

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-6.002	Definitions
62-6.003	Permits
62-6.027	Permits
62-6.030	Fees

PURPOSE AND EFFECT: Revisions to Chapter 62-6, F.A.C., are being considered to ensure proper regulation for Onsite Sewage Treatment and Disposal Systems in Florida. The revisions are proposed to reflect legislative changes in accordance with subsection (8) added to section 381.0065, F.S., Private Provider Inspections, Chapter 2022-105, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: The Division of Water Resource Management is proposing amendments to Florida Administrative Code, Chapter 62-6, F.A.C., entitled Standards for Onsite Sewage Treatment and Disposal Systems. Amendments to the rule define authority for private provider inspectors to inspect an Onsite Sewage Treatment and Disposal System when qualified as a private provider and upon written authorization by the owner of the system.

RULEMAKING AUTHORITY: 381.0065(3)(a), 381.0065(3)(c), 381.0065(8)(h), 489.553(3), 489.557(1), 154.06(1), 381.0066, F.S.

LAW IMPLEMENTED: 381.0065 F.S., 381.0066, 381.0067, 386.041 F.S., Part I 386, 489.557, F.S.

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

DATE AND TIME: Tuesday, July 19, 2022, 10:00 a.m. ET
PLACE: The public workshop will be held virtually via GoToWebinar at:
<https://attendee.gotowebinar.com/register/7648966367616465167>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Elke Ursin at (850)245-8666 or via email at Elke.Ursin@FloridaDEP.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Elke Ursin, Division of Water Resource Management, MS 3596,

2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8666 or by email at Elke.Ursin@FloridaDEP.gov.
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE OR BY VISITING: <https://floridadep.gov/water/water/content/water-resource-management-rules-development#onsite>

DEPARTMENT OF HEALTH

RULE NOS.:	RULE TITLES:
64-4.300:	CMTL Definitions
64-4.301:	Requirements for CMTL Certification and Application
64-4.302:	Renewal Application Requirements for CMTLs
64-4.303:	CMTL Testing
64-4.304:	CMTL On-Site Inspection
64-4.305:	CMTL Standard Operating Procedures
64-4.306:	CMTL Testing Methods
64-4.307:	CMTL Submission for Product Testing
64-4.308:	CMTL Sample Testing
64-4.309:	CMTL Quality Control Samples
64-4.310:	CMTL Calibration Standards
64-4.311:	CMTL Certificate of Analysis
64-4.312:	CMTL Manual Integration
64-4.313:	CMTL Waste Management and Disposal
64-4.314:	CMTL Background Screening
64-4.315:	CMTL Fines, Suspension, and Revocation

PURPOSE AND EFFECT: This rulemaking initiates nonemergency rulemaking to replace the emergency rules (64ER20-1, 64ER20-3, 64ER20-4, 64ER20-5, 64ER20-6, 64ER20-7, 64ER20-10, 64ER20-11, 64ER20-12, 64ER20-14, 64ER20-15, 64ER20-38, 64ER20-39, 64ER21-6, 64ER22-5, 64ER22-6) adopted by the Department to implement sections 381.986 and 381.988, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: These rules set forth the requirements for certified marijuana testing laboratories (CMTLs) for certification and testing of marijuana from medical marijuana treatment centers. The rules include applicable definitions, application requirements, renewal application requirements, testing standards and methods, records requirements, required background screenings, waste management standards, inspection procedures, and disciplinary provisions.

RULEMAKING AUTHORITY: 381.986(8)(e)11.d., 381.986(8)(k), 381.988(2), 381.988(3), 381.988(9), 943.05(2)(h)3., FS.

LAW IMPLEMENTED: 381.986, 381.988, 943.05, FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Breanne Ereckson at OMMURules@flhealth.gov.

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

Section II Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NOS.:	RULE TITLES:
61H1-33.003:	Continuing Professional Education
61H1-33.0033:	Obligations of CPA Ethics Course Continuing Education Providers
61H1-33.006:	Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees

PURPOSE AND EFFECT: The Board proposes rule amendments for continuing professional education, obligations of CPA ethics course continuing education providers, and inactive or delinquent Florida certified public accountants who desire to become active licensees.

SUMMARY: The proposed amendments clarify the rule language for continuing professional education, obligations of CPA ethics course continuing education providers, and inactive or delinquent Florida certified public accountants who desire to become active licensees.

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: 455.213(7), 455.2178, 455.2179, 455.271, 473.304, 473.312, 473.313 FS.

LAW IMPLEMENTED: 455.213(7), 455.2178, 455.2179, 455.271, 473.312, 473.313, 559.79 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: Roger Scarborough, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, Roger.Scarborough@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-33.003 Continuing Professional Education.

(1)(a) Each Florida certified public accountant’s reestablishment period shall commence on the date indicated on the licensee’s Florida certificate. The initial designated reestablishment period for each Florida certified public accountant shall end on the third June 30th following the date indicated on the licensee’s Florida certificate. Each succeeding reestablishment period shall begin on July 1, and end on June 30, two years thereafter and ending in the year the license expires.

(b)(1)(a) In any given reestablishment period, except as stated below in subparagraph (1)(c) of this rule, each current/active Florida certified public accountant must have completed at any time or times during the two-year period, at least 80 hours of educational instruction or training in public accounting subjects or courses of study, as defined hereinafter, of which at least 8 hours must have been in accounting-related and/or auditing-related subjects and of which no more than 20 hours may be in behavioral subjects and at least four hours shall be in Florida Board-approved ethics. All CPE proof of completion must be reported in the DBPR On-Line Services portal on or before July 31 prior to their biennial license renewal.

(c) Effective with the reestablishment period ending June 30, 2024, the licensee must report courses completed and provide proof of CPE completion in the DBPR On-Line Services portal on or before July 31 immediately following the reestablishment period and prior to their biennial license renewal.

(d) A nonresident Florida licensed certified public accountant seeking renewal of a Florida license may provide proof of CPE completion in the State where the licensee’s office is located by submission of the Out of State Licensee CPE Acknowledgement Form (DBPR CPA 14, effective _____), which is incorporated by reference in Rule 61-35.003, F.A.C., and proof of completion of a Florida Board-approved ethics course in the DBPR On-Line Services portal prior to renewal.

~~(e)~~(b) Florida certified public accountants who do not meet the requirements by June 30th will be granted an automatic extension until September 15th provided the licensee submits proof of CPE completion in the DBPR On-Line Services portal Florida certified public accountant completes for an additional 88 hours in Accounting and Auditing subjects, totaling 88 hours of completed CPE on or before the extension date. An automatic extension will be granted until December 31st provided the licensee submits proof of CPE completion in the DBPR On-Line Services portal Florida certified public accountant completes for an additional 16 hours in Accounting and Auditing subjects, totaling 96 hours of completed CPE on or before the extension date. For the reestablishment period ending June 30, 2020, current active licensees who complete continuing professional education (CPE) hours by December 31, 2020 are not required to complete the additional CPE hours referenced in this subsection. CPE hours approved for this extension shall apply solely to the reestablishment period ending June 30, 2020.

(2) – (3) No Change.

(4) In order for a Florida certified public accountant to receive credit for programs of learning, as defined above, the following formalities and further requirements must be met:

(a) Courses taken at institutions of higher education:

1. through 4. No Change.

5. To receive instructor credit for courses taught, licensees must submit a completed DBPR CPA 13, Instructor CPE Credit Reporting Form, which is incorporated by reference in Rule 61-35.003, F.A.C.

(b) No Change.

(5) As a part of each licensee’s biennial license renewal, Each Florida certified public accountant shall, as a part of the biennial licensure renewal, on or before December 31 prior to his/her biennial license renewal, comply with the continuing professional education requirements during the applicable reestablishment period, and upload proof of CPE completion to the DBPR On-Line Services Portal. Each Florida certified public accountant’s proof of CPE completion documentation supporting such compliance shall be retained for at least through the two years following a two-year reestablishment period and be made available if requested for a random. Documentation is to be retained to support evidence of completion of the required hours to enable an audit by the Department of Business and

~~Professional Regulation (DBPR) to determine compliance with the requirements. Proof of CPE completion Documentation for each course shall be in a format as prescribed by the Board in Rule 61H1-20.001(9), F.A.C. to include course title and date, number of hours earned, attendee name, certified public accountant course provider name, number, and signature of the provider furnishing said certificate, and when requested shall be recorded using the Department’s form, entitled Continuing Professional Education Reporting Form (DBPR CPA 41, Effective June 2021), which is hereby incorporated by reference in Rule 61-35.003, F.A.C. The form is also available on the Department’s website and at the Board office located at 240 N.W. 76th Drive, Suite A, Gainesville, FL 32307-6655.~~

(6) If staff review or review by the Committee on Continuing Professional Education determines that courses are either improperly classified by the provider or do not otherwise meet the requirements of the chapter, then the Florida certified public accountant shall be notified and given 60 days from the date of notification to comply with the continuing professional education requirements. Florida certified public accountants who complete the continuing professional education requirements timely but who are found to be deficient after December 31 of their renewal year must correct the error and pay a \$50 fine within 60 days of the aforementioned notice. Failure to timely correct the error and pay the fine shall constitute grounds for disciplinary action pursuant to Section 455.227 or 473.323, F.S.

(6) will be renumbered as (7) No Change.

