickets are not valid until activated by an authorized Lottery retailer. Issuance of a QuickTicket receipt confirms activation. QuickTicket plays are entered into the next available drawing after activation. Players do not have a choice of draw dates. Once activated, a QuickTicket cannot be cancelled.

3. Telling the Retailer. When requested by a player, a retailer is authorized to manually enter Draw game numbers or enter play selection features, such as Quick Pick, as specified by the player.

4. Vending Machine. If a vending machine is available at the retailer location and the vending machine provides for Draw game purchases, the vending machine may be used by a player to purchase Draw game tickets for one or more games and for one or more drawings. Neither a retailer nor a player can process the cancelation of a Draw game ticket through a vending machine. At the request of a player, the retailer shall make a good faith effort to cancel cancelable Draw game tickets that are purchased through a vending machine by using the retailer’s Lottery terminal.

5. Play It Again. If available, a player may request “Play it Again” to replay a previously purchased Florida Lottery Draw game ticket. If requested, a retailer shall process the original ticket provided by the player and print a new ticket which will have the same selected numbers, play amount, number of panels, number of advance play drawings, draw time for FANTASY 5<sup>®</sup>, and play type for PICK Daily Games<sup>™</sup>, and any add-on features, as the original ticket. For PICK Daily Games and CASH POP<sup>™</sup>, the new ticket produced will be for the next available draw irrespective of the draw time shown on the original ticket. An original ticket with advance play will be rejected and cannot be replayed if the number of drawings on the ticket exceeds the number of advance play drawings available due to implementation of an advance play countdown for the Draw game for which the original ticket was purchased. Tickets older than sixty (60) days cannot be replayed. Tickets purchased using the Play It Again feature are subject to the same cancellation provisions as the original ticket.

(b) Retailers shall not permit any device to be connected to a lottery terminal to enter plays for online terminal games, except as specifically approved in writing, in advance, by the Lottery.

(c) Draw game lottery tickets shall not be sold after the close of game for the specific drawing for which they were designated. The time of close of game for each Draw game is set forth in the rule for that game. A copy of the current Draw game rules may be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(d) A retailer shall make a good faith effort to cancel a cancelable Draw game lottery ticket upon the request of a player if the request is made within the cancellation period set forth in the specific Draw game rule.

(3) Scratch-Off Games.

(a) Each book of Scratch-Off game lottery tickets (also known as instant game lottery tickets) shall be activated prior to any tickets from the book being sold.

(b) Scratch-Off lottery tickets for a game shall not be sold after the announced official end-of-game date of the respective Scratch-Off game.

(c) Players may purchase Scratch-Off lottery tickets through a vending machine if a vending machine is available at the retailer location.

(4) The effective date of this emergency rule is December 18, 2024.

(5) This emergency rule replaces Emergency Rule 53ER22-43.

*Rulemaking Authority 24.105(9)(h), 24.109(1), 24.112(1) FS; Law Implemented 24.105(9)(h), 24.112 FS. History—New 12-18-2024, Replaces 53ER22-43.*

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

EFFECTIVE DATE: 12/18/2024

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER24-55      RULE TITLE: PICK 2TM

SUMMARY: This emergency rule describes the PICK 2TM game. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning; value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399 4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

**53ER24-55 PICK 2™.**

(1) How to Play PICK 2™.

(a) PICK 2 is a Draw lottery game (also known as an online terminal game) in which a player selects any two-digit number from 00 to 99 inclusive. The digits may be the same or different, for example, 11 and 12 are both valid selections. A player selects only one digit in a Front Number or Back Number play as further described in paragraphs (2)(d) and (e), below.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing.

(c) For purposes of this rule, a “play slip” is defined as an original paper play slip issued and approved by the Florida Lottery for the PICK 2 game, or a digital play slip for the PICK 2 game generated using the Florida Lottery Mobile Convenience App (“App”). Except where necessary herein to differentiate between a paper play slip and a digital play slip, the term “play slip” shall be inclusive of both types of play slips.

(d) Players may make their PICK 2 ticket selections by: using a play slip; using a Florida Lottery vending machine (“vending machine”), if a vending machine for Draw game ticket purchases is available at the retailer location; by telling the Florida Lottery retailer their desired selections; or by requesting to use the Play it Again feature.

(e) Play Slips.

1. Paper Play Slip. There are five panels on a paper PICK 2 play slip. Each panel played prints on a separate ticket. Players electing to use a paper play slip to make their PICK 2 selections must mark one number in each column or mark the Quick Pick (QP) box located at the bottom of each panel for the terminal to randomly select one or more of the numbers for each panel played. The player may also mark the play type, draw time and play amount; however, if the play type, play amount,

or draw time is not marked by the player, the terminal will default to a \$1.00 straight play for the next available draw. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players may choose the FIREBALL add-on feature by marking the "FIREBALL" box to create more combinations. Adding FIREBALL will apply to and double the cost of all panels played. Players may mark the \$5 "Quick Picks" box to receive five \$1.00 tickets, each with one set of two randomly selected numbers (straight play) for the next available PICK 2 drawing; or may mark the \$10 "Quick Picks" box to receive ten \$1.00 tickets, each with one set of two randomly selected numbers (straight play) for the next available PICK 2 drawing. Players may mark Quick Picks in addition to panel plays. Advance play may also be added to play future drawings as further provided in paragraph (1)(f) below. Paper play slips must be Florida Lottery approved and players must use only blue or black ink or pencil for making selections. Paper play slips may be processed through a Florida Lottery vending machine or processed by a Florida Lottery retailer to obtain a ticket.

2. Digital Play Slip. How to Create a Digital Play Slip. From the Landing Page on the App, a player should select the PICK 2 game icon and then click on "Pick Numbers." The player may either select his or her numbers from a field of numbers described in paragraph (1)(a) or use the "Random Numbers" or "Shake to Play" feature for the App to provide the player random numbers. Up to five panels can be created on one digital PICK 2 play slip. A player must also select the play type, play amount and drawing time, which will apply to all panels played, and if more than the default of one drawing is desired, select the number of drawings. The parameters for advance play are set forth in paragraph (1)(f), below. If a player desires to add FIREBALL as described in subparagraph (1)(e)1., he or she should click the FIREBALL button so that "yes" is selected. Adding FIREBALL will apply the feature to all panels played. Players may also use the "My Favorites" feature to save the digital play slip for later use. Once a digital play slip is created and the player clicks "Create Playslip," a barcode will be displayed. The player may present the barcode appearing on his or her mobile device to the retailer to purchase a ticket through the retailer terminal or may use the barcode to purchase a ticket through a vending machine that provides for Draw game purchases. Illustrative instructions for creating a PICK 2 digital play slip are available by clicking on the "How to Play" button on the main PICK 2 page.

(f) Advance Play. Players may play future consecutive midday, evening or both drawings within a fourteen-day period or non-consecutive drawings within a seven-day period by using the "advance play" feature. To use the advance play feature, players may either select the number of drawings and

drawing time(s) on the play slip or tell the retailer the advance play selections and draw time(s) they desire. For purposes of this paragraph (1)(f), both a fourteen-day and a seven-day period begin on the date of the next available PICK 2 drawing for the draw time(s) selected and continue through the next thirteen/six consecutive days for the draw time(s) selected.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for only the selected draw time(s). The number of consecutive drawings selected will include the next available drawing for the draw time(s) selected and will apply to the panel(s) played. For paper play slips, advance play will not be applied to selections when the \$5 or \$10 Quick Picks box is marked.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven-day period;

b. Any two non-consecutive days for the draw time(s) selected in a seven-day period;

c. Any two or more consecutive days for the draw time(s) selected in a seven-day period, not including the next available drawing.

d. Up to fourteen consecutive days for the draw time(s) selected, including the next available drawing.

3. If a planned change in the PICK 2 game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Florida Lottery's website.

(g) Vending Machine. If a vending machine is available at a retailer, the vending machine may be used by a player to make Quick Pick selections; manual selections, if the vending machine provides that option; and process both paper and digital PICK 2 play slips. Neither a retailer nor a player can process the cancellation of a PICK 2 ticket through a vending machine. At the request of a player, the retailer shall make a good faith effort to cancel PICK 2 tickets that are purchased through a vending machine by using the retailer's lottery terminal in accordance with the cancellation provisions in paragraph (5)(e).

(h) Telling the Retailer. Retailers also are authorized to manually enter numbers selected by a player. Players electing to make their PICK 2 ticket selections by telling the retailer must specify the play type, play amount, draw time(s), number of drawings and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one or more of the numbers). Additionally, if a player desires to add FIREBALL, he or she must tell the retailer to add that option.

(i) Play it Again.

1. A player may request to “Play it Again” to replay a previously purchased PICK 2 ticket. If requested, a retailer shall process the original ticket provided by the player and print a new ticket which will have the same selected numbers, play amount, play type, number of panels, and number of drawings as the original ticket. The new ticket produced will be for the next available draw irrespective of the draw time shown on the original ticket.

2. An original ticket with advance play will be rejected and cannot be replayed if the number of drawings on the ticket exceeds the number of advance play drawings that are available at the time of requested ticket replay due to implementation of an advance play countdown for the PICK 2 game. Tickets older than sixty days cannot be replayed. Tickets purchased using the Play it Again feature have the same cancellation provisions as the original ticket.

(2) Determination of PICK 2 Base Game Prizes. PICK 2 can be played and won as follows:

(a) “Straight” play. In a straight play, if a player’s digits as printed on the player’s ticket match, in exact order, the official PICK 2 winning numbers for the drawing, the player wins \$25 for a 50-cent play or \$50 for a \$1.00 play.

(b) “Box” play. A box play allows a player to win if the player’s digits match, in any order, the official PICK 2 winning numbers for the drawing. A “box” play pays a winner \$12.50 for a 50-cent play or \$25 for a \$1.00 play.

(c) “Straight and Box” play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play. A “Straight and box” play pays a winner \$37.50 if a player’s digits as printed on the player’s ticket match, in exact order, the official PICK 2 winning numbers of the drawing, or \$12.50 if the player’s digits match, in any order, the official PICK 2 winning numbers for the drawing.

(d) “Front Number” play. A front number play allows a player to select only one digit and pays \$2.50 for a 50-cent play or \$5.00 for a \$1.00 play if the first digit as printed on the ticket matches the first number of the official PICK 2 winning numbers for the drawing.

(e) “Back Number” play. A back number play allows a player to select only one digit and pays \$2.50 for a 50-cent play or \$5.00 for a \$1.00 play if the last digit as printed on the ticket

matches the last number of the official PICK 2 winning numbers for the drawing.

(3) PICK 2 Base Game Odds of Winning.

The odds of winning in PICK 2 are:

- (a) Straight 1 in 100
- (b) Box 1 in 50
- (c) Straight and Box 1 in 100 and 1 in 50
- (d) Front Number 1 in 10
- (e) Back Number 1 in 10
- (4) FIREBALL.

(a) FIREBALL is an add-on play option available in association with the PICK 2 game. The FIREBALL option cannot be played independently of PICK 2 base game play. Selecting FIREBALL will double the cost of all panels played. FIREBALL is available with both 50-cent and \$1.00 play amounts.

(b) Players can use the FIREBALL number to replace one of the two official PICK 2 winning numbers for that drawing to create two new FIREBALL winning combinations. Created FIREBALL winning combinations may be duplicative of the base play winning combinations as well as duplicative of each other. If the player’s numbers on his or her ticket match any of the created FIREBALL winning combinations for that drawing, the player shall be entitled to one or more FIREBALL prizes based on the play type, numbers played and play amount purchased. For front number play and back number play, there will also be two new possible winning combinations created as the FIREBALL number will be a substitute for the front or back number and for the “X” number. Examples of FIREBALL wins:

<p><u>Example A</u>  <u>Play Type: Straight</u>  <u>Play Amount: \$1.00</u>  <u>Player’s Numbers: 2-5</u>  <u>Drawing Results: 1-5</u>  <u>FIREBALL Number: 2</u>  <u>FIREBALL Winning Combinations:</u>  <u>2-5; 1-2</u>  <u>Player wins: one (1)</u>  <u>FIREBALL prize of \$30</u></p>	<p><u>Example B</u>  <u>Play Type: Front Number</u>  <u>Play Amount: \$1.00</u>  <u>Player’s Number: 3-X</u>  <u>Drawing Results: 1-2</u>  <u>FIREBALL Number: 3</u>  <u>FIREBALL Winning Combinations:</u>  <u>3-2; 1-3</u>  <u>Player wins: one (1)</u>  <u>FIREBALL prizes of \$3</u></p>
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(c) The FIREBALL prizes and odds of winning are set forth in the table below.