Rulemaking Authority 455.213(7), 455.2179, 473.304, 473.312 FS. Law Implemented 455.213(7), 455.2179, 473.312(1)(a), (b), (c) FS. History—New 12-4-79, Amended 2-3-81, 4-5-83, 10-19-83, 8-20-85, Formerly 21A-33.03, Amended 9-18-88, 7-7-92, 12-2-92, Formerly 21A-33.003, Amended 12-14-93, 1-26-98, 12-17-00, 8-21-01, 3-21-05, 5-18-05, 7-10-05, 7-23-06, 12-10-09, 7-7-10, 11-7-12, 8-7-13, 4-21-16, 11-3-19, 10-20-20, 12-23-21, _____.

61H1-33.0033 Obligations of CPA Ethics Course Continuing Education Providers.

To maintain an approved status as an ethics course continuing education provider, the provider must:

(1) No Change.

(2) Require each Florida certified public accountant to complete the entire four-hour certified public ~~accounting~~accountant ethics course requirement in order to receive proof of CPE completion~~a certificate of attendance~~. Offer the four-hour certified public ~~accounting~~accountant ethics course in one module of four credit hours or two modules of two credit hours.

(3) Furnish each attendee with an individual proof of CPE completion ~~certificate of attendance~~ in a format to include approved course title and completion date, number of hours

earned, attendee name, DBPR course approval number, DBPR ethics provider number~~certified public accountant ethics course provider name, number, and signature by the provider~~ furnishing said certificate after successful completion of the course. An attendance record shall be maintained by the provider for four years and shall be available for inspection by the Board. Providers shall maintain security of attendance records and attendance records.

(4) Ensure that all promotional material for courses or seminars offered to Florida certified public accountants for credit contain the certified public accountant DBPR course approval number, DBPR ethics provider number~~ethics course provider number~~ and course title.

(5) through (10) No Change.

Rulemaking Authority 455.213(7), 455.2178, 455.2179, 473.304, 473.312 FS. Law Implemented 455.213(7), 455.2178, 455.2179, 473.312(1)(a), (c) FS. History—New 5-18-05, Amended 10-26-09, 11-7-12, _____.

61H1-33.006 Inactive or Delinquent Florida Certified Public Accountants Who Desire to Become Active Licensees.

(1) Each Florida certified public accountant who has requested inactive status or became delinquent, as distinguished from a Florida certified public accountant whose certificate or license has been suspended, who desires to become an active Florida certified public accountant, i.e., engage or reengage in the practice of public accounting in Florida, shall apply for such reactivation by completing and submitting to the Department, the CPA Change of Status Form (DBPR CPA 7),~~CPA Change of Status Application~~Effective June 2021). The form, which is ~~hereby~~ incorporated by reference in Rule 61-35.003, F.A.C., ~~is provided by the Department~~ and available on the Department’s website and the Board office located at 240 N.W. 76th Drive, Suite A, Gainesville, FL 326307-6655.

(2) However, if a licensee completed, reported, and provided proof of CPE completion in the DBPR On-line Services Portal pursuant to rule 61H1-33.003, F.A.C., but their license is delinquent on January 1 for failure to comply with Rule 61H1-33.003, F.A.C., through failure to report compliance with continuing professional education requirements and pay renewal fees by the preceding immediately prior December 31st, a Florida certified public accountant licensee may reactivate, pursuant to Section 473.311, F.S., by certifying the required hours have been completed, and by paying the renewal and reactivation fees required by Rules 61H1-31.003, 31.004 and 31.006, F.A.C., by March 15 of the same year of the delinquency.

(3)~~(2)~~ For a licensee to reactivate a delinquent license after March 15 of the same year of the delinquency or to reactivate an inactive license at any time, their~~Each such~~ application shall include proof of CPE ~~demonstrate successful~~ completion of the

required number of continuing professional education hours as follows:

Accounting/Auditing	Ethics	Behavioral	Total Hours
At least 30 hours	At least 8 hours of <u>Florida Board-approved ethics, unless the CPA has submitted proof of completion of their CPE for the previous biennium ending December 31 to the board by March 15, no additional hours are required to reactivate pursuant to subsection 61H1-33.006(1), F.A.C.</u>	No more than 30 hours	120 Hours

(4)~~(3)~~ All continuing ~~professional~~ professional education courses must be completed no more than ~~twenty four (24)~~ months immediately prior to~~preceding~~ the date of the application for reactivation.

(4) will be renumbered as (5) No Change.

Rulemaking Authority 455.271, 473.304, 473.312, 473.313 FS. Law Implemented 455.271, 473.312, 473.313, 559.79 FS. History—New 12-4-79, Amended 2-3-81, 11-6-83, 3-29-84, 8-20-85, Formerly 21A-33.06, Amended 4-8-86, 12-28-89, 10-16-90, Formerly 21A-33.006, Amended 12-14-93, 5-26-96, 7-23-06, 12-10-09, 7-7-10, 12-3-13, 7-29-18, 10-15-19, 12-23-21,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 20, 2022
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 16, 2022

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-6.0532: New Worlds Reading Initiative
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 48 No. 112, June 9, 2022 issue of the Florida Administrative Register.

In response to public comment the rule is amended as follows:

- (1) through (2) No change.
- (3) This rule will be reviewed and repealed, modified or renewed through the rulemaking process five years from the effective date.

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NOS.: RULE TITLES:
64D-4.002 Definitions
64D-4.003 Eligibility and Documentation Requirements
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 48 No. 123, June 24, 2022 issue of the Florida Administrative Register.

The Summary of Statement of Estimated Regulatory Costs and Legislative Ratification should read:

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: Based on the SERC checklist, this rulemaking will not have an adverse impact on regulatory costs in excess of \$1 million within five years as established in s.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.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NOS.: RULE TITLES:
69O-144.002: Approval Procedures
69O-144.007: Credit for Reinsurance from Certified Reinsurers
69O-144.011: Credit for Reinsurance from Reinsurers Domiciled in Reciprocal Jurisdictions
69O-144.012: Term and Universal Life Insurance Reserve Financing

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 48 No. 76, April 19, 2022 issue of the Florida Administrative Register.

- 69O-144.002 Reinsurance Application Procedures.
 - (1) Filing requirements and costs.
 - (a) though (b) No change.
 - (c) Failure to pay the assessed costs under paragraph (1)(b) ~~(b)~~ may be grounds for revocation of the insurer’s application or accreditation, pursuant to section 624.610, F.S.
 - (2)(a) An assuming insurer seeking accredited reinsurer status in this state, pursuant to section 624.610(3), F.S. and rule 69O-144.005, F.A.C., shall file an application in compliance with the directions in Form OIR-C1-923, “Application for Accredited Reinsurer Status,” effective 5/22/21, which is hereby incorporated by reference and available at www.flrules.org/XXXXX. The forms incorporated by reference in this paragraph may be obtained from <https://www.flair.com/iportal>. The insurer shall further submit, or otherwise comply with, the following:
 - 1. through 8. No change.
 - (b) An assuming insurer seeking to maintain its accredited reinsurer status in this state, pursuant to rule 69O-144.005~~(2)(e)~~, F.A.C., shall submit the following:

1. through 3. No change.

(3)(a) An assuming insurer seeking trustee reinsurer status in this state, pursuant to section 624.610(3)(c), F.S. and rule 69O-144.006(1)(a)1., F.A.C., shall file an application in compliance with the directions in Form OIR-C1-1466, "Application for Trustee Reinsurer Status," effective 5/22 ~~9/24~~, which is hereby incorporated by reference and available at www.flrules.org/XXXXX. The insurer shall further submit, or otherwise comply with, the following:

1. through 3. No change.

4. Form OIR-C1-1423, incorporated by reference in subsection (2) ~~(4)~~;

5. No change.

6. Form OIR-C1-1524, incorporated by reference in subsection (2) ~~(4)~~; and

7. Form OIR-C1-2221, incorporated by reference in subsection (2) ~~(4)~~; and;

~~8. Any other information required by section 624.610(3), F.S., or rule 69O-144.006(1), F.A.C.~~

(b) No change.

(4)(a) An assuming insurer seeking certified reinsurer status in this state, pursuant to section 624.610(3), F.S. and rule 69O-144.007(8)(a), F.A.C., shall file an application in compliance with the directions in Form OIR-C1-996, "Application for Certified Reinsurer Status," effective 5/22 ~~9/24~~, which is hereby incorporated by reference and available at www.flrules.org/XXXXX. The insurer shall further submit, or otherwise comply with, the following:

1. through 8. No change.

9. Form OIR-C1-1524, incorporated by reference in subsection (2) ~~(4)~~; and

10. Form OIR-C1-2221, incorporated by reference in subsection (2) ~~(4)~~; and;

~~11. Any other information that the Office reasonably requires to evaluate the application, including any information required by rule 69O-144.007(8)(a), F.A.C.~~

(b) An assuming insurer seeking to maintain its certified reinsurer status in this state, pursuant to section 624.610(3), F.S., and rule 69O-144.007(8)(h), F.A.C., shall annually submit the following, no later than

July 1:

1. Form OIR-C1-2117, "NAIC Form CR-F" (for property/casualty), or Form OIR-C1-2118, "NAIC Form CR-S" (for life and health), both of which are incorporated in paragraph (4)(a) ~~(3)(a)~~ of this rule;

2. through 9. No change.

(c) No change.

(5)(a) An assuming insurer seeking reciprocal jurisdiction reinsurer status in this state, pursuant to section 624.610(4), F.S., and rule 69O-144.011(3)(e), F.A.C., shall, on behalf of itself and any legal predecessors, file an application in

compliance with the directions in Form OIR-C1-518, "Application for Reciprocal Jurisdiction Reinsurer Status," effective 5/22 ~~9/24~~, which is hereby incorporated by reference and available at www.flrules.org/XXXXX. The insurer shall further submit, or otherwise comply with, the following:

1. through 6. No change.