<u>PICK 2 with FIREBALL Prize Structure</u>				
<u>Play Type</u>	<u>FIREBALL Prize</u> <u>50-cent Play</u>	<u>FIREBALL Prize</u> <u>\$1.00 Play</u>	<u>FIREBALL Odds of Winning</u> <u>1:</u>	<u>Maximum Number of FIREBALL Wins</u>

<u>Straight</u>	<u>\$15</u>	<u>\$30</u>	<u>50</u>	<u>2</u>
<u>Box</u>	<u>\$7.50</u>	<u>\$15</u>	<u>25</u>	<u>2</u>
<u>Straight/Box</u>		<u>\$22.50 &amp; \$7.50</u>	<u>50 &amp; 25</u>	<u>3</u>
<u>Front Number</u>	<u>\$1.50</u>	<u>\$3</u>	<u>5</u>	<u>2</u>
<u>Back Number</u>	<u>\$1.50</u>	<u>\$3</u>	<u>5</u>	<u>2</u>

(d) Players can win a FIREBALL prize with or without a winning base game prize.

(e) For all plays, if a player wins the base game prize and the FIREBALL number is the same as one or both of the PICK 2 winning numbers, the player shall be entitled to one or more FIREBALL prizes (based on the play type, numbers played, winning numbers and play amount purchased) in addition to the PICK 2 base game prize for the play amount purchased. The table above sets forth the maximum number of FIREBALL wins by play type. Examples of winning in both the base game and with FIREBALL:

<p><u>Example A</u>  <u>Play Type: Straight</u>  <u>Play Amount: \$1.00</u>  <u>Player's Numbers: 1-2</u>  <u>Drawing Results: 1-2</u>  <u>FIREBALL Number: 2</u>  <u>FIREBALL Winning Combinations:</u>  <u>1-2; 2-2</u>  <u>Player wins: base prize of \$50 + one (1) FIREBALL prize of \$30 = \$80.</u></p>	<p><u>Example B</u>  <u>Play Type: Front Number</u>  <u>Play Amount: \$1.00</u>  <u>Player's Numbers: 1-X</u>  <u>Drawing Results: 1-3</u>  <u>FIREBALL Number: 1</u>  <u>FIREBALL Winning Combinations:</u>  <u>1-3; 1-1</u>  <u>Player wins: base prize of \$5 + two (2) FIREBALL prizes of \$3 each = \$11.</u></p>
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(5) On occasion, increases in the prize amounts set forth in subsection (2) will be offered for promotional purposes. In such event, the increased prize amounts will be available at [floridalottery.com](http://floridalottery.com), Lottery district offices and retailer locations.

(6) A liability limit of \$1 million is established for PICK 2. When the play of a two-digit number for a drawing reaches the Florida Lottery's PICK 2 liability limit of \$1 million, no further ticket sales for any type of play that would involve that two-digit number will be allowed for that drawing. In addition, no Front Number or Back Number play that involves the first or last digit of the two-digit number will be allowed for that drawing.

(7) PICK 2 Base Game Drawings.

(a) PICK 2 base game drawings are conducted twice daily by the Florida Lottery.

(b) The equipment for the PICK 2 base game drawing shall be configured so that one ball is drawn from each of two units of balls numbered zero (0) through nine (9).

(c) Two balls will be selected in the drawing, one each into two separate display devices. The numbers shown on the two

balls, after certification by the Draw Manager and the Accountant, shall be the official winning PICK 2 numbers for the drawing.

(d) FIREBALL Drawings.

1. FIREBALL drawings are conducted twice daily by the Florida Lottery.

2. After all four PICK Daily Games™ (PICK 2™, PICK 3™, PICK 2™ and PICK5™) drawings have been conducted for the draw time (either mid-day or evening) and date, the FIREBALL drawing will be conducted to select the FIREBALL number. The FIREBALL number drawn shall apply to all four PICK Daily Games.

3. The equipment for the FIREBALL drawing shall be configured so that one ball is drawn from one unit of balls numbered zero (0) through nine (9).

4. In the drawing, one ball will be drawn from the single unit of balls into a single display device. The number shown on the ball after certification by the Draw Manager and the Accountant shall be the official winning FIREBALL number for that drawing.

(e) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(8) PICK 2 Rules and Prohibitions.

(a) By purchasing a PICK 2 ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) PICK 2 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and gaming system availability, PICK 2 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily PICK 2 drawing is approximately 1:30 p.m. (ET) for the midday draw and approximately 9:45 p.m. (ET) for the evening draw. Ticket sales for a specific PICK 2 drawing will close approximately thirteen minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available PICK 2 draw date and draw time, unless the player specifies another PICK 2 draw date and draw time within the selection parameters.

(e) Retailer cancellations of PICK 2 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no PICK 2 ticket can be canceled after game close for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer's



hours of business operation; the cut off time for daily sales (12:00 midnight (ET)); the hours of gaming system availability; or the time of the related PICK 2 close of game for the related drawing. Ticket cancellations cannot be processed through a vending machine. If a player desires to cancel a ticket purchased through a vending machine, the player must present the ticket to the retailer location where the ticket was purchased for processing within the timeframe described above.

(f) It is the player's responsibility to make sure his or her ticket(s) are printed exactly as requested before leaving the retailer, including verifying the number of ticket(s) printed, and to determine the accuracy of the selected panels of numbers, draw date(s) and times, play amount and play type on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket.

(9) This emergency rule replaces Emergency Rule 53ER21-9.

(10) The effective date of this emergency rule is December 18, 2024.

Rulemaking Authority 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS; Law Implemented 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124 FS. History—New 12-18-2024, Replaces 53ER21-9.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF THE STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: 12/18/2024

## DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:  
53ER24-56 PICK 3TM

SUMMARY: This emergency rule describes the PICK 3TM game. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning; value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399 4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

### **53ER24-56 PICK 3™**

#### **(1) How to Play PICK 3™**

(a) PICK 3 is a Draw lottery game (also known as an online terminal game) in which a player selects any three-digit number from 000 to 999 inclusive. The digits may be the same, different or combination thereof; for example, 111, 122, and 123 are all

valid selections. A player selects only two digits in a Front Pair or Back Pair play as further described in paragraphs (2)(e) and (f), below.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing.

(c) For purposes of this rule, a "play slip" is defined as an original paper play slip issued and approved by the Florida Lottery for the PICK 3 game, or a digital play slip for the PICK 3 game generated using the Florida Lottery Mobile Convenience App ("App"). Except where necessary herein to differentiate between a paper play slip and a digital play slip, the term "play slip" shall be inclusive of both types of play slips.

(d) Players may make their PICK 3 ticket selections by: using a play slip; using a Florida Lottery vending machine ("vending machine"), if a vending machine for Draw game ticket purchases is available at the retailer location; telling the retailer their desired selections; or by requesting to use the Play it Again feature.

#### (e) Play Slip.

1. Paper Play Slips. There are five panels on a paper PICK 3 play slip. Players electing to use a paper play slip to make their PICK 3 selections must mark one number in each column or mark the Quick Pick (QP) box located at the bottom of each panel for the terminal to randomly select one or more of the numbers for each panel played. The player may also mark the play type, draw time and play amount; however, if the play type, play amount, or draw time is not marked by the player, the terminal will default to a \$1.00 straight play for the next available draw. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players may choose the FIREBALL add-on feature by marking the "FIREBALL" box to create more combinations. Adding FIREBALL will apply to and double the cost of all panels played. Players may mark the \$5 "Quick Picks" box to receive five \$1.00 tickets, each with one set of three randomly selected numbers (straight play) for the next available PICK 3 drawing; or may mark the \$10 "Quick Picks" box to receive ten \$1.00 tickets, each with one set of three randomly selected numbers (straight play) for the next available PICK 3 drawing. Players may mark Quick Picks in addition to panel plays. Advance play may also be added to play future drawings as further provided in paragraph (1)(f), below. Paper play slips must be Florida Lottery approved and players must use only blue or black ink or pencil for making selections. Paper play slips may be processed through a Florida Lottery full-service vending machine or processed by a Florida Lottery retailer to obtain a ticket. A player who selects the combo play type and who elects to use the quick pick feature will not be able to select the total cost of the ticket. The total cost will be determined by whether the quick pick numbers selected by the terminal comprise a 3-way combo or 6-way combo play type as

described in paragraph (2)(d), below. A player who selects the box play type or the straight/box play type and who elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the terminal comprise a 3-way or 6-way box combination as described in paragraph (2)(b), below.

2. Digital Play Slip. How to Create a Digital Play Slip. From the Landing Page on the App, a player should select the PICK 3 game icon and then click on "Pick Numbers". The player may either select his or her numbers from a field of numbers described in paragraph (1)(a) or use the "Random Numbers" or "Shake to Play" feature for the App to provide the player random numbers. Up to five panels can be created on one digital PICK 3 play slip. A player must also select the play type, play amount and drawing time, which will apply to all panels played, and, if more than the default of one drawing is desired, select the number of drawings. The parameters for advance play are set forth in paragraph (1)(f) below. If a player desires to add FIREBALL as described in subparagraph (1)(e)1., he or she should click the FIREBALL button so that "yes" is selected. Adding FIREBALL will apply the feature to all panels played. Players may also use the "My Favorites" feature to save the digital play slip for later use. Once a digital play slip is created and the player clicks "Create Playslip," a barcode will be displayed. The player may present the barcode appearing on his or her mobile device to the retailer to purchase a ticket through the retailer terminal or may use the barcode to purchase a ticket through a vending machine that provides for Draw game purchases. Illustrative instructions for creating a PICK 3 digital play slip are available by clicking on the "How to Play" button on the main PICK 3 page.

(f) Advance Play. Players may play future consecutive midday, evening or both drawings within a fourteen-day period or non-consecutive drawings within a seven-day period by using the "advance play" feature. To use the advance play feature, players may either select the number of drawings and draw time(s) on the play slip or tell the retailer the advance play selections and draw time(s) they desire. For purposes of this paragraph (1)(f), both a fourteen-day and a seven-day period begin on the date of the next available PICK 3 drawing for the draw time(s) selected and continue through the next thirteen /six consecutive days for the draw time(s) selected.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for only the selected draw time(s). The number of consecutive drawings selected will include the next available drawing for the draw time(s) selected and will apply to the panel(s) played. For paper play slips, advance play will not be applied to selections when the \$5 or \$10 Quick Picks box is marked

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven-day period;

b. Any two non-consecutive days for the draw time(s) selected in a seven-day period;

c. Any two or more consecutive days for the draw time(s) selected in a seven-day period, not including the next available drawing.

d. Up to fourteen consecutive days for the draw time(s) selected, including the next available drawing.

3. If a planned change in the PICK 3 game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Florida Lottery's website.

(g) Vending Machine. If a vending machine is available at a retailer location, the vending machine may be used by a player to make Quick Pick selections; manual selections, if the vending machine provides that option; and process both paper and digital PICK 3 play slips. Neither a retailer nor a player can process the cancellation of a PICK 3 ticket through a vending machine. At the request of a player, the retailer shall make a good faith effort to cancel PICK 3 tickets that are purchased through a vending machine by using the retailer's lottery terminal in accordance with the cancellation provisions in paragraph (5)(e).

(h) Telling the Retailer. Retailers also are authorized to manually enter numbers selected by a player. Players electing to make their PICK 3 ticket selections by telling the retailer must specify the play type, play amount, draw time, number of drawings and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one or more of the numbers). Additionally, if a player desires to add FIREBALL, he or she must tell the retailer to add that option.

(i) Play it Again.

1. A player may request to "Play it Again" to replay a previously purchased PICK 3 ticket. If requested, a retailer shall process the original ticket provided by the player and print a new ticket which will have the same selected numbers, play

amount, number of panels, and number of drawings as the original ticket. The new ticket produced will be for the next available draw irrespective of the draw time shown on the original ticket.

2. An original ticket with advance play will be rejected and cannot be replayed if the number of drawings on the ticket exceeds the number of advance play drawings that are available at the time of requested ticket replay due to implementation of an advance play countdown for the PICK 3 game. Tickets older than sixty days cannot be replayed. Tickets purchased using the Play it Again feature have the same cancellation provisions as the original ticket.

(2) Determination of PICK 3 Base Game Prizes.

PICK 3 can be played and won as follows:

(a) "Straight" play. In a straight play, if a player's digits as printed on the player's ticket match, in exact order, the official PICK 3 winning numbers for the drawing, the player wins \$250.00 for a 50-cent play or \$500 for a \$1.00 play.

(b) "Box" play. A box play allows a player to win if the player's digits match, in any order, the official PICK 3 winning numbers for the drawing.

1. A "3-way box" is a play in which the player has selected a number with two identical digits and one different digit (example 112) and covers the three possible combinations of the three digits. A 3-way box pays a winner \$80.00 for a 50-cent play or \$160.00 for a \$1.00 play.

2. A "6-way box" is a play in which the player has selected a number in which all three digits are different (example 123) and covers the six possible combinations of the three digits. A 6-way box pays a winner \$40.00 for a 50-cent play or \$80.00 for a \$1.00 play.

(c) "Straight and Box" play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play.

1. A "Straight and 3-way box" play pays a winner \$330.00 if a player's digits as printed on the player's ticket, match, in exact order, the official PICK 3 winning numbers for the drawing, or \$80.00 if the player's digits match, in any other order, the official PICK 3 winning numbers for the drawing.

2. A "Straight and 6-way box" play pays a winner \$290.00 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 3 winning numbers for the drawing, or \$40.00 if the player's digits match, in any other order, the official PICK 3 winning numbers for the drawing.

(d) "Combo" play. A combo is a play covering all straight combinations of a 3-digit number and will cost \$1.50 to \$6.00 depending upon the amount played (50 cents or \$1.00) and the number of like digits in the 3-digit number selected.

1. A "3-way combo" is a play in which the player has selected a number with two identical digits and one different digit. The combo involves three straight play combinations; for

example, a (122) 3-way combo covers the combinations 122, 212, and 221. A "3-way combo" pays \$250 for a \$1.50 play (50 cents per combination) or \$500 for a \$3.00 play (\$1.00 per combination).

2. A "6-way combo" is a play in which the player has selected a number in which all three digits are different. The combo involves six straight play combinations; for example, a (123) 6-way combo covers the combinations 123, 132, 213, 231, 312, and 321. A "6-way combo" pays \$250 for a \$3.00 play (50 cents per combination) or \$500 for a \$6.00 play (\$1.00 per combination).

(e) "Front Pair" play. A front pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the player's ticket match, in exact order, the first two numbers of the official PICK 3 winning numbers for the drawing.

(f) "Back Pair" play. A back pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the player's ticket match, in exact order, the last two numbers of the official PICK 3 winning numbers for the drawing.

(3) PICK 3 Base Game Odds of Winning.

The odds of winning in PICK 3 are as follows:

(a) Straight \_\_\_\_\_ 1 in 1000

(b) Box 3-Way 1 in 333.33

(c) Box 6-Way 1 in 166.67

(d) Straight and Box 3-Way 1 in 1000 and 1 in 333.33

(e) Straight and Box 6-Way 1 in 1000 and 1 in 166.67

(f) Combo 3-Way 1 in 333.33

(g) Combo 6-Way 1 in 166.67

(h) Front Pair 1 in 100

(i) Back Pair 1 in 100

(4) FIREBALL.

(a) FIREBALL is an add-on play option available in association with the PICK 3 game. The FIREBALL option cannot be played independently of PICK 3 base game play. Selecting FIREBALL will double the cost of all panels played. FIREBALL is available with both 50-cent and \$1.00 play amounts.

(b) Players can use the FIREBALL number to replace any of the three official PICK 3 winning numbers for that drawing to create three new FIREBALL winning combinations. Created FIREBALL winning combinations may be duplicative of the base play winning combinations as well as duplicative of each other. If the player's numbers on his or her ticket match any of the created FIREBALL winning combinations for that drawing, the player shall be entitled to one or more FIREBALL prizes based on the numbers played, play type and play amount purchased. For front pair play and back pair play, there will also be three new possible winning combinations created as the FIREBALL number will be a substitute for each number of the

pair and for the “X” number. Examples of FIREBALL wins follow:

Example A	Example B
Play Type: Straight	Play Type: Front Pair
Play Amount: \$1.00	Play Amount: \$1.00
Player’s Numbers: 2-5-3	Player’s Numbers: 2-5-X
Drawing Results: 1-5-3	Drawing Results: 1-5-4
FIREBALL Number: 2	FIREBALL Number: 2
FIREBALL Winning	FIREBALL Winning
Combinations: 2-5-3; 1-2-3; 1-5-2	Combinations: 2-5-4; 1-2-4; 1-5-2
Player wins: one (1)	Player wins: one (1)
FIREBALL prize of \$200	FIREBALL prizes of \$20

(c) The FIREBALL prizes and odds of winning are set forth in the table below.

PICK 3 with FIREBALL Prize Structure				
Play Type	FIREBALL Prize 50-cent Play	FIREBALL Prize \$1.00 Play	FIREBALL Odds of Winning 1:	Maximum Number of FIREBALL Wins
Straight	\$100	\$200	333	3
3-Way	\$34	\$68	111	3
6-Way	\$17	\$34	56	2
3-Way Straight/Box		\$134 & \$34	333 & 111	4
6-Way Straight/Box		\$117 & 17	333 & 56	3
Front Pair	\$10	\$20	33	3
Back Pair	\$10	\$20	33	3
3-Way Combo	\$100	\$200	111	3
6-Way Combo	\$100	\$200	56	2

(d) Players can win a FIREBALL prize with or without winning a base game prize.

(e) For all play types, if a player wins the base game prize and the FIREBALL number is the same as one or more of the PICK 3 winning numbers, the player shall be entitled to one or more FIREBALL prizes (based on the play type, numbers played, winning numbers and play amount) in addition to the PICK 3 base game prize for the play amount purchased. The table above sets forth the maximum number of FIREBALL wins by play type. Examples of winning in both the base game and with FIREBALL follow:

Example A	Example B
Play Type: Straight	Play Type: Back Pair

Play Amount: \$1.00	Play Amount: \$1.00
Player’s Numbers: 1-4-5	Player’s Numbers: X-1-2
Drawing Results 1-4-5	Drawing Results 2-1-2
FIREBALL Number: 5	FIREBALL Number: 2
FIREBALL Winning	FIREBALL Winning
Combinations: 5-4-5; 1-5-5; 1-4-5	Combinations: 2-1-2; 2-2-2; 2-1-2
Player wins: base prize of \$500 + one (1) FIREBALL prize of \$200 = \$700.	Player wins: base prize of \$50 + two (2) FIREBALL prizes of \$20 each = \$90.

(5) On occasion, increases in the prize amounts set forth in subsection (2) will be offered for promotional purposes. In such event, the increased prize amounts will be available at [floralottery.com](http://floralottery.com), Lottery district offices and retailer locations.

(6) A liability limit of \$10 million is established for PICK 3. When the play of a three-digit number for a drawing reaches the Florida Lottery’s PICK 3 liability limit of \$10 million, no further ticket sales for any type of play that would involve that three-digit number will be allowed for that drawing. In addition, no Front Pair or Back Pair play that involves the first two or last two digits, respectively, of the three-digit number will be allowed for that drawing.

(7) PICK 3 Base Game Drawings.

(a) PICK 3 base game drawings are conducted twice daily by the Florida Lottery.

(b) The equipment for the PICK 3 base game drawing shall be configured so that one ball is drawn from each of three units of balls numbered zero (0) through nine (9).

(c) Three balls will be selected in the drawing, one each into three separate display devices. The numbers shown on the three balls, after certification by the Draw Manager and the Accountant, shall be the official PICK 3 winning numbers for the drawing.

(d) FIREBALL Drawings.

1. FIREBALL drawings are conducted twice daily by the Florida Lottery.

2. After all four PICK Daily Games™ (PICK 2™, PICK 3™, PICK 4™ and PICK5™) drawings have been conducted for the draw time (either mid-day or evening) and date, the FIREBALL drawing will be conducted to select the FIREBALL number. The FIREBALL number drawn shall apply to all four PICK Daily Games.

3. The equipment for the FIREBALL drawing shall be configured so that one ball is drawn from one unit of balls numbered zero (0) through nine (9).

4. In the drawing, one ball will be drawn from the single unit of balls into a single display device. The number shown on the ball after certification by the Draw Manager and the Accountant shall be the official winning FIREBALL number for that drawing.

(e) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(8) PICK 3 Rules and Prohibitions.

(a) By purchasing a PICK 3 ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) PICK 3 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and gaming system availability, PICK 3 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily PICK 3 drawing is approximately 1:30 p.m. (ET) for the midday draw and approximately 9:45 p.m. (ET) for the evening draw. Ticket sales for a specific PICK 3 drawing will close approximately eleven minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available PICK 3 draw date and draw time, unless the player specifies another PICK 3 draw date and draw time within the selection parameters.

(e) Retailer cancellations of PICK 3 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no PICK 3 ticket can be canceled after game close for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation; the cut off time for daily sales (12:00 midnight (ET)); the hours of gaming system availability; or the time of the related PICK 3 close of game for the related drawing. Ticket cancellations cannot be processed through a vending machine. If a player desires to cancel a ticket purchased through a vending machine, the player must present the ticket to the retailer location where the ticket was purchased for processing within the timeframe described above.

(f) It is the player's responsibility to make sure his or her ticket(s) are printed exactly as requested before leaving the retailer, including verifying the number of ticket(s) printed, and to determine the accuracy of the selected panels of numbers, draw date(s) and time(s), play amount and play type on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket.

(9) This emergency rule replaces Emergency Rule 53ER22-37.

(10) The effective date of this emergency rule is December 18, 2024.

Rulemaking Authority 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS; Law Implemented 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124 FS. History—New 12-18-2024, Replaces 53ER22-37.

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

EFFECTIVE DATE: 12/18/2024

**DEPARTMENT OF THE LOTTERY**

RULE NO.:       RULE TITLE:  
53ER24-57       PICK 4TM

SUMMARY: This emergency rule describes the PICK 4TM game. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning; value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399 4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

**53ER24-57 PICK 4™.**

(1) How to Play PICK 4™.

(a) PICK 4 is a Draw lottery game (also known as an online terminal game) in which a player selects any four-digit number from 0000 through 9999 inclusive. The digits may be the same, different or combination thereof; for example, 1111, 1213, and 1234 are all valid selections. A player selects only two digits in a Front Pair, Mid Pair or Back Pair play as further described in paragraphs (2)(e), (f), and (g), below.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing.

(c) For purposes of this rule, a "play slip" is defined as an original paper play slip issued and approved by the Florida Lottery for the PICK4 game, or a digital play slip for the PICK 4 game generated using the Florida Lottery Mobile Convenience App ("App"). Except where necessary herein to differentiate between a paper play slip and a digital play slip, the term "play slip" shall be inclusive of both types of play slips.

(d) Players may make their PICK 4 ticket selections by: using a play slip; using a Florida Lottery vending machine ("vending machine"), if a vending machine for Draw game ticket purchases is available at the retailer location; telling the retailer their desired selections; or by requesting to use the Play it Again feature.

(e) Play Slip.