7. Form OIR-C1-1524, incorporated by reference in subsection (2) ~~(4)~~;

8. Form OIR-C1-2221, incorporated by reference in subsection (2) ~~(4)~~; and,

9. Any other information required or requested by the Office, pursuant to section 624.610(4), F.S., or rule 69O-144.011(3), F.A.C., provided that such requirements are not in conflict with an applicable covered agreement.

(b) An assuming insurer seeking to maintain its reciprocal jurisdiction reinsurer status in this state, pursuant to section 624.610(4), F.S., and rule 69O-144.011(3)(g), F.A.C., shall annually submit the following, no later than each July 1:

1. through 5. No change.

6. Any other information required or requested by the Office, pursuant to section 624.610(4), F.S., or rule 69O-144.011(3)(g), F.A.C., provided that such requirements are not in conflict with an applicable covered agreement.

(c) No change.

(d) This subsection does not limit the authority of the Office to request additional information pertaining to the reinsurance agreement, or any subsequent reinsurance agreement entered into by the assuming insurer and Florida ceding insurers, under section 624.610(4)(e), F.S., provided that such requirements are not in conflict with an applicable covered agreement.

(6) An assuming insurer meeting any other eligibility criteria under the rules of this chapter or under section 624.610, F.S., shall make the necessary and applicable filings with the Office.

Rulemaking Authority 624.308, 624.610(15) FS. Law Implemented 624.307(1), ~~(2)~~, (3), ~~(5)~~; 624.316, 624.317, 624.318, 624.321, 624.324, 624.34, 624.401, 624.404, 624.407, 624.413, 624.424, ~~624.501(20)~~, ~~624.504~~, 624.610, 628.051, 628.061, 628.801, ~~629.084~~ FS. History—New 1-30-91, Formerly 4-108.002, Amended 5-12-94, 10-13-02, Formerly 4-144-002, Amended 9-14-06, _____.

69O-144.007 Credit for Reinsurance from Certified Reinsurers.

(1) through (4) No change.

(5) Nothing in this rule shall be construed to deny the ceding insurer the ability to take credit for reinsurance for the remainder of its liabilities with a certified reinsurer so long as those amounts are secured with acceptable collateral pursuant to section 624.610(5), F.S., and subsection ~~subsections~~ 69O-144.005(5) ~~and (6)~~, F.A.C.

- (6) through (7)
- (8) Status as certified reinsurer:
- (a) through (d) No change.

(e) Each certified reinsurer shall be rated on a legal entity basis, with due consideration being given to the group rating where appropriate, except that an association including incorporated and individual unincorporated underwriters that has been approved to do business as a single certified reinsurer may be evaluated on the basis of its group rating. Factors that may be considered as part of the evaluation process include, but are not limited to, the following:

- 1. through 7. No change.
- (f) through (g) No change.

(h) An assuming insurer seeking to maintain its certified reinsurer status in this state shall annually file the ~~following~~ information required by rule 690-144.002(4)(b), F.A.C. If an NAIC accredited jurisdiction has determined that a certified reinsurer has met the conditions in that jurisdiction to become a certified reinsurer, the Office may accept documentation filed with that NAIC accredited jurisdiction or with the NAIC to satisfy the certified reinsurer’s status in this state.

- (i) through (k) No change.
- (9) through (16) No change.

Rulemaking Authority 624.308, 624.610(4), (15) ~~(14)~~ FS. Law Implemented 624.307(1), 624.424, 624.610 FS. History—New 10-29-08, Amended 7-28-15, 7-30-17, _____.

690-144.011 Credit for Reinsurance from Reinsurers Domiciled in Reciprocal Jurisdictions.

- (1) through (2) No change.
- (3) Credit shall be allowed when the reinsurance is ceded from an insurer domiciled in this state to an assuming insurer meeting each of the conditions set forth below.
- (a) through (c) No change.

(d) The assuming insurer must agree to and provide adequate assurance, in the form of a properly executed Form OIR-C1-517, “Certificate of Reinsurer Domiciled in Reciprocal Jurisdiction,” which may be obtained from <https://www.floir.com/iportal>, of its agreement to the following:

- 1. through 6. No change.
- (e) through (f) No change.

(g) To maintain its reciprocal jurisdiction reinsurer status in this state, the assuming insurer or its legal successor must annually provide the information required by rule 690-144.002(5)(b), F.A.C. If an NAIC accredited jurisdiction has determined that a reciprocal jurisdiction ~~certified~~ reinsurer has met the conditions in that jurisdiction to become a reciprocal jurisdiction ~~certified~~ reinsurer, the Office may accept

documentation filed with that NAIC accredited jurisdiction or with the NAIC to satisfy the ~~certified~~-reinsurer’s status in this state.

- (h) through (i) No change.

(4) The Office shall publish and maintain a list of approved reciprocal jurisdictions on its website. The Office shall timely create and publish a list of Reciprocal Jurisdictions.

(a) A list of Reciprocal Jurisdictions is published through the NAIC Committee Process. The Office’s list shall include any Reciprocal Jurisdiction as defined under paragraphs (2)(a) and (2)(b) and shall consider any other Reciprocal Jurisdiction included on the NAIC list. The Office may approve a jurisdiction that does not appear on the NAIC list of Reciprocal Jurisdictions as provided by applicable law, regulation, or in accordance with criteria published through the NAIC Committee Process.

(b) The Office may remove a jurisdiction from the list of Reciprocal Jurisdictions upon a determination that the jurisdiction no longer meets one or more of the requirements of a Reciprocal Jurisdiction, as provided by applicable law, regulation, or in accordance with a process published through the NAIC Committee Process, except that the Office shall not remove from the list a Reciprocal Jurisdiction as defined under paragraphs (2)(a) and (2)(b). Upon removal of a Reciprocal Jurisdiction from this list credit for reinsurance ceded to an assuming insurer domiciled in that jurisdiction shall be allowed, if otherwise allowed pursuant to this rule and section 624.610(4), F.S.

(5) The Office shall publish and maintain a list of reciprocal jurisdiction reinsurers on its website. The Office shall timely create and publish a list of assuming insurers that have satisfied the conditions set forth in this section and to which cessions shall be granted credit in accordance with this section.

(a) If an NAIC accredited jurisdiction has determined that the conditions set forth in subsection (3) have been met, the Office has the discretion to defer to that jurisdiction’s determination, and add such assuming insurer to the list of assuming insurers to which cessions shall be granted credit in accordance with this subsection. The Office may accept financial documentation filed with another NAIC accredited jurisdiction or with the NAIC in satisfaction of the requirements of subsection (3).

(b) When requesting that the Office defer to another NAIC accredited jurisdiction’s determination, an assuming insurer must submit a properly executed Form OIR-C1-517, “Certificate of Reinsurer Domiciled in Reciprocal Jurisdiction,” incorporated by reference in paragraph (3)(d), and additional information as the Office may require. A state that has received such a request will notify other states

through the NAIC Committee Process and provide relevant information with respect to the determination of eligibility.

(6) through (9) No change.

Rulemaking Authority 624.308(1); 624.610(15). Law Implemented 624.610(4), (15) FS. History-New _____.

69O-144.012 Term and Universal Life Insurance Reserve Financing.

(1) The purpose and intent of this rule is to implement the establish uniform, national standards governing reserve financing arrangements pertaining to life insurance policies containing guaranteed nonlevel gross premiums, guaranteed nonlevel benefits and universal life insurance policies with secondary guarantees; and to ensure that, with respect to each such financing arrangement, funds consisting of primary security and other security, as defined in subsection (3) of this rule, are held by or on behalf of ceding insurers in the forms and amounts required herein. In general, reinsurance ceded for reserve financing purposes has one or more of the following characteristics: some or all of the assets used to secure the reinsurance treaty or to capitalize the reinsurer:

(a) through (c) No change.

(2) No change.

(3) Definitions

(a) through (h) No change.

(i) "Valuation Manual" means the valuation manual adopted by the NAIC as defined in section 625.1212(2)(k) ~~625.1212(1)(k)~~, F.S., with all amendments adopted by the NAIC that are effective for the financial statement date on which credit for reinsurance is claimed.

(j) "VM-20" means "Requirements for Principle-Based Reserves for Life Products," including all relevant definitions, from the Valuation Manual defined in section 625.1212(2)(k), ~~F.S., 625.1212(1)(k)~~.

(4) This rule does not apply to the following situations:

(a) through (e) No change.

(f) If a person submits a petition under section 120.542, F.S., to the office, reinsurance ~~Reinsurance~~ not otherwise exempt under paragraphs (a) through (e) if the office, after consulting with the NAIC Financial Analysis Working Group (FAWG) or other group of regulators designated by the NAIC, as applicable, determines under all the facts and circumstances that all of the following apply:

1. through 3. No change.

(5) through (7) No change.

Rulemaking Authority 624.308(1), 624.610(15), 625.121(3), 625.1212(5), (8). Law Implemented 624.4085, 624.610, 625.012, 625.121, 625.1212, 625.151 FS. History-New _____.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NO.: RULE TITLE:

69O-144.004 Credit for Reinsurance: Authorized Reinsurers

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 48 No. 76, April 19, 2022 issue of the Florida Administrative Register has been withdrawn.

**Section IV
Emergency Rules**

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: RULE TITLE:

12AER22-10 Fuels

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 53 of Chapter 2022-97, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement the exemption from tax for hydrogen used in the manufacturing, processing, compounding, or production of tangible personal property for sale. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the exemption for hydrogen and the suggested exemption certificate to be used to document the exemption.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Section 23 of Chapter 2022-97, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of these provisions.