1. Paper Play Slips. There are five panels on a paper PICK 4 play slip. Players electing to use a paper play slip to make their PICK 4 ticket selections must mark one number in each column or mark the Quick Pick (QP) box located at the bottom of each panel for the terminal to randomly select one or more of the numbers for each panel played. The player may also mark the play type, draw time and play amount; however, if the play type, play amount, or draw time is not marked by the player, the terminal will default to a \$1.00 straight play for the next available draw. A “Void” box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players may choose the FIREBALL add-on feature by marking the “FIREBALL” box to create more combinations. Adding FIREBALL will apply to and double the cost of all panels played. Players may mark the \$5 “Quick Picks” box to receive five \$1.00 tickets, each with one set of four randomly selected numbers (straight play) for the next PICK 4 drawing; or may mark the \$10 “Quick Picks” box to receive ten \$1.00 tickets, each with one set of four randomly selected numbers (straight play) for the next available PICK 4 drawing. Players may mark Quick Picks in addition to panel plays. Advance play may also be added to play future drawings as further provided in paragraph (1)(f), below. Paper play slips must be Florida Lottery approved and players must use only blue or black ink or pencil for making selections. Paper play slips may be processed through a Florida Lottery vending machine or processed by a Florida Lottery retailer to obtain a ticket. A player who selects the combo play type and who elects to use the quick pick feature will not be able to select the total cost of the ticket. The total cost will be determined by whether the quick pick numbers selected by the terminal comprise a 4-way combo, 6-way combo, 12-way combo, or 24-way combo play type as described in paragraph (2)(d), below. A player who selects the box play type or the straight/box play type and who elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the terminal comprise a 4-way box, 6-way box, 12-way box, or 24-way box combination as described in paragraph (2)(b), below.

2. Digital Play Slip. How to Create a Digital Play Slip. From the Landing Page on the App, a player should select the PICK 4 game icon and then click on “Pick Numbers.” The player may either select his or her numbers from a field of numbers described in paragraph (1)(a) or use the “Random Numbers” or “Shake to Play” feature for the App to provide the player random numbers. Up to five panels can be created on one digital PICK 4 play slip. A player must also select the play type, play amount and drawing time, which will apply to all panels played, and, if more than the default of one drawing is desired, select the number of drawings. The parameters for advance play are set forth in paragraph (1)(f), below. If a player desires to add

FIREBALL as described in subparagraph (1)(e)1., he or she should click the FIREBALL button so that “yes” is selected. Adding FIREBALL will apply the feature to all panels played. Players may also use the “My Favorites” feature to save the digital play slip for later use. Once a digital play slip is created and the player clicks “Create Playslip,” a barcode will be displayed. The player may present the barcode appearing on his or her mobile device to the retailer to purchase a ticket through the retailer terminal or may use the barcode to purchase a ticket through a vending machine that provides for Draw game purchases. Illustrative instructions for creating a PICK 4 digital play slip are available by clicking on the “How to Play” button on the main PICK 4 page.

(f) Advance Play. Players may play future consecutive midday, evening, or both drawings within a fourteen-day period or non-consecutive drawings within a seven-day period by using the “advance play” feature. To use the advance play feature, players may either select the number of drawings and draw time(s) on the play slip or tell the retailer the advance play selections and draw time(s) they desire. For purposes of this paragraph (1)(f), both a fourteen-day and a seven-day period begin on the date of the next available PICK 4 drawing for the draw time(s) selected and continue through the next thirteen/six consecutive days for the draw time(s) selected.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for only the selected draw time(s). The number of consecutive drawings selected will include the next available drawing for the draw time(s) selected and will apply to the panel(s) played. For paper play slips, advance play will not apply to selections when the \$5 or \$10 Quick Picks box is marked.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven-day period;

b. Any two non-consecutive days for the draw time(s) selected in a seven-day period;

c. Any two or more consecutive days for the draw time(s) selected in a seven-day period, not including the next available drawing.

d. Up to fourteen consecutive days for the draw times selected, including the next available drawing.

3. If a planned change in the PICK 4 game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Florida Lottery's website at [floralottery.com](http://floralottery.com).

(g) Vending Machine. If a vending machine is available at a retailer location, the vending machine may be used by a player to make Quick Pick selections; manual selections, if the vending machine provides that option; and process both paper and digital PICK 4 play slips. Neither a retailer nor a player can process the cancellation of a PICK 4 ticket through a vending machine. At the request of a player, the retailer shall make a good faith effort to cancel PICK 4 tickets that are purchased through a vending machine by using the retailer's lottery terminal in accordance with the cancellation provisions in paragraph (5)(e).

(h) Telling the Retailer. Retailers also are authorized to manually enter numbers selected by a player. Players electing to make their PICK 4 ticket selections by telling the retailer must specify the play type, play amount, draw time(s), number of drawings and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one or more of the numbers). Additionally, if a player desires to add FIREBALL, he or she must tell the retailer to add that option.

(i) Play it Again.

1. A player may request to "Play it Again" to replay a previously purchased PICK 4 ticket. If requested, a retailer shall process the original ticket provided by the player and print a new ticket which will have the same selected numbers, play amount, number of panels, and number of drawings as the original ticket. The new ticket produced will be for the next available draw irrespective of the draw time shown on the original ticket.

2. An original ticket with advance play will be rejected and cannot be replayed if the number of drawings on the ticket exceeds the number of advance play drawings that are available at the time of requested ticket replay due to implementation of an advance play countdown for the PICK 4 game. Tickets older than sixty days cannot be replayed. Tickets purchased using the Play it Again feature have the same cancellation provisions as the original ticket.

(2) Determination of PICK 4 Base Game Prizes.

PICK 4 can be played and won as follows:

(a) "Straight" play. In a straight play, if a player's digits as printed on the player's ticket match, in exact order, the official PICK 4 winning numbers for the drawing, the player wins \$2,500 for a 50-cent play or \$5,000 for a \$1.00 play.

(b) "Box" play. A box play allows a player to win if the player's digits match, in any order, the official PICK 4 winning numbers for the drawing.

1. A "4-way box" is a play in which the player has selected a number with three identical digits and one different digit (example 1112) and covers the four possible combinations of the four digits. A 4-way box pays a winner \$599 for a 50-cent play or \$1,198 for a \$1.00 play.

2. A "6-way box" is a play in which the player has selected a number with two different pairs of identical digits (example 1122) and covers the six possible combinations of the four digits. A 6-way box pays a winner \$400 for a 50-cent play or \$800 for a \$1.00 play.

3. A "12-way box" is a play in which the player has selected a number with two identical digits and two different digits (example 1123) and covers the twelve possible combinations of the four digits. A 12-way box pays a winner \$200 for a 50-cent play or \$400 for a \$1.00 play.

4. A "24-way box" is a play in which the player has selected a number with four different digits (example 1234) and covers the twenty-four possible combinations of the four digits. A 24-way box pays a winner \$100 for a 50-cent play or \$200 for a \$1.00 play.

(c) "Straight and Box" play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play.

1. A "Straight and 4-way box" play pays a winner \$3,099 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 4 winning numbers for the drawing, or \$599 if the player's digits match, in any other order, the official PICK 4 winning numbers for the drawing.

2. A "Straight and 6-way box" play pays a winner \$2,900 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 4 winning numbers for the drawing, or \$400 if the player's digits match, in any other order, the official PICK 4 winning numbers for the drawing.

3. A "Straight and 12-way box" play pays a winner \$2,700 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 4 winning numbers for the drawing, or \$200 if the player's digits match, in any other order, the official PICK 4 winning numbers for the drawing.

4. A "Straight and 24-way box" play pays a winner \$2,600 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 4 winning numbers for the drawing, or \$100 if the player's digits match, in any other order, the official PICK 4 winning numbers for the drawing.

(d) "Combo" play. A combo is a play covering all straight combinations of a four-digit number and will cost \$2.00 to \$24.00 depending upon the amount played (50 cents or \$1.00) and the number of like digits in the four-digit number selected.

1. A “4-way combo” is a play in which the player has selected a number with three identical digits. The 4-way combo is comprised of four straight play combinations; for example, a (1112) 4-way combo covers the combinations 1112, 1121, 1211, and 2111 and pays a winner \$2,500 for a \$2.00 play or \$5,000 for a \$4.00 play.

2. A “6-way combo” is a play in which the player has selected a number with two different pairs of digits. The 6-way combo is comprised of six straight play combinations; for example, a (1122) 6-way combo covers the combinations 1122, 1212, 1221, 2112, 2121, and 2211, and pays a winner \$2,500 for a \$3.00 play or \$5,000 for a \$6.00 play.

3. A “12-way combo” is a play in which the player has selected a number with two identical digits and two different digits. The 12-way combo is comprised of twelve straight play combinations; for example, a (1123) 12-way combo covers combinations 1123, 1132, 1213, 1231, 1312, 1321, 2113, 2131, 2311, 3112, 3121, and 3211, and pays a winner \$2,500 for a \$6.00 play or \$5,000 for a \$12.00 play.

4. A “24-way combo” is a play in which the player has selected a number with four unique digits. The 24-way combo is comprised of twenty-four straight play combinations; for example, a (1234) 24-way combo covers the combinations 1234, 1243, 1324, 1342, 1423, 1432, 2134, 2143, 2314, 2341, 2413, 2431, 3124, 3142, 3214, 3241, 3412, 3421, 4123, 4132, 4213, 4231, 4312, and 4321, and pays a winner \$2,500 for a \$12.00 play or \$5,000 for a \$24.00 play.

(e) “Front Pair” play. A front pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the player’s ticket match, in exact order, the first two numbers of the official PICK 4 winning numbers for the drawing.

(f) “Mid Pair” play. A mid pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the player’s ticket match, in exact order, the middle two numbers of the official PICK 4 winning numbers for the drawing.

(g) “Back Pair” play. A back pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the player’s ticket match, in exact order, the last two numbers of the official PICK 4 winning numbers for the drawing.

(3) PICK 4 Base Game Odds of Winning.

The odds of winning in PICK 4 are as follows:

- (a) Straight 1 in 10,000
- (b) Box 4-Way 1 in 2,500
- (c) Box 6-Way 1 in 1,666.67
- (d) Box 12-Way 1 in 833.33
- (e) Box 24-Way 1 in 416.67
- (f) Straight/Box 4-Way 1 in 10,000 and 1 in 2,500
- (g) Straight/Box 6-Way 1 in 10,000 and 1 in 1,666.67

(h) Straight/Box 12-Way 1 in 10,000 and 1 in 833.33

(i) Straight/Box 24-Way 1 in 10,000 and 1 in 416.67

(j) Combo 4-Way 1 in 2,500

(k) Combo 6-Way 1 in 1,666.67

(l) Combo 12-Way 1 in 833.33

(m) Combo 24-Way 1 in 416.67

(n) Front Pair 1 in 100

(o) Middle Pair 1 in 100

(p) Back Pair 1 in 100

(4) FIREBALL.

(a) FIREBALL is an add-on play option available in association with the PICK 4 game. The FIREBALL option cannot be played independently of PICK 4 base game play. Selecting FIREBALL will double the cost of all panels played. FIREBALL is available with both 50-cent and \$1.00 play amounts.

(b) Players can use the FIREBALL number to replace any of the four official PICK 4 winning numbers for that drawing to create four new FIREBALL winning combinations. Created FIREBALL winning combinations may be duplicative of the base play winning combinations as well as duplicative of each other. If the player’s numbers on his or her ticket match any of the created FIREBALL winning combinations for that drawing, the player shall be entitled to one or more FIREBALL prizes based on the numbers played, play type and play amount purchased. For front pair play, middle pair play and back pair play, there will also be four new possible winning combinations created as the FIREBALL number will be a substitute for each number of the pair and for each of the “X” numbers. Examples of FIREBALL wins:

Example A	Example B
Play Type: Straight	Play Type: Front Pair
Play Amount: \$1.00	Play Amount: \$1.00
Player’s Numbers: 1-5-3-2	Player’s Numbers: 2-5-X-X
Drawing Results: 1-5-3-4	Drawing Results: 1-5-3-6
FIREBALL Number: 2	FIREBALL Number: 2
FIREBALL Winning Combinations:	FIREBALL Winning Combinations:
2-5-3-4; 1-2-3-4; 1-5-2-4; 1-5-3-2	2-5-3-6; 1-2-3-6, 1-5-2-6, 1-5-3-2
Player wins: one (1)	Player wins: one (1)
FIREBALL prize of \$1,500	FIREBALL prizes of \$15

(c) The FIREBALL prizes and odds of winning are set forth in the table below.

PICK 4 with FIREBALL Prize Structure				
Play Type	FIREBALL Prize 50-cent Play	FIREBALL Prize \$1.00 Play	FIREBALL Odds of Winning 1:	Maximum Number of FIREBALL Wins



<u>Straight</u>	<u>\$750</u>	<u>\$1,500</u>	<u>2,500</u>	<u>4</u>
<u>4-Way</u>	<u>\$190</u>	<u>\$380</u>	<u>625</u>	<u>4</u>
<u>6-Way</u>	<u>\$126</u>	<u>\$252</u>	<u>416.67</u>	<u>3</u>
<u>12-Way</u>	<u>\$63</u>	<u>\$126</u>	<u>208</u>	<u>3</u>
<u>24-Way</u>	<u>\$31</u>	<u>\$62</u>	<u>104</u>	<u>2</u>
<u>4-Way Straight/Box</u>		<u>\$940 &amp; \$190</u>	<u>2,500 &amp; 625</u>	<u>6</u>
<u>6-Way Straight/Box</u>		<u>\$876 &amp; \$126</u>	<u>2,500 &amp;417</u>	<u>4</u>
<u>12-Way Straight/Box</u>		<u>\$813 &amp; \$63</u>	<u>2,500 &amp; 208</u>	<u>4</u>
<u>24-Way Straight/Box</u>		<u>\$781 &amp; \$31</u>	<u>\$2,500 &amp; 104</u>	<u>3</u>
<u>Front Pair</u>	<u>\$7.50</u>	<u>\$15</u>	<u>25</u>	<u>4</u>
<u>Mid Pair</u>	<u>\$7.50</u>	<u>\$15</u>	<u>25</u>	<u>4</u>
<u>Back Pair</u>	<u>\$7.50</u>	<u>\$15</u>	<u>25</u>	<u>4</u>
<u>4-Way Combo</u>	<u>\$750</u>	<u>\$1,500</u>	<u>625</u>	<u>4</u>
<u>6-Way Combo</u>	<u>\$750</u>	<u>\$1,500</u>	<u>416.67</u>	<u>3</u>
<u>12-Way Combo</u>	<u>\$750</u>	<u>\$1,500</u>	<u>208</u>	<u>3</u>
<u>24-Way Combo</u>	<u>\$750</u>	<u>\$1,500</u>	<u>104</u>	<u>2</u>

(d) Players can win a FIREBALL prize with or without winning a base game prize.

(e) For all play types, if a player wins the base game prize and the FIREBALL number is the same as one or more of the PICK 4 winning numbers, the player shall be entitled to one or more FIREBALL prizes (based on the play type, numbers played, winning numbers and play amount) in addition to the PICK 4 base game prize for the play amount purchased. The table above sets forth the maximum number of FIREBALL wins by play type. Examples of winning in both the base game and with FIREBALL:

<p><u>Example A</u>  <u>Play Type: Straight</u>  <u>Play Amount: \$1.00</u>  <u>Player's Numbers: 1-2-3-4</u>  <u>Drawing Results 1-2-3-4</u>  <u>FIREBALL Number: 3</u>  <u>FIREBALL Winning Combinations:</u>  <u>3-2-3-4; 1-3-3-4; 1-2-3-4; 1-2-3-3</u>  <u>Player wins: base prize of</u></p>	<p><u>Example B</u>  <u>Play Type: Front Pair</u>  <u>Play Amount: \$1.00</u>  <u>Player's Numbers: 1-1-X-X</u>  <u>Drawing Results 1-1-3-5</u>  <u>FIREBALL Number: 1</u>  <u>FIREBALL Winning Combinations:</u>  <u>1-1-3-5; 1-1-3-5; 1-1-1-5; 1-1-3-1</u>  <u>Player wins: base prize of</u></p>
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<u>\$5,000 + one (1) FIREBALL prize of \$1,500 = \$6,500</u>	<u>\$50 + four (4) FIREBALL prizes of \$15 each = \$ 110</u>
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(5) On occasion, increases in the prize amounts set forth in subsection (2) will be offered for promotional purposes. In such event, the increased prize amounts will be available at [floralottery.com](http://floralottery.com), Lottery district offices and retailer locations.

(6) A liability limit of \$9 million is established for PICK 4. When the play of a four-digit number for a drawing reaches the Florida Lottery's PICK 4 liability limit of \$9 million, no further ticket sales for any type of play that would involve that four-digit number will be allowed for that drawing.

(7) PICK 4 Base Game Drawings.

(a) PICK 4 base game drawings are conducted twice daily by the Florida Lottery.

(b) The equipment for the PICK 4 base game drawing shall be configured so that one ball is drawn from each of four units of balls numbered zero (0) through nine (9).

(c) Four balls will be selected in the drawing, one each into four separate display devices. The numbers shown on the four balls, after certification by the Draw Manager and the Accountant, shall be the official PICK 4 winning numbers for the drawing.

(d) FIREBALL Drawing.

1. FIREBALL drawings are conducted twice daily by the Florida Lottery.

2. After all four PICK Daily Games™ (PICK 2™, PICK 3™, PICK 4™ and PICK5™) drawings have been conducted for the draw time (either mid-day or evening) and date, the FIREBALL drawing will be conducted to select the FIREBALL number. The FIREBALL number drawn shall apply to all four PICK Daily Games.

3. The equipment for the FIREBALL drawing shall be configured so that one ball is drawn from one unit of balls numbered zero (0) through nine (9).

4. In the drawing, one ball will be drawn from the single unit of balls into a single display device. The number shown on the ball after certification by the Draw Manager and the Accountant shall be the official winning FIREBALL number for that drawing.

(e) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(8) PICK 4 Rules and Prohibitions.

(a) By purchasing a PICK 4 ticket a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) PICK 4 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and gaming system availability, PICK 4 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily PICK 4 drawing is approximately 1:30 p.m. (ET) for the midday draw and approximately 9:45 p.m. (ET) for the evening draw. Ticket sales for a specific PICK 4 drawing will close approximately ten minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available PICK 4 draw date and time unless the player specifies another PICK 4 draw date and time within the selection parameters.

(e) Retailer cancellations of PICK 4 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no PICK 4 ticket shall be canceled after close of game for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation; the cut off time for daily sales (12:00 midnight (ET)); the hours of gaming system availability; or the time of the related PICK 4 close of game for the related drawing.

(f) It is the player's responsibility to make sure his or her ticket(s) are printed exactly as requested before leaving the retailer, including verifying the number of ticket(s) printed, and to determine the accuracy of the selected panels of numbers, draw date(s), draw times, play amount and play type on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket.

(9) This emergency rule replaces Emergency Rule 53ER22-38.

(10) The effective date of this emergency rule is December 18, 2024.

Rulemaking Authority 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS; Law Implemented 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124 FS. History—New 12-18-2024, Replaces 53ER22-38.

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

EFFECTIVE DATE: 12/18/2024

## DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:  
53ER24-58 PICK 5TM

SUMMARY: This emergency rule describes the PICK 5TM game. The rule sets forth the specifics of the game;

determination of prizewinners; estimated odds of winning; value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Minerva Simpson, Attorney, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399 4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

### 53ER24-58 PICK 5™.

#### (1) How to Play PICK 5™.

(a) PICK 5 is a Draw lottery game (also known as an online terminal game) in which a player selects any five-digit number from 00000 through 99999 inclusive. The digits may be the same, different or combination thereof; for example, 11111, 12123, and 12345 are all valid selections.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing.

(c) For purposes of this rule, a "play slip" is defined as an original paper play slip issued and approved by the Florida Lottery for the PICK 5 game, or a digital play slip for the PICK 5 game generated using the Florida Lottery Mobile Convenience App ("App"). Except where necessary herein to differentiate between a paper play slip and a digital play slip, the term "play slip" shall be inclusive of both types of play slips.

(d) Players may make their PICK 5 ticket selections by: using a play slip; using a Florida Lottery vending machine ("vending machine") if a vending machine for Draw game ticket purchases is available at the retailer location; telling the retailer their desired selections; or by requesting to use the Play it Again feature.

#### (e) Play Slip.

1. Paper Play Slips. There are five panels on a paper PICK 5 play slip. Players electing to use a paper play slip to make their PICK 5 ticket selections must mark one number in each column or mark the Quick Pick (QP) box located at the bottom of each panel for the terminal to randomly select one or more of the numbers for each panel played. The player may also mark the play type, draw time and play amount; however, if the play type, play amount, or draw time is not marked by the player, the terminal will default to a \$1.00 straight play for the next available draw. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players may choose the FIREBALL add-on feature by marking the "FIREBALL" box to create more combinations. Adding FIREBALL will apply to and double the cost of all panels played. Players may mark the \$5 "Quick Picks" box to receive five \$1.00 tickets, each with one set of five randomly selected numbers (straight play) for the next PICK 5 drawing; or may mark the \$10 "Quick Picks" box to receive ten \$1.00 tickets, each with one set of five randomly

selected numbers (straight play) for the next available PICK 5 drawing. Players may mark Quick Picks in addition to panel plays. Advance play may also be added to play future drawings as further provided in paragraph (1)(f), below. Paper play slips must be Florida Lottery approved and players must use only blue or black ink or pencil for making selections. Paper play slips may be processed through a Florida Lottery vending machine or processed by a Florida Lottery retailer to obtain a ticket. A player who selects the box play type or the straight/box play type and who elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the terminal comprise a 5-way box, 10-way box, 20-way box, or 30-way, 60-way or 120-way box combination as described in paragraph (2)(b), below.

2. Digital Play Slip. How to Create a Digital Play Slip. From the Landing Page on the App, a player should select the PICK 5 game icon and then click on "Pick Numbers." The player may either select his or her numbers from a field of numbers described in paragraph (1)(a) or use the "Random Numbers" or "Shake to Play" feature for the App to provide the player random numbers. Up to five panels can be created on one digital PICK 5 play slip. A player must also select the play type, play amount and drawing time, which will apply to all panels played, and, if more than the default of one drawing is desired, select the number of drawings. The parameters for advance play are set forth in paragraph (1)(f), below. If a player desires to add FIREBALL as described in subparagraph (1)(e)1. above, he or she should click the FIREBALL button so that "yes" is selected. Adding FIREBALL will apply the feature to all panels played. Players may also use the "My Favorites" feature to save the digital play slip for later use. Once a digital play slip is created and the player clicks "Create Playslip," a barcode will be displayed. The player may present the barcode appearing on his or her mobile device to the retailer to purchase a ticket through the retailer terminal or may use the barcode to purchase a ticket through a vending machine that provides for Draw game purchases. Illustrative instructions for creating a PICK 5 digital play slip are available by clicking on the "How to Play" button on the main PICK 5 page.

(f) Advance Play. Players may play future (consecutive midday, evening, or both drawings within a fourteen-day period or non-consecutive drawings within a seven-day period by using the "advance play" feature. To use the advance play feature, players may either select the number of drawings and draw time(s) on the play slip or tell the retailer the advance play selections and draw time(s) they desire. For purposes of this paragraph (1)(f), both a fourteen-day and a seven-day period begin on the date of the next available PICK 5 drawing for the draw time(s) selected and continue through the next thirteen /six consecutive days for the draw time selected.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for only the selected draw time(s). The number of consecutive drawings selected will include the next available drawing for the draw time(s) selected and will apply to the panel(s)played. For paper play slips, advance play will not be applied to selections when the \$5 or \$10 Quick Picks box is marked.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven-day period;

b. Any two non-consecutive days for the draw time(s) selected in a seven-day period;

c. Any two or more consecutive days for the draw time(s) selected in a seven-day period, not including the next available drawing.

d. Up to fourteen consecutive days for the draw times selected, including the next available drawing.