SUMMARY: Emergency Rule 12AER22-10 amends Rule 12A-1.059, F.A.C., to incorporate the exemption from tax for hydrogen used in the manufacturing, processing, compounding, or production of tangible personal property for sale.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER22-10 ~~12A-1.059~~ Fuels

(1) No change

(2)(a) "Boiler" fuels. When purchased as a combustible fuel, purchases of natural gas, residual oil, recycled oil, waste oil, solid waste ~~material~~ as defined in Section 403.703(35)(13), F.S., coal, sulfur, hydrogen, wood, wood residues, or wood bark

used in an industrial manufacturing, processing, compounding, or production process at a fixed location in this state is exempt. For the purpose of this exemption, the term "residual oil" means ASTM Grades No. 5 and No. 6, heavy diesel, and bunker C. This exemption does not apply to any type of liquefied petroleum gases, naphtha, kerosene, or distillate fuel oil, such as diesel fuels, No. 1 and No. 2 heating oils, and No. 4 fuel oil. The term "fixed location" means being permanently affixed to one location or plant site, or any portable plant which may be set up for a period of not less than six months in a stationary manner so as to perform the same industrial manufacturing, processing, compounding, or production process that could be performed at a permanent location or plant site. To be entitled to this exemption at the time of purchase, the purchaser must issue the seller a certificate stating that the combustible fuel is used in an industrial manufacturing, processing, compounding, or production process. The following is a suggested format of a certificate to be used for this purpose:

SUGGESTED PURCHASER'S EXEMPTION CERTIFICATE

BOILER FUELS USED TO PRODUCE TANGIBLE PERSONAL PROPERTY FOR SALE

I, the undersigned individual, hereby certify that I am the purchaser or the purchaser's agent or representative authorized to act for _____, (PURCHASER) in the purchase of boiler fuels. The _____, its undersigned officer who is duly authorized, hereby certifies to _____ that purchases of natural gas, residual oil, recycled oil, waste oil, solid waste material as defined in section 403.703(35)(13), Florida Statutes F.S., coal, sulfur, hydrogen, wood, wood residues, or wood bark from _____ (SELLER) under account number _____ will be exclusively used as a combustible fuel in the manufacturing, processing, compounding, or production of tangible personal property for sale. This industrial process is located at _____ (ADDRESS) in _____, Florida, County of _____.

I further certify Further, it is certified that _____ (PURCHASER) is not subject to regulation by the Division of Hotels and Restaurants, of the Department of Business and Professional Regulation, and the purchase of the combustible fuel as identified in pursuant to this certificate certification is exempt from sales and use tax as provided in, pursuant to Section 212.08(7)(b), Florida Statutes F.S.

I understand that if I fraudulently issue this certificate to evade

the payment of sales and use tax, I will be liable for payment of the tax plus a penalty of 200% of the tax and may be subject to conviction of a third-degree felony.

Under penalties of perjury, I declare that I have read the foregoing certificate and that the facts stated in it are true.

Signature of Purchaser or Purchaser's Agent or Representative

Title

Date

Dated at _____, Florida, this _____ day of _____.

AUTHORIZED OFFICER OF COMPANY

BY: _____

TITLE: _____

(b) No change

(3) through (6) No change

Rulemaking Authority 212.18(2), 213.06(1) FS. Law Implemented 206.86(4), 212.05, 212.06(3), 212.08(4), (7)(b), (j), (8) FS., section 23, Ch. 2022-97 LOF. History—New 10-7-68, Amended 6-16-72, 7-19-72, 12-11-74, 10-18-78, 7-3-79, 6-3-80, 12-23-80, 8-26-81, 12-31-81, 7-20-82, 10-13-83, Formerly 12A-1.59, Amended 12-13-88, 5-19-93, 9-14-93, 3-20-96, 10-2-01, 4-17-03, 6-12-03, 5-9-13, 1-20-14, 7-1-22.

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

EFFECTIVE DATE: July 1, 2022

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12AER22-11 RULE TITLE: Exemption for Power Farm Equipment; Electricity Used for Certain Agricultural Purposes; Suggested Exemption Certificate for Items Used for Agricultural Purposes

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 53 of Chapter 2022-97, Laws of Florida, authorizes the Department of Revenue to promulgate emergency rules to implement changes to the exemption from tax for the purchase of a trailer by a farmer for agriculture production or to transport farm products from his or her farm to the place where the farmer transfers ownership of the farm products to another, as well as the new exemption from tax for purchases of materials used to construct or repair fencing used in agricultural production. The promulgation of this emergency rule ensures that the public is notified in the most expedient and appropriate manner regarding the changes to the exemption for

purchases of a trailer by a farmer, the new exemption for materials used to construct or repair fencing used in agricultural production, and the suggested purchaser’s exemption certificate to be used to document the exemptions.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of emergency rules to implement the provisions of Section 23 of Chapter 2022-97, Laws of Florida. Additionally, this emergency rule is the most expedient and appropriate means of notifying taxpayers of the provisions.

SUMMARY: Emergency Rule 12AER22-11 amends Rule 12A-1.087, F.A.C., to incorporate changes to the exemption from tax for the purchase of a trailer by a farmer for agriculture production and transportation, as well as the exemption from tax for purchases of materials used to construct or repair fencing used in agricultural production.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

12AER22-11 ~~12A-1.087~~ Exemption for Power Farm Equipment; Electricity Used for Certain Agricultural Purposes; Suggested Exemption Certificate for Items Used for Agricultural Purposes.

(1) through (3) No change

(4)(a) ~~The portion of sales price below \$20,000 for a trailer weighing 12,000 pounds or less and~~ purchased by a farmer for exclusive use in agricultural production, or to transport farm products from the farm to the place where the farmer transfers ownership of the farm products, is exempt from tax. This exemption is allowed regardless of whether the trailer is required to be or is licensed as a motor vehicle under chapter 320, F.S. ~~The portion of the sales price at or above \$20,000 for such a trailer remains subject to tax.~~ This exemption does not apply to leases or rentals of trailers. The exemption for trailers under this paragraph will not be allowed unless the purchaser furnishes the seller a written certificate that the purchased items qualify for the exemption under Section 212.08(3), F.S. The format of a suggested certificate is contained in subsection (10).

(b) ~~The partial~~ exemption granted for trailers does not apply to non-farmers such as haulers, contractors, loggers, and providers of crop services.

(c) No change

(5) through (9) No change

(10) Suggested Exemption Certificate for Items Used for Agricultural Purposes.

(a) through (e) No change

(f) The following is a suggested format of an exemption certificate to be issued by any person purchasing or leasing power farm equipment qualifying for exemption under section 212.08(3), F.S., or items that qualify for exemption as items for agricultural use or items for agricultural purposes. Exemption purposes listed on the suggested format that are not relevant to the purchaser or lessee may be eliminated from the certificate. The Department does not furnish the printed exemption certificate to be executed by purchasers or lessees when purchasing tax-exempt power farm equipment or items for agricultural use or for agricultural purposes. For an aquaculture health product, the purchaser may use the suggested purchaser’s exemption certificate below or provide a copy of the aquaculture producer’s Aquaculture Certification from the Florida Department of Agriculture and Consumer Services to the selling dealer.

**SUGGESTED PURCHASER’S EXEMPTION CERTIFICATE
ITEMS FOR AGRICULTURAL USE OR FOR AGRICULTURAL PURPOSES AND POWER FARM EQUIPMENT**

This is to certify that the items identified below, purchased on or after _____ (date) from _____ (Selling Dealer’s Business Name) are purchased, leased, licensed, or rented for the following purpose as checked in the space provided. This is not intended to be an exhaustive list.

Hog wire and barbed wire fencing, including gates and materials used to construct or repair such fencing, used in agricultural production on lands classified as agricultural lands under Section 193.461, F.S. Materials used to construct or repair hog wire and barbed wire fencing means those materials that are incorporated into and become a component part of the constructed or repaired fencing, such as: welded or barbed wire; hog or barbed wire fence rolls; lumber or steel for posts or rails; nails, screws, hinges; and concrete consisting of premixed dry mortar or other components.

A trailer purchased by a farmer that is used exclusively in agricultural production or to transport farm products from the farmer’s farm to the place where the farmer transfers ownership of the farm products to another. This exemption does not apply to the lease or rental of a trailer. The exemption is not forfeited by using the trailer to transport the farmer’s equipment.

Cloth, plastic, or similar material used for shade, mulch, or protection from frost or insects on a farm.

Fertilizers (including peat, topsoil, sand used for rooting purposes, peatmoss, compost, and manure, but not fill dirt), insecticides, fungicides, pesticides, and weed killers used for application on or in the cultivation of crops, groves, home vegetable gardens, and commercial nurseries.

Generators purchased, rented, or leased for exclusive use on a poultry farm. See the exemption category provided for

power farm equipment, as defined in Section 212.02(30), F.S., which includes generators, motors, and similar types of equipment.

() Insecticides and fungicides, including disinfectants, used in dairy barns or on poultry farms for the purpose of protecting cows or poultry or used directly on animals, as provided in Section 212.08(5)(a), F.S.

() Animal health products ~~product~~ that are administered to, applied to, or consumed by livestock or poultry to alleviate pain or cure or prevent sickness, disease, or suffering, as provided in Section 212.08(5)(a), F.S.

() Aquaculture health products ~~product~~ to prevent or treat fungi, bacteria, and parasitic diseases, as provided in Section 212.08(5)(a), F.S. I certify that I am engaged in the production of aquaculture products and certified under Section 597.004, F.S.

() Nets, and parts used in the repair of nets, purchased by commercial fisheries.

() Nursery stock, seedlings, cuttings, or other propagative material for growing stock.

() Portable containers, or moveable receptacles in which portable containers are placed, that are used for harvesting or processing farm products.

() Seedlings, cuttings, and plants used to produce food for human consumption.

() Stakes used to support plants during agricultural production.

() Items that are used by a farmer to contain, produce, or process an agricultural commodity, such as: glue for tin and glass for use by apiarists; containers, labels, and mailing cases for honey; wax moth control with paradichlorobenzene; cellophane wrappers; shipping cases; labels, containers, clay pots and receptacles, sacks or bags, burlap, cans, nails, and other materials used in packaging plants for sale; window cartons; baling wire and twine used for baling hay; and other packaging materials for one time use in preparing an agricultural commodity for sale.

() Liquefied petroleum gas or other fuel used to heat a structure in which started pullets or broilers are raised.

() Liquefied petroleum gas, diesel, or kerosene used to transport bees by water and in the operation of equipment used in the apiary of a beekeeper.

() Liquefied petroleum gas, diesel, or kerosene used for agricultural purposes in any tractor, vehicle, or other farm equipment that is used exclusively on a farm for farming purposes.

() Butane gas, propane gas, natural gas, or other form of liquefied petroleum gas used in a tractor, vehicle, or other farm equipment used directly or indirectly for the production, packing, or processing of aquacultural products, whether on or off the farm.

() Power farm equipment or irrigation equipment for exclusive use in the agricultural production of crops or products, as produced by those agricultural industries included in sections 570.02(1) and 581.217, F.S., or

() Power farm equipment or irrigation equipment for exclusive use in fire prevention and suppression work for such crops or products, as produced by those agricultural industries included in sections 570.02(1) and 581.217, F.S., or

() Repairs to, or parts and accessories for, qualifying power farm equipment or irrigation equipment for exclusive use in the agricultural production of crops or products, as produced by those agricultural industries included in sections 570.02(1) and 581.217, F.S., or

() Repairs to, or parts and accessories for, qualifying power farm equipment or irrigation equipment for exclusive use in fire prevention and suppression work for such crops or products, as produced by those agricultural industries included in sections 570.02(1) and 581.217, F.S.

() Other (include description and statutory citation):

I understand that if I use the item for any purpose other than the one I stated, I must pay tax on the purchase or lease price of the taxable item directly to the Department of Revenue.

I understand that if I fraudulently issue this certificate to evade the payment of sales tax I will be liable for payment of the sales tax plus a penalty of 200% of the tax and may be subject to conviction of a third degree felony.

The exemption specified by the purchaser may be verified by calling (850)488-6800, Monday through Friday (excluding holidays).

Under penalties of perjury, I declare that I have read the foregoing document and that the facts stated in it are true.

Purchaser's Name

Purchaser's Address

Name and Title of Purchaser's Authorized Representative

Sales and Use Tax Certificate No. (if applicable)

By

(Signature of Purchaser or Authorized Representative)

Title
(Name - only if purchased by an authorized representative of a business entity)
Date

(g) The following is a suggested format of an exemption certificate to be issued by any person purchasing a trailer qualifying for a partial exemption under Section 212.08(3)(b), F.S. The Department does not furnish the printed exemption certificate to be executed by purchasers when purchasing trailers qualifying for the partial exemption.
SUGGESTED EXEMPTION CERTIFICATE
FARM TRAILERS WEIGHING
12,000 POUNDS OR LESS

This is to certify that the trailer described below, purchased on _____ of _____ after _____

(date) from _____ (Selling Dealer's Business Name) is purchased by a farmer in accordance with Section 212.08(3)(b), F.S., for exclusive use in agricultural production or to transport farm products from his or her farm to the place where the farmer transfers ownership of the farm products to another.

DESCRIPTION OF TRAILER INCLUDING WEIGHT:

Note: Any portion of the sales price in excess of \$20,000.00 is subject to sales tax. I understand that if I use the equipment for any purpose other than the one stated, I must pay tax on the initial \$20,000 of the purchase price of the trailer directly to the Department of Revenue. I understand that if I fraudulently issue this certificate to evade the payment of sales tax, I will be liable for payment of the sales tax plus a penalty of 200% of the tax and may be subject to conviction of a third degree felony. The exemption specified by the purchaser may be verified by calling (850)488-6800, Monday through Friday (excluding holidays).

Purchaser's Name

Purchaser's Address

Name and Title of Purchaser's Authorized Representative

Sales and Use Tax Certificate No. (if applicable)

By _____

(Signature of Purchaser or Authorized Representative)
Title

(Title - only if purchased by an authorized representative of a business entity)
Date _____

(11) through (12) No change
Rulemaking Authority 212.18(2), 213.06(1) FS. Law Implemented 212.02(14)(c), (30), (31), (32), 212.05(1), 212.0501, 212.06(1), 212.08(3), (5)(a), (e), (7)(jjj), 212.085 FS., section 23, Ch. 2022-97 L.O.F. History-New 10-7-68, Amended 1-7-70, 6-16-72, 10-18-78, 7-20-82, 4-12-84, Formerly 12A-1.87, Amended 12-13-88, 3-1-00, 6-19-01, 9-15-08, 1-17-13, 1-11-16, 1-10-17, 1-17-18, 1-8-19, 12-12-19, 7-1-22.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: July 1, 2022

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER22-36 RULE TITLE: Replacement of Obsolete Emergency Rules.
SUMMARY OF THE RULE: This emergency rule is replacing other emergency rules that have been determined to be obsolete by the Department of the Lottery.
THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Lisa Swearingin, Executive Manager Assistant, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THIS EMERGENCY RULE IS:
53ER22-36 Replacement of Obsolete Emergency Rules.
The following Department of the Lottery emergency rules relating to Florida Lottery games, promotions or other obsolete emergency rules are being replaced because the games have ended and their respective redemption deadlines have past, the promotions have concluded and the fulfillment processes have been completed, or the provisions of the rules are obsolete. This emergency rule shall replace the following emergency rules:

Table with 2 columns: Rule Number, Rule Title

<u>53ER15-02</u>	<u>Instant Game Number 1259, \$50,000 GOLD RUSH</u>
<u>53ER17-61</u>	<u>Game Number 1364, LUCKY 13</u>
<u>53ER18-30</u>	<u>Game Number 1388, \$1 MONOPOLY™ JACKPOT</u>
<u>53ER18-66</u>	<u>Game Number 1403, LOTERIA™</u>
<u>53ER18-67</u>	<u>Game Number 1404, SILVER & GOLD</u>
<u>53ER19-16</u>	<u>Game Number 5015, CASH MULTIPLIER</u>
<u>53ER19-48</u>	<u>Game Number 1428, EMERALD 8's</u>
<u>53ER19-71</u>	<u>Game Number 1439, QUICK \$50</u>
<u>53ER19-73</u>	<u>Game Number 1441, LOTERIA™</u>
<u>53ER20-02</u>	<u>Game Number 1444, 20X</u>
<u>53ER20-13</u>	<u>Game Number 1447, LOOSE CHANGE®</u>
<u>53ER20-34</u>	<u>Game Number 1455, DOUBLE PAYDAY</u>
<u>53ER20-35</u>	<u>Game Number 5017, MATCH 3 TRIPLER</u>
<u>53ER20-57</u>	<u>Game Number 1461, \$5 MONOPOLY™ BONUS SPECTACULAR</u>
<u>53ER20-58</u>	<u>Game Number 1462, \$10 MONOPOLY™ BONUS SPECTACULAR</u>
<u>53ER20-75</u>	<u>Game Number 1470, 200X THE CASH</u>
<u>53ER20-82</u>	<u>Game Number 1471, \$10,000 HOLIDAY CASH</u>
<u>53ER20-85</u>	<u>Game Number 1474, HOLIDAY CASH BLOWOUT</u>
<u>53ER21-32</u>	<u>Game Number 1456, GUY HARVEY \$500,000 FLORIDA CASH</u>
<u>53ER21-53</u>	<u>CASH STASH</u>
<u>53ER21-54</u>	<u>\$50,000 CASH DOUBLER</u>
<u>53ER21-55</u>	<u>9s IN A LINE</u>
<u>53ER22-15</u>	<u>Replacement of Obsolete Emergency Rules</u>

Rulemaking Authority - 24.109(1) FS. Law Implemented - 24.109(1) FS. History – New 6/29/22. Replaces 53ER15-02, 53ER17-61, 53ER18-30, 53ER18-66, 53ER18-67, 53ER-19-16, 53ER19-48, 53ER19-71, 53ER19-73, 53ER20-02, 53ER20-13, 53ER20-34, 53ER20-35, 53ER20-57, 53ER20-58, 53ER20-75, 53ER20-82, 53ER20-85, 53ER21-32, 53ER21-53, 53ER21-54, 53ER21-55, 53ER22-15.

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: 6/29/2022

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER22-37: PICK 3™

SUMMARY OF THE RULE: This emergency rule describes PICK 3™. 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 THIS EMERGENCY RULE IS:

53ER22-37 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.

In the event that 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, draw time(s), number of panels, and number of drawings as the original ticket, except as provided in subparagraph (1)(i)2., below.

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) FIREBALL prize of \$200	Player wins: one (1) 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 flalottery.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 53ER21-10, F.A.C.

(10) The effective date of this emergency rule is July 1, 2022.

Rulemaking Authority 24.105(2), 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(1) FS. History—New 7-1-2022, Replaces 53ER21-10.