3. If a planned change in the PICK 5 game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Florida Lottery's website at [floralottery.com](http://floralottery.com).

(g) Vending Machine. If a vending machine is available at a retailer location, the vending machine may be used by a player to make Quick Pick selections; manual selections, if the vending machine provides that option; and process both paper and digital PICK 5 play slips. Neither a retailer nor a player can process the cancellation of a PICK 5 ticket through a vending machine. At the request of a player, the retailer shall make a good faith effort to cancel PICK 5 tickets that are purchased through a vending machine by using the retailer's lottery terminal in accordance with the cancellation provisions in paragraph (5)(e).

(h) Telling the Retailer. Retailers also are authorized to manually enter numbers selected by a player. Players electing to make their PICK 5 ticket selections by telling the retailer must specify the play type, play amount, draw time(s), number of drawings and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one or more of the numbers). Additionally,

if a player desires to add FIREBALL, he or she must tell the retailer to add that option.

(i) Play it Again.

1. A player may request to "Play it Again" to replay a previously purchased PICK 5 ticket. If requested, a retailer shall process the original ticket provided by the player and print a new ticket which will have the same selected numbers, play amount, number of panels, and number of drawings as the original ticket. The new ticket produced will be for the next available draw irrespective of the draw time shown on the original ticket.

2. An original ticket with advance play will be rejected and cannot be replayed if the number of drawings on the ticket exceeds the number of advance play drawings that are available at the time of requested ticket replay due to implementation of an advance play countdown for the PICK 5 game. Tickets older than sixty days cannot be replayed. PICK 5 tickets purchased using the Play it Again feature have the same cancellation provisions as the original ticket.

(2) Determination of PICK 5 Base Game Prizes.

PICK 5 can be played and won as follows:

(a) "Straight" play. In a straight play, if a player's digits as printed on the player's ticket match, in exact order, the official PICK 5 winning numbers for the drawing, the player wins \$25,000 for a 50-cent play or \$50,000 for a \$1.00 play.

(b) "Box" play. A box play allows a player to win if the player's digits match, in any order, the official PICK 5 winning numbers for the drawing.

1. A "5-way box" is a play in which the player has selected a number with four identical digits and one different digit (example 11112) and covers the five possible combinations of the five digits. A 5-way box pays a winner \$5,000 for a 50-cent play or \$10,000 for a \$1.00 play.

2. A "10-way box" is a play in which the player has selected a number with three identical digits and two identical different digits (example 11122) and covers the ten possible combinations of the five digits. A 10-way box pays a winner \$2,500 for a 50-cent play or \$5,000 for a \$1.00 play.

3. A "20-way box" is a play in which the player has selected a number with three identical digits and two different digits (example 11123) and covers the twenty possible combinations of the five digits. A 20-way box pays a winner \$1,250 for a 50-cent play or \$2,500 for a \$1.00 play.

4. A "30-way box" is a play in which the player has selected a number with two different pairs of identical digits and one different digit (example 11223) and covers the thirty possible combinations of the five digits. A 30-way box pays a winner \$830 for a 50-cent play or \$1,660 for a \$1.00 play.

5. A "60-way box" is a play in which the player has selected a number with two identical digits and three different digits (example 11234) and covers the sixty possible

combinations of the five digits. A 60-way box pays a winner \$415 for a 50-cent play or \$830 for a \$1.00 play.

6. A "120-way box" is a play in which the player has selected a number with five different digits (example 12345) and covers the one hundred twenty possible combinations of the five digits. A 120-way box pays a winner \$208 for a 50-cent play or \$416 for a \$1.00 play.

(c) "Straight and Box" play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play.

1. A "Straight and 5-way box" play pays a winner \$30,000 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$5,000 if the player's digits match, in any other order, the official PICK 5 winning numbers for the drawing.

2. A "Straight and 10-way box" play pays a winner \$27,500 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$2,500 if the player's digits match, in any other order, the official PICK 5 winning numbers for the drawing.

3. A "Straight and 20-way box" play pays a winner \$26,250 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$1,250 if the player's digits match, in any other order, the official PICK 5 winning numbers for the drawing.

4. A "Straight and 30-way box" play pays a winner \$25,830 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$830 if the player's digits match, in any other order, the official PICK 5 winning numbers for the drawing.

5. A "Straight and 60-way box" play pays a winner \$25,415 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$415 if the player's digits match, in any other order, the official PICK 5 winning numbers for the drawing.

6. A "Straight and 120-way box" play pays a winner \$25,208 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$208 if the player's digits match, in any other order, the official PICK 5 winning numbers for the drawing.

(3) PICK 5 Base Game Odds of Winning.

The odds of winning in PICK 5 are:

(a) Straight 1 in 100,000

(b) Box 5-way 1 in 20,000

(c) Box 10-way 1 in 10,000

(d) Box 20-way 1 in 5,000

(e) Box 30-way 1 in 3,333.33

(f) Box 60-way 1 in 1,666.67

(g) Box 120-way 1 in 833.33

(h) Straight/Box 5-way 1 in 100,000 and 1 in 20,000

(i) Straight/Box 10-way 1 in 100,000 and 1 in 10,000

- (j) Straight/Box 20-way 1 in 100,000 and 1 in 5,000
- (k) Straight/Box 30-way 1 in 100,000 and 1 in 3,333.33
- (l) Straight/Box 60-way 1 in 100,000 and 1 in 1,666.67
- (m) Straight/Box 120-way 1 in 100,000 and 1 in 833.33
- (4) FIREBALL.

(a) FIREBALL is an add-on play option available in association with the PICK 5 game. The FIREBALL option cannot be played independently of PICK 5 base game play. Selecting FIREBALL will double the cost of all panels played. FIREBALL is available with both 50-cent and \$1.00 play amounts.

(b) Players can use the FIREBALL number to replace one of the five official PICK 5 winning numbers for that drawing to create five new FIREBALL winning combinations. Created FIREBALL winning combinations may be duplicative of the base play winning combinations as well as duplicative of each other. If the player’s numbers on his or her ticket match any of the created FIREBALL winning combinations for that drawing, the player shall be entitled to one or more FIREBALL prizes based on the numbers played, play type and play amount purchased. An example of a FIREBALL win follows:

<u>Example</u>
<u>Play Type: Straight</u>
<u>Play Amount: \$1.00</u>
<u>Player’s Numbers: 2-3-4-5-6</u>
<u>Drawing Results: 1-3-4-5-6</u>
<u>FIREBALL Number: 2</u>
<u>FIREBALL Winning Combinations:</u>
<u>2-3-4-5-6; 1-2-4-5-6; 1-3-2-5-6; 1-3-4-2-6; 1-3-4-5-2</u>
<u>Player wins: one (1) FIREBALL prize of \$12,000</u>

(c) The FIREBALL prizes and odds of winning are set forth in the table below.

<u>PICK 5 with FIREBALL Prize Structure</u>				
<u>Play Type</u>	<u>FIREBALL Prize 50-cent Play</u>	<u>FIREBALL Prize \$1.00 Play</u>	<u>FIREBALL Odds of Winning 1:</u>	<u>Maximum Number of FIREBALL Wins</u>
<u>Straight</u>	<u>\$6,000</u>	<u>\$12,000</u>	<u>20,000</u>	<u>5</u>
<u>5-Way</u>	<u>\$1,200</u>	<u>\$2,400</u>	<u>4,000</u>	<u>5</u>
<u>10-Way</u>	<u>\$600</u>	<u>\$1,200</u>	<u>2,000</u>	<u>4</u>
<u>20-Way</u>	<u>\$300</u>	<u>\$600</u>	<u>1,000</u>	<u>4</u>
<u>30-Way</u>	<u>\$200</u>	<u>\$400</u>	<u>667</u>	<u>3</u>
<u>60-Way</u>	<u>\$100</u>	<u>\$200</u>	<u>333</u>	<u>3</u>
<u>120-Way</u>	<u>\$50</u>	<u>\$100</u>	<u>167</u>	<u>2</u>
<u>5-Way Straight/Box</u>		<u>\$7,200 &amp; \$1,200</u>	<u>20,000 &amp; 4,000</u>	<u>8</u>
<u>10-Way</u>		<u>\$6,600 &amp;</u>	<u>20,000 &amp;</u>	<u>6</u>

<u>Straight/Box</u>		<u>\$600</u>	<u>2,000</u>	
<u>20-Way Straight/Box</u>		<u>\$6,300 &amp; \$300</u>	<u>20,000 &amp; 1,000</u>	<u>6</u>
<u>30-Way Straight/Box</u>		<u>\$6,200 &amp; \$200</u>	<u>20,000 &amp; 667</u>	<u>4</u>
<u>60-Way Straight/Box</u>		<u>\$6,100 &amp; \$100</u>	<u>20,000 &amp; 333</u>	<u>4</u>
<u>120-Way Straight/Box</u>		<u>\$6,050 &amp; \$50</u>	<u>20,000 &amp; 167</u>	<u>3</u>

(d) Players can win a FIREBALL prize with or without winning a base game prize.

(e) For all play types, if a player wins the base game prize and the FIREBALL number is the same as one or more of the PICK 5 winning numbers, the player shall be entitled to one or more FIREBALL prizes (based on the play type, numbers played, winning numbers and play amount) in addition to the PICK 5 base game prize for the play amount purchased. The table above sets forth the maximum number of FIREBALL wins by play type. Examples of winning in both the base game and with FIREBALL follow:

<u>Example A</u>	<u>Example B</u>
<u>Play Type: Straight</u>	<u>Play Type: Straight</u>
<u>Play Amount: \$1.00</u>	<u>Play Amount: \$1.00</u>
<u>Player’s Numbers: 1-2-3-4-5</u>	<u>Player’s Numbers: 1-1-2-3-4</u>
<u>Drawing Results: 1-2-3-4-5</u>	<u>Drawing Results: 1-1-2-3-4</u>
<u>FIREBALL Number: 1</u>	<u>FIREBALL Number: 1</u>
<u>FIREBALL Winning Combinations:</u>	<u>FIREBALL Winning Combinations:</u>
<u>1-2-3-4-5; 1-1-3-4-5; 1-2-1-4-5; 1-2-3-1-5; 1-2-3-4-1</u>	<u>1-1-2-3-4; 1-1-2-3-4; 1-1-1-3-4; 1-1-2-1-4; 1-1-2-3-1</u>
<u>Player wins: base prize of \$50,000 + one (1) FIREBALL prize of \$12,000 = \$62,000.</u>	<u>Player wins: base prize of \$50,000 + two (2 ) FIREBALL prizes of \$12,000 each = \$74,000.</u>

(5) On occasion, increases in the prize amounts set forth in subsection (2) will be offered for promotional purposes. In such event, the increased prize amounts will be available at floridalottery.com, Lottery district offices and retailer locations.

(6) A liability limit of \$7 million is established for PICK 5. When the play of a five-digit number for a drawing reaches the Florida Lottery’s PICK 5 liability limit of \$7 million, no further ticket sales for any type of play that would involve that five-digit number will be allowed for that drawing.

(7) PICK 5 Base Game Drawings.

(a) PICK 5 base game drawings are conducted twice daily by the Florida Lottery.

(b) The equipment for the PICK 5 base game drawing shall be configured so that one ball is drawn from each of five units of balls numbered zero (0) through nine (9).

(c) Five balls will be selected in the drawing, one each into five separate display devices. The numbers shown on the five balls, after certification by the Draw Manager and the Accountant, shall be the official PICK 5 winning numbers for the drawing.

(d) FIREBALL Drawing.

1. FIREBALL drawings are conducted twice daily by the Florida Lottery.

2. After all four PICK Daily Games™ (PICK 2™, PICK 3™, PICK 4™ and PICK5™) drawings have been conducted for the draw time (either mid-day or evening) and date, the FIREBALL drawing will be conducted to select the FIREBALL number. The FIREBALL number drawn shall apply to all four PICK Daily Games.

3. The equipment for the FIREBALL drawing shall be configured so that one ball is drawn from one unit of balls numbered zero (0) through nine (9).

4. In the drawing, one ball will be drawn from the single unit of balls into a single display device. The number shown on the ball after certification by the Draw Manager and the Accountant shall be the official winning FIREBALL number for that drawing.

(e) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(8) PICK 5 Rules and Prohibitions.

(a) By purchasing a PICK 5 ticket a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) PICK 5 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and gaming system availability, PICK 5 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily PICK 5 drawing is approximately 1:30 p.m. (ET) for the midday draw and approximately 9:45 p.m. (ET) for the evening draw. Ticket sales for a specific PICK 5 drawing will close approximately twelve minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available PICK 5 draw date and time unless the player specifies another PICK 5 draw date and time within the selection parameters.

(e) Retailer cancellations of PICK 5 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no PICK 5 ticket shall be canceled after close of game for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation; the cut off time for daily sales (12:00 midnight (ET)); gaming system availability; or the time of the related PICK 5 close of game for the related drawing. Ticket cancellations cannot be processed through a vending machine. If a player desires to cancel a ticket purchased through a vending machine, the player must present the ticket to the retailer where the ticket was purchased for processing within the timeframe described above.

(f) It is the player's responsibility to make sure his or her ticket(s) are printed exactly as requested before leaving the retailer, including verifying the number of ticket(s) printed, and to determine the accuracy of the selected panels of numbers, draw date(s), draw times, play amount and play type on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket.

(9) This emergency rule replaces Emergency Rule 53ER22-39.

(10) The effective date of this emergency rule is December 18, 2024.

Rulemaking Authority 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS; Law Implemented 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124 FS. History—New 12-18-2024, Replaces 53ER22-39.

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

EFFECTIVE DATE: 12/18/2024

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-3.243 Nursing Services

The Agency for Health Care Administration hereby gives notice: On December 16, 2024, the Agency for Health Care Administration entered an order disposing of the petition for variance filed by Trustees of Mease Hospital, Inc., d/b/a Mease Dunedin Hospital on November 19, 2024, and advertised in

Vol. 50, No. 229 Florida Administrative Register on November 22, 2024. The Petition was assigned the following case number: 2024015522. The Agency for Health Care Administration issued a Final Order granting the limited conditional Petition for Variance of paragraph 59A-3.243(4)(c) and subsection (6), F.A.C., which requires a hospital to ensure immediate availability of a registered nurse for bedside care of any patient when needed, and have a minimum of one licensed registered nurse on duty at all times on each nursing unit or similarly titled part of the hospital for rendering patient care services. The Petition for Variance of paragraph 59A-3.243(4)(c) and subsection (6), F.A.C. is granted upon finding that the Petitioner demonstrated that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule to Petitioner would create a substantial hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, MS 3, Tallahassee, FL 32308.

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AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-3.243 Nursing Services

The Agency for Health Care Administration hereby gives notice: On December 16, 2024, the Agency for Health Care Administration entered an order disposing of the petition for variance filed by BayCare Pasco, Inc., d/b/a BayCare Hospital Wesley Chapel on November 19, 2024, and advertised in Vol. 50, No. 229 Florida Administrative Register on November 22, 2024. The Petition was assigned the following case number: 2024015523. The Agency for Health Care Administration issued a Final Order granting the limited conditional Petition for Variance of paragraph 59A-3.243(4)(c) and subsection (6), F.A.C., which requires a hospital to ensure immediate availability of a registered nurse for bedside care of any patient when needed, and have a minimum of one licensed registered nurse on duty at all times on each nursing unit or similarly titled part of the hospital for rendering patient care services. The Petition for Variance of paragraph 59A-3.243(4)(c) and subsection (6), F.A.C. is granted upon finding that the Petitioner demonstrated that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule to Petitioner would create a substantial hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, MS 3, Tallahassee, FL 32308.

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AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-3.243 Nursing Services

The Agency for Health Care Administration hereby gives notice: On December 16, 2024, the Agency for Health Care Administration entered an order disposing of the petition for variance filed by Bartow Regional Medical Center, Inc. on November 19, 2024, and advertised in Vol. 50, No. 229 Florida Administrative Register on November 22, 2024. The Petition was assigned the following case number: 2024015525. The Agency for Health Care Administration issued a Final Order granting the limited conditional Petition for Variance of paragraph 59A-3.243(4)(c) and subsection (6), F.A.C., which requires a hospital to ensure immediate availability of a registered nurse for bedside care of any patient when needed, and have a minimum of one licensed registered nurse on duty at all times on each nursing unit or similarly titled part of the hospital for rendering patient care services. The Petition for Variance of paragraph 59A-3.243(4)(c) and subsection (6), F.A.C. is granted upon finding that the Petitioner demonstrated that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule to Petitioner would create a substantial hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, MS 3, Tallahassee, FL 32308.

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AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-3.243 Nursing Services

The Agency for Health Care Administration hereby gives notice: On December 16, 2024, the Agency for Health Care Administration entered an order disposing of the petition for variance filed by South Florida Baptist Hospital, Inc. on November 19, 2024, and advertised in Vol. 50, No. 229 Florida Administrative Register on November 22, 2024. The Petition was assigned the following case number: 2024015527. The Agency for Health Care Administration issued a Final Order granting the limited conditional Petition for Variance of paragraph 59A-3.243(4)(c) and subsection (6), F.A.C., which requires a hospital to ensure immediate availability of a registered nurse for bedside care of any patient when needed, and have a minimum of one licensed registered nurse on duty at all times on each nursing unit or similarly titled part of the hospital for rendering patient care services. The Petition for Variance of paragraph 59A-3.243(4)(c) and subsection (6), F.A.C. is granted upon finding that the Petitioner demonstrated

that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule to Petitioner would create a substantial hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, MS 3, Tallahassee, FL 32308.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-3.243 Nursing Services

The Agency for Health Care Administration hereby gives notice: On December 16, 2024, the Agency for Health Care Administration entered an order disposing of the petition for variance filed by Morton Plant Hospital Association, Inc., d/b/a Morton Plant North Bay Hospital on November 19, 2024, and advertised in Vol. 50, No. 229 Florida Administrative Register on November 22, 2024. The Petition was assigned the following case number: 2024015528. The Agency for Health Care Administration issued a Final Order granting the limited conditional Petition for Variance of paragraph 59A-3.243(4)(c) and subsection (6), F.A.C., which requires a hospital to ensure immediate availability of a registered nurse for bedside care of any patient when needed, and have a minimum of one licensed registered nurse on duty at all times on each nursing unit or similarly titled part of the hospital for rendering patient care services. The Petition for Variance of paragraph 59A-3.243(4)(c) and subsection (6), F.A.C. is granted upon finding that the Petitioner demonstrated that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule to Petitioner would create a substantial hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, MS 3, Tallahassee, FL 32308.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-3.243 Nursing Services

The Agency for Health Care Administration hereby gives notice: On December 16, 2024, the Agency for Health Care Administration entered an order disposing of the petition for variance filed by Winter Haven Hospital, Inc. on November 19, 2024, and advertised in Vol. 50, No. 229 Florida Administrative Register on November 22, 2024. The Petition was assigned the following case number: 2024015529. The Agency for Health Care Administration issued a Final Order granting the limited conditional Petition for Variance of paragraph 59A-3.243(4)(c)

and subsection (6), F.A.C., which requires a hospital to ensure immediate availability of a registered nurse for bedside care of any patient when needed, and have a minimum of one licensed registered nurse on duty at all times on each nursing unit or similarly titled part of the hospital for rendering patient care services. The Petition for Variance of paragraph 59A-3.243(4)(c) and subsection (6), F.A.C. is granted upon finding that the Petitioner demonstrated that the purpose of the underlying statute will be or has been achieved by other means and that application of the rule to Petitioner would create a substantial hardship or violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, MS 3, Tallahassee, FL 32308.

**DEPARTMENT OF HEALTH**

Board of Massage Therapy

NOTICE IS HEREBY GIVEN that on November 26, 2024, the Board of Massage Therapy, received a petition for variance and waiver filed by Tristin Clarke. Although no rule was cited, it appears petitioner wants a variance of statutory requirements in Section 480.046(1)(o), F.S. regarding practice at a licensed massage establishment. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3257, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Webster, Executive Director, Board of Massage Therapy, at the above listed address, (850)245-4162, or by electronic mail – [stephanie.webster@flhealth.gov](mailto:stephanie.webster@flhealth.gov).

**Section VI**

**Notice of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF LEGAL AFFAIRS**

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

DATE AND TIME: Thursday, January 16, 2025, 1:00 p.m. until conclusion

PLACE: Microsoft Teams Meeting - 1(850)666-4692, Phone Conference ID: 909208106# and, <https://www.microsoft.com/en-us/microsoft-teams/join-a-meeting?rtc=1>, Meeting ID: 25495466757, Passcode: zF7rX2sH

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Business

A copy of the agenda may be obtained by contacting: Lynn Guyton at [Lynn.Guyton@myfloridalegal.com](mailto:Lynn.Guyton@myfloridalegal.com) or by accessing



the board's website at:  
<https://www.myfloridalegal.com/human-trafficking/council/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 Office of the Attorney General Ashley Moody at (850)414-3300. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lynn Guyton at [Lynn.Guyton@myfloridalegal.com](mailto:Lynn.Guyton@myfloridalegal.com) by telephone at (813)287-7950.

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**DEPARTMENT OF HEALTH**

The Bureau of Emergency Medical Oversight announces a public meeting to which all persons are invited.

DATE AND TIME: January 23, 2025, 2:00 p.m. - 3:30 p.m.

PLACE: Virtual via Zoom

One tap mobile: US: +13052241968,,93522866475# or +13017158592,,93522866475#

Meeting URL:  
<https://UFHJax.zoom.us/j/93522866475?pwd=HQqm8R00bXb7bRSI9gbA4ck6H8QWf.1>

Meeting ID: 935 2286 6475 Passcode: 760090

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Medical Services for Children Advisory Committee is partnering with EDs, EMS agencies, disaster preparedness organizations, and families in the care of ill and injured children to enhance pediatric readiness across the continuum of care. In-person attendance will not be available. Please visit the EMS for Children Advisory Committee web page for schedules, agendas, and additional information at <https://flemsc.emergency.med.jax.ufl.edu>.

A copy of the agenda may be obtained by contacting: Katelyn Dabhi, at [Katelyn.dabhi@jax.ufl.edu](mailto:Katelyn.dabhi@jax.ufl.edu).

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: Katelyn Dabhi, at [Katelyn.dabhi@jax.ufl.edu](mailto:Katelyn.dabhi@jax.ufl.edu). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Katelyn Dabhi, at [Katelyn.dabhi@jax.ufl.edu](mailto:Katelyn.dabhi@jax.ufl.edu).

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**DEPARTMENT OF HEALTH**

Division of Medical Quality Assurance

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

DATE AND TIME: January 10, 2025, 8:30 a.m., E.T.

PLACE: GoTo Meeting

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

<https://meet.goto.com/742529357>

You can also dial in using your phone.

Access Code: 742-529-357

United States (Toll Free): 1(877)309-2073

Join from a video-conferencing room or system.

Meeting ID: 742-529-357

Dial in or type: 67.217.95.2 or [inroomlink.goto.com](https://inroomlink.goto.com)

Or dial directly: 742529357@67.217.95.2 or 67.217.95.2##742529357

Get the app now and be ready when your first meeting starts:

<https://meet.goto.com/install>

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

A copy of the agenda may be obtained by contacting: The Board of Respiratory Care, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the board office at (850)245-4373 or by visiting the website: <http://floridasrespiratorycare.gov/>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Department of Health at (850)245-4444. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

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

DATE AND TIME: April 11, 2025, 8:30 a.m., E.T.