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: 7/1/2022

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER22-38 PICK 4™

SUMMARY OF THE RULE: This emergency rule describes PICK 4™. 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 RULE TEXT OF THIS EMERGENCY RULE IS:

53ER22-38 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.

In the event that 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 flalottery.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, draw time(s), number of panels, and number of drawings as the original ticket, except as provided in

subparagraph (1)(i)2., below.

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 follow:

Example A	Example B
Play Type: Straight	Play Type: Front Pair
Play Amount: \$1.00	Play Amount: \$1.00

<p><u>Player's Numbers: 1-5-3-2</u> <u>Drawing Results: 1-5-3-4</u> <u>FIREBALL Number: 2</u> <u>FIREBALL Winning Combinations:</u> <u>2-5-3-4; 1-2-3-4; 1-5-2-4; 1-5-3-2</u> <u>Player wins: one (1)</u> <u>FIREBALL prize of \$1,500</u></p>	<p><u>Player's Numbers: 2-5-X-X</u> <u>Drawing Results: 1-5-3-6</u> <u>FIREBALL Number: 2</u> <u>FIREBALL Winning Combinations:</u> <u>2-5-3-6; 1-2-3-6, 1-5-2-6, 1-5-3-2</u> <u>Player wins: one (1)</u> <u>FIREBALL prizes of \$15</u></p>
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(c) The FIREBALL prizes and odds of winning are set forth in the table below.

<u>PICK 4 with FIREBALL Prize Structure</u>				
<u>Play Type</u>	<u>FIRE BALL Prize 50-cent Play</u>	<u>FIRE BALL Prize \$1.00 Play</u>	<u>FIRE BALL Odds of Winning 1:</u>	<u>Maximum Number of FIREBALL Wins</u>
<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>416.6</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 & \$190</u>	<u>2,500 & 625</u>	<u>6</u>
<u>6-Way Straight/Box</u>		<u>\$876 & \$126</u>	<u>2,500 & 417</u>	<u>4</u>
<u>12-Way Straight/Box</u>		<u>\$813 & \$63</u>	<u>2,500 & 208</u>	<u>4</u>
<u>24-Way Straight/Box</u>		<u>\$781 & \$31</u>	<u>\$2,500 & 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>416.6</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 follow:

<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 \$5,000 + one (1) FIREBALL prize of \$1,500 = \$6,500</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 \$50 + four (4) FIREBALL prizes of \$15 each = \$110</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 flalottery.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 53ER21-11, F.A.C.

(10) The effective date of this emergency rule is July 1, 2022.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124(1) FS. History—New 7-1-2022, Replaces 53ER21-11.

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: 7/1/2022

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER22-39
RULE TITLE: PICK 5™

SUMMARY OF THE RULE: This emergency rule describes PICK 5™. 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 THIS EMERGENCY RULE IS:

53ER22-39 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.

In the event that 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 flalottery.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, draw time(s), number of panels, and number of drawings as the original ticket, except as provided in subparagraph (1)(i)2., below.

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 as follows:

- (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:

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

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

PICK 5 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	\$6,000	\$12,000	20,000	5
5-Way	\$1,200	\$2,400	4,000	5
10-Way	\$600	\$1,200	2,000	4
20-Way	\$300	\$600	1,000	4
30-Way	\$200	\$400	667	3
60-Way	\$100	\$200	333	3
120-Way	\$50	\$100	167	2
5-Way Straight/Box		\$7,200 & \$1,200	20,000 & 4,000	8
10-Way Straight/Box		\$6,600 & \$600	20,000 & 2,000	6
20-Way Straight/Box		\$6,300 & \$300	20,000 & 1,000	6
30-Way Straight/B		\$6,200 & \$200	20,000 & 667	4

<u>ox</u>				
<u>60-Way Straight/B ox</u>		<u>\$6,100 \$100</u>	<u>20,000 & 333</u>	<u>4</u>
<u>120-Way Straight/B ox</u>		<u>\$6,050 & \$50</u>	<u>20,000 & 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 flalottery.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 53ER21-12, F.A.C.

(10) The effective date of this emergency rule is July 1, 2022.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124(1) FS. History—New 7-1-2022. Replaces 53ER21-12.

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: 7/1/2022

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER22-40 GROUPER®

SUMMARY OF THE RULE: This emergency rule describes the Lottery’s GROUPER provisions.

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 THIS EMERGENCY RULE IS:

53ER22-40 Grouper®.

(1) GROUPER® is a play feature that groups together select online terminal Lottery Draw games and provides extra value to the player by providing a grouping of tickets at a discounted price. The specific online terminal games and purchase price for a GROUPER play will change from time to time as determined by the Lottery. Various defining words may be used in conjunction with “GROUPER” for marketing purposes. GROUPER games and purchase price are available on the Florida Lottery’s website at flalottery.com.

(2) A GROUPER play cannot be player-selected numbers or add-on features. Tickets printed as part of a GROUPER transaction cannot be cancelled.

(3) The tickets in a GROUPER play will be Quick Pick tickets and will be for the next available drawing of each respective game.

(4) For the following circumstances, with respect to any game that is part of GROUPER, a ticket will not print if:

(a) the Quick Pick numbers selected for which a liability limit that has been cut off for the day due to the game’s liability limit being reached; or

(b) the Quick Pick numbers selected are not supported by the game’s prize structure, and therefore, constitute an invalid play.

(5) In the instances described in subsection (4), above, the player will receive the remaining GROUPER tickets, along with a one-time use coupon good for one (1) free Quick Pick ticket to replace the ticket that did not print as part of the GROUPER transaction. The coupon will produce a ticket with the same game and play selections. The coupon may be redeemed at any Lottery retailer or Lottery District Office up through the redemption date printed on the coupon.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), FS. History—New 7-1-2022, Replaces 53ER22-13.

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:7/1/2022

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on June 30, 2022, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for A Routine Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from La Vikinga Latin Food LLC located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open-air mobile food dispensing vehicle.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

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

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

The Board of Professional Surveyors and Mappers announces a public meeting to which all persons are invited.

DATES AND TIMES: July 18 – 20, 2022:

July 18, 2022, 3:00 p.m., Probable Cause Panel. This meeting is closed to the public.

July 19, 2022, 8:30 a.m., General Business Session and Committee Meetings

July 20, 2022, 8:30 a.m., Complete remaining items in General Business Session

PLACE: PGA National Resort, 400 Avenue of the Champions, Palm Beach Gardens, Florida 33418

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Professional Surveyors and Mappers Board Member Committee Meetings and General Business Meeting.

A copy of the agenda may be obtained by contacting: Liz Compton, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3674. One week prior to the meeting date, the agenda will also be available online at: <https://www.fdacs.gov/About-Us/Advisory-Councils-and-Committees/Board-of-Professional-Surveyors-and-Mappers>.

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: Liz Compton at (850)410-3674. 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: Liz Compton, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3674.

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

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

DATE AND TIMES: July 14, 2022, 1:00 p.m., CT Governing Board Meeting; 1:05 p.m., CT Public Hearing on Consideration of Regulatory Matters

PLACE: Okaloosa County Administration Building, 1250 Eglin Parkway, Shalimar, FL 32579

GENERAL SUBJECT MATTER TO BE CONSIDERED: District business. Consideration of Fiscal Year 2022-2023 Tentative Budget, Millage Rate and Dates, Times, and Locations of Public Hearings on the Budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: Savannah Shell, (850)539-5999 or online at

<http://www.nfwwater.com/About/Governing-Board/Board-Meetings-Agendas>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Savannah Shell, (850)539-5999. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

DATE AND TIME: Tuesday, July 26, 2022, 9:00 a.m.

PLACE: SWFWMD, 7601 US 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. All or part of this meeting may be conducted by means of communications media technology to permit maximum participation of Governing Board members.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Office, (352)796-7211, ext. 4747, 1(800)423-1476 (FL only), ext. 4747 or TDD (FL only) 1(800)231-6103, or email to ADACoordinator@WaterMatters.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Lori.Manuel@WaterMatters.org, 1(800)423-1476 (FL only) or (352)796-7211, x4606 EXE0846.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

The Florida Barbers' Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 28, 2022, 10:00 a.m. EST

PLACE: CONFERENCE NUMBER: 1(888)585-9008, PARTICIPANT CODE: 241687833.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Florida Barbers' Board, 2601 Blair Stone, Tallahassee, Florida, 32399, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Barbers' Board, 2601 Blair Stone, Tallahassee, Florida, 32399, (850)487-1395. 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: Florida Barbers' Board, 2601 Blair Stone, Tallahassee, Florida, 32399, (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

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

DATES AND TIMES: Probable Cause, Thursday, July 14, 2022, 9:00 a.m. ET – 12:00 Noon ET; Board Meeting, July 14, 2022, 1:00 p.m. ET until conclusion of business; Board Meeting, July 15, 2022, 9:00 a.m. ET until conclusion of business

PLACE: Division of Real Estate Board Room, Florida Department of Business and Professional Regulation Board Room, 400 W.

Robinson Street, Suite N901, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public; however, there may be cases where probable cause was previously found which are to be reconsidered. The portion of the Probable Cause meeting that is open to the public to attend is a public dismissal. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports, rules, and other general business. A copy of the agenda may be obtained by contacting: Kevin Brown, (352)333-2505.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Kevin Brown, (352)333-2505. 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: Kevin Brown, (352)333-2505.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-9.016 Variances

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

DATE AND TIMES: July 13, 2022, 9:00 a.m. – Noon and then continuing 12:30 p.m. – 3:00 p.m. ET or until completed, whichever is first

PLACE: Call-in toll-free phone number is 1(888)585-9008, Phone Conference ID: 754-420-028#, Your line will automatically be placed on mute, press *2 to unmute your line to speak, then *2 to re-mute line as a courtesy. Please do not put your line on hold.

NO “WALK-IN VARIANCE” APPLICATIONS WILL BE ACCEPTED AT THIS MEETING

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOH Public Swimming Pool Advisory Board will review, discuss, and make recommendations to the Department regarding applications submitted by owners/agents for variance from the state’s public swimming pool codes per subsection 514.0115(9) of the Florida Statutes.

A copy of the agenda may be obtained by contacting: Emailing DOHPoolVariances@FLhealth.gov or calling Ms. Jutta Tolbert, (850)901-6499, or by writing to DOH, 4052 Bald Cypress Way, Bin A-08, Tallahassee, FL 32399-1710. NOTE: The Agenda will not be available until a week prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: DOHPoolVariances@FLhealth.gov or Ms. Jutta Tolbert as listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: DOHPoolVariances@FLhealth.gov or Ms. Jutta Tolbert as listed above.

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: Monday, July 18, 2022, 3:00 p.m.

PLACE: Naples Grande Beach Resort, 475 Seagate Drive, Naples, FL 34103

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting. Topics to include but not limited to a Division, FFIRS and EMS update.

A copy of the agenda may be obtained by contacting: MaryAnn.Benson@MyFloridaCFO.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by

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

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: Monday, July 18, 2022, ten minutes after adjournment of FFIRS meeting which begins at 3:00 p.m.

PLACE: Naples Grande Beach Resort, 475 Seagate Drive, Naples, FL 34103

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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ECONOMIC OPPORTUNITY

The Division of Community Development announces the availability of the Draft Federal Fiscal Year (FFY) 2022 Annual Action Plan for public comment and announces a hearing to which all persons are invited.

DATES AND TIMES: Public Comment Period, July 1, 2022, through July 15, 2022; Public Hearing, July 11, 2022, 10:00 a.m. Eastern Standard Time

PLACE: Public Hearing will be held via Microsoft Teams and in-person: Join by Computer/Tablet/Smartphone or Dial-in at (850)988-5144 (Conference ID: 679322078 #) or attend in-person at the Florida Department of Economic Opportunity, 107 E. Madison St., Caldwell Building, Room 332, Tallahassee, FL.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Economic Opportunity (DEO), in cooperation with other agencies, requests public comment on the FFY 2022 Annual Action Plan for Housing and Community Development (FFY 2022 Annual Action Plan) prior to submitting it to the U.S. Department of Housing and Urban Development (HUD).

The HUD-funded programs included in the FFY 2022 Annual Action Plan are the Florida Small Cities Community Development Block Grant (CDBG) program administered by DEO, the Emergency Solutions Grant (ESG) program administered by the Florida Department of Children and

Families, the Housing Opportunities for Persons With AIDS (HOPWA) program administered by the Florida Department of Health, the Home Investment Partnership (HOME) program, and the Housing Trust Fund (HTF) administered by the Florida Housing Finance Corporation.

The Draft FFY Annual Action Plan is available for public review and comment prior to submitting the plan to HUD. The 15-day comment period will begin on July 1, 2022, and will end on July 15, 2022. The draft of the Action Plan will also be posted on DEO's website: www.FloridaJobs.org/AnnualActionPlan.

Written comments on the drafted Action Plan are encouraged and may be made at the public hearing, emailed to CDBG@DEO.MyFlorida.com, or mailed to: Florida Small Cities CDBG Program, 107 East Madison St., MSC-400, Tallahassee, FL 32399.

A copy of the agenda may be obtained by contacting: CDBG@DEO.MyFlorida.com.

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

Marion Soil and Water Conservation District

The Marion Soil & Water Conservation District announces a public meeting to which all persons are invited.

DATE AND TIME: 2nd Monday, Monthly, 2022, 9:30 a.m.

PLACE: 2710 E Silver Springs Blvd, Ocala

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business

A copy of the agenda may be obtained by contacting: (352)438-2475.

Enterprise Florida, Inc.

The Enterprise Florida, Inc. and the Florida Defense Support Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, July 21, 2022, 9:00 a.m. – 11:45 a.m. CDT, PLACE: Hampton Inn Pensacola Airport, 2187 Airport Boulevard, Pensacola, FL 32504

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss proposed actions that will assist in preserving, protecting, and enhancing Florida's military installations and missions.

A copy of the agenda may be obtained by contacting: Michelle Griggs, (850)298-6640, mgriggs@enterpriseflorida.com or <https://www.enterpriseflorida.com/wp-content/uploads/FDSTF-Agendas-2022.pdf>.

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 1 days before the workshop/meeting by contacting: Michelle Griggs, (850)298-6640, mgriggs@enterpriseflorida.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). For more information, you may contact: Terry McCaffrey, (850)298-6652, tmccaffrey@enterpriseflorida.com.

PANHANDLE PUBLIC LIBRARY COOPERATIVE SYSTEM

The Panhandle Public Library Cooperative System (PPLCS) announces a public meeting to which all persons are invited.

DATE AND TIME: July 20, 2022, 10:00 a.m.

PLACE: the PPLCS office located at 2862 Madison St., Ste. # 1, Marianna, FL 32448

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board meeting material

A copy of the agenda may be obtained by contacting: Cynthia at cdelahunt@pplcs.net or at (850)482-9296.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Cynthia at cdelahunt@pplcs.net or at (850)482-9296. 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: Cynthia at cdelalahunt@pplcs.net or at (850)482-9296.

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

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

University of Florida

Notice of Bid

University of Florida Procurement Services will receive sealed bids for ITB23KO-102, Pre-engineered Metal Building at IFAS Dairy Unit in Hague, FL, on July 28, 2022, 3:00 p.m. A Mandatory Pre-bid Meeting will be held at the site on July 14, 2022, 9:00 a.m. Contractor questions and requests for clarification are due July 19, 2022, 5:00 p.m. All questions can be directed to Karen Olitsky, Procurement Agent III, at kolitsk@ufl.edu. For bid documents and other information visit <https://procurement.ufl.edu/vendors/schedule-of-bids/>.

DEPARTMENT OF EDUCATION

University of Florida

Advertisement for Construction Management Services

The University of Florida Board of Trustees announces that CM-At-Risk services will be required for the project listed below:

Project: UF-652, Biomedical Life Sciences Research Building (Gainesville, FL)

The University of Florida is one of the top research institutions in the United States and continues to expand its research capabilities and focus. The UF Office of Research is proposing the design & construction of a dedicated facility that will address the anticipated continued growth in this area of research. This will be a multi college, multiple disciplinary building which will provide a space and resources for biomedical and life science research. The program itself has not been fully defined and it will be the first phase of the project to work with the University to meet with the various stakeholders to develop the space types needed. We do know that this building will be a combination of wet labs, vivarium/procedure, dry labs, offices, training rooms, and support spaces. In addition, the site for the building may vary somewhat, but it will include exiting building demolition, roadwork, utilities and a holistic stormwater management design.

The estimated construction budget is approximately \$153,000,000, including demolition, site improvements, underground utilities, the building, roadwork and new parking spaces, stormwater, equipment, escalation, and all fees, surveys & tests....

GOLD LEED (Leadership in Energy and Environmental Design) certification by the U.S. Green Building Council (or equivalent sustainability certification by approval) is mandatory.

The contract for construction management services will consist of two phases, pre-construction and construction. Pre-construction services will begin at the Programming Phase followed by ASD, DD, CD and ERP phases and will include production of cost studies and estimates; value engineering; analysis of the design documents for constructability, coordination, detailing, materials, and systems; development and maintenance of the construction schedule; production of detailed jobsite management plans; development of strategies for the procurement of trade contracts; development of waste management strategies; and development of a Guaranteed Maximum Price (GMP) proposal based on 100% Construction Documents. If the GMP proposal is accepted and executed, the construction phase will be implemented. In this phase, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract, or failure to arrive at an acceptable GMP budget within the time provided in the

agreement, may result in the termination of the construction manager's contract.

Applicants will be evaluated on the basis of their past performance, experience, personnel, references, bonding capacity, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant must be licensed to practice as a general contractor in the State of Florida and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. The selected applicant will also be required to provide insurance coverage for General Liability, Automotive Liability, Workers' Compensation, and Builder's Risk.

Applicants desiring to provide construction management services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be prepared as specified in the CMQS Instructions and shall include:

1. A video presentation and introduction that concisely illustrates the applicant's understanding of the scope of services, schedule, and other goals and considerations as outlined in the Instructions and facilities program.
2. Company information and signed certification. See the instructions.
- Applications on any other form will not be considered.
3. A completed, project-specific "CM Qualifications Supplement" (CMQS) proposal.
4. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff.
5. Proof of the applicant's corporate status in Florida (if applicable) and a copy of the applicant firm's current contracting license from the appropriate governing board.
6. Proof of applicant's bonding capacity and liability insurance coverage.

If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction manager must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

Additional information to assist the applicant in preparing a complete proposal – including the project-specific CMQS forms, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Design and Construction Standards, standard University of Florida Agreement for CM Services, and other project and process information – can be found on the Planning Design & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the application submittal as prescribed in the CMQ Instructions. Submittals must be received in the Planning Design & Construction office by 3:00 p.m. local time on Friday, July 29, 2022. Facsimile (FAX) submittals are not acceptable and will not be considered.

UF Planning Design & Construction, 245 Gale Lemerand Drive / P.O. Box 115050, Gainesville, FL 32611-5050, Telephone: (352)273-4000, Internet: www.facilities.ufl.edu.