PLACE: Hilton Cocoa Beach Oceanfront, 1550 North Atlantic Avenue, 32931

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: The Board of Respiratory Care, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the board office at (850)245-4373 or by visiting the website: <http://floridasrespiratorycare.gov/>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Department of Health at (850)245-4444. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

The Electrolysis Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 17, 2025, 8:30 a.m., E.T.

PLACE: Conference Calls: 1(888)585-9008; then enter Conference Room Number 564-341-766 followed by the # sign.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: The Electrolysis Council, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the council office at (850)245-4373 or by visiting the website: <http://www.floridahealth.gov/licensing-and-regulation/electrolysis/index.html>

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 Department of Health at (850)245-4444. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

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

DATES AND TIMES: February 24, 2025, 08:00 a.m., ET; May 19, 2025, 08:00 a.m., ET; August 04, 2025, 08:00 a.m., ET; November 03, 2025, 08:00 a.m., ET.

PLACE: Capital Circle Office Center, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399-3255

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting for public disciplinary cases.

A copy of the agenda may be obtained by contacting: The Board of Occupational Therapy, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the board office at (850)245-4373 or by visiting the website: [www.floridasoccupationaltherapy.gov](http://www.floridasoccupationaltherapy.gov)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Department of Health at (850)245-4444. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

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

DATES AND TIMES: February 24, 2025, 9:00 a.m. E.T.; May 19, 2025, 9:00 a.m. E.T.; August 04, 2025, 9:00 a.m. E.T.; November 03, 2025, 9:00 a.m. E.T.

PLACE: Capital Circle Office Center, 4042 Bald Cypress Way, Room 301, Tallahassee, FL 32399-3255

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: The Board of Occupational Therapy, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255, by calling the board office at (850)245-4373 or by visiting the website: [www.floridasoccupationaltherapy.gov](http://www.floridasoccupationaltherapy.gov)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Department of Health at (850)245-4444. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Pharmacy

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

DATE AND TIME: January 17, 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](http://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 FINANCIAL SERVICES

Division of State Fire Marshal

The Fire and Emergency Incident Information System Technical Advisory Panel (FFIRS) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 7, 2025, 2:00 p.m.

PLACE: Orange County Convention Center, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting. Topics to include but not limited to a Division and Bureau update.

A copy of the agenda may be obtained by contacting: [MaryAnn.Benson@MyFloridaCFO.com](mailto:MaryAnn.Benson@MyFloridaCFO.com)

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

The Firefighters Employment, Standards, and Training Council (FFESTC) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 7, 2025, ten minutes after the adjournment of the FFIRS meeting which begins at 2:00 p.m.

PLACE: Orange County Convention Center, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting. Topics to include but not limited to a Division and Bureau update.

A copy of the agenda may be obtained by contacting: [MaryAnn.Benson@MyFloridaCFO.com](mailto:MaryAnn.Benson@MyFloridaCFO.com)

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has received the petition for declaratory statement from Troy Anderson. The petition seeks the agency's opinion as to the applicability of Chapter 494, Florida Statutes, as it applies to the petitioner.

On December 17, 2024 the Petition was WITHDRAWN. The original petition sought a declaratory statement from the Office on whether Petitioner's proposed activities (to purchase mortgage loans as personal investments and to service those loans) requires registration as a loan originator or mortgage lender under Chapter 494, Florida Statutes. \*\*The original petition was published December 13, 2024 in the Florida Administrative Register Volume 50, Number 242.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, [Agency.Clerk@flofr.gov](mailto:Agency.Clerk@flofr.gov).

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, [Agency.Clerk@flofr.gov](mailto:Agency.Clerk@flofr.gov).

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RFP 40561 – BLACK CREEK OPERATIONS AND MAINTENANCE SERVICES

The Governing Board of the St. Johns River Water Management District (District) requests that interested parties respond to the solicitation below by 2:00 pm, Jan 31, 2025. Further information is available through DemandStar at Demandstar.com, Vendor Registry at Vendorregistry.com, Central Bidding at centralauctionhouse.com, the state of Florida’s MyFloridaMarketPlace (MFMP) at myfloridamarketplace.com or the District’s website at sjrwmd.com. Solicitation packages may be obtained from DemandStar, Vendor Registry, Central Bidding, MFMP or the District by calling or emailing Kendall Matott, Contracts Manager, at (386)312-2324 or kmatott@sjrwmd.com. Responses will be opened in the Procurement Conf Rm, Admin Bldg, Palatka HQ, 4049 Reid St, Palatka, FL 32177-2571.

Description of Services:

The District seeks proposals from qualified firms to provide Operations and Maintenance Services support for the Black Creek Water Resource Development Project (Project) as

outlined in the Statement of Work (SOW). The Successful Respondent will contract with the District for an initial 12-month term, with the option to renew for two 12-month terms. The Successful Respondent will be responsible for efficiently and effectively operating and maintaining the three components that make up the Project: intake structure/pump station, raw water transmission main pipeline, and treatment system. Tasks include, but are not limited to, scheduled operations, maintenance, and inspections. In addition, Respondent will also be responsible for all non-routine and on-call services for the facilities, excluding filter media. Respondent is responsible for determining staffing needs to meet the obligations required in the SOW.

Onsite Non-Mandatory Pre-Proposal Meeting:

An onsite non-mandatory pre-proposal conference is scheduled for 11:00 a.m., January 16, 2025. The Project site is located one mile west of the Treat Rd and SR 21 intersection 2.5 miles north of Keystone Heights, Clay County, FL. Respondent’s representative(s) must attend in person.

Request for Proposals (RFP)Process

The RFP process includes the submission of a proposal package that includes a transmittal letter, organizational overview, various completed District forms, customer service and staffing information, capabilities and resources, and the proposed cost to perform the work. The budget for this work is estimated to be \$600,000 for the first 12-month term of the Agreement.

A District Evaluation Committee (Committee) will review and evaluate Respondents’ proposals. After evaluations are complete, the Committee may determine that Oral Presentation are required to finalize the scoring. The Committee will also determine a shortlist of Respondents. The Committee may request the shortlisted Respondents or possibly all Respondents to provide oral presentations and answer questions regarding their proposals (i.e., approach to the project, ability to furnish the required services, and provide additional information, if needed). Each Respondent will be assigned a designated meeting time, established by lot. Oral presentations will be scored using the Oral Presentation Evaluation Criteria. After oral presentations are completed, the Committee will finalize its scoring and rank the Respondents to determine the highest-ranked Respondent. If negotiations fail with the highest-ranked Respondent, negotiations will proceed with the other Respondents in ranked order.

Upon Contractor’s executing a District non-disclosure confidentiality agreement, the District will provide Respondent with a set of the drawings and specifications for the Black Creek Water Resource Development Projects.

The District’s Evaluation Committee (Committee) will meet at District Headquarters at 4049 Reid Street, Palatka, Florida 32177, to evaluate and rank Proposals as follows:

Date	Description
Jan 16, 2025, 11:00 a.m.	Onsite Non-Mandatory Pre-Proposal Conference (in person only)
Jan 31, 2025, 2:00 p.m.	Proposals due
Feb 13, 2025, 2:00 p.m.	Committee meets to review and discuss the responses; finalize the initial rankings to develop a shortlist for oral presentations, if needed, to assist in facilitating the evaluation process in determining a final recommendation; and to discuss negotiation strategies. If no oral presentations are needed, the Evaluation Committee will finalize the rankings of Respondents (District HQ, 4049 Reid St., Palatka, FL 32177, Conf. Rm. 147, Admin. Bldg.) One or more members of the Committee may participate via communications media technology through phone or web conferencing.
Feb 20, 2025, 9:00 a.m. – 4:00 p.m.	Oral Presentations, if needed. One or more members of the Committee may participate via communications media technology through phone or web conferencing.
Feb 20, 2025, 4:00 p.m.	Evaluation Committee meets to complete its review of the Oral Presentations and will determine final rankings of the Respondents and the highest-ranked Respondent. One or more members of the Committee may participate via communications media technology through phone or web conferencing.
Feb 21, 2025 (approx)	District Issues Notice of Intended Decision
Feb 24, 2025, 11:00 a.m.	Negotiate final details and costs with the highest-ranked Respondent.
Mar 11, 2025	District Governing Board consideration to approve the proposal and contract award to the top-ranked respondent

Americans with Disability Act (ADA)

The District does not discriminate on the basis of disability in its services, programs, or activities. Special accommodations for disabilities may be requested through Kendall Matott, or by calling (800)955-8771 (TTY), at least five business days before the date needed.

**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., Wednesday, December 11, 2024, and 3:00 p.m., Tuesday, December 17, 2024.

Rule No.	File Date	Effective Date
12CER24-2	12/16/2024	1/1/2025
12CER24-3	12/16/2024	1/1/2025
12CER24-4	12/16/2024	1/1/2025
12AER24-5	12/16/2024	1/1/2025
12AER24-6	12/16/2024	1/1/2025
12AER24-7	12/16/2024	1/1/2025
12AER24-8	12/16/2024	1/1/2025
33-208.002	12/11/2024	12/31/2024
33-302.110	12/16/2024	1/5/2025
53ER24-53	12/16/2024	12/17/2024
53ER24-54	12/17/2024	12/18/2024
53ER24-55	12/17/2024	12/18/2024
53ER24-56	12/17/2024	12/18/2024
53ER24-57	12/17/2024	12/18/2024
53ER24-58	12/17/2024	12/18/2024
59G-4.070	12/12/2024	1/1/2025
61K1-3.002	12/13/2024	1/2/2025
61K1-3.008	12/13/2024	1/2/2025
64B8-42.001	12/16/2024	1/5/2025
64B8-42.0011	12/16/2024	1/5/2025
64B8-42.002	12/16/2024	1/5/2025
64B8-51.001	12/16/2024	1/5/2025
64B8-51.002	12/16/2024	1/5/2025
64B8-51.004	12/16/2024	1/5/2025
64B8-51.006	12/16/2024	1/5/2025
64B13-4.0041	12/13/2024	1/2/2025

69O-137.009	12/12/2024	1/1/2025
69L-7.020	12/12/2024	1/1/2025
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

The establishment of Let's Go Carting LLC

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in County of More than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Venom EV, LLC, intends to allow the establishment of Let's Go Carting LLC, as a dealership for the sale of low-speed vehicles manufactured by Venom EV, LLC (VNEV) at 500 N Fort Harrison Ave, Clearwater, (Pinellas County), Florida, 33755, on or after January 18, 2025.

The name and address of the dealer operator(s) and principal investor(s) of Let's Go Carting LLC are dealer operator(s): Let's Go Carting LLC, 500 N Fort Harrison Ave, Clearwater, Florida 33755-3905; principal investor(s): Jason Corbett, 500 N Fort Harrison Ave, Clearwater, Florida 33755-3905.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Zach Kraus, Venom EV, LLC, 251 8th Street, Monroe, Wisconsin, 53566.

If no petitions or complaints are received within 30 days of the

date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

The establishment of Golf Cart World Inc

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to section 320.642, Florida Statutes, notice is given that Venom EV, LLC, intends to allow the establishment of Golf Cart World Inc, as a dealership for the sale of low-speed vehicles manufactured by Venom EV, LLC (VNEV) at 100 Sterling Plaza Dr Unit 101, Ponte Vedra, (St Johns County), Florida, 32081, on or after January 19, 2025.

The name and address of the dealer operator(s) and principal investor(s) of Golf Cart World Inc are dealer operator(s): Golf Cart World Inc, 100 Sterling Plaza Dr Ste 101, Ponte Vedra, Florida 32081-8556, principal investor(s): Chris Manrell, 100 Sterling Plaza Dr Ste 101, Ponte Vedra, Florida 32081-8556, David Clifford, 100 Sterling Plaza Dr Ste 101, Ponte Vedra, Florida 32081-8556.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Zach Kraus, Venom EV, LLC, 251 8th Street, Monroe, Wisconsin, 53566.

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

Section XIII  
Index to Rules Filed During Preceding  
Week

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.

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