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., Friday, June 24, 2022 and 3:00 p.m., Thursday, June 30, 2022.

Rule No.	File Date	Effective Date
1A-39.001	6/29/2022	7/19/2022
1T-1.034	6/24/2022	7/14/2022
5A-18.001	6/27/2022	7/17/2022
11D-12.001	6/30/2022	7/20/2022
11D-12.002	6/30/2022	7/20/2022
12AER22-10	6/30/2022	7/1/2022
12AER22-11	6/30/2022	7/1/2022
53ER22-29	6/28/2022	7/4/2022
53ER22-30	6/28/2022	7/1/2022
53ER22-31	6/28/2022	6/30/2022

53ER22-32	6/28/2022	6/30/2022
53ER22-33	6/28/2022	6/30/2022
53ER22-34	6/28/2022	6/30/2022
53ER22-35	6/28/2022	6/30/2022
53ER22-36	6/29/2022	6/29/2022
53ER22-37	6/30/2022	7/1/2022
53ER22-38	6/30/2022	7/1/2022
53ER22-39	6/30/2022	7/1/2022
53ER22-40	6/30/2022	7/1/2022
60A-1.074	6/27/2022	7/17/2022
61G7-5.0012	6/30/2022	7/20/2022
61G15-20.0017	6/28/2022	7/18/2022
64ER22-5	6/28/2022	6/28/2022
64ER22-6	6/28/2022	6/28/2022
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
5K-4.020	12/10/2021	**/**/****
5K-4.035	12/10/2021	**/**/****
5K-4.045	12/10/2021	**/**/****
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	12/8/2021	**/**/****
60P2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
62-6.001	5/10/2022	**/**/****
62-600.405	11/16/2021	**/**/****
62-600.705	11/16/2021	**/**/****
62-600.720	11/16/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****
69L-7.020	10/22/2021	**/**/****

64B8-10.003	12/9/2015	**/**/****
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DEPARTMENT OF LAW ENFORCEMENT
 Division of Local Law Enforcement Assistance
 FY2022 Edward Byrne Memorial Justice Assistance Grant
 Application

RULE NOS.:RULE TITLES:

- 11D-9.001 Definitions
- 11D-9.002 Funds Availability
- 11D-9.003 Limitations on Funds Use
- 11D-9.004 Eligible Purposes and Programs
- 11D-9.005 Application and Award Procedures
- 11D-9.006 Forms and Instructions

Notice of Application for Federal Funds and Funding Availability

The State of Florida, Department of Law Enforcement (FDLE), Office of Criminal Justice Grants will be submitting an application to the United States Department of Justice, Bureau of Justice Assistance, for Federal Fiscal Year 2022 funds made available under Part E of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, Section 500 as amended.

A copy of the application will be available for review and comment by the public at FDLE, Business Support Program, Office of Criminal Justice Grants, Tallahassee, Florida 32308. Interested parties should contact the Office of Criminal Justice Grants at (850)617-1250 to obtain a copy of the application for review.

If the Bureau of Justice Assistance approves this application, units of local government will be eligible to receive subawards from the Department of Law Enforcement. "Units of local government" means any city, county, town, township, borough, parish, village, or other general-purpose political subdivision of a State and includes Native American Tribes that perform law enforcement functions as determined by the Secretary of the Interior.

Chapter 11D-9, Florida Administrative Code, governs program administration and funding. Local governments should thoroughly review rule provisions before applying for subaward funds.

FDLE will provide a notice of funding availability to the chief official of each county and each city. The notice will state the amount of funds available to the county and include information about the application process.

Questions regarding FDLE’s application and the funding process should be directed to Cody Menacof, Bureau Chief, Office of Criminal Justice Grants, FDLE, at (850)617-1250.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Establishment of Moramoto, LLC Line-Make KYMC
 Notice of Publication for a New Point
 Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Kymco USA Inc., intends to allow the establishment of Moramoto LLC, as a dealership for the sale of motorcycles manufactured by Kwang Yang Motor Co., Ltd DbA Kymco (2 Wmi-lc2 Rfb (line-make KYMC) at 8820 Gall Boulevard, Zephyrhills, (Pasco County), Florida 33541, on or after August 1, 2022.

The name and address of the dealer operator(s) and principal investor(s) of Moramoto LLC are dealer operator(s): Alina Mora, 16221 Swenson Terrace, Lutz, Florida 33549; principal investor(s): Andrew Mora, 16221 Swenson Terrace, Lutz, Florida 33549, Alina Mora, 16221 Swenson Terrace, Lutz, Florida 33549.

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: Eric Gerleve, Kymco USA Inc., 5 Stan Perkins Road, Spartanburg, South Carolina 29307.

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

Establishment of Emerald Coast Golf Carts Line-Make VDEV
 Notice of Publication for a New Point
 Franchise Motor Vehicle Dealer in a County of More

than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Vivid EV LLC, intends to allow the establishment of Emerald Coast Golf Carts, as a dealership for the sale of low-speed vehicles manufactured by Vivid EV LLC (line-make VDEV) at 9044 North Palafox Street, Pensacola, (Escambia County), Florida 32534, on or after August 1, 2022.

The name and address of the dealer operator(s) and principal investor(s) of Emerald Coast Golf Carts are dealer operator(s): Alex Liddell, 9044 North Palafox Street, Pensacola, Florida 32534; principal investor(s): Joe Bryant, 9044 North Palafox Street, Pensacola, Florida 32534, Alex Liddell, 9044 North Palafox Street, Pensacola, Florida 32534.

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: Brett Mcneilly, Vivid EV LLC, 16150 Lee Road # 130, Fort Myers, Florida 33912.

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

Establishment of White Rhino Golf Carts Unlimited Line-Make VDEV

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 Vivid EV LLC, intends to allow the establishment of White Rhino Golf Carts Unlimited, as a dealership for the sale of low-speed vehicles manufactured by Vivid EV LLC (line-make VDEV) at 664 Southwest Carter Avenue, Port Saint Lucie, (St Lucie County), Florida 34983, on or after August 1, 2022.

The name and address of the dealer operator(s) and principal investor(s) of White Rhino Golf Carts Unlimited are dealer operator(s): Tim Maribona, 664 Southwest Carter Avenue, Port St Lucie, Florida 34983, principal investor(s): Tim Maribona, 664 Southwest Carter Avenue, Port St Lucie, Florida 34983.

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: Brett Mcneilly, Vivid EV LLC, 16150 Lee Road # 130, Fort Myers, Florida 33912.

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 FINANCIAL SERVICES

FSC - Financial Institution Regulation
Office of Financial Institutions

NOTICE OF FILINGS

Financial Services Commission
Office of Financial Regulation
July 1, 2022

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile OR By Hand Delivery
Agency Clerk Agency Clerk

Office of Financial Regulation Office of Financial Regulation
P.O. Box 8050 General Counsel's Office
Tallahassee, Florida 32314-8050 The Fletcher Building, Suite 118
Phone: (850)410-9889 101 East Gaines Street
Fax: (850)410-9663 Tallahassee, Florida
32399-0379

Phone: (850)410-9889

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact the Agency Clerk no later than seven (7) days prior to the filing deadline or proceeding, at the Office of Financial Regulation, The Fletcher Building, Suite 118, 101 East Gaines Street, Tallahassee, Florida 32399-0379, Phone: (850)410-9889, or by email: agency.clerk@flofr.com.

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., July 22, 2022):

APPLICATION WITHDRAWN

Acquiring Entity: VyStar Credit Union, Jacksonville, Florida
Selling Entity: Heritage Southeast Bank, Jonesboro, Georgia
Received: April 19, 2021
Withdrawn: June 29, 2022

Distribution: (Publication Not Required)
Federal Deposit Insurance Corporation, Atlanta, GA
Federal Reserve Bank of Atlanta, Atlanta, GA
Comptroller of the Currency, Atlanta, GA
Florida Bankers Association, Tallahassee, FL
Lance Davies
Jared Ross

DEPARTMENT OF FINANCIAL SERVICES

FSC - Financial Institution Regulation
Office of Financial Institutions

NOTICE OF FILINGS

Financial Services Commission
Office of Financial Regulation
July 1, 2022

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-

0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P.O. Box 8050		General Counsel's Office
Tallahassee, Florida 32314-8050		The Fletcher Building, Suite 504
Phone: (850)410-9889		101 East Gaines Street
Fax: (850)410-9663		Tallahassee, Florida
32399-0379		
		Phone: (850)410-9889

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.

In accordance with the Americans with Disabilities Act, persons with disabilities needing a special accommodation to participate in this proceeding should contact the Agency Clerk no later than seven (7) days prior to the filing deadline or proceeding, at the Office of Financial Regulation, The Fletcher Building, Suite 504, 101 East Gaines Street, Tallahassee, Florida 32399-0379, Phone: (850)410-9889, or by email: agency.clerk@flofr.gov.

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., July 22, 2022):

APPLICATION TO MERGE

Constituent Institutions: VyStar Credit Union, Jacksonville, Florida and First Coast Federal Credit Union (First Coast Federal), Jacksonville, Florida
Resulting Institution: VyStar Credit Union, Jacksonville, Florida
With Title: VyStar Credit Union
Received: June 28, 2022

Distribution: (Publication Not Required)

Federal Deposit Insurance Corporation, Atlanta, GA
Federal Reserve Bank of Atlanta, Atlanta, GA
Comptroller of the Currency, Atlanta, GA
Lance Davies, Chief Risk Officer & General Counsel
William Berg
Jared Ross